**The Historical Context Clarifying the Halakhic Text and the Positions of the Sages towards the Greco-Roman Culture from the 2nd to the 4th Centuries**

*by*

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The purpose of this work is to examine the halakhic positions of the rabbis of the Mishna and Talmud vis-à-vis polytheistic, primarily Greco-Roman culture, in comparison with the historical context prevailing in Romano-Byzantine Palestine.[[1]](#footnote-1) It is known that the notion of παιδεία embraced the entire universal heritage at that time, including fields covering linguistics, rhetoric, philosophy, worship, law, art, medicine, and so on.[[2]](#footnote-2) Numerous studies have analyzed in depth the junction of Judaism with Greco-Roman culture from the Hellenistic period to the time of Byzantium, particularly the points of confluence between the rabbinic world and Hellenism in the broadest sense of the term. This being said, it is precisely because of the magnitude and complexity of this phenomenon that it seems to us that historical research still has enough to add to the dossier. Our article therefore proposes to discuss the concrete halakhic aspects of the reaction of the Sages to this Greco-Roman culture, which was crossed and traversed daily. We shall thus seek to highlight two alternating models of halakhic behavior, which are in fact only the legal extension of a socio-historical context, both unstable and evolving, governed as much by political, socio-economic as by religious and cultural factors. This paper will attempt to defend the idea that halakhic authorization and coercion are really only the obverse and reverse sides of the same coin, namely, a historical conjuncture which may, if necessary, challenge the mores of Judaism.[[3]](#footnote-3) Research has long highlighted the many legal relaxations that the rabbis instituted with respect to figurative art and paganism in general in the imperial period. The argument most commonly put forward by scholars was that in the early centuries of the Common Era, polytheism was no longer of any concern to Jewish monotheism, either religiously or socially. In the past, it was indeed assumed that the 'impulse to idolatry'[[4]](#footnote-4) (יצרא דעבודה זרה) was literally suppressed at the beginning of the second temple era and that under no circumstances would Jews have come to serve the gods.[[5]](#footnote-5) It has been repeatedly demonstrated, however, that polytheism remained tenacious in Roman-Byzantine Palestine[[6]](#footnote-6) and that Jews embraced its rites precisely at the time of the Mishnah and the Talmud.[[7]](#footnote-7) The indisputable fact that a substantial part of the rabbinic class was willing to relax its halakhic rulings concerning idolatry can therefore no longer be based on an obsolete dialectic which unduly defends the thesis of the disappearance of paganism and its influence on local Judaism. It should be noted in this connection that legal authorization does not necessarily prove the disappearance of a reprehensible phenomenon. As we shall try to show later on, a concession - or the abolition of a prohibition - sometimes expresses an adherence to a certain reality, or a new form of struggle, when it has been shown that neither coercion nor even the whole legal arsenal of dissuasion succeeds in curbing a blameworthy factuality which is getting worse day by day. Thus, for example, in the laws concerning the Sabbatical year, the Sages abolished certain prohibitions at one point, and then reintroduced the prohibition because of a desecration of the sanctity of the produce of the land in that year.[[8]](#footnote-8) Indeed, it is quite understandable that the increase in a social and religious phenomenon that was in opposition to rabbinic ideals led to renewed coercion and prohibitions from the rabbinic class, as the Sages of the Mishna often referred to: "Since the sinners increased [in number] the prohibition was repeated".[[9]](#footnote-9) However, as we have already discussed, sometimes precisely the opposite happened. A phenomenon which is condemnable in the eyes of the rabbis, can paradoxically lead to the abolition of the prohibitions or the suspension of measures intended to dissuade or even confront a deleterious reality which degenerates over time. Thus, for example, in *mSot* 9:9 we find the following passage: "Since adulterous cases increased, the ceremony of bitter waters was cancelled (allusion to *Nmbs.* 5:18ff)".[[10]](#footnote-10) In other words, if the phrase "since the adulterous cases increased" were missing from this text, then it would have been assumed - and rightly so - that the ritual was abolished, for within Jewish society the cases of adultery had undoubtedly disappeared. However, the expression in question, together with the explanation of the *tosefta,*[[11]](#footnote-11) demonstrates precisely the opposite. The increase in cases of marital infidelity was the reason why Rabban Yohanan b. Zaccai, or another Sage, decided to suspend, temporarily or even permanently, the rite of bitter water! Another example: The Tannaic *halakhah* stipulates that when a blasphemy is uttered, it is incumbent upon the Jew to tear his garment as a sign of mourning. However, in the third century, the Jerusalem Talmud asks and answers: "Should one tear one's garment nowadays? R. Yossi, R. Jeremiah in the name of R. Yohanan [answered]: Since the blasphemers multiplied, one ceased to tear [the clothes]".[[12]](#footnote-12) In both of the above cases, it was precisely the upsurge of the phenomenon to be combated that prompted the rabbis to permit, or even abolish, the old restrictions in order to adapt their halakhic positions to the new socio-religious reality. It is therefore quite conceivable that the many halakhic relaxations legislated by the rabbis in the area of idolatry belong to the same legal scheme. This was a time when coercive laws no longer undoubtedly prevented the influence of pagan cults on Palestinian Judaism because of the popularity they enjoyed among non-Jews and the socio-economic interrelationships between Jews and gentiles. Indeed, these interdependencies encouraged mutual influences, often unhealthy - though inevitable - in the eyes of the Sages. In this sense, the softened halakhic stance towards idolatry is merely a new form of struggle against the surrounding paganism which has become too embarrassing. A legal authorization can, in fact, sometimes be much more effective in containing an undesirable act than a rigid and restrictive position rendered ineffective by an intrinsically different reality where paganism was invasive. A reality that forced the Rabbis to legislate accordingly once they were faced with a fait accompli. As we shall see later, this double position also exists with regard to the report of the Sages concerning Greek culture in general. In order to demonstrate this thesis, it is precisely in the hellenized cities of Roman Palestine, where Jews and pagans lived side by side, precisely where one would have expected to find halakhic constraints to counteract possible harmful influences, that the Sages endeavored - more by necessity than by choice - to soften their positions.[[13]](#footnote-13) A line of conduct, singularly focused on questions, dealing with the rapprochement and meeting point between non-Jewish cultures and Judaism.

Before illustrating our point with a number of illustrations, we would like to make it clear that we subscribe to Fernand Braudel's thesis on "La longue durée". Rabbinic reactions to the prevailing Greco-Roman culture should be seen in the context of the Judeo-Pagan social mix, which became increasingly pronounced from the 2nd to the 4th century. It is therefore hardly conceivable to limit ourselves to the 2nd century if we wish to fully grasp the historical significance of rabbinic reactions to the realities of Jewish communities evolving in a pagan environment in Roman Palestine until the 4th century CE, especially as we share the view, initially proposed by Michael Avi Yonah, according to which Judeo-Christianity posed little or no threat to rabbinic Judaism in the 2nd century, unlike in our view the pagan cults and, more generally, the surrounding Greco-Roman pagan culture.

Here are some illustrations:

*the banquet of the pagans :*

The *Yerushalmi* reports as follows:

"The inhabitants of Gadara asked Rabbi Ami: What about the banquet for non-Jews?[[14]](#footnote-14) Rabbi Ami thought to allow it from here [= from this source] 'for reasons of peace' (= good neighborliness).[[15]](#footnote-15) Rabbi Abba said to him: But Rabbi Hiya had already taught that the banquet of non-Jews is forbidden?[[16]](#footnote-16) Rabbi Ami then said: if it were not for Rabbi (A)bba [who reminded us of Rabbi Hiya's teaching], we would have allowed their idolatry and praise God who has removed us from them."[[17]](#footnote-17) The Jewish inhabitants of Gadara or Hamath-Gader asked R. Ami (3rd century) whether or not it was permissible to participate (or even negotiate) in a banquet of pagans. It should be noted from the outset that this type of questioning is characteristic of a city with a pagan majority that also included a Jewish population, which lived alongside a polytheistic religious world. It is certain that R. Ami knew the cultic content of the banquet in question, as is clear from the end of the anecdote [R. Ami/Imi says; "Without R. (A)bba their idolatry would have been permitted][[18]](#footnote-18) and yet R. Ami thought a priori that the banquet would be held in the presence of the Jews. R. Ami thought *a priori to* allow them, because there was another strong argument: "for reasons of peace". In the end, permission was not granted, since R. Ami learned that in the time of the Tannaim the participation of the pagans in the banquet had already been forbidden.[[19]](#footnote-19) This being said, R. Ami's initial position is most interesting. This anecdote demonstrates that an authorization, or even simply the intention to legitimize participation in a polytheistic gathering, which seems to have been forbidden already in the time of the Tannaim, is not the result of the disappearance of the cultic aspect of the banquet. On the contrary, both the pagan essence and the ritual form of the banquet are indisputable.[[20]](#footnote-20) In other words, if the final prohibition of R. Ami is based on the fundamentally pagan aspect of the banquet, it is thus necessary to conclude that the first authorization of R. Ami, was also promulgated according to this same historical reality. It is important to point out here that in a Christian *responsum*, illustrating two monks, Barsanuphe and John of Gaza, working in the sixth century near Gaza in the vicinity of the monastery of the abbot Seridos, a similar dialectic is noted:

"If a Jew or a Gentile (ἐθνικός) invites me to the banquet during his feast, or if he sends me presents, shall I accept them or refuse them? Decline them, for this is contrary to the injunction of the holy church... What then should I do? If my friend is a respectable man and sends me gifts or invites me to his table for lunch and he is likely to be pained if I decline his invitation, [compare with R. Ami's argument for allowing: 'for reasons of peace'] what then should I say to him? Tell him [as follows]: My beloved knows that the fearful of God must obey His rules... and we share a divine injunction, an ancestral tradition, that, we will not, in any way, participate in the revelry of the pagans (ἀλλοεθνεῖς)."[[21]](#footnote-21)

Both the Sages of the Talmud and the Christian masters of the monastic circles proscribed participation in the Gentile banquet, since it was undoubtedly a polytheistic manifestation. It follows, therefore, that Rabbi Ami's first attempt to allow this was not based on the allegedly 'secular' character of the 'Gentile banquet'! Rabbi Ami's attempt to permit participation in a polytheistic gathering was in fact a different attempt to deal with a concrete socio-religious threat at a time when other parameters were at play, such as the concern to maintain good relations with non-Jews in the face of idolatry, or the effort to conciliate the Jews of Gadara who were presumably attracted by these local festivities. It seems to us that - in principle - R. Ami shared the halakhic rule that 'the force of concession is preferable' (כח דהיתרא עדיף) to coercion, and especially in such cases. The following passage from the *yerushalmi* will be cited as proof:

"What is the rule regarding their dough [*Pene Moshe, Ibid*: "It is boiling water poured over flour and there is reason to fear non-Jewish baking]? We learn the rule from the following case: R. Ami went with R. Judah Nessia II to Hamath-Gader and permitted their dough."

R. Ami thus allowed the Jews of Gadara - in this case successfully and obviously with the support of the patriarch - to make use of a dish prepared by pagans that should have been outlawed. This teaches us to what extent the local Jewish community was in any case considerably attracted by the gastronomy of the polytheistic natives, whether by active participation in their banquet or by the consumption of their culinary specialties. In both cases, R. Ami decided to concede, apparently because of social pressure, from which he could not entirely escape.[[22]](#footnote-22)

To conclude this passage we will say as follows: R. Ami's lenient position - at least at the level of preconception - was probably motivated by two main factors:

A real desire to maintain friendly relations with the polytheists of Gadara, where they evidently constituted the majority of the local population in the second half of the third century, notwithstanding the performance of formally polytheistic ritual acts, logically requiring a consequent halakhic ban.

The dilemma of how to preserve the confidence of the members of the Jewish community in the Galilean rabbinic authority, for the one who seeks to know whether there is a halakhic possibility that he may take part in such a polytheistic event as a pagan festivity, testifies on the one hand that he is still eager to comply with the rabbinic injunction. But on the other hand, the very fact that he is asking this kind of question shows that he wants to obtain permission.

*The Sages and the Greek language in Caesarea-maritima :*

The phenomenon we encountered in Gadara also exists in the Roman colony on the Judaean coast, Caesarea-Maritima. In the 3rd-4th century CE, the Jewish community of Caesarea was considered by the Sages to be composed of Jews who insulted and blasphemed the Jewish religion, as is evident from a conversation between R. Abbahu, one of the greatest Sages of Caesarea in the third-fourth centuries, and R. Shimon b. Laquish:

"R. Abbahu and Resh Laquish were going to this city of Caesarea, R. Abbahu said to R. Shimon b. Laquish [= Resh Laquish]: What have we to go to a city populated by blasphemers and insulters? Then Resh Laquish got down from his donkey, took some sand and brought it to the mouth of R. Abbahu. The latter said to him: What is this? He answered him: God does not want people who slander the Jewish people.[[23]](#footnote-23)

It is interesting to note that the Sages of Caesarea singularly soften their halakhic rulings in matters related to the relationship of tannaic halakha to the Greek language. Thus, for example, we read in the Mishna :

"These are the [communications] which are stated in every language. The section of the woman suspected of adultery (*Sota*), the section recited after burning the tithes (cf. *Deut.,* 26:13-15), the section of the recitation of the *Shema* and the prayer (= 'Amida or 18 blessings), the blessing recited after the eating of a meal, the oath accompanying a testimony [concerning one of the financial disputes], and the oath following a pledge (following *Lev.* 5:21)."[[24]](#footnote-24)

R. Judah the Prince (180-222 p. C.) decreed, however, that the passage of the *Shema Israel* must be read precisely in Hebrew, even if the worshipper reciting it does not understand the meaning of the verses:

"Rabbi [= Rabbi Judah the Prince] said: I state that the *Shema shall be* recited only in the holy language, as it is said: 'And these are the words' (*Deut.,* 6, 6)".[[25]](#footnote-25)

However, a few generations later, two Amoraim, R. Yossi and R. Mana (3rd-4th centuries) allowed the *Shema to* be recited in Greek according to the Mishna, despite the formal prohibition of R. Judah the Prince. This decision was made only after hearing Jews from Caesarea-Maritima express the passage of the *Shema* in Greek, on the basis, hardly believable, of the following reason:

"Thus I proclaim: He who cannot read [this passage] in Assyrian [= Massoretic text (in Hebrew) = אשורית], shall he not recite it for all that? Behold, he is acquitted of it [if he has uttered it] in any language he knows [= masters]." [[26]](#footnote-26)

To infer from this halakhic relaxation that the Jews all recited the *Shema* in Hebrew and none of them prayed in Greek is clearly a misunderstanding. In fact, the opposite was true. The Sages allowed the section of the *Shema to be* recited in Greek at the very moment they heard it! For the sake of comparison, it is appropriate here to report the first paragraph of the *Shema* which was entirely engraved in the third century on the lintel of a doorway excavated in Palmyra. This inscription, which was discovered in 1840, demonstrates that in the Syrian caravan city, where both Palmyrene and Greek were spoken, the Jewish residents, who lived in a highly polytheistic religious setting, felt the need to emphasize their faith in the monotheistic uniqueness of the god of Israel by reciting the *Shema* in Hebrew,[[27]](#footnote-27) in accordance with the decision of R. Judah the Prince. This is all the more significant, since at the same period, the recitation of the *Shema* in Greek at Caesarea-Maritima testifies to a much deeper Hellenization among the Jewish community of the Judaean coast than within Palmyrene Judaism. This contrast highlights the difficulties which the Sages of Caesarea had to face, working in the midst of a reality which was certainly regrettable in their eyes. A cultural context in which the local Jewish community seems to have been considerably influenced by the surrounding Greco-Roman culture, probably leaving the Sages no other choice than to allow. It is also this singular situation which would have led R. Abbahu of Caesarea to adopt considerably lenient halakhic positions concerning the use of Greek. Thus we read in the Jerusalem Talmud: "R. Abbahu said in the name of R. Yohanan: A man is permitted to teach his daughter Greek because it is an ornament for her."[[28]](#footnote-28) It must be emphasized that all the known Talmudic sources, from which it follows that there is no prohibition in principle to teach Greek, are allusive,[[29]](#footnote-29) while the only source, whose author remains incognito, explicitly mentioning the permission to teach Greek concerns exclusively the milieu of the patriarch, because of his connections with the Roman rule.[[30]](#footnote-30) In fact, the one and only halakhic decree approving the teaching of Greek to all Jews is to be found in the words of R. Abbahu.[[31]](#footnote-31) This is certainly due to the fact that in a Roman colony such as Caesarea-Maritima, where Greco-Roman culture predominated, it was impossible, indeed unthinkable, not to teach Greek to Jewish children, and even if one were to prohibit it, the prohibition only concerned the teaching of Greek to boys/children, as S. Lieberman made clear decades ago.[[32]](#footnote-32) R. Abbahu further relaxes the rabbinic legislation by expressly allowing the teaching of Greek to girls.[[33]](#footnote-33) This halakhic positioning, putting forward a broad indulgence, expressing a desire to exploit the legal dynamic to its extreme limits, retaining only the minimal prohibition, the limits of which were constantly pushed back, does indeed show the complexity of the space/time dimensions, i.e: Caesarea-maritima in the 3rd-4th centuries. The softening of rabbinic positions, like the first commitment of R. Ami in Gadara, reflects the aspiration to take seriously into account a fluctuating and fleeting historical reality, problematic in their eyes, within which Jews conversed in Greek anyway while continuing to attend synagogue by reciting the *Shema*. This is a historical situation in which Jews wish to participate in a pagan banquet, but still wish to be informed of the rabbinic opinion on the matter.[[34]](#footnote-34) The Sages of *Eretz-Israel* arefaced with two alternatives. Should they prohibit excessively and decree against any non-Jewish cultural phenomenon that threatens the integrity of rabbinic Judaism at the risk of alienating the Jewish community? Or, on the contrary, should they subtly consider the pragmatic imbroglio of the situation, leading sometimes to concede, adapting, willy-nilly, to a disturbing reality? But it is important to emphasize that if prohibition is a direct response to an unfavorable situation in the eyes of the rabbis, then by way of equation, one would say that authorization, or the desire to allow, is also a function of this same shifting reality. The Sages were, moreover, perfectly aware of the weight of the communities and of the need to moderate their halakhic positions at times, in accordance with the different levels of religiosity of these brotherhoods.[[35]](#footnote-35) All of this in the face of a social and religious danger, stemming from the Greco-Roman culture, which could no longer be eradicated.[[36]](#footnote-36)

*III) A rabbinic dilemma concerning a pagan act perpetuated in Caesarea-Maritima:*

The rabbinic sources mention a Jew performing a polytheistic rite in Caesarea, giving rise to a halakhic debate on the relatively surprising question of whether his actions should be forbidden or permitted! First, the text of the *tosefta* will bepresented:

"He who slaughters the animal to cast its blood against idolatry and to have its fat incensed for idolatry, behold, it is a meat of sacrifice to the dead [therefore forbidden for a Jew, EF]. [But] From the moment that he slaughtered [the animal] and threw its blood on idolatry and made its fat incense for idolatry. This was [precisely] the case in Caesarea, and they came to ask the Sages [about it], and they could not say whether to forbid or permit."[[37]](#footnote-37)

The *Yerushalmi* transcribes this halakha[[38]](#footnote-38) and adds to it a fascinating amoraic debate:

"He slaughtered him and shed [= threw] his blood for idolatry and incensed his fat for idolatry, this was the case in Caesarea and they did not shun the prohibition nor the permission. R. Hanina said in the name of Rav Hasda: This means that they did not fear [= the performance of idolatrous acts], for if you say that they feared [= this kind of acts] they should have forbidden! R. Yossi said in the name of Rav Hasda: This means [conversely] that they feared [= since they did not explicitly permit, it proves instead that they feared the performance of polytheistic ritual acts], for if you say that they did not fear, should they not have enacted [permission]?"[[39]](#footnote-39)

This is precisely the problem that the Sages were confronted with in a city such as Caesarea-Maritima, where a Jew offered the blood and fat of an animal victim to the gods. In other words, even if this anonymous Jew thought that he was performing a ritual slaughter according to rabbinic law, it is clear that some of his actions were ritually declared polytheistic. The sources should therefore have contained a firm prohibition against ritual slaughter. But the Tannaim dithered. Perhaps there would be, in spite of everything, the possibility of permitting an act that contains far more idolatrous content than a mere 'dusting of idolatry = אבק עבודה זרה ' [= distant derivative of a pagan rite]'? Again, it is wrong to explain the desire to allow on the basis of a biased argument endorsing the so-called disappearance of the pagan aspect. This rhetoric is, in this case, inadmissible precisely because the polytheistic character is clearly manifested in the Tannaic sources. Some were determined to ban the whole thing, because according to them even the ritual slaughter was dedicated to idolatry and not only the blood and fat! On the one hand, there was reason to prohibit because of idolatry, but on the other hand, there was reason to allow. This desire to permit was a direct consequence of the rabbinic will to take into consideration the *kosher* ritual slaughter*,* while deliberately distancing themselves from the pagan acts perpetuated by one of their co-religionists. This was clearly done so as not to banish this Jew entirely, whose actions may have been only the "tip of the iceberg" or a reflection of a much larger socio-religious phenomenon of concern to the Sages. The perplexity of the Sages also stems, above all, from the fact that this anecdote took place precisely in Caesarea Maritima, where the Jewish community was considerably influenced by Greco-Roman culture, as we have seen above. This is why the halakhic report of the Sages to the Jews of Caesarea required that the line between the sphere of prohibition and that of authorization be emphasized with concision and finesse. This examination was conscientious because of the complexity of the social and religious confluences, specific to the Caesarean context. Whereas in totally Jewish towns, it was much easier to proscribe many prohibitions without restriction, being obviously well received by the "rabbinic" Jewish populations, in conformity with the famous tannaic adage: "Tradition is the safeguard of the Tora".[[40]](#footnote-40)

*IV) The Sages and the Roman Games:*

The involvement of Judeans as spectators, let *alone* as direct participants, in the theatrical performances and bloody fights in the Roman amphitheater was severely condemned by the Sages in the second century CE.[[41]](#footnote-41) Many of them were of the opinion that in the case of a Jew who voluntarily sells himself in the circus games, the rabbinic injunction concerning the redemption of captives does not apply to him. R. Abbahu (third-fourth centuries) of Caesarea-Maritima was of the opinion that this Jew should be redeemed because, according to him, it was economic precariousness which pushed him, against his will, to fight in the arena. Thus we read in the *Yerushalmi*:

"He who sells himself and his sons to non-Jews... this Mishna deals with the case where he has sold himself several times [in which case his emancipation is no longer to be redeemed], on the other hand, if he has sold himself only once, he is redeemed. And if he sold himself to the gladiators [Hebrew: לודים = ludus = gladiatorial combat] , even if it is only once, he is not redeemed. Here is the story of a [Jew] who sold himself [to the "gladiatorial"], the fact was brought before R. Abbahu who said: What can we do? It was to save his life that he committed this act.[[42]](#footnote-42)

R. Abbahu's pragmatic and relatively moderate view of this delicate question in no way contradicts the principled criticism he made of the Roman gaming world.[[43]](#footnote-43)

As Z. Weiss: "R. Abbahu seeks to emphasize in his exegesis the negative aspect, contrary to Judaism, of Roman places of entertainment. In this way he hopes to convince his listeners not to take part in such events. However, we do not find in his discourse a categorical and distinct prohibition against frequenting the theater... The Sages of the Talmud [unlike those of the Mishna] understood that they had to change their discourse, otherwise they would no longer be listened to, in the face of a reality in which the members of the community frequented these places of entertainment in any case, some as spectators, others as participants." [[44]](#footnote-44)

The following source, perhaps illustrating a Judean situation in the third century CE, should also be mentioned here, where the Sages discussed the possibility of redeeming a man who had sold himself in the circus games:

"This man who sold himself to the gladiators ללודאי] according to the printed versions and the Vatican 130 manuscript], he went to R. Ami and said to him, 'Redeem me. He [= R. Ami] answered him: It is taught in the Mishna [= *mGit* 4: 9]: 'Whoever sells himself and his sons to non-Jews, he is not redeemed but the sons are delivered [= by redemption] lest they become depraved [Rashi: [lest] they assimilate among the Gentiles and be influenced by their morals], and *a fortiori* in this case, where there is a strong chance that the father will be killed [= since he is a gladiator]. The Sages said to R. Ami: This Jew is an apostate [in the Vatican and Oxford manuscripts: heretic (משומד)] because we have seen him eat [meat of] carrion and unclean animals, [and therefore, this apostate Jew must not be redeemed]. He said to them: This Jew eats because he is hungry, so there is no proof of his heresy. They said to him: But there are times when there is permitted food in front of him and forbidden food, and he eats the impure food and rejects the permitted food! [He is therefore a true apostate.] R. Ami said to the man, Go away, they won't let me redeem you. (לא קא שבקי לי דאפרקינך)."[[45]](#footnote-45)

Once again, and in a manner quite similar to the case of the Jews of Gadara, the same R. Ami also tried in the case of Caesarea to soften the halakhic positions, attempting to redeem this Judean who had been sold to the circus games. R. Ami did his utmost to bring him back into the Jewish community, even if the expected result was not conclusive, at the time when rigorist Sages hindered his approach,[[46]](#footnote-46) claiming that this Jew was already too much assimilated to his polytheistic entourage. The uncompromising and legalistic approach of the Sages is a direct extension of an alarming situation in which Jews knowingly sold themselves, most probably for financial reasons or even for ambition, to the world of gladiatorship. The compassing message of the Sages is that in such a case, no return to Jewish life is possible. It should be emphasized that it was the same problematic situation which determined R. Ami, as well as R. Abbahu, to return to Jewish life. R. Ami, like R. Abbahu at Caesarea-Maritima, to seek by all means to reintegrate this renegade Jew, in spite of the tannaic law which clearly states that "whoever sells himself and his sons to the pagans shall not be redeemed".

*V) The Sages and the bath in the baths of Aphrodite in Ptolemais/Akko :*

Concerning the question of bathing in the Roman baths, it has been shown that the statue of Aphrodite placed in the baths of Akko,[[47]](#footnote-47) was ritual.[[48]](#footnote-48) Rabban Gamaliel surely wanted to innovate accordingly by stating not only that bathing in the Roman public baths was permitted, but also that the statue in the baths was not cultic, and therefore the permission to bathe in the Akko baths was also motivated by the absence of idolatry. However, Rabban Gamaliel's pioneering innovation was not followed up, for to negate the cultic essence of the statue was a position considerably detached from contemporary reality, where rites were regularly performed in the Roman baths. Both the Sages of the Mishna and the Talmud perceived the thermal statues as cult objects in their own right.[[49]](#footnote-49) This being said, these Sages also allowed the Jews to frequent public baths more often, but without denying the polytheistic aspect of the baths. These Sages allowed it by invoking other arguments, such as the impossibility of prohibiting a public element, like the water of the baths, because it was the property of the whole community.[[50]](#footnote-50) A very lenient position, being most probably only the consequence of a popular social pressure, at a time when the Judeans frequented the public Roman baths anyway, thus motivating the rabbinic necessity to legislate in this sense. [[51]](#footnote-51)

*VI) The Sages and figurative art :*

It should also be said that the rabbinic concession in the third century (or at least the absence of a ban and the assent *a posteriori*), to reproduce images on walls,[[52]](#footnote-52) as well as on mosaics in the fourth century,[[53]](#footnote-53) does not stem from a decline in popularity of figurative art with a pagan content among the Jews,[[54]](#footnote-54) - quite the contrary! Polytheistic figurative art penetrated the Galilean synagogues.[[55]](#footnote-55) Polytheistic art quickly became inextricable from the synagogue milieu and was to win rabbinic support afterwards.

*Analysis and conclusion:*

To conclude the question of the halakhic relationship of the Sages with regard to Greco-Roman culture, it is appropriate to give the following example, which shows a pagan onomastic influence, of Aramaic origin, on the rabbinic milieu. It has been shown elsewhere that the surnames Gad, Gada, Gadya were perceived by the Sages as polytheistic names, which they forbade to pronounce. This relationship is constant among the rabbis from the time of the Second Temple to that of the Talmud. It turns out that the cultic significance of these names among the polytheists living in Syria, especially in Palmyra, does not differ in any way from the Second Temple era until the fourth century CE, as we deduce from epigraphic sources. However, whereas at the end of the Second Temple era and the time of the Mishna (first and second centuries) the Sages forbade the use of such a name by Jews, in the third century CE R. Yohanan suddenly authorized it.[[56]](#footnote-56) This unexpected decision did not mean that the pagan connotation of the word 'Gad' was becoming insignificant among the gentiles of Roman Palestine and the surrounding regions, since both archaeological, epigraphic and talmudic sources clearly testify to the cult entity attached to this pagan god, precisely in the third century. The motivation for the unexpected rabbinic authorization to use the surname Gad is thus justified by a desire to legitimize *a posteriori* an onomastic situation, alarming in the eyes of the rabbis, which had obviously existed for a very long time in Jewish society. The rabbinic concession is certainly a direct consequence of contemporary cultural reality, when the ineffectiveness of the prohibition, intended to curb external influence, was proven. It was not the historical situation that changed, but the *Halakha*'s relationship to it. Like the many legal relaxations which the Rabbis of the Mishna and the Talmud promulgated with regard to idolatry, there is no compromise here either, but a new form of struggle against paganism by the abrogation of coercive laws which had become far from productive. The presence of Gad in talmudic literature, with the different rabbinic attitudes towards him, prohibition at the time of the Mishna and permission at the time of the Talmud, while the historical reality concerning the popularity of this god remained unchanged among the native Semites, illustrates the course of action to be followed in the study of halakhic relations towards non-Jewish, Greco-Roman or Semitic culture.[[57]](#footnote-57) As we have seen, it is appropriate to consider this phenomenon legally, either as an indulgence or as a requirement, depending on the period studied. This position of the Sages is also perceptible in the extremely critical attitude they adopted towards the equestrian world,[[58]](#footnote-58) representing the culture of Rome, which obviously attracted many Jews. They repeatedly urged members of the Jewish community to stay away from the equestrian scene, while curiously issuing no large-scale prohibition against riding![[59]](#footnote-59) Some rabbis separated [= became strict] while others did not deviate [= remained conciliatory]," the Talmud states.[[60]](#footnote-60) Some forbade on the basis of a complex cultural situation that raised many challenges, while at the same time, this same complexity prompted other rabbis to allow, or at least to consider allowing at first, especially in Hellenized cities such as Gadara or Caesarea-Maritima. These sages took into consideration the seriousness of the social and cultural reality which threatened the Judaism of the Judean communities, especially in these urban centers where social mixing between Jews and polytheists was a daily reality. For the Sages, it was necessary to fight against the danger of acculturation by means of persuasion during preaching in the houses of study, the synagogues or during discussions between individuals. In the majority of cases, the Sages did not use legal coercion, whose chances of success were much less than the great campaigns of moral deterrence based on exegesis and social proximity to the masses.[[61]](#footnote-61) These halakhic and conceptual resolutions also reveal the fact that the rabbinic movement was frequently dragged down by a historical reality that was detrimental to it. It is worth repeating, therefore, that it was not the *halakhah* of the rabbis that shaped reality, but most likely the reverse.[[62]](#footnote-62) The rabbis considered it their obligation to deal daily with the social and cultural vicissitudes encountered by the members of the Jewish community, in order to preserve a certain stability and to further consolidate their authority. Thus, rabbinic action oscillated between a determined will to guide the Jewish people according to the precepts of the Sages and to preserve - on the other hand - the confidence that the Jews had in their Sages. All of this while attempting to apply rigorous or lenient halakhic criteria, depending on the circumstances.

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1. Despite the fact that the use of talmudic literature as a historical source, for periods far in advance of its final edition, raised many methodological problems as J. Neusner and his followers showed for three decades [cf e.g., Neusner, 'Rabbinic Sources for Historical Study - A Debate with Ze'ev Safrai', 123-142, especially pp 123; 125; Idem, 'From Biography to Theology: Gamaliel and the Patriarchate', 54; 55. Et al.], we agree that rabbinic texts reflect the historical context, especially in their halakhic occurrences, a corpus which it would be a great pity to neglect in any historical reconstruction of ancient Judaism. That said, and assuming the existence of a "historical core", it is impossible to analyze the historical substratum of rabbinic literature without the critical spirit which is indispensable to any historical investigation based on the interpretation of the texts, cf Safrai, 'Rabbinic Sources as Historical - A Response to Professor Neusner', 167; Stemberger, 'Rabbinic Sources for Historical Study', 186: "There is no general procedure advisable: a certain measure of personal judgment remains in every historical reconstruction. But although it is no longer possible to use Rabbinic sources in a naive way for reconstructing history, it is still extremely useful for historical questions. It would be the greatest damage to the History of Judaism if the Rabbinic texts were neglected in the historical enterprise." See also for example: Batsch, 'La littérature tannaïtique comme source historique pour l'étude du Judaïsme du deuxième temple'. Et al. In order to demonstrate the anteriority and authenticity of a tannaic tradition, despite its late composition, it will be necessary to attempt to harmonize it as closely as possible with archaeological, epigraphic and even Roman or Christian literary sources. For one such attempt, see Friedheim, 'A New Look at the Historical Background of *Mishna Aboda Zara* I, 1', 273-300 (Heb); Friedheim, 'Rabbinisme et Paganisme en Palestine Romaine – Étude historique des Realia talmudiques (Ier-IVème siècles)'*,* 307-364. Et al. [↑](#footnote-ref-1)
2. Jaeger, 'Paideia: The Ideals of Greek Culture, I, Archaic Greece'*,* v. [↑](#footnote-ref-2)
3. As far as is known, no major study has proposed to highlight a halakhic method of the Sages which explains the majority of the questions relating to the rabbinic relationship to Greco-Roman culture in the light of the daily life prevailing in Roman Palestine, thus motivating the originality of our study. On important but relatively isolated approaches, cf e.g., Herr, 'Hellenism and the Jews in the Land of Israel', (Heb); Herr, 'External Influences on the World of the Sages in the Land of Israel - Absorption and Eviction', (Heb); Stern, 'Figurative Art and *Halakha* in the Mishnaic-Talmudic Period', 403; Stern, 'Pagan Images in Late Antique Palestine Synagogues'; Levine, 'Judaism and Hellenism, Confrontation or Confluence?'*,* 91-95, 94; Hadas-Lebel, 'L'attitude rabbinique à l'égard de la culture grecque (IIe et IIIe s.) : Marques de résistance à Rome'; Blidstein, 'Rabbinic Judaism and General Culture - Normative Discussion and Attitudes', 55-56; Eliav, 'Viewing the Sculptural Environment - Shaping the Second Commandment', 432-433. Et al. [↑](#footnote-ref-3)
4. bYom, 69b; bSan*,* 64a. [↑](#footnote-ref-4)
5. Urbach, 'The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts'*,* 154; Urbach, 'The Sages - Their Beliefs and Ideas'*,* 17. (heb); Lieberman, 'Hellenism in Jewish Palestine - Studies in the Literary Transmission Beliefs and Manners of Palestine in the I Century B. C. E. - IV Century C. E.', 120; Hadas-Lebel, 'Le Paganisme à travers les sources rabbiniques des IIe et IIIe siècles - Contribution à l'étude du syncrétisme dans l'empire romain', 413-414; A. Oppenheimer speaks explicitly of 'a significant weakening of the attraction of idolatry to the Jewish people', cf Idem, 'Galilee in the Time of the Mishna', 138. (heb.) See also: Halbertal and Margalit, 'Idolatry'*,* 2; Beer, 'The Destruction of the Second Temple Period in the Ancient Jewish Thought', 442 n 26 (heb); Belayche, 'Iudaea-Palaestina - The Pagan Cults in Roman Palestine',35; Weiss, 'The Sepphoris Synagogue - Deciphering an Ancient Message through its Archaeological and Socio-Historical Contexts'*,* 235 and n 69. Et al. [↑](#footnote-ref-5)
6. Chuvin, 'Chronique des derniers païens - La disparition du paganisme dans l'empire romain du règne de Constantin à celui de Justinien',143-144; 145-147; Mac Mullen, 'Christianity and Paganism in the Fourth to Eighth Centuries'; Friedheim, 'Quelques remarques sur l'introduction du culte de Jupiter héliopolitain à Emmaüs-Nicopolis à l'époque romaine'; Friedheim, 'The Cult of Tyche in Palestine during the Roman Period - A Study in Historical Geography', (Heb); Friedheim, 'The Religious and Cultural World of Aelia Capitolina - A New Perspective'; Friedheim and Dar, 'Some Historical and Archaeological Notes about Paganism in Byzantine Palestine'. Et al. [↑](#footnote-ref-6)
7. Friedheim, 'Jewish Idolaters in the Land of Israel in the Days of the Mishna and Talmud', (Heb.); Friedheim, 'Rabbinisme et paganisme', 25-67; Friedheim, 'Le judéo-polythéisme en Galilée au temps de la Mishna et du Talmud – sources complémentaires'; Kalmin, 'Jewish Babylonia between Persia and Roman Palestine'*,* 103-120; 223; Costa, 'Judaïsme helléniste et Judéo-Paganisme en Terre d'Israël – L'exemple des Minim', 111-114. [↑](#footnote-ref-7)
8. mShev*,* 4, 1: "In the beginning it was said, 'A man gathers trees, stones and herbs from his field, just as he gathers [from his neighbor's field] in a disorderly manner. But since the number of sinners increased [ = They gleaned not only fat herbs but also fine herbs from their fields, therefore they transgressed the prohibition of gathering herbs during the fallow year] it was instituted that every man should gather in his field..." The renewed prohibition appears explicitly in the parallel occurrence in tShev,3:9: "since the outlaws increased [in number], the prohibition was reinstated."; mShek1:2. [↑](#footnote-ref-8)
9. tShev,3:9; tShab,3:3. [↑](#footnote-ref-9)
10. See also: tSot*,* 14: 1-5: "רבן יוחנן בן זכאי אומר: משרבו הרצחנין בטלה (עגלה) ערופה" translation: "Rabban Yohanan ben Zaccai said: As the murderers become more and more numerous, the ceremony of the heifer whose neck is broken (allusion to *Deut.,*21 1-9) is cancelled, since this rite is only performed when it is a question of a doubtful murder, whereas at present those who kill in the open have increased in number. Since the infidelities increased, the bitter waters ceased, for they are only used [litt: come] in case of uncertainty. Now, however, from now on, the deviates are in the open [כבר רבו הרואין בגלוי]." [↑](#footnote-ref-10)
11. *Ibid.* [↑](#footnote-ref-11)
12. yMK3:7 (83b); TanhB*,* 21. [↑](#footnote-ref-12)
13. Indeed, particularly after the defeat of the Ben Kosba uprising (135/6 CE), migratory movements accentuated the social mix in localities where Jews and pagans now rubbed shoulders on a daily basis. This proximity was likely to encourage acculturation, mixed marriages and religious assimilation. This concern is explicitly expressed in the words: "Do not dwell among the Gentiles, lest you serve a foreign cult". (ARNb, 33; ARNa, 26) This text is not only a statement of opposition to paganism, but also a pragmatic position warning the Jewish population of the real danger of the attraction of pagan cults, particularly for Jews living in cities such as Caesarea-Maritima, Eleutheropolis/Beth Guvrin, Diospolis/Lydda or Scythopolis-Nysa/Beth Shean, whose populations had a strong non-Jewish component at the time of the Mishna and Talmud. Another text also expressing the fear that pagan influences could arouse, states as follows: "... Rabbi Yossi the Galilean (2nd century) said: Here is a dishonorable [lit: degrading, condemnable] thing for Israel. The nations of the world do not forsake what their fathers handed down to them, whereas the Jews [Israel in the text] forsake what their fathers taught them by going to serve [literally: and they go and serve] idolatry." (SifreDeut, 87:8; Friedheim, 'Sur l'existence de Juifs polythéistes en Palestine au temps de la Mishna et du Talmud', 94 n 73). It's probably no coincidence that this rabbi's criticisms were made in the present tense. On the one hand, Gentiles have retained their ancestral cults, which once again refutes the claim that paganism disappeared in the first century CE; on the other hand, this text mentions Jews who assimilated among the Gentiles, eventually adopting their idolatrous customs. [↑](#footnote-ref-13)
14. The great eighteenth-century Jewish commentator on the Yerushalmi, Rabbi Moshe Margalit (c. 1710 - 1780), explains [On the importance of his observations, cf Ginzberg, 'A Commentary on the Palestinian Talmud - A Study on the Development of the Halakhah and Haggadah in Palestine and Babylonia', I, LVI] in his commentary "Pene Moshe", the question of the inhabitants of Gadara [s. v. 'the day of banqueting of the non-Jews'] in the following way: "What about visiting them [= this is the question], for if the question was about trading, then it has been taught in our mishna that banqueting of the private individual is forbidden". It seems, however, that the question of the people of Gadara was still directed at the possibility of trading with pagans on the day of their banquet, despite the mAZ1:3 [2 in the Kaufmann Manuscript A50], to which the commentary of *Pene Moshe* referred, which states: And these are the feasts of the Gentiles... on the day that he went up [= came out] of the sea... and the non-Jew who made a banquet for his son is forbidden [= to have business relations with a Jew] only on the same day [= of the reception] and only with that man. Indeed, the question of the Jews of Gadara [the termגרדאי does not refer here to a weaver as is customary in Talmudic Aramaic, but rather to the inhabitants of Gadara of Decapolis, cf Dvorjetski, 'Hot Medicinal Springs in the Land of Israel during the Second Temple, Mishna and Talmud Periods'*,* 55 (Heb.)] was in no way related to this mishna, which they probably did not know [see *below*] and also since they mentioned a case different from that of the mishna. The latter refers to the case of a non-Jew who held a banquet on the occasion of his son's wedding [even when the Sages refer to the case of a Jew offering a banquet for his son, it is a wedding, cf mHal2:7; mKer3:7; mNeg3:2; tShev, 5:10; tShab*,* 7:9; tBK*,* 8:11; yBer 6:8 (10d); et al.] while the Jews of Gadara focused their question on 'the day of the banquet of the non-Jews' without any connection to the notion of marriage. In other words, it was an exclusively pagan banquet, as R. Ami's statements at the end of this anecdote demonstrate. [On the place of banquets in the various cults, cf Friedheim, 'Rabbinisme et Paganisme'*,* 375-378 notes 1496-1510]. We are therefore talking about different cases and this is perhaps the reason why R. Ami does not establish a reciprocal relationship between the mAZ1: 3 [2 according to the Kaufmann manuscript A50] and the case highlighted in Gadara. Moreover, it is not impossible to think that the passage in the mishna about "the day of his son's banquet" was unknown to them, since this passage is absent from the Kaufmann manuscript, which is the oldest and most authentic version from the Land of Israel of the mAZ [cf Rosenthal, 'Mishna 'Avoda Zara - A Critical Edition',10 (Heb.)]. It would seem, moreover, that the complement referring to the son's banquet really appears only in the Babylonian versions of the mishna, cf *ibid*. [↑](#footnote-ref-14)
15. To what source does the expression "from here/this 'for reasons of peace' [מן הכא/הדא מפני דרכי שלום] refer"? It is fair to assume that R. Ami was referring to a tannaic source, for it is before this anecdote, that all occurrences in the Jerusalem Talmud [cf *infra,* n. 16] report the following baraita: "One teaches (= תני) [as follows]: A city comprising Gentiles... and one provides for the needs of the Jewish paupers and the non-Jewish poor and one visits the Jewish and non-Jewish sick... for the **sake of peace.** The inhabitants of Gadara asked R. Imi: What about the banquet for non-Jews? He thought to allow it **from here 'for reasons of peace'...**" This baraita introduced by the term 'תני' probably originates in tGit3: 13-14 where we read, "A city of Jews and Gentiles, the rulers collect [taxes] from Jews and non-Jews **for reasons of peace**. The poor of the non-Jews are fed... for **reasons of peace**. The dead of the Gentiles are buried and eulogized for **reasons of peace**. One addresses condolences to the bereaved Gentiles for **reasons of peace**." It would therefore be logical to claim that in the expression of the Yerushalmi "he thought to allow them from here for reasons of peace", R. Ami applied the tannaic principle "for reasons of peace", to the historical reality specific to the case of Gadara. However, since the baraita of the *tosefta* does not contain the question of participation in the Gentile banquet as a permissible circumstance for reasons of good neighborliness, it is certain that R. Ami relied on another tannaic source to legitimize such a position. Several mishnaic sources refer to the obligation of a Jew to greet non-Jews and inquire about their situation (cf e.g., mShev*,*4:3; 5:9; mGit,5:9, but this does not refer to inquiring about the welfare of a gentile on his holidays), especially when he is commemorating his gentile festivities, cftAZ*,* 1:3: "One takes news of the heathen during their festivals for reasons of peace". It is most likely to this last baraita that the *Yerushalmi* referred when he said that R. Ami thought to allow the Jews of Gadara to take part in this banquet "from here/for reasons of peace". [↑](#footnote-ref-15)
16. Pene Moshe', *ibid,* s. v. "But here Rabbi Hiya already taught that banqueting non-Jews is forbidden": "[i.e.] to visit him, in which case he would be likely to negotiate with him [=the Gentile]." Following our argument developed in note 13, one could again suggest that R. Hiya's prohibition is in fact related to actual business transactions that took place between Jews and Gentiles during their feasts and not just a simple visit. Indeed, the source of the statements reported in the name of R. Hiya is originally to be found in tAZ, 1: 4, which is to be placed in direct relation to trading during the public and private holidays, so that the halakhic content of the baraita and the mAZ1:3 (2 according to the Kaufmann Manuscript A50), which deal with the question of trading, is identical. cf tAZ, 1: 4: "the Kalends, although everyone performs them, it is forbidden [= to negotiate] only with those who celebrate them [ritually]... **on the day of his banquet** and on the day he obtained power, R. Meir said... **it is forbidden** [= to negotiate]." This is probably the source of the baraita which the Jerusalem Talmud attaches to the name of R. Hiya. It would seem that this was also the opinion of the great Talmudic scholar M. Higger, 'Otzar Habraitot'*,* II, 146, XIII. It is not certain that the baraita is really from R. Hiya, since in the *tosefta* it is reported anonymously and also because according to other sources R. Hiya himself took part in the banquet of non-Jews in the city of Scythopolis/Beth-Shean, cf EsthR*,* 2, 4. Et al. [↑](#footnote-ref-16)
17. yDem*,* 4, 24a; yGit*,* 5, 47c: "The inhabitants of Gadara asked R. Imi: What about participating in the banquet of the pagans? ... R. Imi said: 'If it were not for R. Abba we would have already allowed their idolatry and blessed be He who separated us from them [כבר היינו באין להתיר ע"ז שלהן וברוך שהבדילנו מהן]; yAZ*,* 1, 39c. [↑](#footnote-ref-17)
18. For the sake of accuracy, we will say that the baraita reported in the name of R. Hiya does not explicitly refer to idolatry but to the banquet. However, it is clear that in this text banquet is synonymous with idolatry [the day of the banquet of the pagans = their idolatry]. It is therefore certain that R. Ami perceived the question of the Jews of Gadara as being a request concerning active participation in a fundamentally polytheistic event, and here R. Ami approved at first sight of the step in question! It seems, moreover, and in general, that the position of the critics, according to which the Sages could in no way consent to the use of a cultic or 'worshipped'(נעבד) object needs to be revised [On this opinion, which has become consensual, cf e.g., Levine, 'Judaism and Hellenism, Confrontation or Confluence?', 93; Stern, 'Figurative Art and *Halakha* in the Mishnaic-Talmudic Period', 404, 408; Eliav, 'Viewing the Sculptural Environment - Shaping the Second Commandment', 433; Fine, 'Art and Judaism in the Graeco-Roman World - Toward a New Jewish Archaeology',118: "... Rabbinic literature presents Jews participating fully in the art of late antiquity, so long as art was not "idolatrous." Et al]. The position of R. Ami, halakhically admitting the participation of Jews in a declared polytheistic manifestation, as well as the case of a pagan cultic act perpetuated by a Jew at Caesarea-Maritima, which will be analyzed later, demonstrate precisely the opposite. Based on the words of Rabban Gamaliel II in the baths of Aphrodite in Akko: "... There is no question of anything but 'their gods' (*Deut*. 12:3): that which is perceived as a god is forbidden, and that which is not treated as a god is permitted" [mAZ3:4-5 (according to the Kaufmann manuscript A50)], the main dialectic of scholars tends to think that the rabbis knew well how to discern, in theory as well as in practice, the ritually adored images from those which were not consecrated to the gods. [See e.g. Stern, *Ibid*; Eliav, *Ibid*.; Eliav*,* 'Two Comments on Idolatry in the Roman Bath House', 173-180. [Heb.]). However, the conclusion drawn from the dictum of Rabban Gamaliel II may be different. Indeed, in the Roman baths the bathers were naked, [cf Malissard, 'Les Romains et l'eau - Fontaines, salles de bains, thermes, égouts, aqueducs'*,* 114. This element was also known to the Sages, cf tBer*,* 2: 20; Lieberman, 'Tosefta Ki-fshuta, Zera'im Order',I, 26 line 66 (Heb); tDE*,* 4, 1, (ed. Higger, 296-298); *Ibid,* 3 (ed. Higger, 302-303); *Tefilin,* 17] as a result of which the bathers despised the statue according to the conception of the same Rabban Gamaliel II (*Mishna, Ibid.*: "Even if one were to give you a lot of money, you would not go to worship your idols, **naked** or after a nocturnal incident..."). According to Rabban Gamaliel, it is therefore always permissible to bathe in public baths, regardless of whether the local statue was cultic or not, for the nudity of visitors is omnipresent [cf Friedheim, 'Rabbinisme et Paganisme', 103 n 349]. It seems, therefore, that according to Rabban Gamaliel, there is no need to differentiate between a worshipped and an ornamental statue in the baths, for even if a thermal statue was expressly worshipped, the nudity of the bathers would invalidate the cultic dimension, thus legitimizing the presence of a Jew in the baths. In other words, by stating his rule "that which is perceived as a god is forbidden, and that which is not treated as a god is permitted", Rabban Gamaliel would have pretended to distinguish between two cases, but the truth is that he did not deviate from his position of principle, authorizing the frequentation of the thermal baths even if one was performing rites for the local statue. One could perhaps also argue, that a cultic statue outside the baths could also be permitted by Rabban Gamaliel arguing that the idol invaded his country as well as Greek culture in general (cf mAZ*, Ibid*: "I did not come to his border [i.e., his country], it came to my border.") Others may have thought that there was no difference between a ritual and a secular statue, but in the opposite way from Rabban Gamaliel. Whether it is a worshipped or an ornamental statue, in all cases the statue will be perceived as idolatry, leading to the prohibition, cf tAZ*,* 5: 6: "Is it possible to permit [= for the use of a Jew] an idolatry abolished by a pagan? [Therefore it is said, 'the idols of their gods' (*Deut.* 12:3), belonging to them, whether perceived as a god or not, is forbidden." According to this opinion, which is clearly contrary to the opinion of Rabban Gamaliel in both form and content [using the same verse that Rabban Gamaliel used and identical expressions], it follows that there is no difference whether the statue is ritual or not, everything is forbidden. Rabban Gamaliel allows any statue, cultic or decorative, while the anonymous Sage forbids any statue, ritual or ornamental! Thus, paradoxically, one could authorize a declared idolatry and prohibit an object of exclusively ornamental content. These antagonistic positions are in fact due to the difficulty of distinguishing what is devoted to paganism from what is not. For the rigorous Sages, what was considered by some to be ornamental was considered idolatrous, while for the conciliatory Sages, what was considered by others to be cultic was, in their eyes, only decorative. These éléments, from the second century CE, are directly in line with the halakhic decision of R. Ami, one century later, who was at first willing to allow the 'Gentile banquet day', knowing that for the majority he was in fact authorizing the participation of Jews in a declared polytheistic festivity. [↑](#footnote-ref-18)
19. This is very surprising indeed, since R. Ami's original decision to allow is actually recorded in tannaic texts, cf tAZ,1: 3: "One takes news from the Gentiles because of good neighborly relations" and regarding active participation in the 'rejoicing' of non-Jews, see yAZ*,* 1, 39b, p. 1376 [according to the addition of the scribe of the Leiden manuscript]): "It is taught [תני]: If he enters a city [= עיר, however Nahmanides knows a slightly dissimilar version: "תני נכנס למדינה", cf *Hidushei Ha-Ramban on bAZ* 13a (ed. Shoval, p. 18 & n. 187)] and he [= the Gentiles] finds them [= the Gentiles] rejoicing, he will rejoice with them, for he is there only to worship them [מפני שאינו אלא כמחניף להן]." The Hebrew phrase "to worship them" corresponds to the turn of phrase "for reasons of peace". Traditional rabbinic commentators on this passage of the *yerushalmi* have, moreover, pointed out the contradiction between the *baraita* permitting rejoicing with the heathen and the final prohibition of R. Ami [cf *Marei Hapenim,* who reports the opinion of Nahmanides [*ibid.*] who understands the terms of the *baraita* [he will rejoice with them = עמהןשמח ] as a permission for a Jew to participate in the festivities of non-Jews. It should be pointed out, moreover, that during the generation of Usha [140-180] some Tannaim [although reported, admittedly, in late sources] did not indeed see any disadvantage in participating in non-Jewish banquets. Thus, while being aware of this problem [cf *SifAggesth. - PanAh,* 2: 6, R. Meir [second century] himself participated in this type of revelry, cf PesRK,6:2 and variants. R. Shimon b. Yohai, in spite of his extreme piety, also took part in a Gentile meal, cf *EsthR,* 2: 4. This was also the case with R. Hiya (cf *supra,* n. 15). In other words, R. Ami (third century) could have based his original ruling on these tannaic antecedents to allow, despite the inherently pagan aspects of the Gadara banquet, but here he forbade, perhaps because he was not familiar with the tannaic traditions in question, apart from the *baraita* dealing with "the reasons for peace" [this even though R. Ami succeeded R. Yohanan (after 279 CE) as head of the rabbinical academy of Tiberias, cf *Responsum of Rav Sherira Gaon,* (Levine ed., p. 84, following the French version)] in the same way as he did not remember the *baraita* reported in the name of R. Hiya [cf yDem*,* 4, 24a; yGit*,* 5, 47c: "Rabbi Abba said to him: But Rabbi Hiya had already taught that the banqueting of non-Jews is prohibited. Rabbi Ami then said: **If it were not for Rabbi Abba [who reminded us of Rabbi Hiya's teaching],** we would have allowed their idolatry and praise God who has removed us from them"]. One may also wonder whether R. Ami's reversal was not due to a certain apprehension of contradicting R. Abba, whom he otherwise considered the most important rabbi in *Eretz-Israel,* [cf bShevu47a according to the printed version of Vilna, the Vatican 140 manuscript and Pisaro 1511, while the Firenze II-I-9 manuscript renders the version "רב אסי"]*,* the same R. Abba, who reported the *baraita* attributed to R. Hiya proscribing "the day of the banquet of the heathen"*.*  [↑](#footnote-ref-19)
20. The history of religions has amply dealt with the cultic space in which the rites were manifested, especially the banquet. It turns out that such meals could not be eaten just anywhere. They took place mainly in rooms assigned precisely for this purpose in the sanctuaries, especially in the Roman East, as for example in Dura-Europos, cf Friedheim, 'Rabbinisme et paganisme'*,* 378 n 1504-1507. It is therefore logical to assume that the Jews of Gadara wished to take part in a polytheistic banquet, probably celebrated in one of the local temples. In this context, R. Ami's initial willingness to approve the request of the Jews of Gadara is quite astounding. [↑](#footnote-ref-20)
21. Barsanuphe and John of Gaza*, Correspondance,* 775-776; Dan, 'Studies in the History of Palestine in the Roman-Byzantine Period',28 (Heb). [↑](#footnote-ref-21)
22. Despite the fact that for his close relatives, R. Ami did not fully tolerate pagan figurative art, seeyAZ 4, 33d: "R. Ami commanded the people of his house: [at prayer] do not prostrate yourselves as usual [= obviously because of the pagan images on the mosaics]. R. Yona prostrated himself on the side. R. Aha bowed to the side". See also, Blidstein, 'Prostration and Mosaics in Talmudic Law', 19-39. In fact, this is not an unqualified prohibition, since R. Ami does not forbid them to attend these synagogues, but merely to conduct themselves differently in the performance of prayer. It is interesting to note that in other halakhic matters, more internal to Jewish life, R. Ami was one of the uncompromising Sages, cf e.g., bMK12b: "R. Ami heard and forbade"; R. Ami heard and forbade"; bShab51a, or, especially in the laws concerning the *mamzer* or the child born of an illegitimate union, cf yYev, 15, 15a. This text reports, among other things, the words of R. Zeira, congratulating R. Ami for not having changed his rigid position in any way. This said, concerning his relationship to Greco-Roman culture, R. Ami adopted - or at least wished to adopt at the level of *a priori* - a flexible position, visibly, because of the entanglement of the situation. [↑](#footnote-ref-22)
23. CantR.1: 39 (6); YalShim on Nmbs. 764; YalShim on Reg 218. In the latter instance, it should read "R. Shimon b. Laquish" instead of "R. Shimon b. Levi", as on practically every occasion when this name appears, cf Hyman, 'Toledoth Tannaim Ve-Amoraim',III, 1193 (Heb). It should be pointed out here that the blasphemers are clearly Jews from Caesarea, as is clear from Resh Laquish's reply at the end of the narrative. [↑](#footnote-ref-23)
24. mSot7:1; bBer40b; bShevu39a. In this context, see also mShab*,* 16:1; mMeg1:8; 2:1. [↑](#footnote-ref-24)
25. tSot*,* 7:7: "The blessings, the hallel, the Shema and the Amida are recited in any language. Rabbi [=Rabbi Judah the Prince] says: I state that the *Shema shall be* recited only in the holy language, as it is said: 'And these are the words' (*Deut.,* 6:6)"; ySot,7, 21b; bBer13a; bMeg17b; bSota32b. [↑](#footnote-ref-25)
26. ySot*, Ibid*: 'R. Levi bar Hita went to Caesarea and heard a voice reciting the *Shema* in Greek (קלון קריין שמע אלוניסתין), he sought to interrupt them [probably because of the ruling of R. Judah the Prince] R. Yossi heard and tried not to stop them. He said, Thus I proclaim, He who cannot read the Assyrian [= Massoretic text (in Hebrew) = אשורית] shall not recite it for all that? Here he is acquitted [if he has uttered it] in any language he knows. R. Brehia objected: Behold, the scroll of Esther if he knows how to read it in Hebrew [= אשורית] and he says it in Greek [= לעז] he is exempt only in Hebrew? R. Mana says (following mMeg*,* 2:1): The scroll of Esther, if he knows how to read it in Hebrew and he recited it in Greek, he is only released [from the obligation] by reciting it in Hebrew. On the other hand, if he knows how to read it only in Greek, then he is released from the reading if he has performed it in Greek or in any other dialect he knows, the same applies to the prayer...". R. Levi b. Hita was quite rigorous in wanting to prohibit, but in practice, both R. Yossi and R. Mana softened their positions, such is the halachic conclusion of the *yerushalmi* here. Let us recapitulate: Insofar as the proscription that R. Levi b. Hita wanted to apply was the direct consequence of a socio-religious reality in which certain Jews of Caesarea recited the *Shema* in Greek, it is then logical to think that the softening of R. Yossi and the other amoraim is also an extension of this same delicate context. [↑](#footnote-ref-26)
27. On this inscription, cf Frey, 'Corpus inscriptionum Iudaicarum - Recueil des inscriptions juives qui vont du IIIe siècle avant Jésus-Christ au VIIe siècle de notre ère, I, Syrie septentrionale et Transjordanie'*,* 68-69 no 281: "שמע ישראל א[דוני] אלהינו אדוני אחד. ואהבתה את אדוני אלהיך בכל לבבך ובכל [נפשך ובכל מאדך והיו] הדברים האלה אשר אנכי מצוך היום על [לבבך] ושננתם לבניך ודברת בם...",; Perhaps it was an inscription that was part of a synagogue door, cf Roth-Gerson, 'The Jews of Syria as Reflected in the Greek Inscriptions',277-280. (Heb). [↑](#footnote-ref-27)
28. yPea*,* 1:1 (15c); ySot*,* 9:14 (24c); Lieberman, 'Hellenism in Jewish Palestine - Studies in the Literary Transmission Beliefs and Manners of Palestine in the I Century B. C. E. - IV Century C. E.', 225-228. (Heb.) [↑](#footnote-ref-28)
29. mSot*,* 9:14; tAZ, 1:20; yPea, *Ibid*; ySot*, Ibid*; bMen99b; bSot49b. [↑](#footnote-ref-29)
30. tAZ*,* 15: 8 (according to the Vienna manuscript): "The house of Rabban Gamaliel was permitted to teach their sons Greek, because they are close to the government"; *Ibid,* p. 241 (according to the Erfurt manuscript); yShab*,* 6, 1 (7d); yAZ*,* 2, 2 (41a); bBK83a; bSot49b. [↑](#footnote-ref-30)
31. R. Abbahu's embarrassed attempt to impute his teaching to that of R. Yohanan is highlighted by the rest of the text when R. Shimon bar Abba, says [cf yPea*,* 1:1 (15c); ySot*,* 9:14 (24c)]: "Because he [= R. Abbahu] seeks to teach Greek to his daughters, so does he impute his arrest to R. Yohanan. Let him come to me if he [really] heard it from R. Yohanan" (בגין דו בעי מלפה בנתי הוא תלי' ליה בר' יוחנן. יבוא עלי אם שמעתי' מר' יוחנן). And as proof that R. Shimon b. Abba was right, cf *Pirke de-Rabbi,* (ed. Grinhut, p. 58): "R. Yohanan says: ... And a man shall not teach his daughter Greek, and it is forbidden for her to learn Greek"; Lieberman, 'Hellenism in Jewish Palestine - Studies in the Literary Transmission Beliefs and Manners of Palestine in the I Century B. C. E. - IV Century C. E.', p. 18 & n. 56. (Heb.). It would seem, therefore, that it was precisely the relatively confused cultural situation in which the Jewish community of Caesarea-Maritima evolved that led R. Abbahou to attribute, as a matter of course, the existence of a Jewish community to the Jews of Caesarea-Maritima, R. Abbahu to attribute his authorization, rather distressingly, to the greatest of the Galilean teachers of his time, R. Yohanan. This, notwithstanding the fact that the latter's position was clearly at odds with that of the Sage of Caesarea. [↑](#footnote-ref-31)
32. Lieberman, 'Hellenism in Jewish Palestine - Studies in the Literary Transmission Beliefs and Manners of Palestine in the I Century B. C. E. - IV Century C. E.', 226 (Heb.) [↑](#footnote-ref-32)
33. The halakhic dialectic must obviously be as follows. Since it was forbidden to teach Greek to young boys [See also: *SifDeut* 46], this implies that the girl was exempt from such a prohibition. Moreover, the apprehension of learning Greek, even on an individual level, lies in the prohibition of devoting one's time to anything other than the study of Torah (cf Lieberman, *ibid.*). Now, women are exempt from the obligation to study Torah [cf bEr27a; bKid34a, et al.], which may explain R. Abbahu's permission to allow the teaching of Greek exclusively to his daughters, while retaining the prohibition for young boys. [↑](#footnote-ref-33)
34. Despite the fact that there were idolatrous Jews in Roman Palestine (cf *Supra,* n. 7), S. Schwartz's definition that the majority of Judeans lived as polytheists [cf Schwartz, 'Imperialism and Jewish Society: 200 B.C.E to 640 C. E.'*,* 176], seems excessive. He is, however, quite right in asserting that: "Others ( = Jews)... may have been eclectic, living in some respects as pagans and in others as Jews, occasionally supporting and consulting rabbinic figures for some purposes, perhaps by the third century helping in the construction of synagogues but most often ignoring them". See also: Friedheim, 'Le judéo-polythéisme en Galilée au temps de la Mishna et du Talmud – sources complémentaires'. [↑](#footnote-ref-34)
35. See in this sense the treatment of the Sages towards the question of the oil of non-Jews which was forbidden in the time of the Second Temple, only to be permitted for consumption in the time of R. Judah Nessia I, cf mAZ*,* 2: 6; tAZ*,* 4 (5) 11; yAZ*,* 2:6 (41d); *Ibid,* (37a). See Friedheim, 'La société juive en Palestine romaine face aux interdits alimentaires ou une perception plurielle de l'identité judéenne', 68-69. In this case the Amoraite sources give a detailed account of the reason for the permission, cf yShab*,* 1, 4 (3d): "As R. Yohanan said in the name of R. (E)leazar b. Tsadok: I have a tradition that any law decreed by the rabbinical court that was not accepted by the majority of the community is not a decree. It was checked and found that the decree on oil was not accepted by the majority..."; yAZ*, Ibid;* bAZ 36a. Could it be deduced from this remarkable example that the reason the rabbis softened and reduced the prohibitions, at least in the laws pertaining to idolatry, was because the majority of the people refused to accept these laws at a time when local polytheism remained tenacious? As for the principle that the institution of a decree depends directly on its level of implementation by the members of the Jewish community, cf Maimonides, *Mishneh Torah - Hilekhot Mamerim,* 2, 5 (from the Constantinople manuscript, 1409): "A rabbinic court which decides to institute a decree or an ordinance... must... first of all verify whether the major part of the community will be able to apply the new prescription or not. One never issues a decree if the majority of the community cannot apply it. The allegiance of the rabbis to the Jewish community in the third century appears clearly in the astonishment of R. Simlai concerning the bread of the pagans, forbidden to the consumption of a Jew, and in the answer given to him by R. Judah Nessia I., the first rabbi of the Jewish community. Judah Nessia I, cf bAZ37a [According to the Pisaro 1511, Spanish manuscripts and the printed version of Vilna]: "He said to him: Simlai, you were not [among us (according to the Paris 1337 et al.)] yesterday in the house of study, when we authorized the consumption of oil, and he retorted to him: in our day, authorize the consumption of bread as well! He said to him: If we do this, we will be called a lax court"; yShab*, Ibid.* The court of the patriarch thus took the opinion of public opinion largely into consideration in order to permit or prohibit according to the circumstances, so as not to be labeled too rigorous for the public or excessively lax in the eyes of the Sages. As to the historical basis for the decision of the patriarch in question to permit gentile oil, cf Yankelevitch, 'Their Bread... Laws of Concealment', 54. (Heb.) He who remained in a rigid and dogmatic position favoring the forbidden, often opposing the desire of the community, could ruin himself, as for example R. Shimon Safra (= school teacher) of Trevnat in the Jezreel valley, who was dismissed from his educational position by the local community, precipitating his abandonment of Palestine for Babylonia, cf yMeg*,* 4, 4 (75b). Again, both the desire to prohibit and the desire to permit in the laws of idolatry and in other adjacent areas relating to Greco-Roman culture, at a time when *paganism* directly confronted Judaism, stemmed primarily from the inability of the community to cope with this affront. Cf also in this context, yAZ*,* 3, 1 (42c): "R. Nahum b. Simai... and why was he called Nahum, the man of the holy of holies? It is because he never looked at the effigy of a coin"; bPes104a. This proves, however, that the whole community looked at the deities appearing on the coins, despite the biblical prohibition against looking at idols (*Lev.* 19:4). [↑](#footnote-ref-35)
36. It is also in this sense that one must understand the following talmudic apophthegm: "it is better that they act [= transgress a prohibition] involuntarily than knowingly". This formula expresses a feeling of resignation in the face of a dogmatically deplorable situation, but also a concrete awareness on the part of the Sages of the constraints of the Jewish community which fiercely refused the fulfillment of certain laws, thus explaining the restraint of the Sages in not formally forbidding, cf also: yEr*,* 1, 1 (18c); ExodR*,* 43:1; bShab148b: "...but let Israel therefore, it is better that they transgress unintentionally than knowingly"; bBetsa*,* 30a; bBB60b. For the legal reasoning behind this principle, see Maimonides, 'Mishneh Torah - Hilekhot Shevitat Hassor'*,* 1:7. In this context, it is impossible to say that the Sages became lenient in laws pertaining to the use of Greek, because this language would have been eclipsed in the land of Israel. It is undeniable today that Greek was widely established in Roman Palestine. It is therefore obvious that halakhic authorizations in this area constitute a different handling of the prohibition in an attempt to deal with the issue more effectively. [↑](#footnote-ref-36)
37. tHul*,* 2:13. In the second case referred to by the *tosefta* "from the time he slaughtered", it seems clear that the text is dealing with the question of a Jew who first slaughtered the animal according to the halakhic rules governing Jewish ritual slaughter. Then he dedicated the fat and blood of the animal to idolatry. [cf also in the same vein, the singular version of the London manuscript: "אם משנשחטה זרק את דמה..." [= Once it (=the animal) was slaughtered, he threw away its blood], cf Lieberman, 'Tosefeth Rishonim - A Commentary Based on Manuscripts of the Tosefta and Works of the Rishonim and Midrashim in Manuscripts and Rare Editions', 1*,* 225 (Heb)] Compare with the version of the *baraita* in bHul39b: "... he who ritually slaughters the animal to cast its blood to idolatry and to incense its fat to idolatry, behold, these are sacrifices to the dead; He slaughtered it [first], then thought about it [שחטה ואח"כ חישב עליה], this was the case in Caesarea...", so it would seem that we are dealing with two distinct stages. The latter case is different from the former, cited by the *tosefta* [*ibid*: "He who slaughters the animal to cast its blood against idolatry and to have its fat incensed for idolatry, behold, it is meat for sacrifice to the dead"] where a Jew knowingly slaughters *a priori* for idolatry formally forbidding the use of such meat for the consumption of any pious Jew. On another level, it is apparently difficult to know what really happened at Caesarea-Maritima, for according to the version of the facts given by the *tosefta,* the Jew in question was really performing a pagan rite, whereas according to the version of the *baraita* in the *bavli*, he had only thought of performing the polytheistic ritual without actually doing so. It is not logical to consider the existence of two similar but divergent cases [cf the rabbinic commentary of R. D. Pardo [1718-1792], 'Hasdei David on Tosefta Houlin',51 (Heb)] but it is simply appropriate to favor the Judaean version of the *tosefta,* since we are dealing with a Caesarean case. It should be noted, moreover, that the version of the *baraita* in yGit*,* 6:6 (48b), also from the Land of Israel, is very close to that rendered by the *tosefta,* which isnot surprising since it is well known that the version of the *baraitot* in the *tosefta* is almost always equivalent to that of the same *baraitot* in the *yerushalmi*, cf R, Judah b. Kalonimus, 'Yihoussei Tannaim Ve-Amoraim'*,* s. v. 'רב חייא בריה דרב נחמן', [ed. Maimon, p. 287]; R. B. Ashkenazi, 'Shita Mekubetzet on bKet21a', (ed. Metzger, 93); Albeck, 'Introduction to the Talmuds'*,* 57 (Heb). It follows, therefore, that the Caesarean Jew in question first slaughtered according to the Jewish ritual slaughter and only then sprinkled the blood and offered the fat as incense in honor of a pagan deity. [↑](#footnote-ref-37)
38. Lieberman, 'Tosefeth Rishonim - A Commentary Based on Manuscripts of the Tosefta and Works of the Rishonim and Midrashim in Manuscripts and Rare Editions', 1*,* 225 (Heb) [↑](#footnote-ref-38)
39. yGit*,* 6:6 (48b). It must be emphasized, however, that the traditional Talmudic explanation is divergent from what we have attempted to explain here. Moreover, it is important to present this reflection in order to better grasp the essence of the halakhic debate and the historical Judean context that emerges in this very unique Amoraic debate. Two issues arise for the Amoraite Sages. The main issue discussed in this passage is whether a Jew's thought of idolatry at the time he commits a halakhic action, namely a Jewish ritual slaughter, is likely to invalidate the slaughter? Furthermore, if the beginning of the halakhic action, such as the slaughter, was in full compliance with Jewish law, but the outcome of the act was idolatrous, should we then consider the outcome as inflecting the beginning? And so the text of the *yGit* states: "He slaughtered (= an animal according to Jewish law and thought) to throw its blood for idolatry and to perfume its fat for idolatry. R. Yohanan says: The thought invalidates (= because the thought affects the act). Resh Laquish says: Thought does not invalidate (= because mere thought is not an act)." In bHul39b, the Babylonian Sages, attempted to clarify the motives of the Tannaim in the Caesarean anecdote, neither wanting to forbid nor to permit. According to the Babylonian Amoraites, this delay was due to the respect of the tannaim for the patriarch Rabban Shimon ben Gamaliel II, who was of the opinion that the end of the act is reflected in the beginning [cf mGit*,* 6:6; tBB*,* 8:1], and therefore forbade the whole in the case of Caesarea. It was therefore out of concern for the patriarch's opinion that the tannaim could not have authorized it. But on the other hand, their decision not to forbid was, according to the Babylonian Sages, motivated by their respect for the Sages, who shared the idea that the end of the act does not change the beginning (cf mHul*,* 2:7). The attempt of the Babylonian Sages to harmonize and explain the confusing fallacy of the tannaim in the Caesarea-Maritima affair is a remarkable dialectic, but it must be admitted that it reflects a Babylonian logical construction that is strictly unknown to Palestinian occurrences on the same subject. Neither in the *tosefta* nor in the *yGit* passage are the arguments of the *Bavli* invoked to reconcile the whole. These two Palestinian sources do not even attempt to advance any reason for the absence of a decision by the tannaim to permit or prohibit. The Amoraite text of the *yGit* remains in limbo without any attempt at a solution, so much so that in the absence of an explanation the rabbinic commentators of the *tosefta* and the *yGit* explained the passage according to Babylonian hermeneutics! [Nahmanides on bHul 39b explains the *yGit,* seeFlorsheim, 'Peiroushei Ha-Ramban LeYeroushalmi Seder Nashim'*,* 2, 240-241. (Heb.); *Pene Moshe on yGit*; *Korban Haeda, Ibid,*; Pardo, *Ibid,* 51; 53]. In a halakhic issue as crucial as idolatry, one would have expected to find a firm and clear ruling, not a dismissal of the problem, neither in the time of the tannaim (first-second centuries) nor in the time of the amoraim (third-fourth centuries). It would seem, therefore, that the explanation for this legal implausibility lies in an equivocal historical and social context, specific to the situation in Caesarea-Maritima in the second century CE. We are dealing with a Jew of Caesarea who slaughtered a *kosher* animal according to the Jewish ritual. He did not use the forbidden fat(חלב) and blood strictly forbidden for a Jew to consume (cf *Lev.,* 7, 23-27, et al.), but offered them to idolatry! It is not unlikely to see here a Jew who was not interested in having a financial loss by losing some parts of the animal (blood and fat), thus practicing ritual slaughter for the Jews, while offering the blood and fat for the Gentile entourage. Or could it be that he was a Jew who himself honored the pagan deity, as is clear from the presentation of the story in the *tosefta*. He did not, therefore, sell the blood and fat, using them to worship the gods. Or did he, as an eclectic Jew, perform a syncretic ritual act combining a rabbinic *shehita* with pagan rites, compare this with the thesis of Schwartz, 'Imperialism and Jewish Society: 200 B.C.E to 640 C. E.'*,*176. [↑](#footnote-ref-39)
40. mAv*,* 3: 13. [↑](#footnote-ref-40)
41. Cf e.g., tAZ2:5; *Ibid.* 7: "Whoever sits in the stadium is a murderer"; yAZ*,* 1:7 (40a); bAZ*,* 18b: "...one does not go to the stadium because it is a place of mockery" . The Munich manuscript, on the other hand, renders the following version: "one does not go to the stadium [because of the murders, such are the words of Rabbi [= R. Judah the Prince]. [↑](#footnote-ref-41)
42. yGit*,* 4: 9 (46a-b); cf the commentary of the 'Pene Moshe' on the spot, s. v. 'מפני חייו עשה': "It is because of economic precariousness, not having enough to live on, and one redeems it." [↑](#footnote-ref-42)
43. LamR *Petihata,* 17. [↑](#footnote-ref-43)
44. Weiss, 'The Jews of Ancient Palestine and the Roman Games: Rabbinic Dicta vs. Communal Practice', 438; 439. (Heb.) On this halakhic approach throughout history, see also: Sperber, 'The Path of Halacha - Women Reading the Torah: A Case of Pesika Policy'*,* 46 n 56; 14f. (Heb); Sperber, 'Ways of Pesika - Methods and Approaches for Proper Halakhic Decision Making'*,* 173-175. (Heb.) [↑](#footnote-ref-44)
45. bGit*,* 46b-47a. This anecdote may also have taken place in Caesarea-Maritima, like the previous case with R. Abbahu, since it is elsewhere related that R. Ami moved the house of study to Caesarea, cf bHul*,* 86b; Albeck, 'Introduction to the Talmuds',228. (Heb.) [↑](#footnote-ref-45)
46. The expression לא קא שבקו לי [= they won't let me] demonstrates the limit of the authority and influence of R. Ami's religious/social decrees. [↑](#footnote-ref-46)
47. mAZ*,* 3:4-5 (according to the Kaufmann manuscript A50, [ed. Rosenthal, pp. 40-42]); bAZ44b; MidrTann13:18; YalShim on Deut.889. [↑](#footnote-ref-47)
48. Friedheim, 'Rabbinisme et Paganisme',69-107. [↑](#footnote-ref-48)
49. *Ibid.* For primary sources, see mAZ*,* 1: 7; yAZ*,* 3, 4 (42d); *Ibid,* 4:4 (43d); yShev*,* 8:11 (38b-c); bAZ44b; *Midrash Hesed Leumim* (ed. Wertheimer, Batei Midrashot, II, p. 143); MidrGad on Deut. 7:12; CantZ1:15. [↑](#footnote-ref-49)
50. yShev*,* 8, 11 (8) (38c); yAZ*,* 2, 6 (9) (42a). [↑](#footnote-ref-50)
51. LevR34:3; ARN/b*,* 30; Eliav, 'Did the Jews at First Abstain from Using Roman Bath-House?' (Heb); Friedheim, 'Rabbinisme et Paganisme',104-106. [↑](#footnote-ref-51)
52. yAZ*,* 3, 3 (42d): "In the time of R. Yohanan, people began to draw on the walls and they did not hinder this process". This text does not prove at all that R. Yohanan was the one who authorized, and certainly not *a priori*, cf Levine, 'The Rabbinic Class in Palestine during the Talmudic Period'*,* 122. (Heb.); This is despite the fact that R. Yohanan is usually known for relaxing many, many prohibitions against Gentiles in general, cf Herman, 'Trends in R. Yohanan's Decrees'. (Heb) [↑](#footnote-ref-52)
53. R. Abin/Aboun (4th century) states that in his time they began to make images on mosaics and did not prevent this development, cf yAZ*,* 3, 2, according to the version of the Cairo Geniza manuscripts, published by Epstein, 'The Remainings of the Jerushalmi', 20. (Heb): 'ביומוי דר' אבון שרון ציירין על פסיפסס ולא מחי בידון'. [↑](#footnote-ref-53)
54. Friedheim, 'Rabbinisme et Paganisme'*,* 109-159. Compare with the opinion of Weiss, 'The Jews of Ancient Palestine and the Roman Games: Rabbinic Dicta vs. Communal Practice', 439 n 59. (Heb) [↑](#footnote-ref-54)
55. We recall here the appearance of the god Helios/Sol Invictus in the center of the mosaics of the synagogues of Hammat-Tiberias, Naaran and Beth Alpha. It has been suggested that this is a deity with polytheistic connotations, with all the implications that this development may have for the religious identity of the Jewish faithful attending these synagogues, especially that of Hammath-Tiberias from the Talmudic period, see in particular: Friedheim, 'Sol Invictus in the Severus Synagogue at Hammath Tiberias, the Rabbis, and Jewish Society: A Different Approach'. [↑](#footnote-ref-55)
56. bSanhedrin*,* 63b. [↑](#footnote-ref-56)
57. Friedheim, 'Rabbinisme et Paganisme', 161-173. [↑](#footnote-ref-57)
58. It would seem that a very concrete historical factor was decisive in the rabbis' clear-cut stance towards the equestrian world. Representing Greco-Roman culture, the horse is particularly symptomatic of a phenomenon of acculturation, even assimilation to the surrounding non-Jewish culture, cf Beer, 'The Sages of the Mishnah and the Talmud - Teachings, Activities and Leadership'*,* 289-307. (Heb) [↑](#footnote-ref-58)
59. Beer, *Ibid.,* 300. (Heb.) One also detects an equivalent behavior among the rabbis towards the question of Greco-Roman music at the time of the Mishna and the Talmud, using a number of exhortations haranguing the people while mostly abandoning coercion which had become far from productive, cf Friedheim, 'Jewish Society in the Land of Israel and the Challenge of Music in the Roman Period'. [↑](#footnote-ref-59)
60. bAZ*,* 50a. [↑](#footnote-ref-60)
61. On the importance of *derasha* in public, both for the Sages and for members of the community, see yHor*,* 3:7 (48b); yBM*,* 2:13 (8d); bSota*,* 40a; PesRK*,* 12:3; CantR*,* 2:14; bGit38b. Et al. [↑](#footnote-ref-61)
62. Some might deduce from our statements that we share the opinion that the Sages of the Mishna and the Talmud were on the bangs of Jewish society in *Eretz-Israel* and that the majority of them did not live under rabbinic rule. On this position, see the following works: Goodenough, 'Jewish Symbols in the Greco-Roman Period'*,* XII, 184-198; Hezser, 'Social Fragmentation, Plurity of Opinion, and Nonobservance of Halakhah: Rabbis and Community in Late Roman Palestine'; Cohen, 'The Rabbi in Second Century Jewish Society', 975: "The rabbis were but a small part of Jewish society, an insular group which produced an insular literature. They were not synagogue leaders."; 977: "In their own universe the rabbis were kings but their universe was still small and their kingship still limited"; Schwartz, 'Imperialism and Jewish Society: 200 B.C.E to 640 C. E.', 6-7, 104, 199; Mimouni, 'Le judaïsme ancien du VIe siècle avant notre ère au IIIe siècle de notre ère, des prêtres aux rabbins',491; 493. Nevertheless, it seems to us, following many scholars, that the Judeans were, from the end of the second century CE onwards, relatively close to the rabbinic world and relatively attentive to its doctrinal and ritual message, cf for example: Safrai, 'The Jewish Community in the Land of Israel in the Talmudic Period'*,* 352 (heb). Archaeological dialectics, especially the discovery of the inscription on the *Rekhov* mosaic, testify that the rabbinic laws concerning the Sabbatical year were at least shared by this Jewish community residing in the vicinity of Scythopolis/Beth-Shean in the sixth century [cf Sussman, 'A Halakhic Inscription from Beth-Shean Valley'; (Heb.); Sussman, 'An Inscription from the Synagogue of Rekhov', (Heb.)], and even as early as the fourth century, i.e., the Talmudic era, cf Misgav, 'Synagogue Inscriptions from the Mishnah and Talmud Period', (Heb). The wide spread of ritual bathing in Palestine from the end of the Second Temple period to the time of the Talmud also seems to prove the popularity of rabbinic halakhah concerning the laws of ritual purity, cf Hoss, 'Die Mikwen der späthellenistischen bis byzantinischen Zeit in Palästina'; Baruch, 'The Dwelling-House in the Land of Israel during the Roman period: Material Culture and Social Structure'*,* 244-264. (Heb.); Adler, 'Ritual Baths Adjacent to Tombs: An Analysis of the Archaeological Evidence in Light of the Halakhic Sources'. All this does not in any way contradict the existence of cultural and religious phenomena which could fundamentally threaten the rabbinic ideal in the midst of its formation, consolidation and stabilization, especially during the inescapable and difficult contact between Hellenism and Judaism, or during the confrontation with other social groups such as the 'amei ha-aretz or the *minim* of all kinds, who were perceived as deviating from rabbinic Judaism. The collision between the world of the Sages and the various deviations from the rabbinic message required the rabbis to resolve these tensions sometimes by means of coercion but often also by numerous halakhic softenings, as we have attempted to show, cf Friedheim, 'Rabbinisme et paganisme', 109-159.  [↑](#footnote-ref-62)