

**“Fruit and the Fruit of Fruit”**

**Charity and Piety among Jews in Late Antique Palestine**

Michael L. Satlow  
Program in Judaic Studies  
Box 1826  
Brown University  
Providence, RI 02912  
Michael\_Satlow@Brown.edu  
(401) 863-3911 (office)

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### Charity and Piety among Jews in Late Antique Palestine

Although a full description of rabbinic spirituality in antiquity is surely elusive, its core can be located with confidence: Torah. While Torah was important to many, probably most, Jews in antiquity, the rabbinic sages vastly expanded both its meaning and its importance. Rather than being a source of laws and foundational stories akin (for example) to Hellenistic constitutions, in the hands of the rabbis Torah became a fount of all wisdom. Ben Bag Bag pithily summarizes this attitude in his statement in Mishnah *Avot*: “Turn it, turn it, for everything is in it. Reflect on it and grow old and grey in it, and from it do not budge, for there is no greater measure than it.”<sup>1</sup>

But most Jews, as the rabbis themselves acknowledge, either were not cut out for or could not afford a life of Torah. “It is the way of the world,” according to a tradition in *Leviticus Rabba*, “that a thousand people enter for [the study of] Bible, and a hundred finish. A hundred [enter for the study of] Mishnah, and from them ten finish. Ten for Talmud, one of them finishes.”<sup>2</sup> Those who gave money to the rabbis were allowed to sit among them, even though they themselves might not have understood a word of Torah.<sup>3</sup> There is not a little fantasy in the famous stories of Akiba and Hillel, each of whom is described as rising from humble beginnings to become great scholars of Torah.<sup>4</sup> Their cases were clearly seen as exceptional.

This, however, does not mean that these many Jews who lived alongside the rabbis in Palestine in late antiquity were not devoted to the God of Israel. Given the state of our preserved evidence, however, locating and describing the features of how they

expressed this devotion is at best challenging. They left extensive archaeological remains, particularly synagogues, mosaics, and inscriptions, but few keys as to how to interpret this material evidence. Sometimes lumped together by the rabbis under the slightly (or more) derogatory term *'am ha-'arets*, “people of the land,” these Jews also left scattered traces of their diverse practices throughout the very literature of the rabbis.<sup>5</sup>

This essay explores a single dimension of what we might call “common” or “popular” Jewish piety in late antique Palestine and its relationship to that of the rabbis.<sup>6</sup> In short, I will argue that at least some Palestinian Jews in late antiquity (defined here as ca. 250-600 CE) believed that God directly and materially rewarded those who gave to or acted charitably toward poor individuals (e.g., almsgiving). While elements of this understanding can be found in earlier Jewish literature, including the Hebrew Bible, the form that it took among Palestinian Jews was both new and distinctively late antique. Like the Christian bishops of late antiquity, though, rabbis sought to appropriate and domesticate this popular understanding. They thus presented charitable activities directed at their own institutions as more worthy, and positioned themselves as the intercessors whose activities caused the divine reward. This argument raises the more general theoretical problem of “popular” and “official” religion, which I discuss in the conclusion.

### **The Story of Abba Yudan**

My point of departure is a story related in *Leviticus Rabba*, an exegetical midrashic collection most likely compiled in the fifth century, CE<sup>7</sup>:

“A man’s gift eases his way and gives him access to the great” (Prov 18:16). Once R. Eliezer and R. Joshua and R. Akiba went to @Holat Antiochia to engage in the collection of the sages. There was there a certain Abba Yudan, who would “do a *mitsvah*” [i.e., give charity] generously and he became poor. When he saw the rabbis he went to his house and his face was downcast. His wife said to him, “What is with you, that you are downcast?” He told her the story: “The rabbis are here, and I don’t know what I will do for them.” His wife, who was a righteous woman [*tsadeqet*], what did she say to him? “You still have a single field. Go, sell half of it and give it to them.” He went and did it. When he gave it to them they said to him, “God will replace your loss.” The rabbis left. He went to plow. When he had plowed half of his field, the Holy One, blessed be He, gave light to his eyes and the earth split before him and his cow fell in and [its leg] was broken. He descended to lift her up and found under her a treasure. He said, “For my good was the leg of my cow broken.” When the rabbis returned they asked about this Abba Yudan, how he was doing. They said, “Who is able to see the face of Abba Yudan, Abba Yudan of the [many] goats, Abba Yudan of the [many] donkeys, Abba Yudan of the [many] camels.” He [Abba Yudan] came to them [the rabbis] and said, “Your prayer for me made fruit and the fruit of fruit.” They said to him, “Even though another man gave more than you, we will write you at the head of the scroll.”<sup>8</sup>

In the most general way, the story is meant to provide an example of Prov 18:16: Abba Yudan's monetary gift to the rabbis causes him to be placed among the "great ones," presumably the big givers. The plot and moral of the story seem relatively straightforward. Abba Yudan, it appears, was so generous that he ended up giving away most of his belongings (although it is possible that he lost most of his possessions due to other reasons) and his primary regret is that he cannot give more! He is divinely rewarded for his generosity, though, being led to a treasure that makes him the wealthiest man in town. So too, the story strongly suggests, we should not hesitate to give generously, especially to rabbis.

Traditionally, stories such as this were read as accurate, if at times embellished, accounts of the past. Such a reading in this case might maintain that in the early second century CE a group of rabbis really did go to @Holat Antiochia (perhaps referring to a valley near the springs of Daphne) to raise funds, and there they found a pious and generous benefactor.<sup>9</sup> We might thus learn from this that in the second century the rabbis maintained somewhat organized fundraising mechanisms (e.g., they keep a record of donations); that rabbis were seen as having miraculous power; and that they could expect a warm welcome in the places they visited.

Yet such positivistic conclusions, we know now, would largely be wrong. Rabbinic fundraising – "the collection of the sages" – appears to have begun in the third rather than second century.<sup>10</sup> Some rabbis undoubtedly were seen as "holy men," but their miraculous powers were only peripherally, if at all, related to their status as "rabbis."<sup>11</sup> It appears, in fact, that the rabbis themselves were few and relatively marginal to the lives of most Jews in Palestine (and all the more so beyond) even through

the end of late antiquity.<sup>12</sup> Itinerant groups of soliciting rabbis were far more likely to have been met with puzzlement than open purses.

This story, then, might best be read as exhortation. Clearly, our story and those like it *are* exhortative. They contain a pointed moral lesson that God rewards pious behavior, frequently *midah keneged midah*, “measure for measure.” Although elsewhere there is rabbinic ambivalence about almsgiving to the point of impoverishing oneself, our story certainly suggests that one should give as much as one can, with the expectation that God will compensate.<sup>13</sup> In our story, though, there is also a catch: Abba Yudan did not receive his divine reward directly, but only – the story is at pains to tell us – because the rabbis had prayed for him. Had Abba Yudan done exactly the same thing, but had the rabbis not prayed on his behalf, would he have been rewarded? This narrative does not yield a clear answer to this question, and it is this central tension – between Abba Yudan’s direct access to divine favor and the power of rabbinic intervention – that also points toward another way of understanding the story. And that way, I hope, will provide a window into the popular conceptions underlying it and the rabbinic attempts to control them, all against the larger landscape of late antique religion.

### **Charity, Piety, and Divine Recompense**

The story of Abba Yudan contains four features that for our purposes are worthy of note. First, as mentioned above, is the basic plot motif: God materially rewards a man who does a charitable deed. Second, the use of the term *mitsvah* as a general term for doing an act of charity is unusual. Third, righteous women are not common in rabbinic literature; Abba Yudan’s wife is denoted as such explicitly. Finally, also as mentioned, is the role that the rabbis play in this story. I will consider each one of these features more

or less sequentially, but will argue that taken together they suggest both a more widespread belief that God materially rewards charitable acts and a rabbinic desire to appropriate this belief for their own ends.

Another story in *Leviticus Rabba* closely tracks the motifs of the story of Abba Yudan. Although it is lengthy, it is worth quoting in full:

“For He pays a man according to his actions, and provides for him according to his conduct” (Job 34:11). Once there was a man who had two sons. One would give much charity [literally, “do many *mitzvot*”] and the other would not give any at all. The one who would give much charity sold his house and all that he had in order to give charity. Once, on Hoshana [Rabba, the day that concludes the holiday of Sukkot, or Tabernacles], his wife gave him ten *follarion* [the term is obscure, but it apparently denotes small amount of money]. She said to him, “Go, buy something from the market for your children.” When he went out collectors of charity ran into him. They said, “Behold, a ‘master of charity’ [*mari mitsvata*] comes to him (?)” They said to him, “Give your portion for this charity because we want to buy a garment for an orphan.” He took those *follarion* and gave it to them.

He was ashamed to go home to his wife. What did he do? He went to the synagogue and saw there citrons [*etrogim*] that the children carried on the day of Hoshana, as we learned, “Immediately the children loosen their *lulavs* and eat their *etrogs*” [mSuk 4:7]. He took from them and filled his

sack and went and departed on the Mediterranean until he arrived overseas.

Now it happened that there was there a king who had a bowel illness. The doctors said to him: “If you had one *etrog* of those that the Jews carry on Hoshana you would eat it and be healed immediately.” They went and they searched in all the lands and in all the ships and they did not find [one]. They went and they found this man lying down on his sack. They said to him, “Do you have anything to sell?” He said to them, “I am a poor man and I do not have anything.” They opened his sack and found it full of *etrogim*. They said to him, “Where are these from?” He said to them, “From those with which the Jews pray on Hoshana.” They lifted [his sack] on his back and took him up before the king. It came to pass that he ate from those *etrogim* and was healed. [The king] said: “Empty his sack and fill it with *dinars*.” They did it for him. The king said to him, “Make a request and I will grant it.” He said, “I request that my property be restored to me and that all the people come out to me.” He made it thus.

When he arrived at the same port a herald went out before him and all the people came out to him. His brother and his sons came out to him. When they were passing over a river the current struck them and drowned them. And he entered into his house and inherited his property and the property of his brother, to fulfill what is written, “For He pays a man according to his actions, and provides for him according to his conduct” (Job 34:11).<sup>14</sup>



This story, as Avigdor Shinan correctly points out, is more complicated than it might first appear.<sup>15</sup> Is our unnamed protagonist's motivation in giving charity to gain honor (as suggested both by his appellation, “master of charity,” and his request to the king) or was it for its own sake (*lishma*), and thus, presumably, of greater value? Did he “take” the *etrogim* from the children by force? Whose children died, his brother's or his, and what does it mean that he inherited his own property? Shinan argues that these issues suggest that in their artful retelling of a folk story, the rabbis sought to convey ambivalence about both extreme acts of charity and charity made for the sake of attaining honor.

Shinan does not elaborate on the nature of the folk story that might underlie this extant version. While in fact the story that underlies its extant versions is ultimately unrecoverable, when the disruptive elements of the narrative are taken out, the similarities to the story of Abba Yudan are clear. In both, a man gives charity (denoted, in both cases, by the word *mitsvah*) to the point of poverty; their wives are involved in this giving (much more to her credit in the story of Abba Yudan); and both men receive a rich reward in this world through events that verge on miraculous.

Several other stories in *Leviticus Rabba* exhibit motifs that are similar (even if not identical) to that of the story of Abba Yudan. One story, for example, comments on Eccl 7:14, “So in a time of good fortune, enjoy the good fortune; and in a time of misfortune, reflect. The one no less than the other was God's doing”:

Rabbi A@ha said, “. . . . If a misfortunate one comes to your neighbor, consider him, how to give charity to him and support him so that you may receive the gift of its/his recompense.”

Rabbi Tan@hum b'Rabbi @Hiyya would do thus. When his mother would get for him a measure of meat from the market, she would get two, one for him and one for the poor. When she would get a bundle of vegetables from the market, one for him and one for the poor, with reference to "...The one no less than the other was God's doing" (Eccl 7:14). Rich and poor, so that these [the rich] might give alms to those [the poor], and those [the poor] might make worthy these [the rich]."<sup>16</sup>

Like the story of Abba Yudan, the poor play a supporting role in this story; they enable the rich to gain merit or the "gift of recompense." The idea that the poor serve the function of enabling the rich to achieve merit is found throughout rabbinic literature, but is perhaps nowhere expressed as graphically as it is in a roughly contemporaneous rabbinic commentary on the biblical book of Ruth: "It was taught in the name of Rabbi Joshua, 'More than the householder does for the poor, the poor does to the householder....'"<sup>17</sup> This general formulation appears to build on a more popular concept. According to a tradition in *Leviticus Rabba*, "Rabbi Ze'ira says, 'Even the conversation of the inhabitants of the Land of Israel is Torah. How? A [poor] man says to his neighbor, "Merit me [or, give me charity]; gain merit through me; merit yourself through me.'" "<sup>18</sup> The kind of merit meant in these traditions is deliberately vague. It most likely suggests that sins can be atoned through charity (a claim explicit in some manuscript variants of Rabbi Tan@hum's statement, and a theme discussed below) and may have echoes of otherworldly recompense.<sup>19</sup> Unlike the Abba Yudan story, this one assumes that people could, and did, give directly to the poor.

The divine reward for almsgiving and other charitable actions might also take the form of rain. A number of rabbinic stories tell of communal fasts during droughts that were answered on account of the good deeds of otherwise common or even seedy looking men. *Leviticus Rabba*, for example, relates a story “in the days of Rabbi Tan@huma” (who presumably lived in the late fourth century) about a drought.<sup>20</sup> Rabbi Tan@huma declared three successive fasts, on the third one exhorting all the people to give alms (*kol ‘ama yifligun mitsvah*). Moved by the exhortation, one man went to sell his belongings in the market when he met his divorcee, who begged him (*zky by*) for alms: “When he saw her naked and in great distress mercy filled him and he gave [alms] to her.” A bystander, though, misjudged the situation and reported to Rabbi Tan@huma that a man was sinning with his divorcee. When the rabbi investigated and discovered the truth, he appealed to God to show mercy on Israel just as the man did on his divorcee, and immediately it rained.

This story again exhibits characteristics similar to those of the story of Abba Yudan. At the heart of the story stands the power of almsgiving: God rewards charity (rather than fasting) with the communal salvation of rain. The story uses familiar linguistic features (the term *mitsvah* to denote charity and the verb *zky*, found in the other stories, as a request for alms) and features a woman in an important supporting role. Perhaps most significantly, though, is Rabbi Tan@huma's intervention. Ultimately it is not the man's charity that brings about the rain, but Rabbi Tan@huma's invocation of his action in his prayer.

While in several of the stories examined above the rabbis seek to domesticate the unmediated power of charitable acts performed by non-rabbinic Jews, rabbinic literature

also contains accounts that acknowledge the innate power of these acts. One series of stories in the Palestinian Talmud, for example, demonstrates (although not without some ambivalence) that charitable deeds, even when performed by otherwise bad people, can bring about communal rewards:

There appeared to the rabbis [in a dream] a certain donkey-driver, who should pray and rain would fall. The rabbis sent and brought him. They said to him, “What is your trade?” He said to them, “I am a donkey-driver.” They said to him, “What good deed did you do?” He said to them, “Once I hired out my ass to a certain woman weeping in the street. And I said to her, ‘What’s with you?’ She said to me, ‘The husband of that woman [i.e., my husband] is imprisoned and I need to see what I can do.’ And because of it I sold my ass and give her the value and said to her, ‘Here, free your husband and don’t sin.’” They said to him, “You are worthy that your prayer be answered.”

There appeared to Rabbi Abbahu [in a dream] Pentakaka [“Mr. Five-Sins,” or according to a different reading “all-sinful,” i.e., a really bad man]<sup>21</sup>, and he was praying for rain and rain fell. Rabbi Abbahu sent and he came. (He said to him, “What is your trade?” He said to him, “Five sins that man [i.e., I] commits every day:) Hires out the dancing women; sweeps the theater; washing their garments; clapping and dancing before them; and beating on cymbals before them.” He said to him, “What good deed did you do?” He said to him, “One time a certain man [i.e., I] was sweeping the theater. A woman came and stood behind a pillar crying. I

said to her, ‘What’s with you?’ She said to me, ‘The husband of that woman [i.e., my husband] is imprisoned and I need to see what I can do.’ And because of it I sold my bed and the cover of my bed and gave to her the value and said to her, ‘Here, free your husband and don’t sin.’” They said to him, “You are worthy that your prayer be answered.”<sup>22</sup>

There appeared to the rabbis a pious man (*@hasid*) of Kfar Imi praying and rain fell. The rabbis went down to him. The members of his household said to them, “He is engaged on the hill.” They went to him. They greeted him and he did not answer. He was sitting and eating and he did not say to them, “Come dine.” When he got up he made one load of twigs and placed the cloak on top of the load. When he arrived [home], he said to the members of his household, “These rabbis here want us to pray so that rain might fall. If I pray and rain falls it is a disgrace for them. But if not, it is a profanation of the Name of Heaven. But come, you and I will go up and pray. If rain falls we will say to them, ‘Heaven has already done miracles.’ But if not, we will say to them, ‘We weren’t worthy to pray and be answered.’” They went up and prayed and it rained. He came down to them and said to them, “Why did the rabbis trouble themselves [to come] here today?” They said to him, “We wanted you to pray so rain would fall.” He said to them, “Is my prayer needed? Heaven has already done miracles.” They said to him, “Why, when you were on the hill, when we said to you ‘hello’ you didn’t answer us?” He said to them, “I was engaged in my work. Should I turn my mind from my work?” They said

to him, “Why, when you sat to eat didn’t you say to us, ‘come and dine?’” He said to them, “I only had my portion of food. Why should I speak to you hypocritically?” They said to him, “Why, when you went to rise, did you place your cloak on the load?” He said to them, “Because the cloak was not mine; I borrowed it to pray in it. Should I tear it?” They said to him, “Why, when you were on the hill, did your wife wear soiled clothes but when she saw you coming from the hill she dressed in clean clothes?” He said to them, “When I was on the hill she dressed in soiled clothes so that another man wouldn’t be attracted to her. And when I was coming down from the hill she dressed in clean clothes so that I wouldn’t be attracted to another woman.” They said to him, “It is well that you pray and are answered.”<sup>23</sup>

All three stories attribute the divine gift of rain to the supererogatory deeds of ordinary people (all of whom, presumably, are Jews). In the first two stories, it is a single act of compassion – providing a weeping woman with enough money to free her husband so that she need not prostitute herself to earn it – that makes their prayers worthy of being answered. In the last story, the *@hasid*’s seemingly strange behavior turns out not to be strange at all, but rather indicates his true piety: he does not cheat his employer, talk hypocritically, or treat borrowed clothes recklessly. His wife is singled out for her piety (and therefore implicitly worthiness to pray with him) by her modesty and chastity.

Pious activity, not status or birth, makes one worthy. In his discussion of these stories, Jacob Neusner emphasized the importance of “merit” for the “system” of rabbinic Judaism. “A single remarkable deed, exemplary for its deep humanity, could win for an

ordinary person the *zekhut* that elicits supernatural favor enjoyed by some rabbis on account of their Torah-study.”<sup>24</sup> Neusner goes on to suggest that *zekut* is the power of the weak, the counter-part category to that of Christian power in late antique Palestine.<sup>25</sup> Hayim Lapin has similarly read these stories as responses to the larger Christian environment. Lapin argues that these stories reflect “a tendency to soften and diminish the reputation of Rabbis as powerful rain makers,” reflecting a rabbinic aversion to the contemporary “increase of prominent Christian holy men who could also bring rain down for their flocks.”<sup>26</sup>

There is, in fact, little doubt that there were Jewish “holy men” in Palestine through the first five centuries CE; that Jewish and Christian holy men could both be seen as “loci of the sacred” and that they made claims to a similar kind of charismatic power; and that the rabbis – like the bishops – were deeply ambivalent about charismatic authority.<sup>27</sup> Our stories, though, point less toward concern with “holy men” per se than they do toward a more diffuse notion of holiness (or divine merit and recompense) accessible to all as a result of their actions.<sup>28</sup> The ass-driver and Pentakaka, for example, are hardly holy men; the stories emphasize that even the lowly and sinful can do good deeds that both outweigh an entire life led in sin and bring extraordinary divine rewards. These good deeds most often are charitable, but as the story of the *@hasid* teaches they can also focus on other matters.<sup>29</sup> Some of the rabbinic stories, like that of Abba Yudan, subordinate the power of these deeds to rabbinic power, while others, like the three above, reflect surprise more than ambivalence.<sup>30</sup>

These stories, I believe, are best understood as rabbinic reflections of wider Jewish understandings of the power of almsgiving and other charitable deeds, rather than

as simple sermonic exhortations or literary tropes.<sup>31</sup> The tensions within these stories, as noted several times above, suggest that underlying stories have been reworked. Both Shinan and Lapin point to the rabbinic discomfort with the conceptions underlying the very stories they are telling. At the same time, as embedded members of the communities that shared these conceptions, the rabbis themselves surely on some level subscribed to them. It is this dynamic of discomfort, ambivalence, aversion, and appropriation – not downright opposition – that helps to make better sense of the inclusion and shape of these stories, as well as their inconsistency.<sup>32</sup>

Philological considerations point in the same direction as these literary tensions, and reinforce the impression that there is a folk-story or understanding underlying these rabbinic stories. Two terms in particular, *mitsvah* and *zky*, are consistently found and used in these stories with distinctive and explicitly colloquial senses. The term *mitsvah* typically means “a command.” The word appears frequently in the Hebrew Bible, where it denotes the commandment of a king, human or group; God’s command(s) or law(s); or, far less frequently, wise and important advice.<sup>33</sup> Similarly, in the non-biblical texts from the Dead Sea scrolls (ca. second century BCE – first century CE) *mitsvah* always refers to a commandment. In early rabbinic (i.e., tannaitic) texts, though, the semantic range of the term begins to expand slightly. A few tannaitic texts – and it should be emphasized that only a very few – use the term *mitsvah* to refer to voluntary but praiseworthy activities, although none to my knowledge uses it to refer to charity or almsgiving.<sup>34</sup> Saul Lieberman states that the word *mitsvah* begins to take on the meaning of “charity, alms” “beginning not later than the third century.”<sup>35</sup>



While a dating of this meaning to the middle or late third century is possible (although almost certainly not earlier), it appears more likely that the term gains this meaning only in the fourth century, primarily in common parlance.<sup>36</sup> The later rabbinic (i.e., amoraic) texts that use the word *mitsvah* to indicate “charity” themselves suggest a colloquial context. One story refers to person who distributes charity only in order that he be publicly known as a “master of charity.”<sup>37</sup> An exegetical tradition has a poor man say to a rich man, “Give me *mitsvah!*”, obviously a reference to alms, and in another story a man tells his nephews to give him six *dinars* “for the sake of a *mitsvah*.”<sup>38</sup> A story in the Palestinian Talmud tells of a rabbi distributing *mitsvah* at night, and in yet another story a man goes begging in a particular neighborhood, “because I heard that he gives charity (*avid mitsvah*).”<sup>39</sup> In each of these cases the word is reported as direct speech, and most likely indicates the way that people actually talked.<sup>40</sup>

The common and colloquial use of the term *mitsvah* to indicate charity receives unexpected confirmation in two inscriptions found in late antique synagogues in Palestine. An Aramaic inscription from Hamat Gader commemorates a large family’s contribution to the synagogue, noting that “their *mitsvot* (acts of charity) are constant everywhere.”<sup>41</sup> An Aramaic inscription in a mosaic in a synagogue in Hamat Tiberias (not far from Hamat Gader, and probably dating from the fourth century) reads “May peace be on all who give charity (*mitsvatah*) in this holy place and who will give charity (*mitsvatah*). May it be for him a blessing, amen, amen, selah, and for me amen.”<sup>42</sup>

The word *zky* undergoes a similar semantic shift. In the Bible, the term means “clear, clean, pure,” often with the implication of “innocent, made righteous,” a meaning that continues through the Dead Sea scrolls.<sup>43</sup> Tannaitic literature often uses the term

with the meaning “merit, worthy.”<sup>44</sup> In Palestinian amoraic literature, though, it also comes to mean specifically, “gain merit before God through the giving of alms.” As with the word *mitsvah*, when it bears this meaning *zky* almost always appears in stories, and usually within direct speech.<sup>45</sup>

Curiously, Augustine testifies to an analogous linguistic shift in Greek and Latin. In his discussion of terms denoting worship or piety, Augustine turns his attention to the Latin word *pietas*, which translates the Greek word *eusebeia*. These words, he writes, refer both to worship of God and obligations toward one’s parents. But, “by popular usage the word is frequently used of works of mercy.”<sup>46</sup> These works can include almsgiving, and Augustine’s distinction between proper and popular usage might indicate that the semantic shift taking place in the popular use of *mitsvah* and *zky* is part of a wider cultural phenomenon.

The philological evidence, both literary and epigraphical, indicates that sometime in late antiquity, most likely not earlier than the third and maybe even as late as the fourth century, the terms *mitsvah* and *zky* underwent semantic shifts in popular usage. This in itself might indicate something about the changing attitudes toward charitable activities, although conceptual arguments based on word-use are necessarily speculative. More importantly, though, the appearance of these terms in rabbinic literature with these new meanings suggests a wider context for these stories than the relatively insular rabbinic study-circles and academies.

The final largely shared characteristic of these narratives is that women play a role. As has frequently been noted, the rabbis – like almost all religious elite in antiquity – tended to treat women (and all the more so female religious practice) as marginal.<sup>47</sup>

The stories cited above largely follow this trend. In each case, the woman facilitates male piety, even if only as an object of pity whose sole purpose in the story is to allow the male hero to rescue her from ruin. The frequency of women's appearances in these stories might indicate some kind of link between charity, women, and their piety in particular.

Stories in which women more actively facilitate their husbands' charitable activities reinforce this link. Abba Yudan would never have given money to the rabbis had it not been for his "righteous" wife. The term "righteous" (*tsadeqet*) is not commonly used of women in rabbinic literature, and where it does appear it is largely limited to biblical women; rabbinic stories apply the epithet to Sarah, Rebecca, Rachel, Leah, Miriam, and Ruth, curiously not using the term for Tamar, the only female called righteous in the Hebrew Bible.<sup>48</sup> A few of these traditions suggest that conception and fertility were rewards for righteousness (and infertility the punishment for its lack), but there is otherwise little reflection on the qualities that might have earned these women this designation.<sup>49</sup> Yet a few of these traditions at least implicitly suggest the characteristics that the rabbis saw as "righteous." In one story, Sarah, at Abraham's urging and despite her "modesty," reveals her breasts "which spouted milk like two springs," and women come with their children and let them drink.<sup>50</sup> Among other things, this peculiar story praises Sarah for her usual modesty and signals her generosity.

Additionally, the word *tsadeqet* might point toward a popular idiom along the same line as that of *mitsvah* and *zky*. The root of the word appears several times in synagogue donation inscriptions from late antique Palestine: "Remember for good Yudan son of Yishmael who made this column and its stairs from his own property. May he

have a portion among the righteous,” reads one Aramaic inscription from Corazin.<sup>51</sup> Another inscription, from Hamat-Gader, might label a nameless female donor to a synagogue as a righteous woman, although the wording is obscure.<sup>52</sup> In rabbinic sources the term can denote “alms,” and a cognate, *zedqto*, bears this meaning in Syriac.<sup>53</sup> Charitable deeds, including almsgiving, were seen as paths to righteousness.

Modesty and charitable deeds, in fact, emerge throughout rabbinic literature as two of the most praiseworthy characteristics of pious women. While scholars have long noted the rabbinic value put on female modesty, far less attention has been paid to the connection between women and charity.<sup>54</sup> Occasionally the two motifs are juxtaposed:

Once there was a woman who loved giving charity [*mitsvata*] while her husband hated giving charity. A poor man came and she gave him something to eat. She sensed her husband coming up and she hid him [the poor man] in the attic. She brought a dish to her husband and he ate. Afterwards a snake came and ate from the dish. Her husband arose from his sleep and wanted to eat. The man in the attic began to speak.<sup>55</sup>

Although the story breaks off here, we are clearly supposed to assume that the husband did not eat, and thereby was saved from death. (It was generally thought in antiquity that any food that a snake touched was poisonous.) The story is meant to be ironic. Although this woman is modest and charitable, her invitation of the poor man into her home appears improper. Yet it is this very act that saves her husband’s life. If not quite a divine reward for her action, it is certainly fortuitous.<sup>56</sup>

The stories analyzed above might in a sense be understood as folk literature. By this designation I am not suggesting that these stories, or even versions of them, were

pervasive and traditional.<sup>57</sup> Instead, I am arguing that these stories reflect a set of wider cultural assumptions about the power of charity; they bring us beyond the formal literary features of rabbinic literature and outside of the often narrow concerns of rabbinic study circles.<sup>58</sup> These stories thus reflect popular understandings *as shaped by* the rabbis. Just as the themes of these stories – however they were told in non-rabbinic contexts – did cultural work, so too did the rabbinic appropriations. As I suggested for several of the stories above (including the one about Abba Yudan), the rabbinic versions often retarget the object of the charity (to the rabbis themselves) while positioning rabbis as efficacious intermediaries for bringing divine favor to the donor.

As many have previously noted, admonitions to support the poor suffuse both the Hebrew Bible and traditional Jewish literature.<sup>59</sup> While in late antiquity both the common understanding and its rabbinic appropriations drew on the concepts and rhetorical strategies of this earlier literature, they did so in ways that were distinctive to late antiquity. A brief examination of this earlier literature and the larger late antique context in which it was read can throw into relief both the common understanding and the particular rhetorical strategies that the rabbis used to appropriate it.

### **From the Bible to the Third Century, CE**

One of the more distinguishing features of the Hebrew Bible in the context of ancient near eastern literature is its support for the poor. While hardly glorifying poverty, the biblical writers repeatedly attack those who oppress the poor.<sup>60</sup> The Pentateuch prescribes a number of social agricultural institutions whose aim was at least in part to support the poor.<sup>61</sup> Whatever the social realities underlying the creation and functioning

of these texts and institutions, they provide a set of resources that later Jews took seriously, if selectively.

The Bible offers two primary reasons for support of the poor. The first equates the poor person with a resident alien (*ger*). Just as God was compassionate to the wandering Israelites, so should we be compassionate to the needy.<sup>62</sup>

The second justification though, which in the Torah is largely limited to Deuteronomy, is that support of the poor brings divine blessing. Deut 26:12-15, which prescribes the declaration to be recited by the giver of the tithe, concludes with the line, “Look down from thy holy habitation, from heaven, and bless thy people Israel and the ground which thou hast given us, as thou didst swear to our fathers, a land flowing with milk and honey”(translation NJPS). Emphasis on divine reward for charitable activities is characteristic of Deuteronomy.<sup>63</sup> At times, D even appears to revise earlier texts to emphasize God’s material rewards for obedience. According to Exod 22:26, for example, if a poor man pawns his only garment you are obligated to return it to him every night to sleep in, with the implied threat of God’s punishment if you do not. The reworking of this passage in Deuteronomy (24:13), though, changes the justification: “when the sun goes down, you shall restore to him the pledge that he may sleep in his cloak and bless you; and it shall be righteousness to you before the LORD your God.” This logic is echoed in some passages in Psalms and Proverbs.<sup>64</sup>

One relatively late biblical passage – and only one – pushes this logic in a more specific direction. Called to interpret King Nebuchadnezzar’s dream, Daniel (also called Belteshazzar), advises, “Therefore, O king, may my advice be acceptable to you: Redeem your sins by beneficence (*betsidqah*) and your iniquities by generosity (*bemi@han*) to the

poor; then your serenity may be extended” (Dan 4:24). This Aramaic verse points to three shifts in the way that Jewish literature would regard support of the poor. First, despite a few related uses in the books of Psalms and Proverbs, this is the only instance in the Hebrew Bible of the term *tsadaqah*, “righteousness,” being used with the meaning of “alms, charity.”<sup>65</sup> This in turn indicates a focus on almsgiving rather than either on a more general sense of righteous behavior or on agricultural support. The Septuagint’s occasional translations of the Hebrew term *tsadaqah* with the Greek *eleemosyne* provides further evidence of this shift.<sup>66</sup> Finally, the verse explicitly asserts that charity can atone for sins.

Both the linguistic shift and its ramifications and the atoning power of charity are especially well-attested in the books of Ecclesiasticus (Ben Sira) and Tobit, the former originally written in Hebrew in the early third century BCE and the latter in Aramaic, perhaps around the same time. According to Ben Sira 3:30 (3:28 in Hebrew), “As water quenches a blazing fire, so almsgiving (*tsadaqah*; *eleemosyne*) atones for sin.” Ben Sira repeatedly emphasizes the importance of almsgiving (e.g., LXX 4:1-10; 7:10; 12:3; 29:8-9; 40:17). As in other Hellenistic cultures, the reasons for giving charity are justified entirely by the benefits that charity confers to the giver; there is little attention paid to the poor themselves. Whether as a means to absolve sin or as “treasure in your strong-room” that “will deliver you from every misfortune” (29:12), charity in Ben Sira especially protects its giver from divine punishment in the afterlife.

Tobit similarly understands acts of charity a pious activity that saves one from death or divine punishment.<sup>67</sup> Tobit uses this justification, in fact, to counter his wife’s assertion that his almsgiving and righteousness have led to any material reward (2:14):

To all those who practice righteousness give alms from what you have; and do not let your eye begrudge the giving of alms. Do not turn your face away from any poor person. Then God's face will not be turned away from you. According to what you have, give alms from it in proportion to your abundance; if you have little, do not be afraid to give the little you can. So you will be storing up good treasure for yourself against a day of need. For almsgiving preserves one from death and keeps one from going off into Darkness. Indeed, almsgiving is a good gift in the sight of the Most High for all who give it.<sup>68</sup>

As in Ben Sira, Tobit subscribes to the idea that the reward of almsgiving can be stored in order to preserve one from at least an untimely death, and perhaps even a more permanent death in the afterlife.<sup>69</sup> Later in the story, the angel, Raphael, says to Tobit and Tobiah, "Prayer with fasting, almsgiving, and righteousness is good... It is better to give alms than to hoard gold. For almsgiving saves one from death; it wipes out all sin. Those who practice almsgiving and righteousness will be filled with life."<sup>70</sup> On his deathbed, Tobit tells Tobiah that almsgiving quite literally leads to life; God will foil the attempts made on the lives of almsgivers.

This theme, that charity and almsgiving accrues protection from death and, after death, divine punishment, is common in the literature of the Jesus movement. The determination of whether a particular "Jesus tradition" is truly authentic or the creation of a later tradent or redactor is notoriously slippery. Nevertheless, even if the Gospels do not provide an accurate account of Jesus' own view toward poverty and almsgiving, they at least reflect the views of a first century Jewish author or community. The Gospels



repeatedly portray Jesus and his compatriots as praising almsgiving.<sup>71</sup> The primary justification for almsgiving in the Jesus traditions appears to be that it assures a place in the afterworld.<sup>72</sup> This justification underlies the arguments of the two most developed early Christian works on charity and almsgiving, those of Clement of Alexandria (ca. 150-215) and Cyprian (d. 258).<sup>73</sup> Clement in fact allegorizes the notion of wealth and what appears to be Jesus' support for extreme renunciation, reading these statements as exhortations to tame one's passions as the key to entering the afterlife.

Below I will discuss briefly the evidence in tannaitic literature for charitable institutions, but here it is worth noting only that while the importance and value of charity in this literature seems to be taken for granted, it rarely justifies the practice. The few places where this literature does offer some evidence for how the tannaim understood charity (beyond being simply a divine commandment), reflect the same themes present in Ben Sira, Tobit, and the early Christians. One midrash threatens that one who does not give to the poor ultimately will become poor; charity here saves from an evil end.<sup>74</sup> The first mishnah of *Peah* famously declares that acts of charity (presumably including actual charitable giving) leads to benefit in the world-to-come. In later literature tannaim are sometimes attributed with views such as that charity atones for sin (echoing Daniel), but I have not found any such statements attested within tannaitic documents themselves.<sup>75</sup>

A second, but less well-attested justification in early Jewish literature for almsgiving follows the biblical equation of a poor person with a *ger*, a resident sojourner. To give to the poor is thus to practice a kind of *imitatio dei*. Philo conflates this idea to the more general Hellenistic virtue of *philanthropia*. For Philo, *philanthropia*, sometimes translated as "benevolence" or "love of humanity," is a human and not specifically

Jewish virtue.<sup>76</sup> God is the paradigmatic possessor of *philanthropia*, but humans are to emulate this divine quality.<sup>77</sup> When people see a poor person they naturally show compassion (*eleon*), “which goes forth abundantly from all beholders, indoors, at temples, in the market-place, everywhere...” – clearly not a quality that Philo sees as limited to Jews.<sup>78</sup> It is not surprising to find Philo ascribing *philanthropia* to the biblical ancestors: Rachel, Abraham, Joseph, and Moses all possess it.<sup>79</sup> Moses, in fact, embodied this virtue in his own life in order to provide a model for others to follow.<sup>80</sup> The Law (the Torah) itself exhibits and promotes this virtue.<sup>81</sup>

Philo’s most succinct and coherent view on treatment of the poor ironically occurs in a discussion of the biblical injunction not to favor the poor in judgment:

And this comes from one who has filled practically his whole legislation with injunctions to show pity and kindness, who issues severe threats against the haughty and arrogant and offers great rewards to those who feel it a duty to redress the misfortunes of their neighbours and to look upon abundant wealth not as their personal possession but as something to be shared by those who are in need. For what one of the men of old aptly said is true, that in no other action does man so much resemble God as in showing kindness, and what great good can there be than that they should imitate God, they the created Him the eternal?<sup>82</sup>

Here Philo calls upon the authority of the “men of old” – quite possibly Hellenistic philosophers – to link charity to imitation of the divine.<sup>83</sup> Perhaps, though, it merely alludes to the biblical passages that equate the poor with the resident alien. Philo’s intimation of divine reward for the charitable giver is cryptic and underdeveloped,

although elsewhere he suggests that the rich see charity as a loan that the poor will pay back when they are able.<sup>84</sup>

There is, finally, a third justification found early Jewish literature that more directly foreshadows the themes in the amoraic literature discussed above. Loosely following Deuteronomy, both Paul and Josephus suggest, but by no means emphasize, that charitable acts bring direct material reward in this world. According to 2 Corinthians 9:5-12 (trans. RSV):

So I thought it necessary to urge the brethren to go on to you before me, and arrange in advance for this gift you have promised, so that it may be ready not as an exaction but as a willing gift. The point is this: he who sows sparingly will also reap sparingly, and he who sows bountifully will also reap bountifully. Each one must do as he has made up his mind, not reluctantly or under compulsion, for God loves a cheerful giver. And God is able to provide you with every blessing in abundance, so that you may always have enough of everything and may provide in abundance for every good work. As it is written, "He scatters abroad, he gives to the poor; his righteousness endures for ever." He who supplies seed to the sower and bread for food will supply and multiply your resources and increase the harvest of your righteousness. You will be enriched in every way for great generosity, which through us will produce thanksgiving to God; for the rendering of this service not only supplies the wants of the saints but also overflows in many thanksgivings to God.

Paul's language here appears to not be merely metaphorical: both the context and the language of the passage ("abundance," *perisseuo*) indicate that Paul refers to material gifts and reward.

Josephus's language is a bit more guarded. In his explanation of the laws of gleaning, he writes:

When reaping and gathering in the crops ye shall not glean but shall even leave some of the sheaves for the destitute, to come as a godsend for their sustenance; likewise at the vintage leave the little bunches for the poor, and pass over somewhat of the fruit of the olive-yards to be gathered by those who have none of their own whereof to partake. For that minute care in garnering will not bring the owners wealth so great as the gratitude which would so come to them from the needy; the Deity, too, will render the earth more eager to foster its fruits for those who look not only to their own interests but also have regard to the support of others.<sup>85</sup>

Josephus suggests two incentives for leaving the gleanings of the field for the poor. First, they will incur the gratitude of the poor. Second, alluding to the justification given in Deuteronomy, God will generally reward such behavior by making the land more fertile.

Later Jews and Christians thus had a variety of intellectual resources available for justifying their support of the poor. Some Jews as we saw above, chose the approach of Deuteronomy, Paul, and Josephus, but developed it in a much fuller and more distinctive manner. To fully appreciate this development, we must turn to the wider late antique context within which it took place.

### The Third Century and Beyond

By the fourth century, the vague notions of blessing found in Deuteronomy, Paul, and Josephus were transformed by the fourth into a much more vibrant and concrete promise of divine blessing for the giving of alms and other support of the poor. How can we account for the transformation? While I would not want to claim that Jews were “influenced” by Christians or that they reacted strongly and polemically to them, it does seem that Christians and Jews lived in a common world with shared symbols and discourses.<sup>86</sup> It is this world rather than the earlier biblical and Judean traditions that makes better sense of these emerging Jewish notions of charity and the ways by which the rabbis appropriate them.

The motif that God rewards charitable giving with direct material benefit appears rarely in early Christian literature until the fourth century, and even then does not achieve prominence until the sixth century. Just as Jews largely ignored Deut 26:12-15 until late antiquity, so too did Christians not develop Paul’s idea until much later. The elaboration of Paul’s idea occurs primarily in the developing notion of “the miraculous economy.”<sup>87</sup> Found mainly in Christian hagiographical literature of the sixth and seventh centuries, in both Syriac and Greek, the idea almost precisely parallels the Jewish concept examined above. Cyril of Scythopolis, for example, writing in the mid-sixth century in Palestine tells a story of an abbot receiving reward for his hospitality:

On seeing them, the elder summoned [his steward] and said, “Serve these people something to eat.” ... Going accordingly to the small cell called by some the pantry where a few loaves of bread were lying, [the steward] was unable to open the door. For a divine blessing [*eulogia*] had filled the cell

right to the top. Calling some of the men, he took the door off its hinges, and out poured the loaves from the cell. The same blessing [*eulogia*] likewise occurred with the wine and the oil... Just as God through the prophet's voice made the jar of meal and cruse of oil well up for the hospitable widow [1 Kgs. 17.14], so too did he grant this godly elder a supply of blessing [*eulogia*] equal to his zest for hospitality.<sup>88</sup>

Cyril continues with a tale of the abbot quoting 2 Corinthians 9:6 to explain the happenings to his steward. Here it is an act of extreme hospitality that results in concrete material blessings. In the "Life of John the Almsgiver," written about a century later, it is alms that cause reward. John sees a vision, and interpreting the woman in his dreams as Sympathy or Charity, he quickly goes out to test the vision:

I dressed quickly and without waking anyone in the house I made my way to the church. For it was already dawn. And on my way I met a brother shivering with cold, so I took off my goatskin and gave it to him, saying to myself, "Now by this I shall know whether my vision was really a true one or sent by a demon". And truth bore witness, for before I reached the church a man clad in white suddenly met me and handed me a bag with 100 nomismata in it saying, "Take this, brother, and use it as you like". In my joy I turned round directly I had taken it, wishing to give him back the bag as I was not in want, but I could not see anybody. Then I said: "Certainly it was not my imagination."<sup>89</sup>

In his far-reaching study, Daniel Caner has argued that the increasing wealth of the church and monasteries from both private and imperial benefactions in the sixth and

seventh centuries accounts for the growth of this idea and more specifically the heavy emphasis within this hagiographical trope on the word “blessing.” Caner writes:

Thus the language and notion of material “blessings” helped to mystify and explain at once the origins of church and monastic wealth. Ideally, it helped to inculcate a religious mindset that would perceive that a double agency, both human and divine, was at work in the provisioning of one’s necessities, and so might appreciate whatever one received, no matter how slight, as a gift from God.<sup>90</sup>

Caner argues that this was a discourse of the religious elite. Although laypeople may have been aware of such material “blessings” (a term also used specifically for the loaves of bread distributed in monasteries), this idea served primarily “to mystify” the wealth that ultimately supported members of the religious orders. It thus might be said to serve the social function of “misrecognition,” making a social and economic transaction appear to be a divine act.

This conclusion would seem to distance the sixth century Christian discourse of a “miraculous economy” from its fourth century Jewish manifestation: the former is chronologically later; it used the term “blessing” (*eulogia*) rather than “command” (*mitsvah*; *entole*); and it appears to have had a more limited audience.<sup>91</sup> At the same time, though, it seems likely to me that the similarities between them result from a shared discourse. The ubiquity of the concept in both Syriac and Greek hagiographies might suggest a process similar to the one I suggest for the Jewish sources: at base this is a common understanding of the power of charity transformed and domesticated by the

religious elite, who at that point might have introduced the rhetoric of “blessings” to ground the concept in the New Testament.

### **Back to Reality**

Another point of intersection between these Jewish and Christian stories is the role played by rabbis and bishops. Just as the rabbis in the stories above are portrayed as controlling what might otherwise be seen as private, individual acts of piety, so too did Christian bishops attempt to channel charitable giving through their own institutions. Unlike the Jewish charitable institutions, the development of these charitable Christian institutions – and thus the material reality generating the rhetoric – is relatively easy to trace.

Peter Brown has argued that, “Late antiquity witnessed the transition from one model of society, in which the poor were largely invisible, to another, in which they came to play a vivid imaginative role.”<sup>92</sup> Despite the impression sometimes created by the New Testament that early Christians had organized charitable giving, it appears that these institutions began only in the late first century.<sup>93</sup> In the second and third centuries, Christian charitable giving was loosely organized and, apparently, directed mainly at poor Christians.<sup>94</sup> Beginning in 312 with the patronage of Constantine, though, the institutions of the Church increasingly took on the responsibility for “care of the poor” in a kind of quid pro quo in which imperial authorities were funneling increasing amounts of wealth to the Church. The Church and its bishops justified its growing privileges by means of support of the poor.<sup>95</sup> The trajectory of this trend was predictable. Through their own direct support of the poor, bishops began to build a base of power that could also stand in tension with that of the state.<sup>96</sup> From the third century on the Church



strongly (if not unanimously) encouraged Christians to give to clergy and official institutions rather than the poor themselves; the former knew better how to direct the alms for the good of the poor.<sup>97</sup> By the seventh century, a wide range of well-endowed Christian institutions for the care of the poor had been founded.<sup>98</sup>

The development of Jewish charitable institutions is more obscure. There are vague and scattered references to Jewish charitable institutions prior to the third century. Philo vaguely alludes to the contemporary practice of leaving the land fallow on the seventh year. Josephus states that almsgiving was one of only two things that Essenes did at their own initiative.<sup>99</sup> Curiously, according to the Damascus Rule the overseer (*mevaqer*) did administrate the distribution of charity within his community, imposing a levy of two days wages each month on members of the community for centralized distribution to the poor who were, presumably, members of the community.<sup>100</sup> A Bar Kokhba coin appears to have been stamped with the word *tsadaqah* – perhaps it was a charity token, but this is a unique item.<sup>101</sup>

Beginning in the third and fourth centuries two very different kinds of evidence point towards the development of two very different kinds of charitable institutions in Roman Palestine. The first, and less relevant for our purposes, is euergetism.<sup>102</sup> Beginning around the third century in Palestine (and much prior to that in some areas of the circum-Mediterranean), Jews began producing inscriptions in their synagogues commemorating their donations. While this institution might generally reflect a belief that money given for divinely sanctioned things leads to material reward, Jewish euergetism better demonstrates the participation of a Jewish sub-elite in a wider Greco-Roman practice than it does a growing concern for support of the poor. Two Talmudic

passages, in fact, directly contrast these synagogue donations with more direct support of the poor, particularly poor students of Torah.<sup>103</sup>

The second kind of charitable institution, attested almost entirely in rabbinic sources, supports direct aid to the poor. The Mishnah mentions two institutions for support of the poor almost in passing, the *tam@hwy* and the *qupah*.<sup>104</sup> While the Mishnah appears simply to assume the existence of these institutions, the Tosefta details how they are to gather and distribute money, by whom and to whom.<sup>105</sup> Tannaitic literature also contains several discussions of “collectors of charity.”<sup>106</sup> Some scholars have seen in these accounts evidence for a set of well-developed institutions for support of the Jewish poor of Roman Palestine.<sup>107</sup>

Slightly later rabbinic texts give the distinct impression of increasing rabbinic involvement in communal institutions for support of the poor beginning in the late third and into the fourth centuries.<sup>108</sup> At the same time, they appear to have begun soliciting charity, engaging in the “collection of the sages” as our story about Abba Yudan puts it.<sup>109</sup> Most of these traditions do not specify the eventual recipients of the collected funds, but at least one source reports that money was given to the rabbis for the support of orphans and widows, but “he went and distributed [the money] to the rabbis.”<sup>110</sup> Several sources that probably date from the fourth century promise reward to those who donate to rabbis.<sup>111</sup> The slippages here both point in the same direction. By controlling charitable distribution, the rabbis could increase their own power and prestige. By using the money to support their own poor, the rabbis could support themselves and potentially attract new adherents. According to Lee Levine, “Just as the bishops’ supervision of charitable institutions gave them extensive communal power and influence over the

masses, so rabbinic prestige was undoubtedly enhanced by their participation in this realm.”<sup>112</sup>

In truth, it is difficult to determine the extent to which the rabbinic sources testify to actual, widespread communal institutions or much smaller local institutions inflated with grandiose rabbinic desires.<sup>113</sup> In 362, the Emperor Julian provided an imperial grant for the sake charity and support of hostels, noting that, “it is disgraceful that, when no Jew ever has to beg, and the impious Galilaeans [Christians] support not only their own poor but ours as well, all men see that our people lack aid from us.”<sup>114</sup> It is hard to know if this is a bit of rhetorical flourish to shame the Christians; an idiosyncratic perception that individual Jews gave alms; or actual testimony for wide-spread Jewish charitable institutions.

The development of Jewish charitable institutions, and the rabbinic desire to exercise some control over them, however, might help to account for the final detail of the story of Abba Yudan.<sup>115</sup> The rabbinic attempt to appropriate and control the underlying idea of the “miraculous economy” might only be rhetorical, but it is consistent with a larger pattern of rhetoric and behavior. Using the same technologies found in the patristic sources – written lists and intercessionary prayers – the rabbis of late antiquity attempted to recast and thus fundamentally transform the notion that individual acts of charity bring direct and personal divine reward.<sup>116</sup>

### **Conclusions**

There is certainly nothing surprising in the very fact that rabbinic literature supports charitable activities and institutions. The biblical prophets widely exhort support of the poor; the pentateuchal law codes mandate it; and Jewish literature written

during the Hellenistic period continues to see it as an important and pious practice. Jews in the Hellenistic and Roman periods saw charity not only as a divinely sanctioned good, but also as an activity that would help them to achieve atonement and merit in the afterlife

Beginning in the fourth century, however, a new understanding of charity emerged among the Jews of Roman Palestine. While there was a tradition that stretched from Deuteronomy through Paul and Josephus that gifts to the poor brought to their giver direct divine reward in the form of material wealth, Jews, like their Christian neighbors, developed this notion much more extensively in the context of a belief in a “miraculous economy” that materially rewarded pious acts. Here seems to have been a case of shared discourse.<sup>117</sup> Those Jews and Christians who lived in geographical and cultural proximity to each other, even in late antiquity, continued to speak similar religious languages. So too we can see the similar responses of rabbis to Christian bishops to the popular notion of a miraculous economy. Although the bishops enjoyed a level of imperial patronage about which the loosely organized rabbis could only dream, both sets of clerics understood the challenges and opportunities raised by this notion. There was both money and power to be had.

Ultimately, such a development of course relates to the concrete material conditions of Roman Palestine in late antiquity. The findings here point toward shifts in social relations, not only between rabbis and ordinary Jews but also among Jews of different economic means. It is at this level of analysis that individual charity should be seen in conjunction with the rise of euergetism. That larger synthesis, however, is beyond the scope of this essay.

This study also touches on the wider problem of what is sometimes known as “popular” religion. The term has been derided, often for good reason: it tends to be used as a normative judgment. But how do we explain the differences and relationships between the highly articulated prescriptive texts that come to be canonical or formative of “traditions,” and the beliefs and behaviors of most of the people who would identify with those “traditions”? Jacques Berlinerblau has proposed that for the Hebrew Bible “popular religion” must be studied together with “official religion,” and these categories can in fact be useful when used with sensitivity.<sup>118</sup> Working primarily with medieval materials, Stephen Benin too draws attention to the interplay between “official” prescriptions – in his case the rabbinic discussion of what is to be done with “a hen crowing like a cock” – and ordinary customs.<sup>119</sup> Benin uses this case to argue that the line between “custom and law” among Jews in medieval Ashkenaz (France and Central Europe) was fluid, and that Ashkenazic rabbis not only integrated common customs into their prescriptions but created a theoretical framework to allow for such integration.<sup>120</sup>

By reading against the grain of rabbinic texts and placing my reading within both diachronic and synchronic frameworks, I have argued that we can discern a complex interaction between “popular” attitudes and practices and the response of the self-styled religious “elite” to them. Like Benin, I have argued that rabbis responded to common ideas and practices. At the same time, though, this response is not simply a utilitarian rabbinic surrender in the face of popular dissent (a model that reinforces, in my mind mistakenly, the idea that “popular” and “elite” were tightly bounded social groups) but a highly and subtly embedded one. As one reviewer of an anthology on “popular” and “elite” religion wrote, “‘elite’ and ‘popular’ might be understood as differential

appropriations of the same materials, rather than wholly distinct categories.”<sup>121</sup> Rabbis were part of the world in which they lived.

If the specific conclusions of this study might not extend out of late antique Palestine, it may nonetheless be useful for thinking more broadly about the relationship between “popular” and “official” religion. In his essay on Max Weber’s view of popular religion, Berlinerblau suggests that “the study of ‘popular religion’ is the study of those religious groups that are ‘guilty’ (by reason of their subordinate status within a relation of power) of not conforming to the mandates of the ‘official’ church, whatever those might be.”<sup>122</sup> The analysis offered here would seem to complicate that assessment. “Official” religion might in fact be seen as “popular.” “Official religion” is the product of human beings embedded in and interacting with their environment; as in the case above, these people might be socially marginal and themselves hold a “subordinate status.” Moreover, whereas Berlinerblau and Benin starkly locate the essence of the encounter between “popular” and “official” religion in conformity to norms, our story of Abba Yudan suggests a much more subtle fluidity.

## Notes

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<sup>1</sup>mAvot 5:22 (Ch. Albeck, ed., *The Mishnah* [rpt., 6 vols.; Jerusalem and Tel Aviv, 1988] 4:381). All translations are mine, unless otherwise noted.

<sup>2</sup>LevR 2:1 (ed. M. Margulies, *Midrash Wayyikra Rabbah* [rpt.; New York and Jerusalem, 1993] 1:35). Note that this section of *Leviticus Rabba* might be inauthentic. See H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash*, trans. Markus Bockmuehl (Minneapolis, 1992), 315.

<sup>3</sup>Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine*, *Texte und Studien zum Antiken Judentum* 66 (Tübingen, 1997), 457, and the sources cited there in n. 48.

<sup>4</sup>Akiba: bKet 62a-b (parallel bNed 50a); Hillel: bYom 43b. Cf. Jeffrey Rubenstein, *The Culture of the Babylonian Talmud* (Baltimore and London, 2003), 110-14, 141.

<sup>5</sup>A full discussion of the ‘*am ha-’arets* is beyond the scope of this essay. Cf. A Büchler, *Der galiläische ‘am-ha’areš des zweiten Jahrhunderts* (1906; reprint Hildesheim, 1968); Aharon Oppenheimer, *The ‘am ha-aretz: A Study in the Social History of the Jewish People in the Hellenistic-Roman Period* (Leiden, 1977); Dan Jaffé, “Les ‘amei-Ha-Areš

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durant le II<sup>e</sup> et le III<sup>e</sup> siècle: État des sources et des recherches,” *Revue des Études Juives* 161 (2002): 1-40.

<sup>6</sup>On use of the term “common” in this context, see Stuart S. Miller, *Sages and Commoners in Late Antique 'Erez Israel*, *Texts and Studies in Ancient Judaism* 111 (Tübingen, 2006), 21-28. On the category “popular religion” (which is in need of extensive theoretical rehabilitation), see the conclusion of this essay.

<sup>7</sup> On dating and other technical issues related to Leviticus Rabba, see Strack and Stemberger, *Introduction*, 313-7.

<sup>8</sup>LevR 5:4 (ed. Margulies, 110; parallel, with some differences, at yHor 3:4, 48a). For a discussion of this story within its immediate literary context, see Burton L. Visotzky, *Golden Bells and Pomegranates*, *Texts and Studies in Ancient Judaism* 94 (Tübingen, 2003), 121-34.

<sup>9</sup>On @Holat Antiochia, see Visotzky, *Golden Bells and Pomegranates*, 125.

<sup>10</sup>Lee I. Levine, *The Rabbinic Class of Roman Palestine in Late Antiquity* (Jerusalem and New York, 1989), 162-67.

<sup>11</sup>Cf. Richard Kalmin, *The Sage in Jewish Society of Late Antiquity* (London and New York, 1999), 75-79.

<sup>12</sup>For a recent argument about the marginal status of the rabbis, see Seth Schwartz, *Imperialism and Jewish Society, 200 B.C.E. to 640 C.E.* (Princeton, 2001), 103-28. For a nuanced argument that rabbis were more deeply embedded in their societies than Schwartz claims, see Miller, *Sages and Commoners*.



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<sup>13</sup>On this rabbinic ambivalence, see Ephraim E. Urbach, “Political and Social Tendencies in Talmudic Concepts of Charity” (Hebrew), *Zion* 16 (1951): 1-27 (at 18-20), reprinted in *The World of the Sages: Collected Studies* (Jerusalem, 1988), 97-124 (114-16).

<sup>14</sup>LevR 37:2 (ed. Marguiles 856-860).

<sup>15</sup>Avigdor Shinan, “The Tale of the Citrons” (Hebrew), *Mehkere Yerushalayim be-folklor yehudi* 13/14 (1990/91): 61-79.

<sup>16</sup>LevR 34:5 (ed. Marguiles 780-781). In MS Paris 149, MS Munich 117, and the Yalkut Shimoni version the very last clause states that the poor cause atonement for the rich.

<sup>17</sup>RuthR 5:9 (on Ruth 2:19). The tradition is also found in Marguiles edition of LevR (34:8, p. 791), but many manuscripts omit it and, as Marguiles notes (*ad loc.*), it was probably original to RuthR. There are no parallels found in earlier (tannaitic) documents.

<sup>18</sup>LevR 34:7 (ed. Marguiles 783). Cf. LevR 34:10 (ed. Marguiles 794), which relates a story of a poor man who begged from two rabbis in Tiberius using this same language, “gain merit through me” (paralleled at yPeah 8:9, 21b). See also yShab 6:9, 5d, and the sources cited in Michael Sokoloff, *A Dictionary of Jewish Palestinian Aramaic of the Byzantine Period* (Ramat-Gan, 1990), 177.

<sup>19</sup>See mPeah 1:1, which states that there is no upper limit to acts of charity (*gemilut @hasidim*) and that *gemilut @hasidim* is one of three “things whose fruits a man eats in this world and whose principle remains for him in the world to come” (ed. Albeck 1:41). The mishnah goes on to assert that the study of Torah is “is equal to them all,” perhaps indicating a rabbinic response to a popular belief. Cf. mAvot 2:16 (ed. Albeck 4:362);

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tPeah 4:18 (S. Lieberman, ed., *The Tosefta : The Orders of Zeraim, Moed, Nashim, Nezikin* [New York, 1955-88], 1:60).

<sup>20</sup>LevR 34:14 (ed. Marguiles 806-9). A slightly different version of the story is also found at GenR 33:3 (J. Theodor and Ch. Albeck, eds., *Midrash Bereshit Rabba: Critical Edition with Notes and Commentary* [rpt. Jerusalem, 1965], 304-5).

<sup>21</sup>Saul Lieberman, *Greek in Jewish Palestine* (rpt. New York and Jerusalem, 1994), 31-33, esp. 31, n. 18.

<sup>22</sup>The text is quite corrupt. See the comments by Lieberman, *Greek in Jewish Palestine*, 31, n.12.

<sup>23</sup>yTa'an, 1:4, 64b-c.

<sup>24</sup>Jacob Neusner, "From Mishnaic Philosophy to Talmudic Religion: The Transformation of Judaism between 200 and 400 AD," *Journal of the American Academy of Religion* 58 (1990): 633-651, quote at 645.

<sup>25</sup>Ibid., 649-50.

<sup>26</sup>Hayim Lapin, "Rabbis and Public Prayers for Rain in Later Roman Palestine," *Religion and Politics in the Ancient Near East*, ed. Adele Berlin (College Park, MD, 1996), 105-29, at 126, 127.

<sup>27</sup>See William Scott Green, "Palestinian Holy Men: Charismatic Leadership and Rabbinic Tradition," *Aufstieg und Niedergang der Römischen Welt* 2:19/2 (1979): 619-47; Baruch M. Bokser, "Wonder-Working and the Rabbinic Tradition: The Case of Hanina ben Dosa," *Journal for the Study of Judaism* 16 (1985): 42-92; Richard Kalmin, "Holy Men, Rabbis, and Demonic Sages in Late Antiquity," *Jewish Culture and Society under the*

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*Christian Roman Empire*, eds. Richard Kalmin and Seth Schwartz (Leuven, 2003), 213-49; Eliezer Diamond, *Holy Men and Hunger Artists: Fasting and Asceticism in Rabbinic Culture* (Oxford and New York, 2004). The notion of humans as loci of the sacred in late antiquity is most fully developed by Peter Brown, “The Rise and Function of the Holy Man in Late Antiquity,” *Journal of Roman Studies* 61 (1971): 80-101.

<sup>28</sup>Cf. Peter Brown, “The Rise and Function of the Holy Man in Late Antiquity, 1971-1997,” *Journal of Early Christian Studies* 6 (1998): 353-76, in which Brown softens his earlier claims.

<sup>29</sup>Also at LevR 34:16 (ed. Marguiles 815).

<sup>30</sup>David Levine also notes in these stories the relationship between the popular institution of the communal fast as a response to drought and the increasing rabbinic desire to appropriate and control it. See David Levine, “Who Participated in the Fast-Day Ritual in the City Square? Communal Fasts in Third- and Fourth-century Palestine” (Hebrew), *Katedra* 94 (1999): 33-54.

<sup>31</sup>At the same time, they are highly stylized presentations that aim to convey a pedagogical point. See Jonathan Wyn Schofer, “Theology and Cosmology in Rabbinic Ethics: The Pedagogical Significance of Rainmaking Narratives,” *Jewish Studies Quarterly* 12 (2005): 227-59.

<sup>32</sup>Here I am using a kind of “criterion of embarrassment,” which attempts to distinguish between a tradition and its narrative context based on the narrator's perceived “comfort” with the underlying tradition. For a discussion of this criterion as developed and used in research on the historical Jesus, see Stanley E. Porter, *The Criteria for Authenticity in*

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*Historical-Jesus Research: Previous Discussion and New Proposals* (New York, 2000), 106-10.

<sup>33</sup>As the command of a king or group, cf. 1 Kgs 2:43; Neh 10:33. The term occurs in both singular (e.g., Deut 8:1) and plural (e.g., Lev 4:2) as referring to God's commandment(s). Cf. Francis Brown, *The New Brown-Driver-Briggs-Gesenius Hebrew and English Lexicon* (rpt. Peabody, Mass, 1996), 846. The use of the term more generally to refer to wise and authoritative advice seems confined to Proverbs (e.g., 6:20-35).

<sup>34</sup>See, for example, *Sifre Numbers 22* (ed. Horowitz 26). Cf. Marc Hirshman, "On the Nature of Mitzva and its Reward in the Mishnah and Tosefta" (Hebrew), *Proceedings of the Tenth World Congress of Jewish Studies*, Division C, volume 1 (Jerusalem, 1990), 54-60. The earliest extant synagogue inscription from Palestine, dating to the first century C.E., uses *entole*, a Greek equivalent of the term *mitsvah*. See Lea Roth-Gerson, *The Greek Inscriptions from the Synagogues in Eretz-Israel* (Hebrew) (Jerusalem, 1987), no. 19.

<sup>35</sup>Saul Lieberman, "Two Lexicographical Notes," *Journal of Biblical Literature* 65 (1946): 67-72, at 69 n. 22.

<sup>36</sup>The word "*mitsvah*" appears to find its way into Amharic with this meaning of "alms." See Theodor Nöldeke, *Neue Beiträge zur semitischen Sprachwissenschaft* (Strassburg, 1910), 36.

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<sup>37</sup>LevR 3:1 (ed. Marguiles 56), using a cognate Palestinian Aramaic term (*bar metsu'ata*).

The tradition in which this appears is prefaced by the term *bemitla'* indicating a folk-saying.

<sup>38</sup>LevR 34:4 (ed. Marguiles 478). The version in MS Munich 117 replaces the word “*mitsvah*” with “*peruta*,” a small coin. The second story is found at LevR 34:12 (ed. Marguiles 799).

<sup>39</sup>yShek 5:6, 49b (parallel, with what is most likely a printer's error, at yPeah 8:9, 21b); GenR 17:3 (ed. Theodor and Albeck 154).

<sup>40</sup>Cf. Saul Lieberman, ed., *Midrash Debarim Rabbah*, 2<sup>nd</sup> edition (Jerusalem, 1964), 36, with Lieberman's note 10. The use here too is colloquial, although Lieberman does not comment on this. If *Debarim Rabba* is genuinely tannaitic (as claimed by Lieberman), it would be the sole instance known to me of *mitsvah* being used with the sense of “alms, charity,” in a pre-amoraic text.

<sup>41</sup>Joseph Naveh, *On Stone and Mosaic: The Aramaic and Hebrew Inscriptions from Ancient Synagogues* (Hebrew; Jerusalem, 1978), no. 32.

<sup>42</sup>Naveh, *On Stone and Mosaic*, no. 26. Cf. Moshe Dothan, *Hammath Tiberias: Early Synagogues and the Hellenistic and Roman Remains* (Jerusalem, 1983), 1:53-54.

<sup>43</sup>Brown, *A Hebrew-English Lexicon*, 269 ad loc.

<sup>44</sup>See Marcus Jastrow, *A Dictionary of the Targumim, The Talmud Babli and Yerushalmi, and the Midrashic Literature* (New York, 1926), 398-99.

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<sup>45</sup>In addition to the sources listed above in note 17, see GenR 91:4 (ed. Theodor and Albeck 1115), in which many of the manuscripts use the word; *Pesikta d’Rav Kahana*, *Shuva* 14 (ed. Mandelbaum 2:372); yShek 5:6, 49b (parallel yPeah 8:9, 21b).

<sup>46</sup>“More autem vulgi hoc nomen etiam in operibus misericordiae frequentatur.” Augustine, *City of God* 10.1. Translation by David S. Wiesen (Loeb Classical Library, 1968), 3:255.

<sup>47</sup>See, for examples, Tal Ilan, *Jewish Women in Greco-Roman Palestine: An Inquiry into Image and Status*, *Texte und Studien zum Antiken Judentum* 44 (Tübingen, 1995); Judith Romney Wegner, “The Image and Status of Women in Classical Rabbinic Judaism,” *Jewish Women in Historical Perspective*, ed. Judith R. Baskin (Detroit, 1991), 68-93.

<sup>48</sup>Sarah: ySan 2:6, 20c; GenR 20:6 (ed. Theodor and Albeck 188) (paralleled at GenR 45:9 [ed. Theodor and Albeck 457]; 48:20 [495-6]; 63:7 [684]); LevR 19:2 (ed. Marguiles 421-22). Rebecca: DeutR 19 (ed. Lieberman 18); GenR 63:4 (ed. Theodor and Albeck 681); 68:6 (775). Rachel: GenR 71:6 (ed. Theodor and Albeck 829) (parallel LevR 23:1 [ed. Marguiles 527]; SongR 2 [on 1:2]). Leah: GenR 71:1 (ed. Theodor and Albeck 822-23). Miriam: DeutR, *Ki Tese* 8 (ed. Lieberman 105); 11 (ed. Lieberman 106); 14 (ed. Lieberman 107); *Sifre Deuteronomy* 1 (L. Finkelstein, ed., *Sifre on Deuteronomy* [rpt. New York, 1969]), 5). Ruth: LevR 34:8 (ed. Marguiles 789-90). On Tamar, see Genesis 38:26, and Esther Marie Menn, *Judah and Tamar (Genesis 38) in Ancient Jewish Exegesis: Studies in Literary Form and Hermeneutics*, *Supplements to the Journal for the Study of Judaism* 51 (Leiden, 1997), 299-304.

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<sup>49</sup>On the connection between fertility and righteousness, see GenR 71:1 (ed. Theodor and Albeck 822-23); 71:6 (ed. Theodor and Albeck 829) (parallel LevR 23:1 (ed. Marguiles 527)).

<sup>50</sup>GenR 53:9 (ed. Theodor and Albeck 564). On this story, see Joshua Levinson, "Bodies and Bo(a)rders: Emerging Fictions of Identity in Late Antiquity," *Harvard Theological Review* 93 (2000): 343-72.

<sup>51</sup>Naveh, *On Stone and Mosaic*, no. 17. Cf. no. 69.

<sup>52</sup>Ibid., no. 34.

<sup>53</sup>For a rabbinic example, see tDemai 3:17. Cf. Susan Ashbrook Harvey, "The Holy and the Poor: models from Early Syriac Christianity," *Through the Eye of a Needle: Judeo-Christian Roots of Social Welfare*, eds. Emily Albu Hanawalt and Carter Lindberg (Kirksville, Missouri, 1994), 43-66, at 54-55; Robert Payne Smith, *Thesaurus Syriacus* (Oxford, 1903), 110-11.

<sup>54</sup>On female modesty, cf. Michael L. Satlow, "Jewish Constructions of Nakedness in Late Antiquity," *Journal of Biblical Literature* 116:3 (1997): 429-54, particularly 440-44.

<sup>55</sup>yAZ 2:2, 41a (parallel yTer 8:5, 45c). For a very different treatment of this tradition, see bNed 91b.

<sup>56</sup>The Babylonian story of Rabbi Akiba's daughter on her wedding day at bShab 156b evinces the same connections between women, charity, and piety. On her wedding day, as the men celebrate, she gives alms to a beggar. God rewards her by guiding the pin of her brooch, which she sticks into a wall for the night, into the eye of the snake that was to kill her. The term *mitsvah* is here again used to mean charity.

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<sup>57</sup>For a recent discussion of folk-narratives in rabbinic literature, see Galit Hasan-Rokem, *Web of Life: Folklore and Midrash in Rabbinic Literature*, trans. Batya Stein, Contraversions (Stanford, 2000), 1-15. Hasan-Rokem identifies the characteristics of this folklore as collective, traditional, oral, and the result of re-creation in the course of performance (7). The problem of identifying folklore within the heavily stylized and formalized rabbinic corpus remains difficult. See Eli Yassif, *The Hebrew Folktale: History, Genre, Meaning*, trans. Jacqueline S. Teitelbaum (Bloomington, 1999), 70-244.

<sup>58</sup>On the heavily formalized nature of rabbinic literature, see especially Yonah Fraenkel, *Darkhei ha'aggadah vehamidrash* (Givatayim, 1991), 282-85.

<sup>59</sup>Nahmanides (1194-1270) states that “in the words of our rabbis I do not need to mention the places that they spoke about the subject of charity, for the entire Talmud and writings of *aggadah* are full of it.” Cited in Urbach, “Political and Social Tendencies in Talmudic Concepts of Charity,” 97. Cf. Maimonides, *Mishneh Torah, Zeraim, Matanot Aniyim*, 10:1.

<sup>60</sup>A few biblical passages though do suggest that God favors the poor (Ps 18:28; Isa 66:2), and Job points to his support of the poor as evidence of his righteousness (Job 29:12-16; 31:16-22). Texts condemning those who oppress the poor: Jer 22:16; Zech 7:10 (a revision of Jer 7:6); Isa 3:14, 58:17; Ezek 16:14, 18:22, 22:29. Cf. David Noel Freedman, ed., *The Anchor Bible Dictionary* (New York, 1992), 5:402-14, s.v. “Poor, Poverty” (David Pleins).



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<sup>61</sup>Leaving the corners of the field and forgotten produce for the poor: Lev 19:9-10, 23:22; Deut 14:25-29, 24:19-23. Poor man's tithe: Deut 14:28-29, 26:12-15. Remission of debts in sabbatical year: Exod 23:10-11; Lev 25:2-7. Jubilee: Deut 15:4-11, 24:13.

<sup>62</sup>Cf. Exod 22:21-27; Deut 10:17-19.

<sup>63</sup> See also, for example, Deut 14:29.

<sup>64</sup>Cf. Ps 41:2; Prov 14:31, 19:17, 28:27.

<sup>65</sup>See Franz Rosenthal, "Sedaka, Charity," *Hebrew Union College Annual* 23 (1950/51): 411-430, especially 427-428. On the earlier biblical uses of the term, cf. Avi Hurwitz, "Reshitam hamiqrait shel munahim talmudiim – letoldot semihato shel musag ha 'sedaqah,'" *Mehkarim belashon* 2-3 (1987): 155-60. Cf. Ahuva Ho, *Sedeq and Sedaqah in the Hebrew Bible*, American University Studies Series 7 (New York and San Francisco, 1991); Moshe Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East* (Jerusalem and Minneapolis, 1995), 33-39.

<sup>66</sup>Cf. the Septuagint to Deut 6:25, 24:13; Isa 1:27, 28:17; Ps 23 (24):5; 32(33):5; 102(103):6.

<sup>67</sup>See Tobit 1:3, 16. This is probably not a reference to almsgiving per se. Cf. Joseph A. Fitzmyer, *Tobit*, Commentaries on Early Jewish Literature (Berlin, 2003), 117; Roman Heiligenthal, "Werke der Barmherzigkeit oder Almosen? Zur Bedeutung von *eleemosyne*," *Novum Testamentum* 25 (1983): 289-301.

<sup>68</sup>Tob 4:6-11, translation Fitzmyer, *Tobit*, 163-164, version G<sup>1</sup>. Cf. Heiligenthal, "Werke der Barmherzigkeit oder Almosen?," 290-91.

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<sup>69</sup>Cf. Fitzmyer, *Tobit*, 171. Interestingly, Jerome translates, “for almsgiving frees one from all sin and death...,” echoing Daniel and Ben Sira that almsgiving atones. Cf. Roman Garrison, *Redemptive Almsgiving in Early Christianity*, *Journal for the Study of the New Testament Supplement Series 77* (Sheffield, 1993), 52-55.

<sup>70</sup>Tob 12:8-9 (trans. Fitzmyer, 285-86). Carey A. Moore, *Tobit: A New Translation with Introduction and Commentary*, *Anchor Bible Dictionary* (New York, 1996), 176 terms this an example of the “life-enhancing character” of charity in Tobit.

<sup>71</sup>See Matt 6:1-4 (charity should be private); Mark 12:41-44 (praises the poor who themselves give alms), 14:5 (proper to spend money on alms rather than luxurious items); Luke 11:41 (Jesus telling Pharisees to give charity), 19:8-10 (Zacchaeus receives atonement for his charity).

<sup>72</sup>Matth 10:21; Luke 12:33, 14:13-14, 16:9.

<sup>73</sup> Clement of Alexandria, *Quis dives salvetur?*; Cyprian, *De Opere et Eleemosynis*.

<sup>74</sup> Sifre Deut. 116 (ed. Finkelstein 175).

<sup>75</sup> Urbach, “Political and Social Tendencies in Talmudic Concepts of Charity,” cites these sources and assumes that they are authentically tannaitic.

<sup>76</sup>Cf. Philo, *Migr.* 156, 217; *Abr.* 22, 109, 232; *Spec.* 1.295; 4.15.

<sup>77</sup>On God as possessing this quality: Philo, *Opif.* 81; *Cher.* 99; *Plant.* 92; *Som* 1.147; *Abr.* 79, 137, 203; *Mos.* 1.198; *Spec.* 3.36, 152. On humans emulating it: *Mut.* 129; *Spec.* 1.221.

<sup>78</sup>Philo, *Som.* 1.95, translation Colson, *Loeb Classical Library*, 5:347.

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<sup>79</sup>Rachel: *Post.* 147; Abraham: *Abr.* 107, 208; Joseph: *Ios.* 240, 264; Moses: *Mos.* 1.249, 2,163.

<sup>80</sup>Philo, *Virt.* 51.

<sup>81</sup>Cf. Philo, *Spec.* 1.324; 2.78,104; *Virt.* 28. Josephus tends to use the term in a technical sense, referring to imperial beneficence to the Jews. See Josephus, *C. Ap.* 2.146; cf. *C. Ap.* 2.213, 261; *A.J.* 8.385; 10.41, 163; 11.123; 12.124; 14.195, 208, 259. In the latter passages Josephus seeks to prove that the Romans have shown *philanthropia* to the Jews: *A.J.* 14.267.

<sup>82</sup>Philo, *Spec* 4.72-73, trans. Colson 8:53.

<sup>83</sup>See the note by the translator, F. H. Colson, in the Loeb Classical Library edition of Philo, 8:431.

<sup>84</sup>Philo, *Virt.* 83.

<sup>85</sup>Josephus, *A.J.* 4.231-232, trans. Thackeray 587-589.

<sup>86</sup>On this approach, cf. Israel Jacob Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages*, trans. Barbara Harshav and Jonathan Chapman (Berkeley, 2006) 20-26; Moshe Rosman, *How Jewish is Jewish History?* (Oxford and Portland, Oregon, 2007), 131-53.

<sup>87</sup>Cf. Vincent Déroche, *Études sur Léontios de Néapolis* (Uppsala, 1995), 238-48.

<sup>88</sup>Cyril of Scythopolis, *Life of Euthymius* 17, translated by and cited in Daniel Caner, "Towards a Miraculous Economy: Christian Gifts and Material "Blessings" in Late Antiquity," *Journal of Early Christian Studies* 14 (2006): 329-77, at 332. A kind of reverse version of this story is told in the *Pratum Spirituale* 85, from around 600 CE. In

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this story, a monastery ceases to distribute food to the poor because they felt that they did not have enough, only to find their entire stores ruined as a result. See John Moschos, *The Spiritual Meadow*, trans. John Wortley, Cistercian Studies Series 139 (Kalamazoo, 1992), 68-69.

<sup>89</sup>Leontius, *The Life of St. John the Almsgiver* 8, trans. Elizabeth Dawes, *Three Byzantine Saints: Contemporary Biographies of St. Daniel the Stylite, St. Theodore of Sykeon and St. John the Almsgiver* (London, 1948), 215.

<sup>90</sup>Caner, "Miraculous Economy," 374-5.

<sup>91</sup>There are, however, earlier Christian stories that suggest this trajectory. In a late fourth century text, a monastic father intervenes to get a rich man to relent from collecting on the debt he made to a poor man; in return, his blindness is healed. See Paphnutius, *Histories of the Monks of Upper Egypt and The Life of Onnophrius*, trans. Tim Vivian, Cistercian Studies Series 140 (rev. ed.; Kalamazoo, 1993), 125-29 (= *Histories of the Monks of Egypt* 109-115).

<sup>92</sup>Peter Brown, *Poverty and Leadership in the Later Roman Empire*, The Menahem Stern Jerusalem Lectures (Hanover and London, 2002), 74.

<sup>93</sup>Cf. Robert M. Grant, *Early Christianity and Society* (San Francisco, 1977), 124-45; Gildas Hamel, *Poverty and Charity in Roman Palestine, First Three Centuries, C.E.* (Berkeley, 1990), 220-221; David Seccombe, "Was There Organized Charity in Jerusalem Before the Christians?" *Journal of Theological Studies* 29 (1978): 140-43.

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<sup>94</sup>Steven C. Muir, “‘Caring for the Weak’: Polytheist and Christian Charity in Sardis and Smyrna,” *Religious Rivalries and the Struggle for Success in Sardis and Smyrna*, ed.

Richard S. Ascough, *Studies in Christianity and Judaism* 14 (Waterloo, 2005), 123-40.

<sup>95</sup>Brown, *Poverty and Leadership*, 1-44.

<sup>96</sup>Peter Brown, *Poverty and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison, 1992), 71-115.

<sup>97</sup>Cf. Richard Finn, *Almsgiving in the Later Roman Empire: Christian Promotion and Practice (313-450)* (Oxford, 2006), 41-47, 99-108; Blake Leyerle, “John Chrysostom on Almsgiving and the Use of Money,” *Harvard Theological Review* 87 (1994): 29-47; Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition*, *The Transformation of the Classical Heritage* XXXVII (Berkeley and Los Angeles, 2005), 223-226.

<sup>98</sup>Demetrios J. Constantelos, *Byzantine Philanthropy and Social Welfare* (New Brunswick, 1968), esp. 149-276.

<sup>99</sup>Sabbatical year: Philo, *Spec.* 1.109; Essenes: Josephus, *B.J.* 2.134.

<sup>100</sup>CD 14:12-16. Cf. Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 B.C.-A.D. 135)*, revised and edited by Geza Vermes and Fergus Millar (Edinburgh, 1973-1987), 2:437, n.45.

<sup>101</sup>Arieh Kindler, “A Bar Kokhba Coin Used as a Charity Token,” *Israel Numismatic Journal* 12 (1992-3): 73-75.

<sup>102</sup>See Margaret Williams, “The Contribution of Jewish Inscriptions to the Study of Judaism,” *The Cambridge History of Judaism, volume 3: The Early Roman Period*, eds.

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William Horbury, W.D. Davies, and John Sturdy (Cambridge, 1999), 75-93, esp. 84-91; Schwartz, *Imperialism and Jewish Society*, 280-87; Michael L. Satlow, "Giving for a Return: Jewish Votive Offerings in Late Antiquity," *Religion and the Self in Antiquity*, eds. David Brakke, Michael L. Satlow, and Steven Weitzman (Bloomington, 2005), 91-108.

<sup>103</sup> yShek 5:6, 49b, with a partial parallel at yPeah 8:9,21b.

<sup>104</sup> mPeah 8:7 (ed. Albeck 1:65). Cf. mPes 10:1 (ed. Albeck 2:176), which allows the poor to take from the *tam@hwy* enough money to purchase four cups of wine for Passover.

<sup>105</sup> See, especially, tPeah 4:9-10 (ed. Lieberman 1:57-58). Cf. Saul Lieberman, *Tosefta Ki-fshutah: A Comprehensive Commentary on the Tosefta*, 2<sup>nd</sup> augmented edition (New York, 1992) 1.1:184.

<sup>106</sup> See, for examples, tPeah 4:15 (ed. Lieberman 1:59); tBM 3:9 (ed. Lieberman 4:74).

<sup>107</sup> See Schürer, *History of the Jewish People*, 2:437; Hamel, *Poverty and Charity in Roman Palestine*, 216-19; Ze'ev Safrai, *The Economy of Roman Palestine* (London and New York, 1994), 50; idem, *The Jewish Community in the Talmudic Period* (Hebrew; Jerusalem, 1995), 64-67. Cf. Isaiah M. Gafni, *The Jews of Babylonia in the Talmudic Era: A Social and Cultural History* (Hebrew; Jerusalem, 1990), 104-6. Gafni argues that the sages in Palestine were often in conflict with the charity collectors, unlike Babylonia where the sages exercised more control.

<sup>108</sup> Levine, *Rabbinic Class*, 162-67.

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<sup>109</sup>For examples, see yPes 4:9, 31b-c and 7:1, 34a (=bPes 53a); yMeg 3:1, 74a; yShek 5:6, 49b; LevR 34:16 (ed. Marguiles 812-13).

<sup>110</sup>yMeg 3:1, 74a.

<sup>111</sup>Cf. LevR 25:2 (ed. Marguiles, 570-1), paralleled at y.Sot 7:4, 21d.

<sup>112</sup>Levine, *Rabbinic Class*, 167.

<sup>113</sup>It is interesting to compare the Jewish evidence to the contemporary Egyptian papyri, which testify to a wide and varied network of local charitable institutions in the Egyptian countryside. Could such a network have existed in Roman Palestine, obscured by our lack of such a documentary trove? See Adam Serfass, “Wine for Widows: Papyrological Evidence for Christian Charity in Late Antique Egypt,” *Wealth and Poverty in Early Church and Society*, ed. Susan R. Holman (Grand Rapids, 2008), 88-102.

<sup>114</sup>Julian, translation W. C. Wright, *LCL*, Letter 22 (found also in Menahem Stern, *Greek and Latin Authors on Jews and Judaism* [Jerusalem, 1980], 2:549-50 [no. 482]).

<sup>115</sup>Catherine Hezser, *The Social Structure of the Rabbinic Movement*, 272, n. 56. On gifts to rabbis in the tannaitic period, see Shaye J. D. Cohen, “The Rabbi in Second-Century Jewish Society,” *The Cambridge History of Judaism: The Early Roman Period, 922-90*, at 930-36.

<sup>116</sup>Bishops in late antiquity kept written records of the “poor rolls.” See Brown, *Poverty and Leadership* 60, 65. We have a papyrus account of donations to a church in Nessana that dates from ca. 685 CE (*P. Ness.* 80, ed. and trans. C. J. Kraemer, Jr., *Excavations at Nessana 3: Non-literary Papyri* [Princeton, 1958], 234). On intercessionary prayer by bishops, see Rapp, *Holy Bishops*, 81-85.

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<sup>117</sup>For the related, but stronger position that the rabbis and bishops in late antiquity were engaged in a similar project of boundary-drawing, see Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity*, Divinations (Philadelphia, 2004).

<sup>118</sup>Jacques Berlinerblau, *The Vow and the 'Popular Religious Groups' of Ancient Israel: A Philological and Sociological Inquiry*, Journal for the Study of the Old Testament Supplement Series 210 (Sheffield, 1996), especially 13-45.

<sup>119</sup>Stephen D. Benin, "A Hen Crowing Like a Cock: 'Popular Religion' and Jewish Law," *The Journal of Jewish Thought and Philosophy* 8 (2001): 261-81.

<sup>120</sup>This approach, as Benin notes, follows Hayim Soloveitchik, "Religious Law and Change: The Medieval Ashkenazic Example," *AJS Review* 12 (1987): 205-21.

<sup>121</sup>Christopher Marsh, review of *Elite and popular religion. Papers read at the 2004 summer meeting and the 2005 winter meeting of the Ecclesiastical History Society*, edited by Kate Cooper and Jeremy Gregory. *Journal of Ecclesiastical History* 59 (2008): 79-82, at 81.

<sup>122</sup>Jacques Berlinerblau, "Max Weber's Useful Ambiguities and the Problem of Defining 'Popular Religion,'" *Journal of the American Academy of Religion* 69 (2001): 605-26, at 618.