## Benjamin Brown

# Holiness Turned into Law:

# Kabbalistic Customs and Sexual Abstinence in Hasidism

# Basic information

1. **Proposed title and subtitle**: *Holiness Turned into Law: Kabbalistic Customs and Sexual Abstinence in Hasidism.*

2. **Brief Description**: This book examines the normative circles that surround hasidic life and their broader context. Its first section discusses the kabbalistic customs that Hasidism adopted at the beginning of the movement in the 18th century, and its second section deals with the regulations of Holiness that three hasidic groups enacted in the twentieth century, regulations that impose restrictive rules of almost full sexual abstinence in marriage life. The book examines the norms themselves, their role in hasidic life, how the hasidim justify them to themselves, how they see them in relation to the laws of the Halakhah, and the passionate debates they have sparked. On the theoretical level, the book analyzes different levels of religious normativity that can be learned from the hasidic case study.

3**. Full Description**: see separate file.

4. **Proposed Chapter Outline**: For table of contents - see separate file.

I did not write a paragraph on each chapter since the chapters of this book are shorter and more numerous than usual, and many such paragraphs would make the ToC lengthy and tedious. The titles are telling, while I do not feel the paragraphs would add much. If you nevertheless believe they are helpful, please let me know and I will add them. Section 2 is an extended version of my article: “*Kedushah*: The Abstinence of Married Men in Gur, Slonim and Toldot Aharon,” *Jewish History* 2013, pp. 475–522. It should be noted that since I posted this article on my Academia.edu page (<https://huji.academia.edu/BBrown>) it has been seen by over 13,200 viewers from dozens of different countries and has become one of the most viewed papers on that website (in the top one percent viewed, according to the website statistics).

5. **Author Information**: Prof. Benjamin Brown, Department of Jewish Thought, Hebrew University of Jerusalem – Mount Scopus, Jerusalem 9190501, Israel.

Author of: *The Hazon Ish: Halakhist, Believer and Leader of the Haredi Revolution*, Hebrew University Magnes Press and Yeshiva University Law School, 2011 (Hebrew); *Toward Democratization in Haredi Leadership? The Doctrine of Da'at Torah in the turn of the 20th Century*, Israel Democracy Institute, 2011 (Hebrew); *Trembling at the Word of the People: Haredi Critique of Israeli Democracy*, Israel Democracy Institute, 2012 (Hebrew); *"Like a Ship in a Stormy Sea": Karlin Hasidism between Immigration, Holocaust and Painful Restoration*, Zalman Shazar Center (Hebrew; in editing).

Co-author of: *When Judaism Meets a State* (with Yedidia Stern, Kalman Neuman, Nir Kedar and Gideon Katz), Yediot Aharonot and Israel Democracy Institute, 2015 (Hebrew); *Hasidism: A New History* (with David Biale, Moshe Rosman, Uriel Gellman, David Assaf, Marcin Wodzinski, Gadi Sagiv, and Samuel C. Heilman), Princeton University Press (in editing).

For full CV and List of Publications – see separate file.

6. **Readership**: The book is aimed at readers who already have some basic knowledge of Hasidism and Jewish law. By this I do not mean only scholars or students, but also lay readers with a previous interest in the subject. Section 1 may be used in graduate courses on Hasidism or Jewish law (Halakhah). Section 2 may be used in undergraduate or graduate courses on Hasidism, sexuality in Judaism, gender, and other fields. (It has been brought to my attention that the article on which this section is based has already been used for such purposes). The theoretical chapters may be used for courses in legal theory.

7. **Comparable Books**: *Holiness Turned into Law* analyzes hasidic custom and ethos. This subject has been studied very sparsely in scholarly literature. The existing work on the topic, an outdated and non-academic book by Rabbi Aaron Wertheim, *Law and Custom in Hasidism* (Jerusalem: Mosad Harav Kook, 1960; English version: Hoboken NJ: Ktav, 1992), discusses specific customs but barely touches on the principled aspects of the subject. This book does not mention the sensitive hasidic norms of sexual abstinence. The only book that addressed this topic in depth is Nava Wasserman's *Miyamai Lo Karati Leishti* (Sde Boker: Ben Gurion Institute, 2015; Hebrew), which is written from a sociological perspective. *Holiness Turned into Law* not only presents the whole picture, but also analyzes the varying perspectives of hasidic leaders at different times on these questions, the internal and external debates on these issues, and their historical and cross-cultural contexts. The analyses are based on a variety of texts, including previously-unpublished inside sources.

The general question of custom as legal source has been discussed in legal-theoretic literature, but the hasidic case is quite distinct, and can enrich the concept of custom and the understanding of its relation to law. In the general literature, custom has usually been conceived as an unwritten folk norm that began in a "time immemorial," rather than a practice "enacted" by known leaders and based on mystical books. Inspired by the hasidic precedent, *Holiness Turned into Law* suggests a new stratification of norms ranging from the very fluid "atmosphere" to the rigid "law," with ethos and custom as interim categories.

8. **Additional Information and Specs**: 75,000 words. Illustrations can be added, but are not necessary. The second part of the book is complete but requires some editing; the first is written but requires translation. A complete manuscript will be available by May 2017. A proposal has been submitted to one other academic press.

9. **Other Materials to Include**: For selected chapters (chapters 1-3 and 12-13 of section 2) – see separate files. (Since the chapters of this book are somewhat shorter than usual, as I mentioned, I have allowed myself to submit five chapters).