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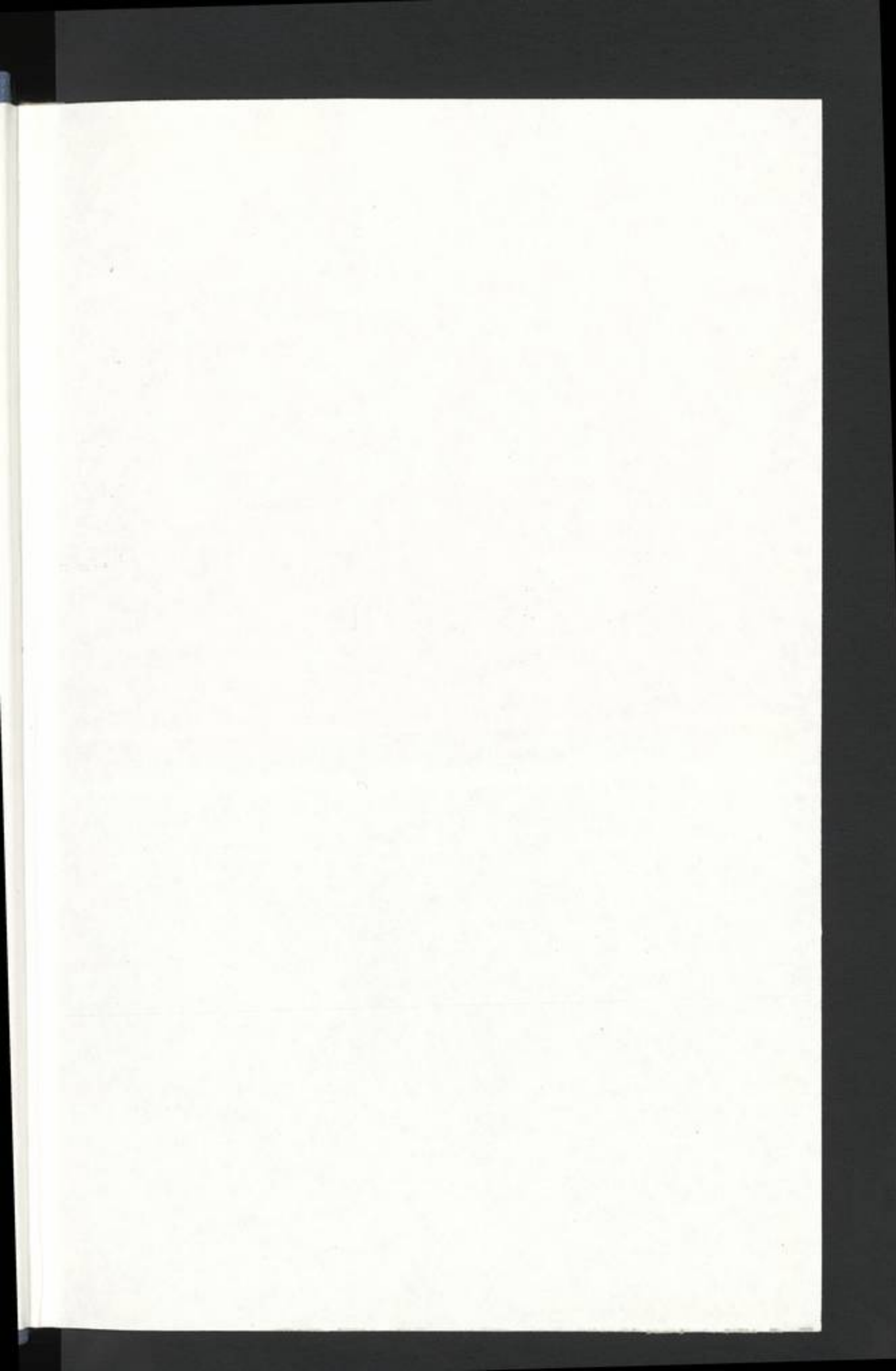
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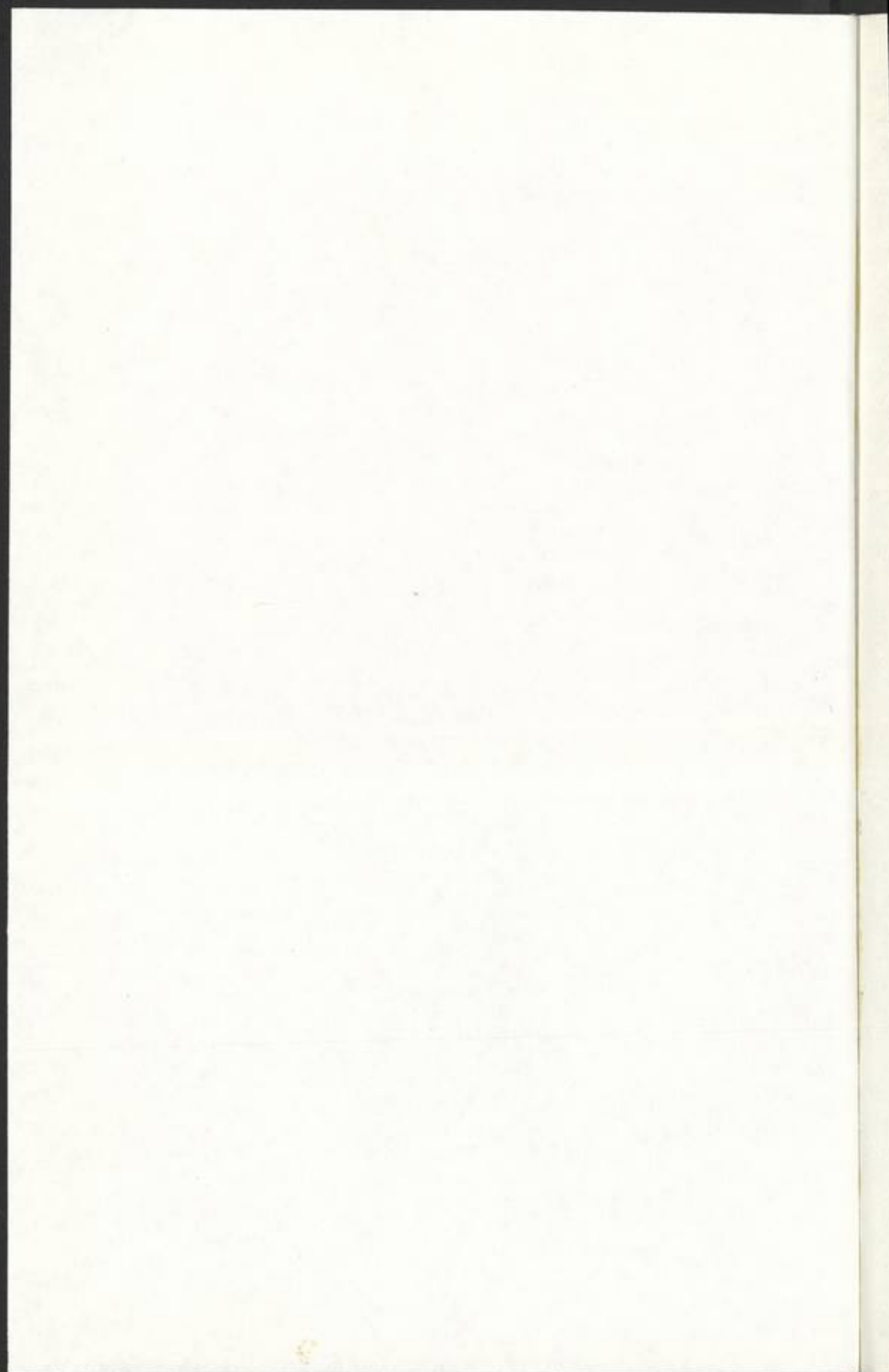
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1970

A HISTORY OF
THE JEWS IN BABYLONIA

V. LATER SASANIAN TIMES

BY

JACOB NEUSNER

Professor of Religious Studies
Brown University



LEIDEN
E. J. BRILL
1970

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PRINTED IN THE NETHERLANDS

In memory of

Menahem M. Richter

Moshe Richter, his wife and three children

Frumme Karvat, her husband and two children

Inde Richter

Lazar Richter

Yehudit Richter

Haim Elkus and his wife

who perished in the Holocaust

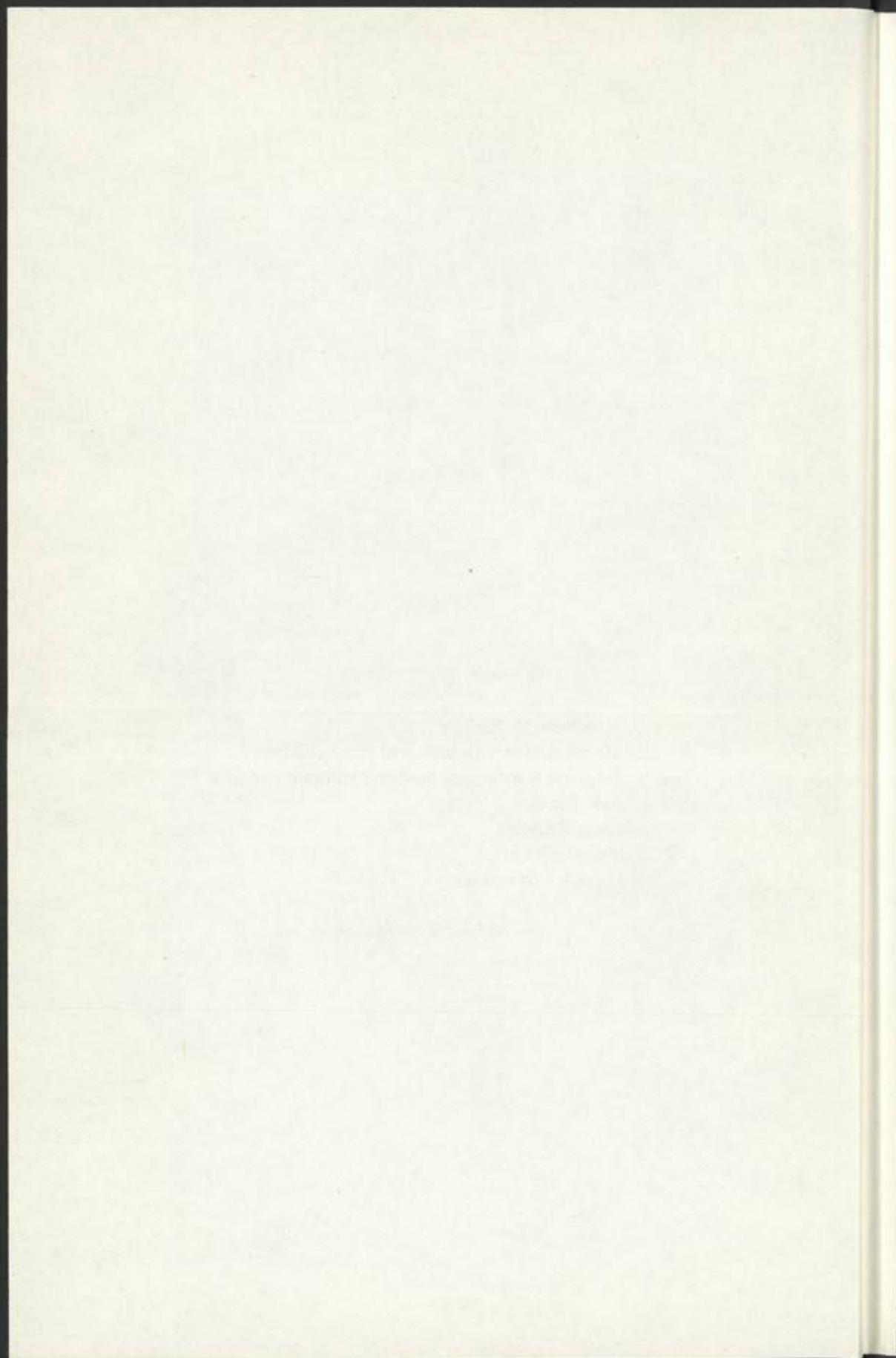


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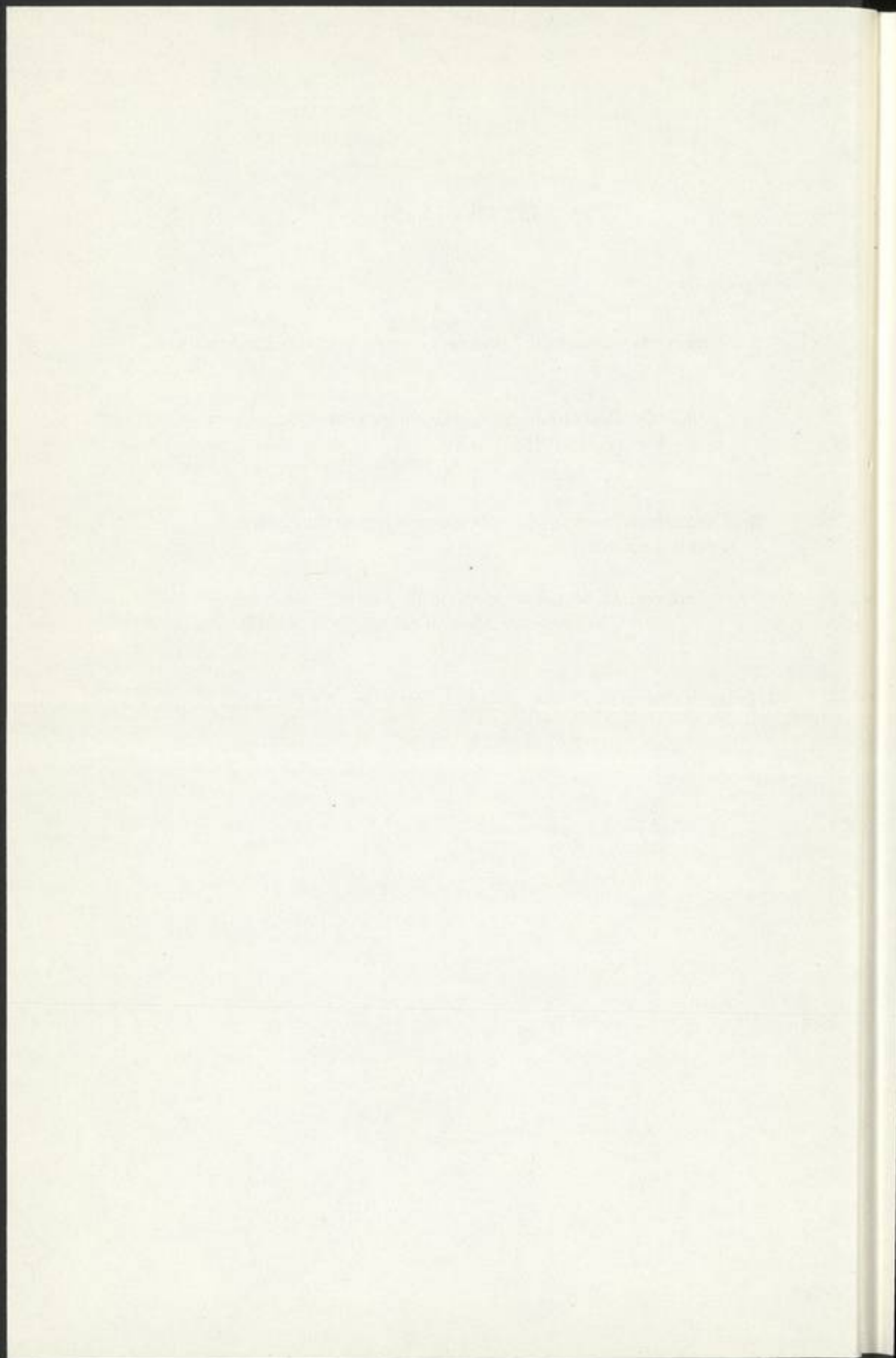
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Source: H. M. Gwatkin and J. P. Whitney, eds.,
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¹ J. Labourt, *Le christianisme dans l'empire perse* (Paris, 1904), pp. 353-354.

PREFACE

This book concludes the very imperfect execution of what I feel was a very good intention. It is no exhaustive history of Babylonian Jewry and Judaism, but at best an effort to promote the understanding of a few basic problems of Talmudic historiography and religion.¹

Earlier accounts of "Talmudic history" normally concluded at 500 A.D., when, it is generally supposed, the Babylonian Talmud was completed. Since fifth century Talmudic data moreover are meagre, discussion of Iranian evidences generally has been confined to Yazdagird I, with some references to Peroz, Mazdak, and the allegedly difficult times at the end of the fifth century. Everything else is assigned to the "Saboraic age," about which we have in fact no firm historical evidence whatever. The conclusion is normally dolorous. The editing of the Babylonian Talmud, a process supposedly contrary to the character of an "oral revelation," naturally requires explanation, theological if necessary, historical if possible. What better explanation than the harsh circumstances of a persecution threatening the very existence of the holy traditions, unless they should be put into some more permanent and secure form than the memories of men whose lives were daily in danger?² The "Talmudic period" therefore conventionally closes with a fierce persecution, forcing the transcription of the formerly oral tradition, providing a satisfyingly pathetic and neat conclusion for otherwise disorderly facts, indeed hiding the paucity of facts to begin with. Since my effort has been to study the history of Babylonian Jewry and Judaism in the context of Iranian history, a more natural conclusion comes with the death of Yazdagird III in the middle of the seventh century A.D. The wisdom of earlier historians quickly becomes apparent, however, for our evidences for the sixth and seventh centuries indeed are sparse. Syriac sources provide some slight information on the state of Jewish-Christian relations. Iranian ones tell us very little more. Byzantine and Armenian historians have no reliable information on the condition of Babylonian

¹ Compare Franz Rosenthal, *A History of Muslim Historiography* (Leiden, 1952), preface.

² This is precisely the explanation given by Christian-Syriac writers for the editing of the Avesta. See F. Nau, "Étude historique sur la transmission de l'Avesta," *RHR* 95, 1927, pp. 149-199.

Jews and do not refer to them. And as I said, the Babylonian Talmud leaves off a century and a half before the last Sasanian emperor.

I have chosen to provide, in Chapters One, Two, Three, and Four, intentionally brief accounts of Iranian history from Shapur II to Yazdagird III, of Mazdean religious events, and of the affairs of Iranian Christianity. In this same context are summarized the relevant data on the political situation of Babylonian Jewry. These chapters correspond to Vol. I, Chapters One, Two, and Three, Vol. II, Chapters One and Two, Vol. III, Chapter One, and Vol. IV, Chapter One. Exilarchic history, so far as we know it, is given in Chapter Two, Section vii, Chapter Four, Section vi, and in relationship to the rabbinical courts, in Chapter Seven, Section ii, corresponding to Vol. I, Chapter Two, Section vii, Chapter Three, Sections viii and ix, Vol. II, Chapter Three, Vol. III, Chapter Two, and Vol. IV, Chapter Two.

My very skeletal summaries of Iranian political and religious history and of Christianity in later Sasanian times rely almost entirely on secondary scholarly literature. While I have consulted some of the relevant primary sources, I have made no effort to attempt my own reconstructions of events, but have simply consulted and reproduced the results of the best authorities known to me. I tried to select *only* those facts which seemed to me pertinent to Jewish political and religious history in Babylonia. To have done otherwise would have demanded mastery not only of Iranian and Byzantine sources, but still more important, of the substantial scholarly literature devoted to them over the past century and a half. Christian sources in both Greek and Syriac likewise have been the subject of much critical scholarship. It is both beyond my competence to pursue the requisite study and unnecessary for my current purpose, which is not to rewrite Iranian, let alone Byzantine history, but to begin to write that of Babylonian Jewry. I am especially fortunate, therefore, to enjoy the friendship of Professors Mary Boyce, University of London, and Jes P. Asmussen, University of Copenhagen; both provided guidance, and Professor Asmussen generously read and offered detailed criticism of the manuscript of Chapter One, Sections i-iv, Chapter Two, Sections i-vi, Chapter Three, Sections i-v, and Chapter Four, Sections i-iv. I asked them to make certain that I offered no *new* notions, which I cannot and ought not do, but only a reliable account of a few commonly accepted facts. My teacher, Professor Richard N. Frye, Harvard University, has continued to supply important insight and also read the designated

sections. I alone am responsible for any deficiencies of research, understanding, and presentation which may remain.

Chapter Five, "The Schools," continues the inquiry of Vol. I, Chapter Four, Vol. II, Chapters Four, Five, and Six, Vol. III, Chapter Three, and Vol. IV, Chapter Five. These chapters, read together, offer an account of the phenomenon of the Babylonian schools and of the rabbis as fundamentally religious institutions and holy men. I have tried to provide a balanced picture. The rabbis were not only holy men, and in the literature as we have it, not primarily so. Yet it seems to me an important part of the law pertains to the schools alone and functionally defines the *ritual* of "being a rabbi." In using the concept of ritual to interpret these data, I am guided by the excellent comments of Clifford Geertz:

It is in some sort of ceremonial form ... that the moods and motivations which sacred symbols induce in men and the general conceptions of the order of existence which they formulate for men meet and reinforce one another. In a ritual, the world as lived and the world as imagined, fused under the agency of a single set of symbolic forms, turn out to be the same world... Whatever role divine intervention may or may not play in the creation of faith—and it is not the business of the scientist to pronounce upon such matters one way or the other—it is, primarily at least, out of the context of concrete acts of religious observance that religious conviction emerges on the human plane...¹

I have tried to explain what rituals specifically pertain to the state of "being a rabbi" and to define those symbolic forms—gestures, words, modes of dress and eating, but most important, highly ritualized social relationships and intellectual activities—which constituted the core of "being a rabbi." For the history of Judaism it was this aspect of Babylonian Jewish life which proved of greatest consequence. The laws of the Babylonian Talmud divorced from the way of living of the rabbi are of interest chiefly to historians of law in late antiquity and of course to lawyers in the Jewish legal tradition. But the laws viewed as part of the lives of men who not only enforced them in court but embodied them in the streets and especially in the schools constitute the chief testimony to the character of rabbinical Judaism, not only in Babylonia in late antiquity but in other lands and later times as well. Even though working as an historian of religions, however, I still cannot ignore the specific, detailed historical questions raised by the

¹ Clifford Geertz, "Religion as a Cultural System," in Michael Banton, ed., *Anthropological Approaches to the Study of Religion*. (London, 1966).

data. I have therefore concentrated as well on the questions of how we know what we do about the schools, trying to achieve greater self-consciousness, awareness of the structure of our knowledge. The rabbis' magical and theurgical powers, attributed to them not only by the fantasies of ordinary folk but by the sages themselves, are studied in this context, for I imagine magical powers in various forms—and the evidences for this period are rather thin¹—to have been integrated into the world-view of the schools.

At the same time, in Chapter Six, "Other Jews, Other Magicians," I have presented and then examined evidences concerning masters of a form of magic not attested in the Babylonian Talmud and therefore probably not approved by the rabbinical academies. The appearance of R. Joshua b. Peraḥia provides a rare glimpse into the way in which non-rabbinical magicians and presumably their clients as well viewed a major rabbinical figure. It bears out my contention that for the ordinary folk outside of the schools the rabbi's magical skills as a holy man must have seemed more important than his legal knowledge and judicial power. Yet I see no considerable disjuncture between the rabbinical view of the rabbi, that he could give orders to demons, on the one hand, and the bowl-magicians' view of the rabbi, that a rabbi could give a writ of divorce to demons, on the other. What differed was merely the form of the magic, not its substance. Professor Cyrus Gordon graciously read and commented on this chapter. Professor Baruch A. Levine's appendix treats important philological aspects of the bowls and relates the bowls to the Palestinian Jewish magical text, *Sefer HaRaḳim*, recently discovered by the late Professor M. Margoliot. His contribution is greatly appreciated.

Chapter Seven, "The Courts," pursues the social issues raised in Vol. I, Chapter Four, Vol. II, Chapters Seven and Eight, Vol. III, Chapters Four and Five, and Vol. IV, Chapters Three and Four. The amount of evidence is limited, but much the same results as earlier were reached. The rabbinical court was fundamentally a Jewish small-claims court, able to make determinations of personal status, especially, though not only, when exchanges of property were involved, and in addition qualified to make decisions in transactions of real and movable property. The court operated by well-established formal rules of evidence and procedure, issued its official documents, and generally effected its decisions without much difficulty. Besides these two sorts of law, among the many in the Babylonian Talmud, the rabbi could

¹ Compare Vol. IV, pp. 391-403.

use his influence as a holy man to encourage people to keep aspects of ritual and moral law not within his power of enforcement as community administrator and judge.

I am still not entirely certain how the whole system of Jewish self-government actually worked within the framework of the Iranian administration. Where Jews formed the great majority of the local population, I can readily imagine that the Jewish courts operated in a normal manner as territorial or municipal courts. But when Jews were a minority, as in Seleucia-Ctesiphon, Nisibis, and throughout Mesene, not to mention towns and villages of smaller size in Babylonia, did they go to Jewish courts alone or to state-courts some of the time? I think it is clear, even on the basis of limited evidence, that non-Jews were not regularly subjected to the decisions of the Jewish courts. But were Jews liable to those of non-Jewish courts—e.g. Iranian ones—under any circumstances? When Jews and non-Jews had litigation with one another, where did they go for trial? It is easy enough to envisage a kind of *millet*-system and to use that later development as an analogy for the earlier situation, and I have generally done so. Yet I am not entirely satisfied with the results to date, for the universal applicability of the *millet*-analogy is hardly to be taken for granted.

The most important single event in Judaism in this period, the editing of the Babylonian Talmud, is not discussed here at all. The reason is that the kind of careful study required to do justice to that key problem seemed to me best pursued in its own terms and within its own discipline. I should need, first of all, to review the state of the question, as it has been variously formulated by both historians and literary critics. In general, historians tend to rely on a few pertinent sayings in the Babylonian Talmud and in the letter of R. Sherira Gaon, but to ignore the results of the study by literary scholars of the development of the *sugya* and related matters. The latter generally pay little attention to the historical setting of the schools or even to the history of the schools themselves. In any event they make slight effort, if any, to translate the results of their literary-historical studies into the language of historical inquiry. I am sure that careful attention to the work of Professors Abraham Weiss, Yeshiva University, and David Weiss, Jewish Theological Seminary, as well as of the late Professor Y. N. Epstein and Dr. Hyman Klein, will produce rich rewards. What is required is, second, detailed attention to the methodological requirements of the data and of the question requiring answer. I am not sure the problem has been properly formulated to date. Only then will the most fruitful

way forward become clear. I therefore have to turn to literary history in future studies. Afterward, as I have already explained, the time may indeed come for a truly critical history of Babylonian Jewry.

It was tempting to conclude with a final chapter, summarizing all five volumes and pointing to "major themes" or issues in the history of the Jews and Judaism in Iranian Babylonia. I found it easy to resist that temptation. I despise sentimentality and such abstractions as "spirit" and "essence," as well as their pretentious companions, "central tension," "crucial issue," and "continuing perplexity." These volumes are, as I said at the outset, studies of various kinds of sources from a single, limited, historical and history-of-religions' perspective. I believe I have omitted reference to no bodies of sources, although I do not claim to have exhausted everything to be learned from any one of them. The literary materials of Jewish, Iranian, and Christian origin have all been examined, and of course the Jewish ones have been considered in some detail. The two sources of archaeological information directly pertinent to the Jews, the Dura synagogue and the magical bowls, have been touched upon, perhaps in the case of Dura far too little.¹ For now I have said everything I have to say about the literary and archaeological data. When the sources conclude and my method of inquiry has been exhausted of usefulness, it is time for me to close.

Professors Gerald Blidstein, Temple University, and Baruch A. Levine, New York University, and Rabbi Joel Zaiman, Providence, Rhode Island, kindly read the entire manuscript and offered many helpful criticisms. During the period in which work on this volume was in progress, I was privileged to study Syriac with Professor Franz Rosenthal, and Rabbinic Exegesis with Professor Judah Goldin, at Yale University. Both teachers aroused in me a new interest in philological exegesis, and while the results are not immediately evident here, they are present and will be still more apparent in future work.

Since coming to Brown University I have been privileged to enjoy

¹ My difficulty in dealing with the Dura synagogue is two-fold. First, I am unable to determine the relationship between themes and ideas known to us from rabbinical literature and those supposedly present on the walls of the synagogue. Kraeling and Goodenough take extreme positions, the one using the *midrashic* sources as a kind of handbook, the other refusing to use them at all. Second, I am not satisfied that those who are qualified to comment upon questions of style, relationships of art forms to one another, the meaning of graphic symbols, and the like have completed their work. It is really too soon therefore for me to attempt to integrate the Dura materials into a unified picture of Babylonian and Mesopotamian Judaism.

the friendship of Professor Abraham Sachs, truly the master of all things Oriental. In frequent conversations he imparted to me a small measure of his learning and favored me with the opportunity to observe a most critical mind and an unsentimental, hard-headed, penetrating intellect at work. Even though only a few topics treated here directly came under discussion, no page fails to reflect his influence. Professor Ernest Frerichs likewise enriched my scholarly life, offering many criticisms of my work. Professor S. D. Goitein, University of Pennsylvania, provided helpful criticism of earlier volumes and valued suggestions for this one. My students in Brown University, both undergraduate and graduate, participated in and enhanced my education. Rabbi Robert Goldenberg and Rabbi David Goodblatt, busy though they were with their own graduate studies, generously criticized the manuscript and helped read the proofs. Their comments were always perceptive. It is a privilege to be their teacher. My former student, William Scott Green, likewise made helpful contributions. I thank them all.

Brown University generously paid for typing as well as other research expenses and the cost of preparing the indices.

Dr. Charles Berlin, Hebrew Curator of Harvard College Library, continued to assist me both by providing research materials and by calling to my attention important studies I might otherwise have missed.

I could not have undertaken this project or done it in exactly the way I thought best without E. J. Brill, my publisher, Dr. F. C. Wieder, Director, and Mr. J. D. Verschoor, Secretary to the firm. They undertook to publish my books, even though the potential interest in them is hardly considerable, and they have done so with painstaking care and genuine pride of craftsmanship, furthermore bearing the entire financial burden without complaint. Without Brill, many kinds of scholarship in both Europe and the United States of America simply would be impossible.

My beloved teacher, Professor Morton Smith, edited and commented upon the entire manuscript. No one can ever have enjoyed greater benefits of friendship and scholarly fellowship than have I on his account. If I am able to share only part of these with the reader, the reason is my incapacity, not his.

As in the past, I am unable to conclude without noting that my wife, Suzanne, and sons, Samuel Aaron and Eli Ephraim, create the happy world in which I work. The dedication, in memory of my wife's and children's family who perished in the Holocaust, is meant as a gesture

not of piety but of hope. Great-grandparents, uncles, aunts, and cousins of my sons, those who died live on, bone of their bone and flesh of their flesh, and also in memory. The legacy of Babylonian Jewry, the Babylonian Talmud, more nearly shaped the minds and lives of the Jews who perished than those of Jews in any other place or time. Both my late father, Samuel Neusner, and my father-in-law, Max Richter, happily yet with us, brought to this country a measure of that legacy. They are the link between the Babylonian Jews and particularly the Babylonian rabbis, who form the subject of this study, and my wife and sons, who provided the purpose for doing it.

At the end of ten years of work I am loathe to close. I enjoy only small satisfaction with some of my results, but have much regret for my failures. I have learned much I did not know and naturally hope the same is so for the reader. And yet, though we both have learned something, I remain only comparatively better informed, but absolutely—still a beginner, still a learner.

JACOB NEUSNER

Providence, Rhode Island
5 Sivan 5729
22 May 1969

ABBREVIATIONS

I. Talmudic Tractates

Arakh.	= 'Arakhin
A.Z.	= 'Avodah Zarah
B.B.	= Bava' Batra'
Bekh.	= Bekhorot
Bez.	= Bezah
B.M.	= Bava' Mezi'a'
B.Q.	= Bava' Qama'
Eruv.	= 'Eruvin
Giṭ.	= Giṭṭin
Hag.	= Ḥagigah
Ḥul.	= Ḥullin
Ker.	= Keritot
Ket.	= Ketuvot
Mak.	= Makkot
Meg.	= Megillah
Men.	= Menahot
M.Q.	= Mo'ed Qatan
Naz.	= Nazir
Ned.	= Nedarim
Nid.	= Niddah
Pes.	= Pesahim
Qid.	= Qiddushin
R.H.	= Rosh Hashanah
Sanh.	= Sanhedrin
Shev.	= Shevu'ot
Sheq.	= Sheqalim
Soṭ.	= Soṭah
Suk.	= Sukkah
Tem.	= Temurah
Yev.	= Yevamot
Zev.	= Zevaḥim

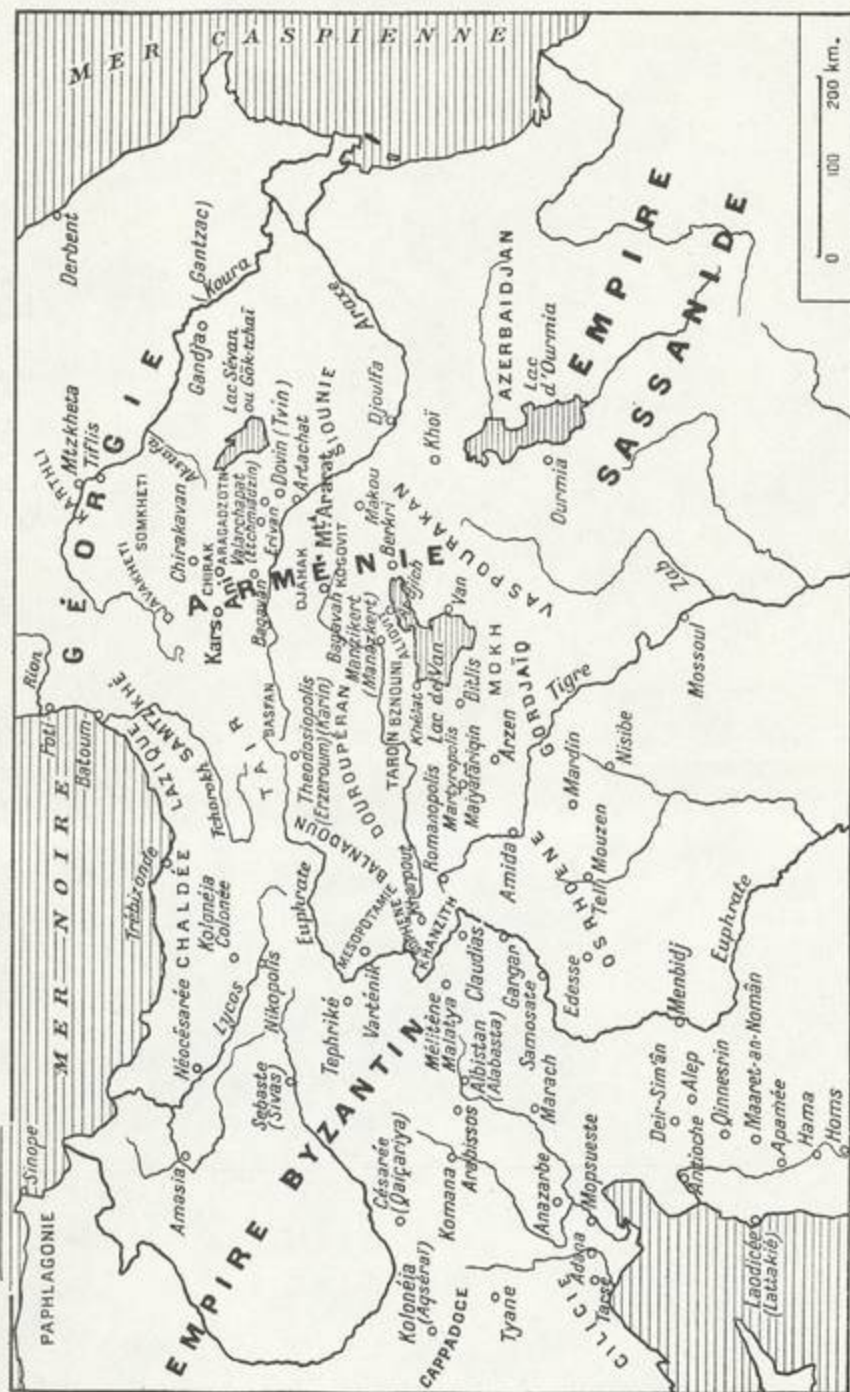
II. Other Abbreviations

Vol. I	= <i>A History of the Jews in Babylonia. I. The Parthian Period</i> (Leiden, 2nd printing revised, 1969).
Vol. II	= <i>A History of the Jews in Babylonia. II. The Early Sasanian Period</i> (Leiden, 1966).
Vol. III	= <i>A History of the Jews in Babylonia. III. From Shapur I to Shapur II</i> (Leiden, 1968).
Vol. IV	= <i>A History of the Jews in Babylonia. IV. The Age of Shapur II</i> (Leiden, 1969).
AJSL	= American Journal of Semitic Languages and Literatures
AO	= Acta Orientalia
ArchOr	= Archiv Orientalní

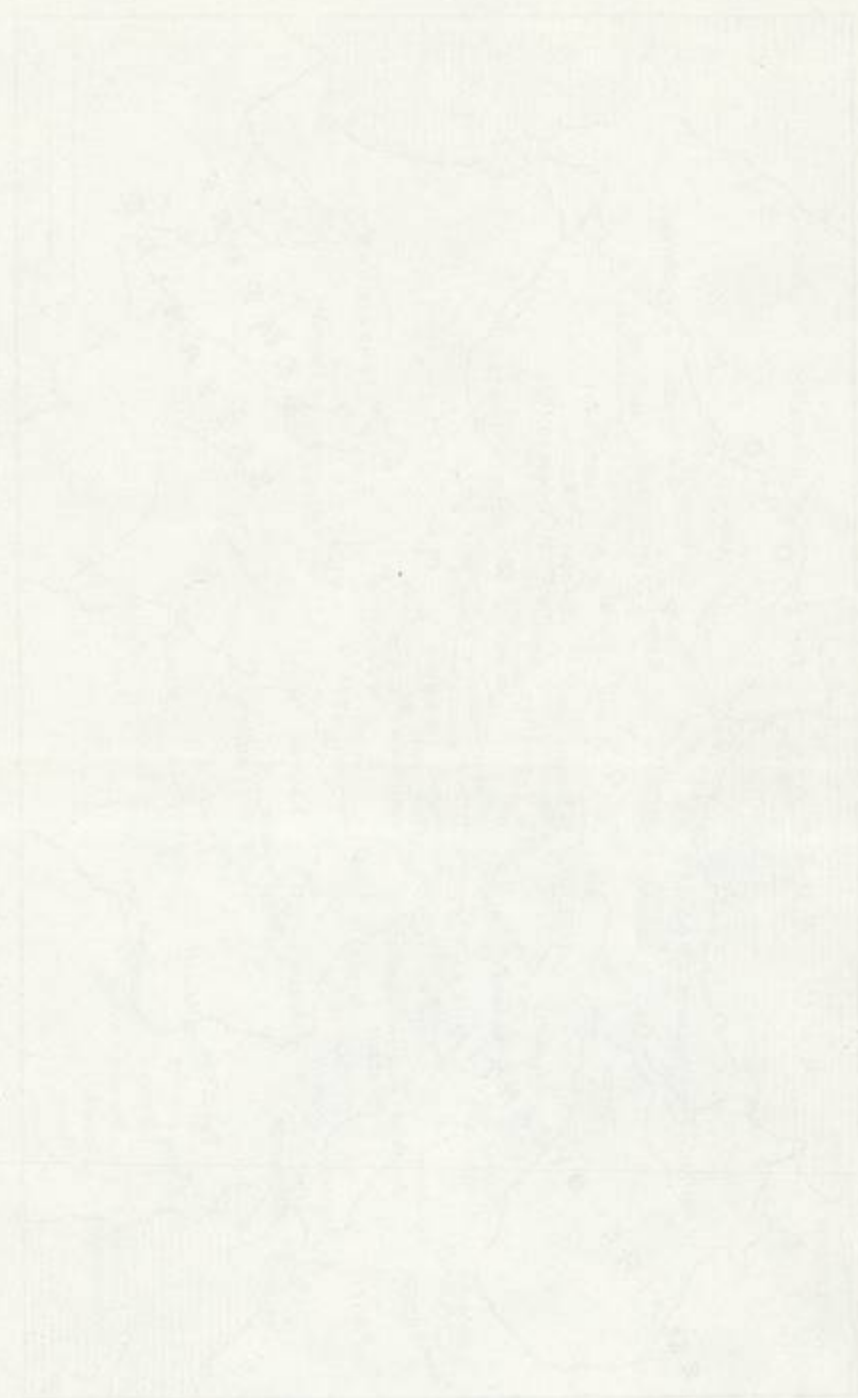
- b. = Babylonian Talmud
 BSOS = Bulletin of the School of Oriental (and African) Studies
 CMH = Cambridge Medieval History
 DOP = Dumbarton Oaks Papers
 EHR = English Historical Review
 HR = History of Religions
 HUCA = Hebrew Union College Annual
 IA = Iranica Antiqua
 JA = Journal Asiatique
 JaJGL = Jahrbücher für jüdische Geschichte und Literatur
 JAJLG = Jahrbuch der jüdischen Literatur-Gesellschaft
 JAOS = Journal of the American Oriental Society
 JBL = Journal of Biblical Literature
 JE = Jewish Encyclopedia
 JQR = Jewish Quarterly Review
 JR = Journal of Religion
 JRAS = Journal of the Royal Asiatic Society
 MGWJ = Monatschrift für die Geschichte und Wissenschaft des Judenthums
 PAAJR = Proceedings of the American Academy for Jewish Research
 Pat. Or. = Patrologia Orientalis
 REJ = Revue des Études Juives
 RHR = Revue de l'Histoire des Religions
 RSO = Rivista degli Studi Orientali
 ZDMG = Zeitschrift der deutschen morgenländischen Gesellschaft

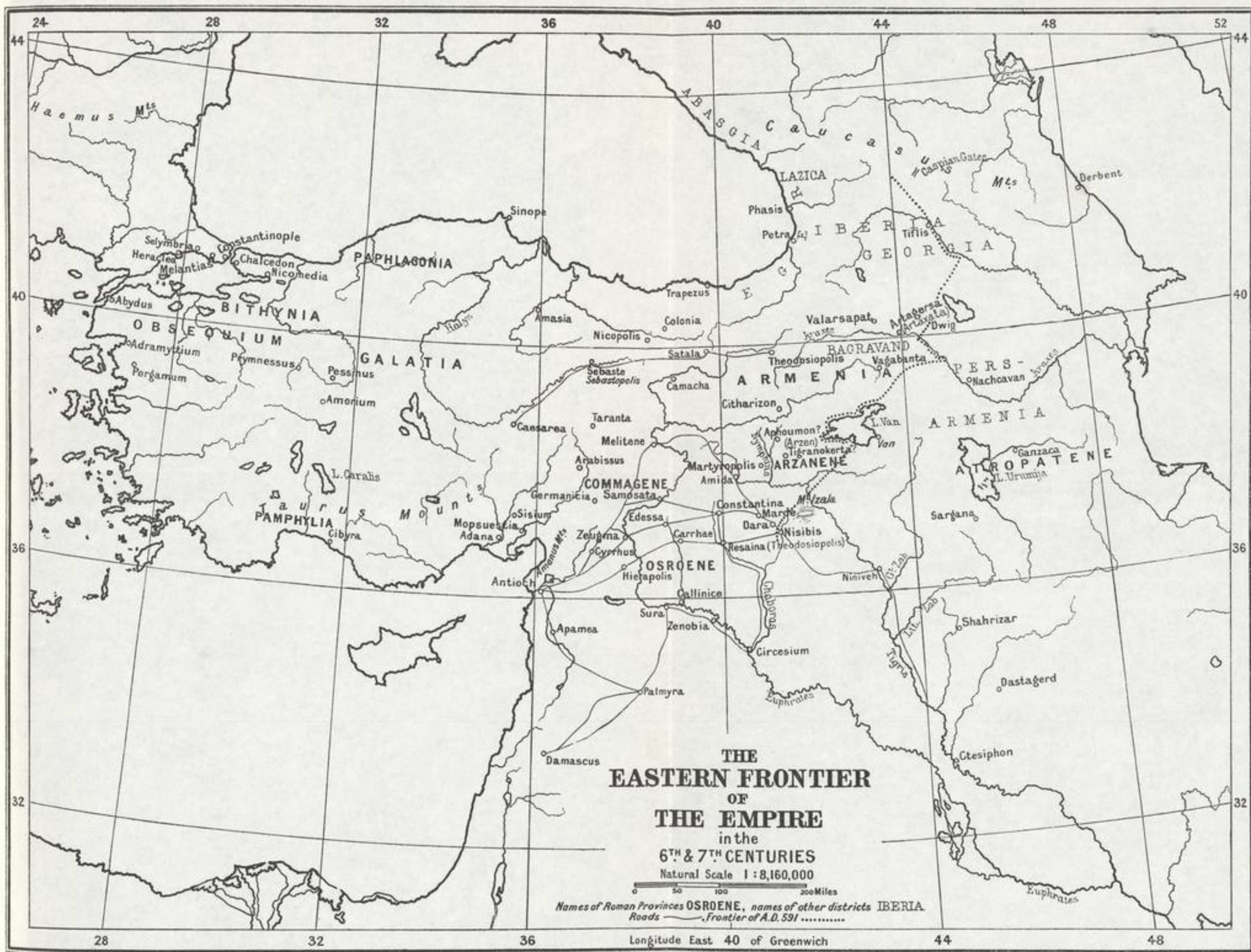
III. Biblical Books

- Gen. = Genesis
 Ex. = Exodus
 Lev. = Leviticus
 Num. = Numbers
 Deut. = Deuteronomy
 Jud. = Judges
 Sam. = Samuel
 Is. = Isaiah
 Jer. = Jeremiah
 Ezek. = Ezekiel
 Ps. = Psalms
 Prov. = Proverbs
 Song = Song of Songs
 Lam. = Lamentations
 Qoh. = Qohelet
 Dan. = Daniel
 Chron. = Chronicles
 Est. = Esther

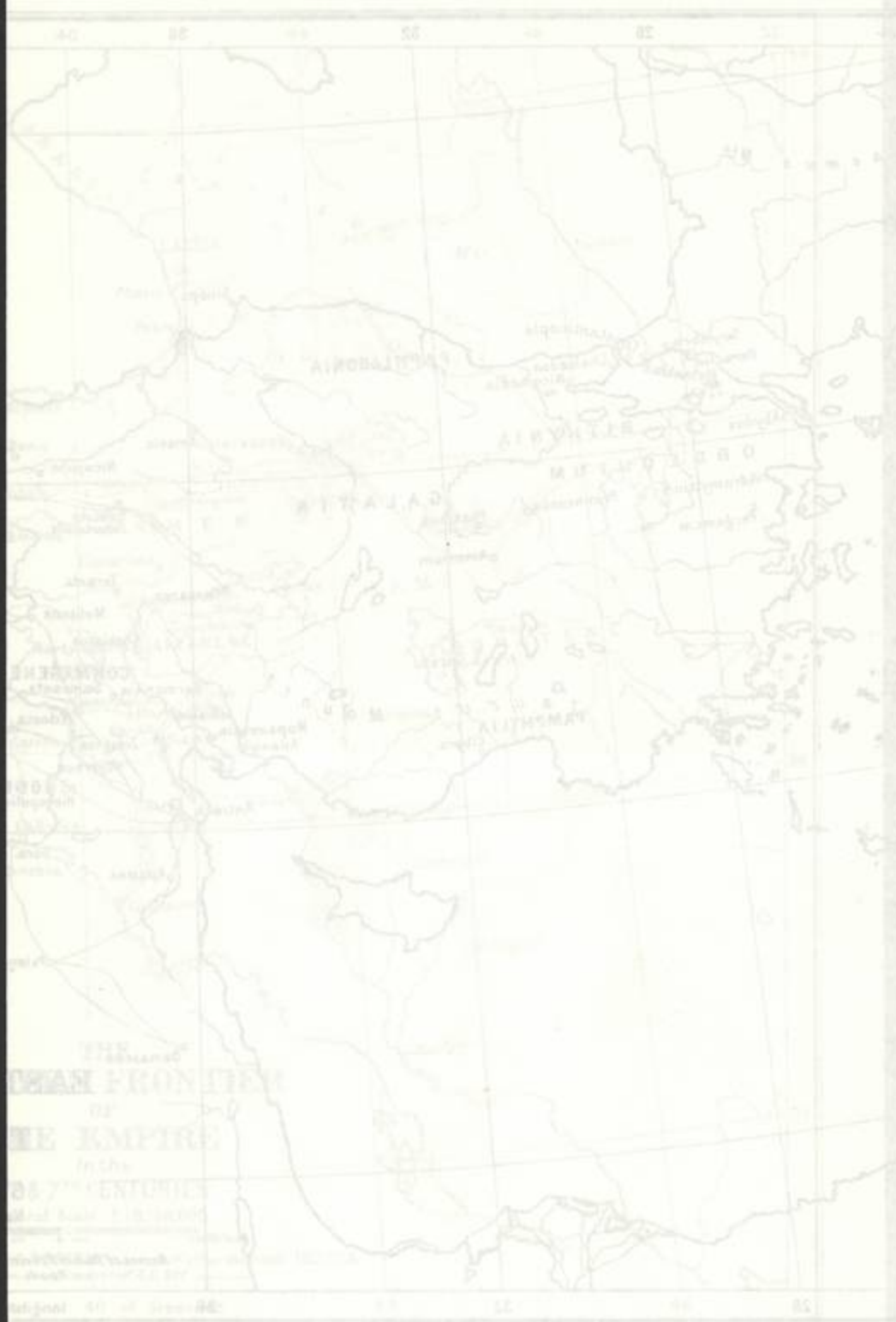


I. Northern Mesopotamia, Armenia, Georgia, and Eastern Anatolia

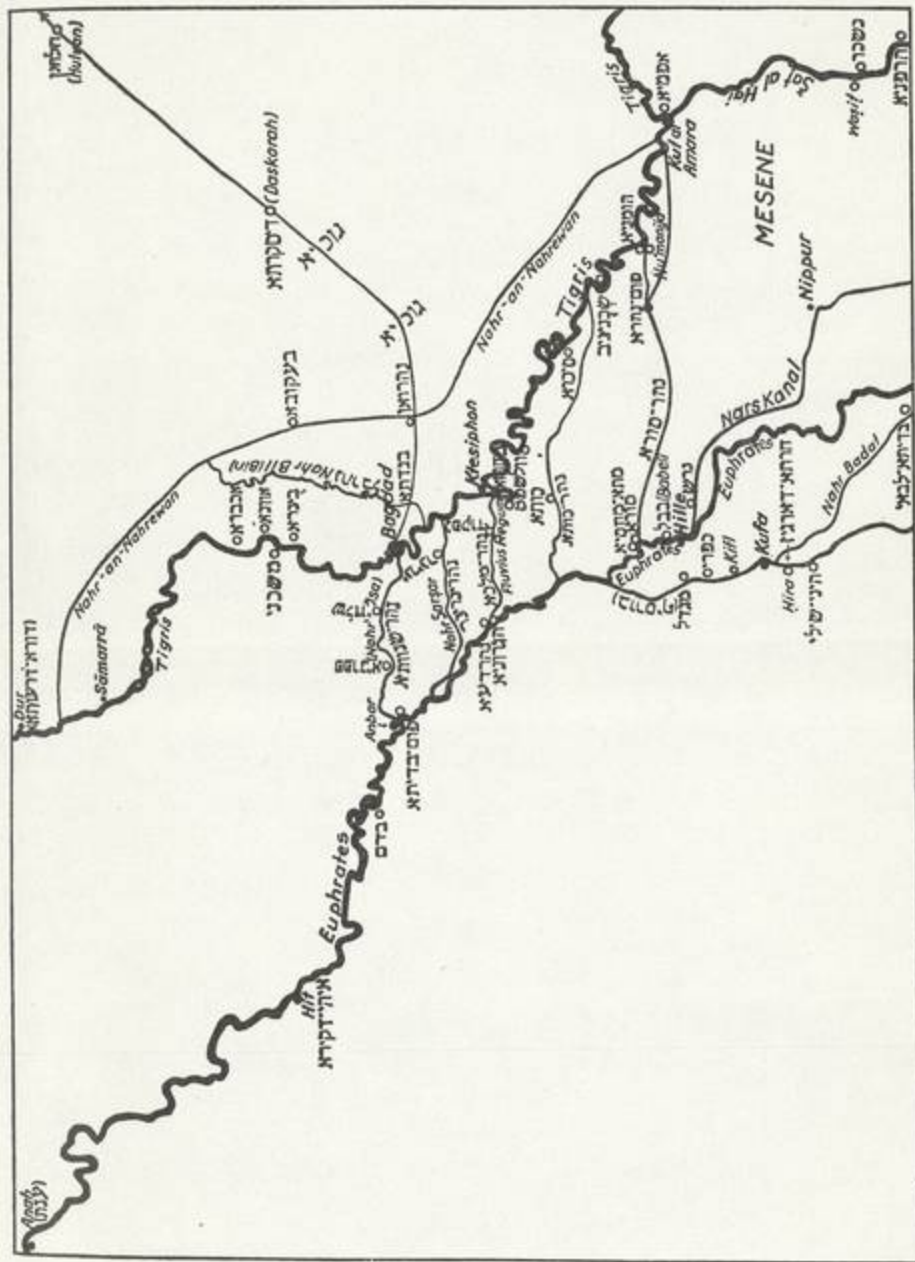




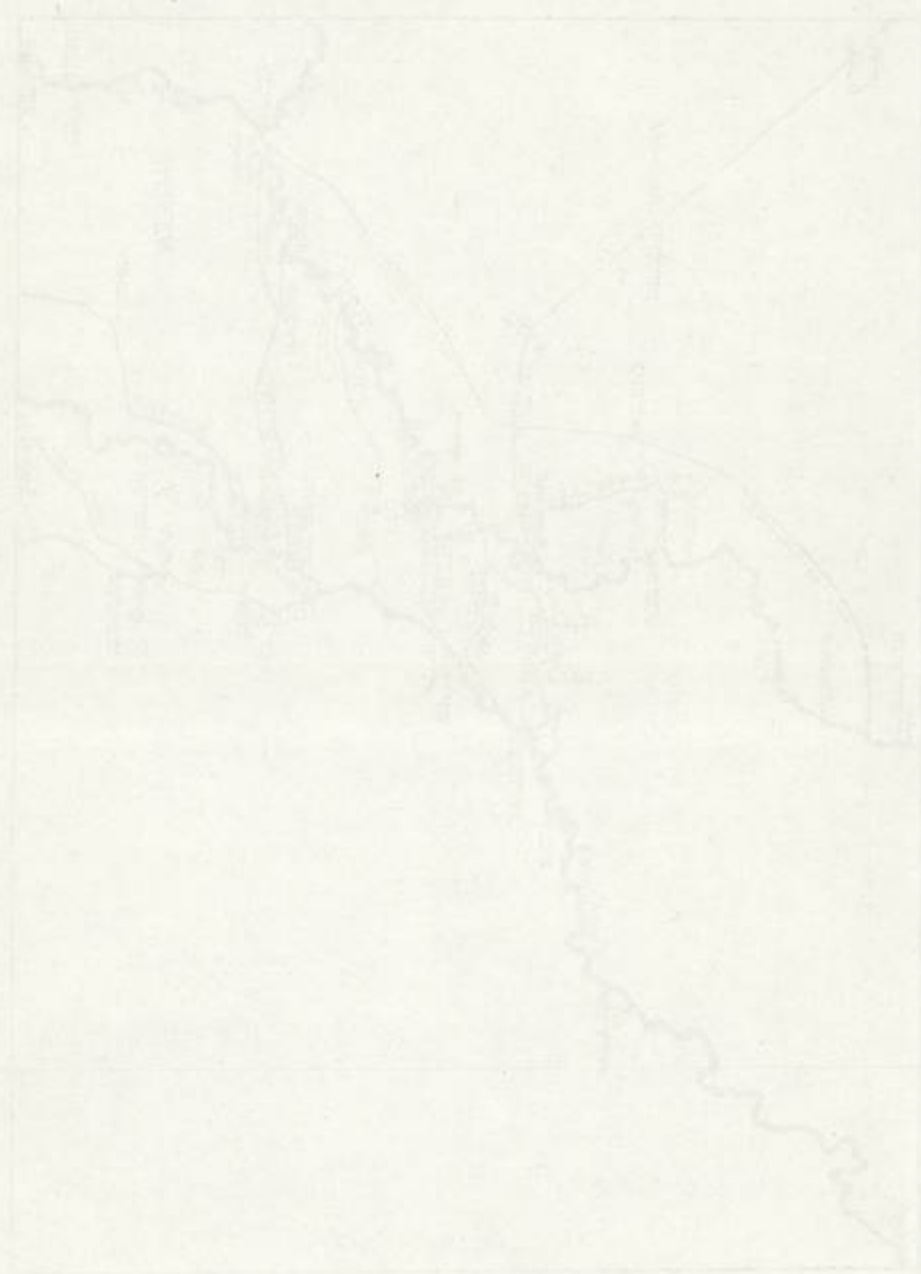
II. The Eastern Frontier of the Roman Empire in the Sixth and Seventh Centuries.



II. The Ocean Frontier of the Japanese Empire



III. Jacob Obermeyer's Map of Jewish Settlements in B. Babylon.



CHAPTER ONE

TO THE END OF THE FOURTH CENTURY

I. ARDASHIR II, SHAPUR III, AND BAHRAM IV

The death of Shapur II in 379/380 deprived Sasanian Iran of one of her three greatest emperors, Shapur I (242-272) and Khusro I "the Immortal" (531-579) being the others.¹ The empire now enjoyed predominance in Armenia, command of the Western marches, security under a strong, central government at home, and peace in the east. After three-quarters of a century under one king of kings, in the next twenty years Iran was ruled by three, none of them nearly so aggressive as the great Shapur.

¹ I have followed the accounts of George Rawlinson, *The Seventh Great Oriental Monarchy* (London, 1876), pp. 254-268; Arthur Christensen, *L'Iran sous les sassanides* (2nd edition, Copenhagen, 1944), pp. 253-257, 259-60; Roman Ghirshman, *Iran* (Baltimore, 1954), pp. 298-9; T. Nöldeke, *Aufsätze zur persischen Geschichte* (Leipzig, 1887), pp. 102-3; Alfred von Gutschmid, *Geschichte Irans und seiner Nachbarländer* (Tübingen, 1888), pp. 168f; Richard N. Frye, *The Heritage of Persia* (Cleveland and N.Y., 1963), p. 215; N. Pigulevskaja, *Les villes de l'état iranien aux époques parthe et sassanide* (Paris, 1963), pp. 44, 95-6, 113-4, 173-4; Franz Altheim and Ruth Stiehl, *Ein asiatischer Staat. Feudalismus unter den Sasaniden und ihren Nachbarn* (Wiesbaden, 1965), pp. 111-112 (on the coins of the three emperors); T. Nöldeke, trans., *Tabari* (Leiden, 1879), on Ardashir II, pp. 69-70, 418, 450; Shapur III, pp. 70-71, 418; Bahram IV, pp. 71-2, 418-419; Addai Scher with J. Périer, P. Dib, and R. Griveau, "Histoire nestorienne inédite (*Chronique de Séert*)," *Patrologia Orientalis* (Paris, 1908), Vol. 4, I, i; 5, 1910, I, ii; 7, 1913, II, i; 13, 1919, II, ii, vol. 5, pp. 260-1 (Chapter 43); 306-7 (Chapter 49); Percy Sykes, *History of Persia* (London, 1921), I, pp. 427-9; F. Justi, "Geschichte Irans von den ältesten Zeiten bis zum Ausgang der Sāsāniden," in W. Geiger and E. Kuhn, eds., *Grundriss der iranischen Philologie* (Strassburg 1896-1904), II, 525-6.

Rawlinson (p. 254 n. 2) notes that the Armenian and Roman historians do not seem to know about these three emperors, "even the name of the prince who sent the embassy of A.D. 384."

See also K. Patkanian, "Essai d'une histoire de la dynastie des sassanides d'après les renseignements fournis par les historiens arméniens," trans. by Evariste Prud'homme, *JA* 6th Series Vol. 7, 1866 (hereinafter = Patkanian), pp. 155-159. Note also Jules Mohl, "Extraits du Modjmel al-Tewarikh, relatifs à l'histoire de la perse, traduits du persan," *JA*, 3rd Series, Vol. 12, 1841 (hereinafter = Mohl), pp. 513-4. Note A. H. M. Jones, *The Later Roman Empire* (Oxford, 1964), I, p. 158, III, p. 158, n. 49, on the peace of 387.

Ardashir II, who succeeded in 379 and died in 383, supposedly collected no taxes during his reign, thus endearing himself to his subjects. Some Armenians, in the party of Manuel, revolting against the Roman-oriented Moushegh, acknowledged Ardashir II as sovereign and besought his protection. Ardashir's arrangement, exchanging Iranian protection for Armenian tribute, and, in the bargain, establishing effective joint suzerainty with Manuel over Armenia, did not last a long time. War followed, for, seeing the pendulum swing too close to the Iranian pole, the Armenians tried to correct matters. Several Persian invasions produced no good result. Neither Iran nor Byzantium, however, cared to renew the struggle for Armenia. In 384 Theodosius received ambassadors from Ctesiphon, and the partition of Armenia was agreed upon. The two empires so assured peace between themselves for a third of a century, as usual at the expense of the buffer-state.¹

Shapur III took power when his father was deposed in 383 and concluded the Armenian settlement. He is recorded in Arab historiographic traditions as having attacked an Arab tribe, thus being called "the warlike." He died in 388. His brother or son, Bahram IV, had ruled Kerman before he came to the throne. He maintained control of Armenia. He died in 399, victim of a barracks-revolt.

Christensen points out that in the times of the successors of Shapur II, the grandees of the empire easily retrieved the powerful position lost in the later days of Shapur II. Ardashir II, he notes, was dethroned, and his two successors died violently. Frye observes that as royal power declined, heroic stories about the emperors came to the fore. He comments, "One may suspect that titles and offices increased in number during the long period of weak monarchs. Concomitant with the new power of the nobility were struggles over the succession by opposing parties of the feudal lords."² The pretension of the successors to Shapur II is symbolized in the relief of Taq-i-Bustan, near Kermanshah. Ardashir II is shown standing between two gods, Ohrmazd and Mihr and beneath the feet of the king and one of the gods lies a slain enemy,

¹ See the account of Moses Xorenazi in Victor Langlois, *Collection des historiens anciens et modernes de l'Arménie* (Paris, 1869), I, pp. 155ff.; for Faustus of Byzantium, II, Book V, chap. 34ff., pp. 297ff. See also S. Funk, *Die Juden in Babylonien* (Berlin, 1908), pp. 78-93.

² *op. cit.*, pp. 215-216.

who was, Ghirshman says, "apparently a Roman, though history records no such feat of arms by this obscure sovereign."¹

II. YAZDAGIRD I

Yazdagird I, 399-420, succeeded his murdered father Bahram IV. The Byzantine enemy now met one calamity on the heels of the last. Ostrogoths and Franks invaded in 386 and 388. Maximus revolted in 387. Antioch shortly afterward did likewise, and Africa was in revolt from 386 to 398. In 395 a Gothic revolt within the empire coincided with the invasion of Alaric, who ravaged Greece, taking Corinth, Argos, and Sparta. Yazdagird could easily have renewed the frontier warfare of Shapur II. He might indeed have seized the occasion to take Armenia, Syria, and even Palestine, as had the Parthians long before and Shapur I in the third century, and as Khusro II would do in the seventh. He did nothing of the sort. I suppose the reason was in part that he did not have to. The Iranian position remained dominant in Mesopotamia, which really mattered, and satisfactory in Armenia. Iranian rule of Syria and Palestine in Parthian and Sasanian times had always proved invariably brief and hardly worth the effort. While some traditions treat Yazdagird as "benign" and "quiet," (and indeed, he actually may have exhibited both qualities), it seems to me more important that he had inherited a secure international position, but a threatened throne. An heir of a murdered monarch may be wise quietly to stay close to home. Honoring his treaty obligations with Byzantium, he received a token of respect when in 408-9 the Roman emperor Arcadius designated Yazdagird as guardian of his son, according to later chroniclers. The story may not be true, but it is a fact that Yazdagird never threatened Roman territory even in times of great opportunity.²

¹ Roman Ghirshman, *Iran. Parthians and Sassanians*, trans. Stuart Gilbert and James Emmons (London, 1962), pp. 190-191, and figures 233 and 234.

² I consulted Rawlinson, *Monarchy*, pp. 269-81. On Yazdagird and the will of Arcadius, see also E. A. W. Budge, trans., *Chronography of... Bar Hebraeus* (Oxford, 1932), p. 66. See also Sykes, *History*, pp. 429-431; Justi, *Geschichte*, pp. 526-7; J. B. Bury, *A History of the Later Roman Empire from Arcadius to Irene (395 A.D. to 800 A.D.)*, (Repr. Amsterdam, 1966), I, pp. 304-309; Christensen, *L'Iran*, pp. 269-273; Nöldeke, *Aufsätze*, pp. 103-4; Altheim and Stiehl, *Staat*, p. 113; Pigulevskaja, *Villes*, pp. 84, 98, 116; Langlois, *Collection*, Moses Xorenazi in II, pp. 162ff.; on the effort to install Shapur in Armenia, chap. 55, pp. 163-4. See also Patkanian, pp. 159-161; Mohl, p. 514; Funk, *Juden in Babylonian*, II, pp. 94-104.

Whether related to foreign policy or not, Yazdagird's religious policy proved highly favorable to both Christianity and Judaism. According to Greek Christian historians he actually persecuted Magi, which is most unlikely. In any event, he decisively ended the long and debilitating persecution of Christianity, which had begun *ca* 340 A.D. But the new Catholicos, or patriarch, of Ctesiphon, identified variously as Iahbalāhā or Abdas, supposedly made trouble for the Magi. Within a short time, Yazdagird put an end to the Christians' activities. A fire temple of Ctesiphon, razed by the Christians, had to be rebuilt. When Abdas refused to do so, Yazdagird authorized a general destruction of churches, accompanied by arrest of the believers. For five years, Christians were forced to deny their religion. Those who hid were hunted down "both in towns and in the country," and put to death.¹ (We shall return to this matter below, pp. 6-8.) In 413-4 Yazdagird likewise attempted to place on the Armenian throne not a Christian but his own son, Shapur. Shapur was supposed to convert the Armenian nobles to Zoroastrianism. The mission was a failure, and Shapur returned home in 418, to be assassinated in the intrigues following Yazdagird's death.

Western traditions celebrated Yazdagird's magnanimity, virtue, tranquillity, and piety. This is surprising in view of the stories of his persecuting Christians. It is possible that the persecution-stories are

¹ Arabic traditions will be found in Hermann Zotenberg, *Chronique de... Tabari* (Paris, 1858), II, pp. 103-4, "When the crown came to him, he lost his good disposition and committed acts of violence..." See also C. Barbier de Meynard and Pavet de Courteille, trans., *Maçoudi, Les Prairies d'Or* (Paris, 1914), II, 190 and Nöldeke, *Tabari*, pp. 72-85, 419-422. Nöldeke suggests that Yazdagird attempted to play off the Christians against the power of the Mazdean priesthood allied with the nobility. He concludes, "Alles in allem gerechnet, erscheint Jazdegerd als ein klüger, besonnener Fürst, wenn er auch freilich so wenig ohne Gewaltthätigkeit und Tyrannenlaune gewesen sein wird wie irgend ein anderer persischer König," pp. 74-6, no. 3. See also the *Chronique de Séert, Pat. Or.* V, p. 317, chapter 65, and especially, chapter 66, history of Mar Isaac, the fourth Catholicos of Seleucia. In reply to a letter from Mar Isaac, exhorting Yazdagird to be faithful to God, Yazdagird supposedly ended the great persecution. When Isaac died, Yazdagird consented to the appointment of Aḥai, the fifth Catholicos (p. 324, chapter 69).

In the time of Iahbalaha I, the sixth Catholicos (pp. 326ff, chapter 71), Yazdagird abandoned his benevolent policy toward the Christians. His general Shapur persecuted them and destroyed their churches. Yazdagird fell ill of a headache; no medicine sufficed, but he was healed by the prayers of Iahbalaha. He thereupon ended the destruction of churches and exile of Christians. After the death of the Catholicos, Yazdagird resumed his earlier persecution. Consequently, he died. So the Nestorian Chronicle. But there is no evidence that Yazdagird actually favored Iahbalaha.

conventional, therefore false, for a report of the emperor's virtues is otherwise incomprehensible. Arabo-Persian traditions, based on Iranian sources, called him a sinner, violent, cruel, sybaritic, unreliable. He allegedly despised learning and suspected everyone, plundered the rich and misused the poor. His epithet in the chronicles is "the wicked." When he died, supposedly from a horse's kick, the horse was believed to be a divine messenger. Nöldeke thinks he was murdered.¹

That the Christian historians should have favored Yazdagird is hardly surprising if he ended the three-quarters of a century of persecution. That the Oriental historians despised him is extraordinary if he also instituted new persecutions of the Christians. Tabari has Bahram V, the new emperor, tell the people that his father began his reign "in a spirit of just goodness, but when his subjects showed themselves ungrateful, he became harsh." It seems to me Yazdagird's primary concern was political. He needed to restore the stability of the throne. In returning to the tolerant policies of Shapur I, he sought to conciliate some of his subjects. His "friendship" with the Christians may well have been intended to counterbalance the power of the Mazdean priesthood allied with the nobility, as Nöldeke suggests. If so, the Christians proved a slender reed, for their lack of wisdom produced disaster. Christensen's view of the Christians is that "par leur insolence, ils défièrent tellement l'opinion publique que des représailles étaient inévitables."² He takes it as a fact that the Christians did destroy fire-temples, following Theodoret. Christians may have interpreted the end of a long persecution as repetition in Iran of the events of Constantine's reign, coming close on the heels of Diocletian's persecution. They may even have supposed that Yazdagird had been converted to Christianity. So they turned on the Mazdean cult and sought to extirpate it, beginning in Ctesiphon itself. But the emperor had not been converted. His gesture of reconciliation received a disastrously false interpretation in the church.

Ghirshman holds that in Yazdagird's time, the first clash between Iran and the rising power of the Hephthalite kingdom of the east took place. Shapur II had settled the Hephthalites on Kushan territory as confederates. By the beginning of the fifth century, they had expanded

¹ *Aufsätze*, p. 104.

² *op. cit.*, p. 272.

on both sides of the Hindu Kush, threatening both India and Iran.¹ In the coming century they, and not Byzantium, would pose the severest threat to the Iranian Empire.

III. MAZDAISM

Ardashir II certainly revered Ohrmazd and probably also Mihr.² If, as Widengren asserts, Shapur II had completed the "definitive elevation of Zoroastrianism to the rank of state-religion,"³ it is difficult to see the effects of his action. We know little of religious developments between Shapur II and Yazdagird. As we have seen, the latter showed tolerance to various religions, for while the Iranian tradition called him "the sinner," Jews and Christians praised his magnanimity.⁴ Toward the end of his reign, Mihr-Narseh became Vazurgframādār, or prime minister.⁵ He served Bahram V and Yazdagird II as well. Zaehner argues that Mihr-Narseh was a Zurvanite, for Mihr-Narseh had the clergy draw up an edict expounding the tenets of the faith, and this edict, preserved by Elišē Vardapet,⁶ is frankly Zurvanite.⁷ Yazdagird I at first rejected his advice to persecute Christians, being more tolerant than his minister. It was only later that Mihr-Narseh and Zurvanism acquired much influence.⁸

IV. CHRISTIANITY

Christian communities were located in the western part of the Sasanian empire, mainly in the Tigris and Euphrates valley. The patriarchal see was at Seleucia-Ctesiphon. Susiana was divided into four

¹ *Iran*, pp. 298-9. On Ardashir II, Shapur III, and Bahram IV, see also Zotenberg, trans., *Histoire des rois des perses par...al-Tba'alibi* [Hereinafter = *Tba'alibi*] (Paris, 1900), pp. 532-4, 534-5, and 535-6, respectively; on Yazdagird I, pp. 537-9, 547-9.

² J. Duchesne-Guillemin, *La religion de l'Iran ancien* (Paris, 1962), p. 284. See Mary Boyce, "On Mithra's part in Zoroastrianism," *BSOAS* 32, 1969, pp. 10-34, esp. pp. 21-5.

³ Geo Widengren, "Stand und Aufgaben der iranischen Religionsgeschichte, II: Geschichte der iranischen Religionen und ihre Nachwirkung," *Numen* 2, 1955, p. 118.

⁴ See above, p. 5 and note also R. C. Zaehner, *Zurvan, A Zoroastrian Dilemma* (Oxford, 1955), p. 39; also Geo Widengren, *Religionen*, p. 281.

⁵ Christensen, *L'Iran*, pp. 272, 277 ff.; Zaehner, *Zurvan*, pp. 39ff.

⁶ Zaehner, *Zurvan*, pp. 419-427.

⁷ Mary Boyce regards Zaehner's arguments as convincing; see "Some Reflections on Zurvanism," *BSOAS* 19, 1957, p. 305.

⁸ Duchesne-Guillemin, *Religion*, p. 285.

bishoprics, all under the Seleucian Patriarch. Other sees were found at Kashkar and Hira, Nisibis, Adiabene, Khorasan (with the metropolitan at Merv), Atropatene, Rev-Ardashir, and elsewhere.

For more than forty years after 340, the Christians had refrained from naming a new Catholicos in Seleucia-Ctesiphon, for under Shapur II and Ardashir II, consecration as bishop was the prelude to a martyr's death.¹ Shapur III and Bahram IV apparently began to relax the restrictions on Christianity.² Tomarsa now was elected Catholicos, followed by Qayoma. The work of rebuilding the church was begun.³ The improvement of relations with Rome doubtless encouraged the Sasanian court to free Christians from former restrictions.

When Yazdagird came to power, the Byzantine ambassador, Maruta, bishop of Maipherqat (Martyropolis), and Isaac, Patriarch of Seleucia-Ctesiphon, together with the new emperor, produced a concordat.⁴ Their agreement was supposedly facilitated by various miracles of healing wrought by the Christian authorities. By 410 the Christians

¹ See vol. IV, pp. 20-27, for a brief summary of fourth-century Christian history. The best account is Martin J. Higgins, "Chronology of the Fourth-Century Metropolitans of Seleucia-Ctesiphon," *Traditio* 9, 1953, pp. 45-100. Higgins states (p. 84), "A bishop of Seleucia-Ctesiphon survived so brief a time in office that the Christians felt it useless any longer to elect one."

For this survey of Christianity in later Sasanian times, I consulted J. Labourt, *Le Christianisme dans l'empire perse sous la dynastie sassanide (224-632)* (Paris, 1904); Arthur Vööbus, *History of Asceticism in the Syrian Orient. A Contribution to the History of Culture in the Near East. I. The Origin of Asceticism. Early Monasticism in Persia* (Louvain, 1958); G. Bardy, "Les églises de Perse et d'Arménie au V^e siècle," and "Les églises de Perse et d'Arménie au VI^e siècle," in Augustin Fliche and Victor Martin, eds., *Histoire de l'église, IV. De la mort de Théodose à l'élection de Grégoire le Grand* (Paris, 1937), pp. 321-336 and 597-612 respectively; for the martyrs, Georg Hoffman, *Auszüge aus syrischen Akten persischer Martyrer* VII, 3, reprinted in Liechtenstein, 1966), and Oskar Braun, *Ausgewählte Akten persischer Martyrer* (Munich, 1915); as well as the *Chronique de Séert*, cited above.

Of interest are Aziz S. Atiya, *A History of Eastern Christianity* (London, 1968), on the Jacobite and Nestorian churches, pp. 167-326, 237-303, on the Armenian church, pp. 303-356; E. Tisserant, *Eastern Christianity in India* (Westminster, Maryland, 1957), pp. 1-11, and particularly the excellent bibliography, pp. 205-250; E. Hammerschmidt, P. Hauptmann, P. Kruger, L. Ouspensky, and H.-J. Schulz, *Symbolik des orthodoxen und orientalischen Christentums* (Stuttgart, 1962), with E. Hammerschmidt, *Symbolik des orientalischen Christentums, Tafelband* (Stuttgart, 1966); and C. Lagier, *L'Orient chrétien des apôtres jusqu'à Photius (De l'an 33 à l'an 850)* (4th edition, Paris, 1935).

² Bardy, pp. 321-2; Vööbus, *Asceticism*, I, p. 258; and Labourt, *Christianisme*, pp. 84-5. But both Nöldeke, *Tabari*, pp. 71-2, and *Chronique de Séert, Pat. Or*, IV, p. 307, had Bahram detesting the Christians.

³ *Chronique de Séert, Pat. Or*, V, pp. 305-6.

⁴ Labourt, *Christianisme*, pp. 87-92.

hoped that Yazdagird might follow the example of Constantine. In that year, it was ordered, as in the edict of Milan, that churches earlier destroyed be rebuilt, demolished altars be restored, those imprisoned be released. The Christians behaved as had their counterparts a century earlier.

The monastic movement made considerable progress.¹ Its success produced an "aggressive spirit," and in its missionary zeal, it went so far as to convert nobles and to attack fire temples.² In the same year, on February 1, a synod at Seleucia-Ctesiphon undertook the reorganization and reform of the church.³ The persecution beginning in the last days of Yazdagird coincided with deterioration in Iranian-Byzantine affairs.⁴ But the conversion of high nobles aggravated matters, as did the destruction of fire-temples, for the emperor would surely force nobles to apostatize from their new faith and would avenge the destruction of fire-temples. In 420 several priests, scribes, deacons, and lay-people were brought to court and, after the usual disputation, martyred.⁵

Theodoret, in his *History of the Church*, records that the Bishop Abdas destroyed a fire-temple. When Abdas declined to rebuild it, Yazdagird ordered all the churches of the empire to be destroyed. What is interesting is Theodoret's comment. While deploring Abdas's lack of wisdom, he says, "I ... greatly admire the firmness of Abdas, in consenting to die rather than to rebuild the temple which he had destroyed, and I judge that he thereby merited a crown."⁶ But the consequence of Abdas's martyrdom was a thirty-year-long persecution during which many others merited crowns. The thirst for martyrdom characterized Iranian Christianity throughout Sasanian times.

V. YAZDAGIRD I AND THE JEWS

Just as Christian traditions persistently regarded Yazdagird I as a

¹ Vööbus, *Asceticism*, I, pp. 260-266.

² Vööbus, *Asceticism*, I, p. 265.

³ Vööbus, *Asceticism*, I, pp. 272-282; Bardy, p. 323; Labourt, pp. 92-9. On Mar Isaac and his successors, see *Chronique de Séert, Pat. Or.*, V, pp. 317-319; 321ff.; Labourt, *Christianisme*, pp. 99-103.

⁴ Above, p. 4.

⁵ Hoffmann, *Auszüge*, pp. 34-38; Braun, *Akten*, pp. 139-150; Vööbus, *Asceticism*, I, pp. 282-284; E. Sachau, *Die Chronik von Arbela* (Munich, 1915), on the persecution of Adiabenean Christianity by Yazdagird I and Bahram, pp. 83-4.

⁶ Theodoret, *History of the Church* (London, 1854), Book V, Chapter 39, pp. 245-248. No translator is specified.

friend of Christians,¹ so both later Iranian and Talmudic traditions held that he showed favor to Jews. Item 47 in Markwart's edition of *The Provincial Capitals of Iran*, reads as follows:

The capitals of Shōs (Susa) and Shōstar have been built by Shōshāndukht (Shūshan), the wife of Yazdkert, the son of Shāhpuhr, since she was the daughter of the Rēsh-Galūtak, the king of the Jews, and the mother of Vahrām i Gōr.²

Markwart comments, "It is very probable that there were many Jews in the great cities Shōsh (cf. the Book of Esther) and Shōstar, and that these had golden times during the reign of king Yazdkert I, who had married Shōshandukht, but the attribution of its foundation to her influence is obviously a popular etymology."³ Widengren shares his view.⁴ Item 53, further, reads:

The capital of Gay (Ispahān) was built by the accursed Alexander the son of Philip; there was a settlement of Jews there whom Yazdkert the son of Shāhpuhr carried there in his reign at the request of Shōshāndukht who was his wife.⁵

Of importance also is item 10:

The capital of Khwarizm, was built by Narsēh the son of the Jewess.⁶

On this passage, Markwart states (p. 43), "Narsēh the brother of Bahram Gor (420-438)," who was appointed by the king as governor of Khorasan, with residence at Balkh, and given the title of *Marzēban-i Kushan*. We already have noted the Armenian tradition that Shapur II resettled large numbers of Armenian Jews in Isfahan, as part of his general deportation of Armenian populations to Fārs.⁷ Clearly, these are several traditions giving somewhat similar facts. That someone,

¹ Above, p. 5. See also Nöldeke, *Tabari*, pp. 74ff., n. 3.

² J. Markwart, *The Provincial Capitals of Erānshahr* (Rome, 1931), pp. 19, 96-98. See also his *Erānshahr, nach der Geographie des Ps. Moses Xorenāzi* (Berlin, 1901), p. 20, # 54 on the city-lists: "The Jews were settled there [in Isfahan] by Yazdgird I at the desire of his Jewish wife." See also p. 52, n. 1.

³ *Capitals*, pp. 97-8.

⁴ Geo Widengren, "The Status of the Jews in the Sassanian Empire," *IA* 1, 1961, pp. 119-120, 139-142.

⁵ *Capitals*, p. 21.

⁶ See Widengren, *Status*, p. 120.

⁷ Vol. III, pp. 339-343. See especially Widengren, *Status*, pp. 134-5 for text and translation of the traditions of Moses Xorenāzi and Faustus of Byzantium. Widengren gives the key sentence as follows: "At this same time there arrived a command from King Sāhpuhr to destroy and pull down the fortifications of all the towns, and to carry away the Jews in captivity, and the Jews who were living according to the law of Judaism, in Van in Tosp... these Sāhpuhr caused to live in Ispahān."

Shapur II or Yazdagird I, moved Jews to Isfahan is a view held unanimously by Armenian and Iranian traditions, but Talmudic ones on these monarchs know absolutely nothing of that deportation. On the other hand, rabbinical traditions are certain that the mother of Shapur II was friendly to the rabbis.¹ 'Ifra Hormizd would have been Yazdagird's great-great-great grandmother. Rabbinical traditions preserve no record of any exilarch's daughter's marriage to an emperor.² This practically proves there never was one, since the rabbis would certainly have bragged of the connection. (On the other hand, the charge that a pro-Jewish emperor was married to, or born of, a Jewess appears also in the Alexandrian Martyr Acts, Professor Morton Smith notes.)

We may take it as fact that Shapur II did move Jews to Isfahan. I think it is equally plausible that Yazdagird I was not hostile to the Jews. To both emperors were attributed women-folk who favored Jews, in the former case, his mother, in the latter a Jewish wife. Precisely how these traditions became garbled into the report that Yazdagird I built cities at the request of a Jewish wife or moved Jews to Isfahan for the same reason I cannot say. But I see no grounds to suppose they have the slightest basis in fact. What was fact was that strong Jewish com-

¹ Vol. IV, pp. 35-39. I must stress, friendly to the *rabbis*, for the point of the 'Ifra-Hormizd-stories is that she was impressed by rabbinical wisdom and by the effectiveness of Jewish prayers. See also Widengren, *Status*, p. 131.

Note also that Christian martyrological traditions report that the wife of Shapur II fell ill (about 341, at the time of the martyrdom of St. Simeon). Darmesteter (*REJ* 19, p. 48) quotes the story as follows: "Dans ce même temps... comme si c'eût été fait par le diable, la reine tomba malade; et comme l'esprit de celle-ci était vers les Juifs, les ennemis de la croix, ceux-ci lui dirent par une vilaine calomnie, selon leur habitude: les sœurs de Simeon t'ont jeté un sort, parce que leur frère a été tué." As a result, St. Tharba was killed, and the queen recovered her health. On this basis, Darmesteter refers to Shapur II's wife as "la reine judaisante." He therefore attributes Yazdagird's Jewish policy to the "strong Jewish influence" in the harem of Shapur II.

On the attribution to Jews of a role in the martyrdoms under Shapur II, see especially Gernot Wiessner, *Untersuchungen zur syrischen Literaturgeschichte I. Zur Martyrüberlieferung aus der Christenverfolgung Schapurs II* (Göttingen, 1967), pp. 180ff. The fact that the patriarchate was located in Koké and the exilarchate in nearby Maḥoza seems to him important: "Vor diesem Hintergrund eines engen Zusammenlebens des christlichen und des jüdischen Hauptzentrums im Stadtkomplex von Seleucia-Ctesiphon und einer damit verbundenen jüdisch-christlichen Polemik versteht sich die Entstehung der in ABx verwandten Tradition, die den Juden die Schuld am Tode Simons (und Tarbos) zuschreibt."

² Note the comment of Funk, *Juden in Babylonien II*, p. 96, and Widengren, *Status*, p. 130, n. 3.

munities were found in Isfahan in Islamic times.¹ For the rest, fanciful, probably garbled stories provided the necessary explanation.

The above passage in *Provincial Capitals of Iran* was most extensively studied by James Darmesteter.² He points out that Bahram Gor was born in the eighth year of Yazdagird, that is, in 407-8, and so could not have been the son of Huna b. Nathan, exilarch who was (once) at Yazdagird's court, for by that date (following Lazarus's chronology), Huna b. Nathan was no longer exilarch. Darmesteter therefore supposes that the Jewish queen was the daughter of Kahana, exilarch from 390 to 410.³ But if Bahram's mother was Jewish, Darmesteter notes, one can find no trace of that fact in the stories about Bahram Gor. No Moslem source knows anything of his alleged Jewish origin.⁴ As to the supposed construction of Shus and Shustar and the founding at Gay of a Jewish colony by Yazdagird's Jewish wife, Darmesteter says, "La nouvelle Astourieh devait avoir une prédilection particulière pour Suse, la capitale de la reine d'Assuérus."⁵ He notes that "construction" of a city may merely indicate that large investment was made in a particular city by a particular emperor. As to Gay (= Isfahan), later traditions held that after Jerusalem was destroyed in 586 B.C., numbers of Jews were settled there, which according to Moslem historians accounts for the origin of the Jewish quarter mentioned above. Darmesteter says that the Jewish settlement was a half-century old by the time of Yazdagird I. But it is probable, he concludes, that his Jewish

¹ Widengren, *Status*, p. 142, "From other sources we actually know that Ispāhān was an old Jewish site." At the time of the Arab conquest, one of the town's two quarters was called al-Yahudiyyah. See also Funk, *Juden*, II, p. 146, who thinks "Djai" (or "Jei") = "Jehudia." It is a groundless supposition.

² "Texts pehlevi relatifs au judaïsme," Part ii, *REJ* 19, 1889, pp. 41-83, in particular pp. 41-52.

³ P. 47. See also Widengren, *Status*, p. 140.

⁴ But Darmesteter makes much of the quotation attributed by Firdausi to Bahram, "I am descended from the queen Schémiran," which, Darmesteter said, is the name of Sémiramis, legendary grandmother of the last Darius. He quoted several traditions on Sémiramis, who was of Jewish origin, according to Masoudi, and came in the exile of Bokhtnash (Nebuchadnezzar). Darmesteter concluded, "Bahram-Gôr, en se rattachant à Shémiran, c'est-à-dire à Hūmai Cihrazād, proclame ainsi indirectement son origine juive et se trouve confirmer le témoignage direct du texte pehlvi, qui lui donne pour mère l'héritière du sang royal de Juda." So Darmesteter! In my view, one can come to no such conclusion on the basis of late Persian poetry, read in the light of very early Iranian legends.

⁵ On the importance of the Book of Esther to Babylonian Jews, see Vol. II, pp. 57-64.

wife made a great contribution to the building of the settlement.¹

The following Talmudic stories mention Yazdagird I:

Amemar, Mar Zuṭra, and R. Ashi were sitting at the gate of the palace of 'Izgūr the King. The butler of the king passed by them. R. Ashi saw that Mar Zuṭra turned pale. He [R. Ashi] took his finger and put it in his [own] mouth. He [the steward] said to him [R. Ashi], "You have spoiled the king's meal." They said to him [R. Ashi], "Why did you do so?" He replied to them, "Whoever made this has spoiled the king's food." They said to him, "Why?" He replied to them, "I saw 'something else' [= leprous pork] in it." They examined it but did not find anything. He took his finger and placed it on it [the meat]. He said, "Have you examined [the meat] here?" They examined [it] and found [the spoiled meat]. The rabbis said to him, "Why did you depend upon a miracle?" He replied to them, "I saw the spirit [*ruab*] of leprosy hovering above it."²

(b. Ket. 61a-b)

R. Ashi said, "Huna bar Nathan told me, 'One time I was standing before 'Izdegar the king, and my belt slipped upward, but he [himself] pulled it down, saying to me, 'Kingdom of priests and holy people (Ex. 19.6) has been written concerning you.' When I came to Amemar, he said to me, 'And kings shall be your nurses' (Is. 49.23) has been fulfilled in you.'"

(b. Zev. 19a)

The first story is one of the tales about rabbinical wisdom which attributes to the rabbis supernatural insight. The rabbi saw what others did not see, in this case the spirit [= demon] of leprosy, and therefore was able to warn the steward that the food was spoiled. The other rabbis thought some sort of miracle to save R. Ashi had been necessary, for the spoilage was not immediately apparent, but they were told no miracle had taken place (except a private vision of a demon!). What is important is that no opinion of Yazdagird is reflected in this account. The rabbis' question suggests that it was dangerous to make accusations against the royal cooks, but R. Ashi's reward, whether commensurate or not, is not specified. We therefore can derive from this conventional story no special information whatever about Yazdagird's relations to rabbis or other Jews.

The second account is unequivocal. The exilarch had an audience with the king of kings. When his garment became disarrayed, Yazdagird straightened it out, quoting an appropriate scripture. The

¹ REJ 19, p. 52.

² Or, following Rashi, "above him," meaning Mar Zuṭra.

³ 'āman = foster-father.

kindness of the king provoked an even more striking quotation of a verse of a scripture which the rabbis believed was said by Isaiah concerning the time of Cyrus:

Thus says the Lord God
 Behold I will lift up my hand to the nations....
 And they shall bring your sons in their bosom,
 And your daughters shall be carried on their shoulders.
 Kings shall be your foster-fathers,
 And their queens your nursing-mothers.
 With their faces to the ground
 they shall bow down to you
 and lick the dust of your feet.
 Then you will know that I am the Lord....

(Is. 49:22-23)

That Yazdagird knew Scripture, including the requirements about priests' underclothing, seems unlikely. That Amemar believed Yazdagird's behavior actually rendered him a new Cyrus is, at best, a remote possibility. Stories about his subservience to rabbis or other Jews were not preserved, and I doubt that they were told, or, if told, would have been either believed or true. So we can only be certain that the rabbis thought the exilarch once was well-treated at court. We need not doubt the accuracy of their conviction.¹ But the stories themselves do little to attest to it. They merely indicate, quite plausibly, that rabbis frequented the gate of the palace, where much government business was carried on, and that the exilarch came to court, as his duties required. The fanciful details about the emperor's quoting Scripture are clearly incredible and may be ignored.

To compare these sparse materials with the themes of the Book of Esther, as Darmesteter suggests, we note that the king of kings was married to a Jewess; rabbis, like Mordecai of old, saved the king's life;

¹ But I cannot follow the reasoning behind Widengren's judgment (*Status*, p. 140). "In these circumstances [married to a Jewish woman] it is not astonishing that Yazdakirt entertained friendly relations with many Jews, receiving some prominent men among them in audience [here Widengren refers to the two passages cited above]. That Yazdakirt during his reign was in intimate association with the exilarchs goes without saying and it is related that Yazdakirt readjusted the girdle worn by Huna bar Nathan during an audience, at the same time quoting a saying from the Old Testament." On the basis of these two stories, we can hardly conclude with any certainty that Yazdagird knew "many Jews," received "some prominent men... in audience," or was "in intimate association with the exilarchs."

I moreover see no point in attempting to connect the citation of the Isaiah passage with the groundless conjectures of Darmesteter on Bahram's supposed "indirect reference" to his Jewish ancestry.

a high Jewish official was welcomed into the intimacy of the royal circle; so "then you will know that I am the Lord." But it is far-fetched to suppose on this basis that the Esther story played any role at all in the formation of these traditions. In their present form, they are subordinated to the rabbis' purposes in telling them. In the first instance the context is how rabbinical authorities behaved toward royal butlers.¹ In the second, the discussion concerns priestly garments. Yet if Yazdagird was married to a Jewess, then it would have been natural to fabricate fables about the new Esther (just as Darmesteter does) and to look for a new Mordecai as well. The exilarch, engaged in constant dealings with the government, would have been a natural candidate for the role, and indeed, the rabbis closest to him² alluded to a very friendly relationship. Talmudic literature, however, is not in so primitive a state that we can fruitfully speculate about the earlier form of later tales such as these.

Our most reliable conclusion is that Yazdagird's times were not marked by persecution of the Jews. It also is probable that, as in the reign of Shapur II, women in Yazdagird's royal harem were sympathetic to the Jewish community, and that the exilarch enjoyed good personal relations with the court.³

VI. BABYLONIAN JEWRY AT THE END OF THE FOURTH CENTURY

In addition to specific references pertaining to Yazdagird I, we have a number of rabbinical sayings possibly reflecting the general condition of Babylonian Jewry in the half-century after the death of Shapur II. These sayings presuppose the ancient view that the Jews were in exile and would some day be brought back by the Messiah to their own land. Whatever happened to Babylonian Jewry would therefore be interpreted within the messianic framework. This meant, for one thing, that the Jews—for I think this viewpoint was widely held within the Jewish community—would regard themselves as outsiders, seeking no significant place in Iranian political life, looking upon the state as alien, if mostly benevolent, and supposing that, as foreigners exiled from their own land by an angry God, they should encounter occasional misfortunes to remind them to repent. In reality the Jews were not the only minority in Babylonia, which seems to me to have been a land of

¹ The following story concerns the effects of swallowing too much saliva.

² See below, pp. 45-60

³ See also Funk, *Juden*, II, pp. 95-103; L. H. Gray, in *JE* 9, p. 465.

"minorities"—groups distinguished by cultural or religious traits from the Aramaic-speaking majority to which they otherwise actually belonged. (In a linguistic sense, the Iranians and surviving Greek-speaking population probably were the only real minorities in Babylonia.)

The contrast between the Jewish and Christian viewpoint on historical events in the Iranian empire is striking. Both exhibited the same vivid sense of the transience of this world and of the working of providence through history. But if the form was similar, the content was not. In place of the "exile," "redemption," and "return to the homeland" of Judaism were the Christians' equally vivid expectations that the pagan state would be converted to Christianity and that a Christian ruler would come to power either by natural conversion or by the return of Jesus. The "exile" would end for Christianity not when Christians would depart from their present abode but when the world would accept or be conquered by Christianity. That attitude accounts, as I said, for the foolishness of Christian behavior both in the time of Shapur II and at the cessation of the great persecutions by Yazdagird I. The Babylonian Jews' attitude toward persecution was profoundly dissimilar. They took a less apocalyptic view of matters, being more experienced in suffering and less optimistic in its interpretation. If things were difficult here, they might be easier elsewhere. But apart from the coming of the Messiah, not much of real consequence could happen. So we find rabbinical reflection on the curse of Leviticus 26:38, "And you shall perish [W'BD'TM] among the nations ... and the land of your enemies consume you":

R. Papa objected, "Perhaps like a lost object [P'BYDH] which is searched for in the sense of Psalm 119:176, *I strayed like a lost [P'BD] sheep, seek thy servant.*" [That is to say, the sense of the curse of Leviticus was not that they should *perish*, but that they should be *astray*] ... Mar Zuṭra objected [to the distressing sense of the latter part of the Scripture], "Perhaps as cucumbers and pumpkins are consumed. [That is, not all at once, as they come to fruition at different times in different places]." (b. Mak. 24a)

The meaning of R. Papa was that the curse did not threaten the actual annihilation of the Jews. He stressed another sense of the root 'BD, namely, to go astray or be lost. Similarly, Mar Zuṭra proposed to interpret the "consumption" in a somewhat less disastrous sense. If Jews suffered in one place, that did not mean they would utterly perish everywhere. The purpose of the two exegetes was to mitigate the harsh

threat of Scripture. "No one could be delighted at the present situation of the world, but here it is bearable"—this, I think, is their theological assessment of contemporary events. In fact, the rabbis held, it was God's as much as Israel's situation; as R. Aḥa said to R. Naḥman b. Isaac, (of the preceding generation), God had not laughed since the destruction of the Temple.¹ On the other hand, all religiously virtuous actions could contribute toward its reconstruction and Israel's redemption. R. Naḥman b. Isaac said, for instance, that felicitating the bride and groom was like rebuilding Jerusalem's ruins.² And this saying introduces the second part of the rabbinical theory of history. Though history proved unfulfilled and unhappy, Jews could change it through pious action. They were by no means helpless to improve both their own condition and that of the world.³

The rabbis' theology was entirely congruent to the political and social realities of Babylonia. The Jews were not a dominant group and could do little to change the conditions in which they lived. Their support might prove helpful to a contestant for the throne, though when they actually committed themselves to Bahram VI against Khusro II, it proved catastrophic. When, similarly, rabbis and exilarch joined to oppose the bitterly hostile policies of Yazdagird II and Peroz, they were put to death, and many others suffered as well. Since there was little the Jews could do to change their situation, it was just as well to interpret it in a theologically quietistic sense. They depended entirely upon God, who would send the Messiah to save them when they had shown themselves fully worthy of being saved. This they would do through study of Torah, practice of the commandments, and doing acts of compassion, but *not* through taking up arms against a hostile and more powerful state.

When we come to specific sayings on everyday life, we find considerable theologizing of ordinary and routine events, as in the following:

R. Papa said, "If the arrogant cease [in Israel], the Magi will cease. If [Israelite] judges will cease, *gezirpats* [= GZYRPTY, Magian gendarmes] will cease." [Proof] text [of the former is], *And I shall purge your proud ones* (Is. 1:25), and [of the latter], *The Lord hath taken away thy judgments. He hath cast out thine enemy* (Zeph. 3:15).

(b. Shab. 139a = b. Sanh. 98a)

¹ b. A.Z. 3b.

² b. Ber. 6b.

³ See Vol. II, pp. 52-7, 180-187, 236-240, 282-287. This matter is summarized in my "Religious Uses of History," *History and Theory*, V, 2, 1966, pp. 153-171, and "The Phenomenon of the Rabbi in Late Antiquity," *Numen* 16, 1, 1969, pp. 1-2.0

The prophecy of Zephaniah was unconditional, but concerned "those who are left in Israel," a remnant of poor and faithful who would "do no wrong and utter no lies." R. Papa interpreted the prophecy as *conditioned* upon doing no wrong and uttering no lies. That is to say, if the one will happen, then the other surely will follow. What the prophet had expected was bound to happen, the rabbis taught could be brought about by right action but not otherwise. This is paradigmatic of the rabbinic treatment of apocalyptic vision. On the one hand the rabbi reaffirmed the promise of the vision, but on the other he taught that it was dependent upon ethical behavior. R. Papa thus played upon the popular resentment against the Iranian gendarmes. He diverted attention from the supposed iniquities of the Iranian religious and political officials to the alleged pride of the Jewish bureaucrats. Since the Jewish officials to whom he objected did not conform to the rabbinical way, his further implication was that those who oppose rabbinical instruction ("the arrogant," "the judges") are standing in the way of redemption. Whatever took place in the streets of Babylonia could easily provide the occasion for such a sermon. If the state and its officialdom mistreated the Jews or otherwise aroused their resentment, the rabbi readily turned the Jews' hostility away from the "evils" of the Iranians and toward their "own guilt," and especially toward the vices of Jewish local officials.

We find, however, only a few specific contemporary references to Iranian mistreatment of the Jews. Among them is R. Papa's reference to certain fast-days which are described as days of joy and gladness (Zech. 8:19). He said when there is peace, the days shall be for joy, but when there are government decrees (against the Jews), they shall be fast days. When there is neither persecution nor peace, those who want to may fast.¹ R. Ashi referred to the possibility of the Iranians' forcing a man to eat unleavened bread.² This is a most interesting saying, since it supposes there were some Jews who would not eat it unless forced, and that on these the Persian government enforced the *Jewish* law. Such a policy would go back to the time of Ezra.³ R. Ashi further held that one must not let a corpse remain unburied on the second day of a festival. Rabina commented, "But nowadays when there are Magi, we

¹ b. R.H. 18b.

² b. R.H. 28a.

³ On state enforcement of Passover laws at Elephantine, see Bezalel Porten, *Archives from Elephantine. The Life of an Ancient Jewish Military Colony* (Berkeley-L.A., 1968), pp. 129-130.

take care [lest, if we allow the Jews to bury on the second day of a festival, the Magi may regard that day as an ordinary work-day and compel them to do other work]." The assumption is that the Magi will force Jews to violate their festivals only if they are not persuaded that the Jewish claim is valid.¹ But in general they were supposed to allow the Jews to keep their religion as they liked. These sayings reflect the government's actual policy toward the Jews. They show what the rabbis expected, and that expectation was presumably shaped by what the Iranians actually did. R. Ashi did not say that the Persians actually did such a thing as force a man to eat *mazzah*, but he assumed they might. R. Papa did not say the government was then issuing hostile decrees against the Jews or Judaism, but he assumed it could. Both masters took for granted the possibility of government persecution. They made no more of it than necessary. It was one of the facts of Jewish life, to be coped with, but to be changed only by religious-theurgical measures.

On the one hand, R. Ashi clearly showed awareness of the temporal usefulness of the Iranian government and was willing to collaborate with it.

R. Adda b. Ahavah said, "One may not sell them [pagans] bars of iron." What is the reason? Because they hammer weapons of war from them. If so, even spades and pickaxes [should be forbidden]? R. Zevid said, "[We prohibit] Indian iron." And nowadays that we do sell [iron to pagans] ... how [is this to be justified]? R. Ashi said, "[We sell to] the Persians who protect us [and that is justifiable]."

(b. A.Z. 16a)

R. Ashi's dictum does not prove he was a "Persian patriot." It only indicates he knew full well the importance of the common defense. Since the Iranian government secured the prosperity of all its subjects through holding the northwestern frontier against the Roman Christian enemy, the desert frontier against the Arabs, and the Armenian and Caucasian passes against the barbarians, the Jews among others had better cooperate in the defense for their own good. The benefits of the government were not exaggerated, just as its potential threat was taken for granted.

On the other hand, I do not think R. Ashi brought to the Jewish schools a prejudice in favor of the Persians. When Amemar expressed a measure of admiration for their sending gifts to one another and never retracting them afterward, R. Ashi said that the reason they do not retract is merely pride, but not an innate sense of rectitude.²

¹ b. Bez. 6a, and see *Ozar HaGeonim* II b, p. 52.

² b. A.Z. 71a.

Summary: I find in rabbinical sayings no evidence whatever of local or imperial persecution of the Jews. But I am unimpressed by the evidence cited to prove Jewry enjoyed special favor. The rabbis expressed no particular affection for Yazdagird I. Huna b. Nathan, the exilarch, reported that he once had been well-treated. Apart from that, rabbinical sources provide no support whatever for the assertion that Yazdagird I had singled out Jewry for especially favorable treatment. Having examined all relevant Iranian traditions, we find that Yazdagird supposedly had a Jewish wife, and that at her request he settled Jews in Susa, Isfahan, and Khwarizm.¹ The Jewish sources record a miracle of R. Ashi, who saw the spirit (demon) of leprosy hovering over food that was to be served to the king, and as I said, he mentioned the emperor's adjustment of Huna b. Nathan's undergarment. The generalized comments on "Persians who protect us," on the one hand, the possibility of persecution, on the other, as well as the traditions in which Yazdagird I is named, together do not add up to much. They permit us to conclude only that the turn of the fifth century found Jewry in an acceptable situation. This supposition furthermore conforms to what we know about Yazdagird's policy toward non-Iranian minorities in general.²

VII. JUDAISM AND OTHER RELIGIONS

The primary concern of the rabbis was to win the loyalty of Jewry for Judaism as they understood it. Standing by themselves, legal discussions presupposing the existence of Israelite apostates do not prove apostasy was a serious problem. R. Aḥa b. Rava asked R. Ashi,³ for example, about the law if one Jew was about to slaughter another's animal as a sacrifice to idols, was warned against it, and accepted the warning—a highly unlikely situation. Similarly:

R. Aḥa and Rabina—One says that [one who eats prohibited food] to satisfy his appetite is an apostate, but one who does so for spite is a *min*. The other said that one who does it for spite is merely an apostate. A *min* is one who actually worships idols.

(b. A.Z. 26b)

¹ But, as I said above, this is probably an explanation, long after the fact, of the actual settlement of Jews in Fārs by Shapur II. He did so not because he "favored" them, but because he sought to build up the demographic and economic resources of territories well outside Roman reach.

² Above, pp. 3-6.

³ b. Hul. 41a.

These theoretical discussions were intended to define the limits of apostasy. The rabbis thought one who became a *min* to be the worst sort of sinner. Most of the Babylonian references to the *minim* probably denote Jewish-Christians,¹ though it is entirely likely that the term comprehended more varieties of Christianity than we can now identify. References to *minut* at this time include the following:

Amemar hoped to establish [the reading of the Ten Commandments in the synagogue service] at Nehardea. R. Ashi said to him, "They have already abolished [reading] them because of the claim of the *minim*."
(b. Ber. 12a)

Minim claimed that Moses had revealed at God's behest only the ten commandments and that the rest of Mosaic revelation was not of divine origin. R. Ashi's comment makes it evident that the practice had long ago been prohibited but also could not now be safely revived. Further polemical sayings are as follows:

It was stated, Mar Zutra said, "He [Balaam] practiced sorcery with his penis." Mar b. Rabina said, "He had intercourse with his ass."
(b. Sanh. 105b)

R. Papa commented [in a discussion on Balaam], "This is what men say, 'She who was from chiefs and rulers played whore to carpenters' ..."
(b. Sanh. 106a)

Mar b. Rabina said to his sons, "...with reference to the evil Balaam, whatever you find concerning him, expound about him..."
(b. Sanh. 106b)

A further saying by R. Papa about *Kutim* in Babylonia² is interpreted by Jacob Obermeyer³ to refer to Christian migrants to Babylonia in the third and fourth centuries. R. Papa said that since *Kutim* had become mixed up with the residents of certain areas, one may no longer freely marry with people from those towns, which suggests the Jews there had already intermarried with them. Herford has shown that references to Balaam frequently intend Jesus.⁴ The saying of R. Papa about a carpenter's harlot comes in the context of Balaam sayings. Hence Herford supposes that R. Papa referred to Mary. The above sayings are similarly interpreted by Herford. Balaam was a magician who led Israel astray, and the same accusations were leveled by the rabbis against Jesus, often called a sorcerer and magician. These discussions

¹ See Vol. III, pp. 12-16.

² b. Qid. 72a.

³ *Landschaft Babylonien*, p. 120.

⁴ *Christianity in Talmud and Midrash* (repr. Clifton, N.J., 1966), pp. 47-8, 64-67.

do not prove that the rabbis now had to contend with widespread apostasy to Christianity. Still, we have some Christian references to baptism of Jewish populations, as in the following, in *Chronique de Séert* (*Pat. Or.* VII, p. 473):

Il [Titus, bishop of Ḥdatta] baptisa beaucoup de ses habitants [that is in Ḥdatta] et des Juifs qui s'y étaient installés.

This reference to a seventh century bishop suggests that in outlying regions conversions took place in some numbers. The situation in Babylonian Jewish settlements may have been dissimilar, for rabbinical influence was far more pervasive there. The ferocious quality of the rabbis' remarks furthermore leads to the inference that Christianity now may have posed considerable problems to the local Jewish communities. We may speculate that the easing of the persecutions in the time of Yazdagird I led some Jews to suppose the Christians' high expectations were really right. In general, however, the competition between the rabbis and the Christian leadership, and not some specific turn of events, probably underlay the polemical exegeses about Balaam. Relations between Jews and Christians had long ago been embittered, on the one side because Jews thought the Christians had known God but denied him, on the other because the Christians similarly thought the Jews had known the Christ but had crucified him.

An example of the Christian viewpoint on the Jews at the end of Sasanian times is the following:

One tells the following story: Between Maḥoza and Hira there lies a village named Mātā Meḥasiā which is inhabited entirely by Jews. Now when one day a student passed through, one of the Sons of the Crucifiers seized him, took him into his house, and for a considerable time kept him a prisoner by making him turn the mill. At about that time a Christian, by order of the king, was sent into the village on some business, and through God's will he stayed at just that house. When the student saw him, he complained [and told him of the affair]. Then the Christian seized the owner of the house, and he confessed the whole truth with the following words: "If you forgive me this transgression, I shall show you a wonderful treasure." And he showed him the place in the house where the corpses of Ḥananiah and his youthful companions were lying. God had arranged the incident with the student so that the treasure of the corpses of the blessed might be found. As the story goes, Mār Emmēh, when he was on his way from Maḥoza to Hira, had to spend the night in exactly this village. Out of fear of him they entertained him with great honor.¹

¹ T. Nöldeke, *Die von Gudi herausgegebenen syrische Chronik* (Vienna, 1893), p. 35. My colleague Professor Horst Moeching kindly translated the passage from Nöldeke.

This story, told about seventh century figures, reflects the Christian perspective on Jewry. Jews are called "sons of the crucifiers"; they seize and hold innocent bypassers; they hide or desecrate the bones of saints and other holy relics.

Stanley Kazan has presented a translation and commentary on Isaac of Antioch's homily against the Jews.¹ Isaac of Antioch, who died ca. 459, accused the Jews of feeling superior to others. The law, Isaac argued, does not permit the Jew to feel superior, for before Sinai Abel, Enoch, Noah, and Seth did not keep it, yet were blessed. The law was given after the Israelites worshipped the golden calf, "a chain for your bonds, a heavy yoke cast upon your rebellious neck." Those who did not need the law did not receive it. Jacob, in his last will, disinherited the Jews. "Our master revoked the curse of the law for the nations with his cross." Circumcision is now not done with hands, but "in the spirit by a removal that removes from evil," namely baptism. God still loves Israel, and Isaac appeals, "Come, inherit God with me, and He will not recall your waywardness."

Kazan further surveys the attitude toward Judaism in Syriac-Christian literature. Familiar themes recur in the writings of Ephraem the Syrian: God rejected the Jews because of their rejection of his son. Circumcision and the law were necessary from Moses to Jesus, but not afterward. Now that Jesus has come, Christians are in a position of primacy. The Jews try to enslave Christians under the yoke of the law and attempt to convert Christians. It is clear that Christians were converting to Judaism, and I think the contrary was the case as well. Christians were celebrating the Jewish Passover by eating unleavened bread.

Isaac of Antioch further complained that Christians were making use of Jewish amulets and charms: "Today they [Christians] come for baptism ... and on the morrow they go to the magical ablutions." These magicians were Jews, who encouraged Christians to practice circumcision, keep the Sabbath, wear amulets, and the like. But, Isaac holds, the amulets are void of magical power and therefore should not be relied upon.

Jacob of Sarug (d. 521) amassed evidence from both Scripture and nature to attest to the trinity, quoting Gen. 1:26, 3:7, Daniel 4:28, and other passages. His homily on circumcision repeated the argument that

¹ "Isaac of Antioch's Homily against the Jews," *Oriens Christianus* 45, 1961, pp. 30-53; 46, 1962, pp. 87-98; 47, 1963, pp. 89-97; and 49, 1965, pp. 57-78.

circumcision was necessary only from Moses to Jesus. The Sabbath-rest of Gen. 2:2 referred to Jesus "who rested from his suffering on the cross." The Sabbath was to remind Jews of one God, but since Jesus had abolished idolatry from the earth, the law is unnecessary. God did not reveal Jesus to the early generations because he wished first of all to wipe idolatry from the earth. God had rejected the Jews and exiled them because they had killed Jesus. The Jews are no longer God's chosen people in the way the Christians are. Kazan concludes, "The polemics against the Jews in the Syriac language written over a period of eight hundred years are characterized by similarity of ideas, imagery, and phraseology."¹

Religious disputations between rabbis and Magi are represented in the following story:

A certain Magus [ʾMGWŠʾ] said to Amemar, "From your middle upwards belongs to Hormiz, and from your middle downwards belongs to Ahormiz." He replied, "If so, how does Ahormiz permit Hormiz to send water through his territory?"

(b. Sanh. 39a)

The text as we have it misrepresents the name of Ahriman. (Variants offer ʾHWRMYN, ʾAbōrmin and Hōrmin.) I doubt that any such conversation could have taken place. What we learn from this story is a more striking fact, namely, what the rabbis conceived *would* happen if they were to dispute theology with Magi. It is not a very profound disputation. It reveals no knowledge whatever of what would have been at issue. I do not think such confrontations happened or that anyone even wanted them. Each religious community seems to have been autonomous and in the main doctrinally isolated, though business contacts between members of different communities were common, and individual conversions were not rare. The following saying of R. Ashi suggests he thought it common for pagans to accept Judaism:

R. Ashi said, "The men of Mata Meḥasia are stout-hearted [Is. 46:2, *Stout-hearted ... far from righteousness*] for they behold the honor of Revelation twice a year, and they have yet to produce a convert."

(b. Ber. 17b)

The assumption is that gentiles living in the midst of Jewish communities would normally produce some converts. The town R. Ashi referred to was almost entirely Jewish.² Jews tried to convert Christians, and

¹ *Oriens Christianus* 49, 1965, p. 70.

² The town was described by a Christian source of the 7th century as completely so, as we have seen, p. 21.

vice versa, but the reason was that they held common Scriptures about the meaning of which they were divided. Rabbinical Judaism had little in common with other cults or faiths. I do not suppose much reason therefore existed to take seriously the arguments presented by the other side. By contrast it is clear from both Talmudic and Christian sources that Judaism and Christianity met in bitter conflict and that the Christian problem now as earlier was a matter of some concern.

VIII. JEWS AND GENTILES

It is difficult to ascertain to what extent the rabbis' theological convictions about proper relationships between Judaism and other religions characterized the everyday conduct of ordinary Jews with their gentile neighbors. We know for example that Jews generally were prohibited from providing the wherewithal for gentile worship. On the other hand we have the following story:

R. Ashi owned a forest which he sold to a fire-temple. Rabina said to him, "But there is the Scripture, *Thou shalt not put a stumbling block before the blind!*" (Lev. 19:14). He replied, "Most wood is used for heating."
(b. Ned. 62b)¹

We have noted that R. Ashi similarly approved selling iron to Iranians for use in making weapons of war, "because they protect us." Here we have a more serious matter. Since the fire-temples obviously did not use most of their wood for heating only, but for maintaining the sacred fires, it is difficult to suppose R. Ashi was ignorant of the real use to which his wood probably would be put. He provided not a reason but an excuse for his action, and the two stories together suggest he was not averse to cooperating with the Iranian government and church. It is, however, one thing to assist the state to prepare for war, but quite another to help the Magi with their cult, something no one forced him to do. We can hardly suppose R. Ashi would severely interpret or harshly carry out laws prohibiting other Jews from doing pretty much as he did.

The rabbinical courts and market-supervisors certainly enforced laws not to touch or make use of wine which might have been offered for libations to idols. These laws had been applied for more than two centuries,² and we have the following evidence of their continued enforcement in this period:

¹ See also b. A.Z. 14b, R. Ashi on selling a white cock to gentiles.

² Vol. II, pp. 72-91; III, pp. 29-36; IV, pp. 56-66.

An *'etrog* once fell into a cask of wine. An idolator sprang forward and took hold of it. R. Ashi said to them, "Hold his hand so that he does not splash around in it [the cask] and tilt it until it [the citron] is emptied [out of the wine]..."

(b. A.Z. 95b)

The event underlying this case is difficult to imagine. Obviously R. Ashi was not so quickly consulted that his advice to hold on to the man's hand was actually carried out. It may be that he was consulted, therefore, about a theoretical possibility, rather than an actual event; or perhaps the accident took place in his very presence, so he forthwith gave his instruction. Possibly later on his saying was redacted for future reference. The following case poses fewer problems:

The bung once fell out of a cask of wine. An idolator sprang forward and placed his hand over [the hole]. R. Papa said, "All the wine that is on the level with the bunghole is forbidden, but the remainder is permitted..."

(b. A.Z. 59b-60a)

R. Ashi further said that if a pagan deliberately disqualified Israelite wine, the owner may receive the cost of the wine from that man, even though he might not sell it to someone else. A further ruling is as follows:

Once a cask split lengthwise, and an idolator sprang forward and held it with his arms. Rafram b. Papa—or R. Huna b. R. Joshua—allowed [the Jew] to sell it [the wine] to gentiles.

An idolator was once found standing in the wine-press [of a Jew]. R. Ashi ruled, "If it was so moist as to moisten other things, it must be rinsed with water and rubbed dry, but otherwise, merely rinsing is sufficient [to allow the press to be used again]."

(b. A.Z. 60b)

As to making use of vessels which had been employed by pagans, R. Papa ruled that earthenware vessels from Be Miksé may be rinsed and then used, since they do not absorb much. R. Ashi permitted cups pagans used for drinking wine, but not for keeping it. R. Zevid said that glazed vessels of white or black are permitted, but those of green are prohibited, because the crystals of alum which provide the green tint absorb liquid. Maremar ruled that glazed vessels of any color are permitted.¹ We have the following story:

¹ b. A.Z. 33b-34a.

Mar b. R. Ashi said, "A pagan left a silver cup with my father as a pledge. He [my father] immersed it and drank from it. I do not know whether he did so because he considered a pledge to be the same as an object which had been purchased, or because he thought the pagan intended to leave [the object] with him [permanently]." (b. A.Z. 75b)

R. Papa held that the reason for the prohibition of the beer of gentiles was fear of intermarriage.¹ R. Zevid said that yeast made of the wine of Aramaeans is permitted after a full year.² These few cases and sayings do not by themselves prove that the rabbis were able to enforce the strict prohibitions against pagan wine or against even gaining profit from wine which pagans had touched. We have substantial evidence deriving from earlier periods, however, which indicates that they could do just that because of their authority over market-transactions. I have no doubt that the rabbis continued practices of more than two centuries. Their reason probably was, as R. Papa had said, to keep Jews away from any sort of social intercourse with gentiles.

The rabbis themselves, however, told stories that incidentally indicate they entertained and were entertained by non-Jews. While the consequences were frequently described as unfortunate, the fact remains that the visits were made, as in the following:

R. Papa went to the home of an Aramaean woman. She set a bed for him. She said to him, "Sit down." He replied, "I shall not sit down until you raise the bed." She lifted it up, and they found there [underneath it] a dead child. On this account the sages said that it is forbidden to sit on the bed of an Aramaean woman.

(b. Ber. 8b)

Geonic tradition added that R. Papa was thereupon accused of having murdered the child, on which account the sages issued their decree.³ But this story is so dramatic as to be suspect, especially since the drama serves a didactic purpose, which the sages were quick to make explicit. Leading fifth-century rabbis received visits from pagans on Jewish festivals:

When a heathen would visit Maremar and Mar Zuṭra on a festival they would tell him, "If you are satisfied [to eat] what we have made for ourselves, well and good, but if not, we cannot take extra trouble for your sake."

(b. Bez. 21b)

¹ b. A.Z. 31b.

² b. A.Z. 34a.

³ B. M. Lewin, ed., *Ozar HaGeonim on Berakhot*, A, I, p. 21. See R. Papa in b. Pes. 112b also.

R. Papa further expounded the law on gentiles' bringing gifts to Israelites on festival-occasions.¹ These gifts and visits were reciprocal:

R. Isaac b. R. Mesharsheya happened to be at the home of an idolator more than a year after [a marriage ceremony]. When he heard they were still feasting [because of the marriage], he abstained from eating.

(b. A.Z. 8b)

The point of these several stories is that one should not participate in pagan festivals nor make special preparations for the reception of non-Jews on Jewish ones. Yet it is clear from these very accounts that the opposite took place. Rabbis were welcome in pagan homes—though in R. Papa's case, we cannot say what he was doing there—and would both receive and pay visits on festival occasions. Whatever social intercourse took place among the religious virtuosi must have been duplicated many times over among the ordinary folk of the several communities. The reason that the rabbis were so eager both to enforce the laws about pagans' touching Jewish wine and to discourage hospitality to pagans must have been the commonplaceness of everyday decencies.

R. Papa made it clear, nonetheless, that Jews and pagans generally bore names characteristic of their respective communities. He said,

"[These names are obviously heathen:] For instance Hormiz [HWRMYZ] and Abudina bar Shibtai [ʾBWDYNʾ bar ŠYBTʾY] and Bar Qidry [QYDRY] and Bati [BʾTY] and Naqim [NQYM] and Ona [ʾWNʾ].

(b. Giṭ. 11a)

Jewish names and gentile names would be clearly differentiable, but the same discussion proceeds under the assumption that some Jews at any rate might have gentile names.² R. Papa also cited a popular saying:

R. Papa said, "So do people say, 'If you are singeing the hair of an Aramaean and he is pleased with [your work], set fire to his beard, and you will not hear laughter from him.'"

(b. Sanh. 96a)³

R. Papa's saying suggests that people thought pagans regularly made fun of Jews and that Jews should make themselves disagreeable to pagans.

¹ b. Bez. 24b.

² If the Jewish magicians who made the magical bowls reproduced below had Jewish clients, then Jews hardly had names indistinguishable from those of Iranians and Aramaeans, as we shall see (pp. 217ff.).

³ Following H. Freedman, trans., *Sanhedrin* (London, 1948), p. 647.

We however have references to Jewish-gentile partnerships, including the following:

Rabina and a pagan together bought a palm-tree to chop up [and divide]. He [Rabina] said to his attendant, "Quick, bring me the parts near to the roots, for the heathen is interested only in the number [but not in the quality]." (b. B.Q. 113b)

R. Ashi was once walking on the road when he noticed branches of vines outside a vineyard upon which ripe clusters of grapes were hanging. He said to his attendant, "Go and see, if they belong to a heathen, bring them to me, but if to an Israelite, do not bring them to me." The heathen happened to be ... sitting in the vineyard and thus overheard the conversation, so he said to him, "If of a heathen would they be permitted?" He [R. Ashi] replied, "A heathen is usually prepared to [dispose of his grapes and] accept payment, whereas an Israelite is generally not prepared to [do so and] accept payment."

(b. B.Q. 113b)¹

Amemar held that, generally speaking, the idolator is a land-grabber, citing Ps. 144:8, *Their mouth speaks vanity and their right hand is a right hand of falsehood.*² As to behavior with gentile customers of Jewish butchers, we have this exchange:

R. Aḥa b. R. Avia asked R. Ashi, "According to the view [that even if a small portion of an animal belongs to an idolator, the entire animal is prohibited to Jews because of the intentions of the pagan], what would the law be if an idolator gave a *זמז* to a Jewish butcher?" R. Ashi replied, "If the idolator is a powerful man whom the Jew cannot put off [by returning the money], then the animal is prohibited, but if he is not [powerful], the Jew may tell him, 'Go, hit your head against a mountain!'"

(b. Hul. 39b)

That is, the Jewish butcher can refuse to deliver. These few stories do not yield a favorable account of rabbinical ethics toward non-Jews. Rabina took advantage of his pagan partner's ignorance of the true value of the roots of the palm. R. Ashi was willing to take grape-clusters near the road, and we do not know what he would have done had the owner not overheard his instructions to the servant. If people believed that pagans were usually untrustworthy, they would probably not show a high sense of responsibility toward them or their property. R. Ashi instructed R. Aḥa to take cognizance of the pagan's importance. If he were an unimportant person, one could take advantage of that fact.

¹ Trans. E. W. Kirzner, *Baba Kamma* (London, 1948), p. 667.

² b. B.B. 45a.

In all, we can hardly conclude that the theological animus against paganism produced a benign everyday ethics. So far as the rabbis were concerned, "paganism" was not to be taken seriously, and the pagan himself was to be both feared and held in contempt. On the other hand, the stories of mutual hospitality and the constant warnings, now as earlier, against having much to do at all with non-Jews suggest that a very different situation prevailed in the streets. There the ordinary folk, both Jewish and gentile, probably achieved a mutually respectful *modus vivendi*, just as the rabbis ignored their own prescriptions and did indeed exchange visits with non-Jews. Yet we can by no means suppose that the hostile sayings about "paganism" and pagans and xenophobic attitudes toward dealings with them were merely a matter of theological or legal theory, for, as we have seen, some evidence points to quite the contrary conclusion.

IX. SUMMARY AND CONCLUSIONS

The forty years following the death of Shapur II testified to the permanent achievements of the great king of kings. No disasters, foreign or domestic, marked the times. Iran retained predominance in Mesopotamia, which is what she most wanted, and lost nothing. By contrast, after the end of the reign of Shapur I one catastrophe rapidly followed on the last, so that even so great a personality as Narseh could do little to turn the tide. Now the difference lay not wholly within Iran. With barbarians at the gates, Byzantine Rome faced some of the most severe trials of her history and could hardly make trouble in the East. If the king of kings did nothing to exploit the opportunity, however, the reasons were not good will toward the ancient enemy but domestic considerations. It was more important to protect the throne than to extend the already satisfactory frontiers. True, the frontier marches, particularly in Armenia, would always produce difficulty and might occasionally embroil Rome and Iran in conflict. But when the two great powers wished it, Armenia could be pacified, even against the will of her warlike population. Yazdagird I's attempt to place an Iranian prince on the Armenian throne failed, and thus the limits of each side's power were revealed. Armenia could be kept in line but only by respecting her national spirit.

With the Christians and the Jews, the state faced a far easier task. Neither group produced rebellion or much sedition. Unlike the great nobility, the church and synagogue did not participate in dynastic

politics or in any degree threaten the stability of the present government.¹ Both groups, to be sure, held that current politics and institutions were merely temporary. Each worked in its own way for a divine intervention in present arrangements. But that hardly mattered to the state. Yazdagird's cessation of the long and debilitating persecution of Christianity begun by Shapur II probably reflected in part his policy of improved relations with Byzantium. Shapur II had found the Christians seditious and disloyal, and he was quite correct. The peace with Jovian in 363 had changed little. Rome remained the enemy. But as tensions abated by the turn of the fifth century, it became expedient to relieve pressure on the devastated church. Those who had most suffered were not the ordinary Christians, but the monks, nuns, and especially, the Catholicos. If the state regarded the church as disloyal, it would direct its most careful attention to activists prone to effect their disloyalty through treason. Now Yazdagird quickly learned, however, that the Christian leadership could be relied upon to outrage the Mazdean clergy and nobility. What he must have regarded as a mere gesture of expedient generosity was infelicitously interpreted among the Christians as the prelude to the conversion of the king of kings to Christianity. Just as Constantine had followed Diocletian, so it was assumed Yazdagird I would, in the succession of Shapur II, take the same path. The consequent burning of fire-temples and conversion of nobles was a perfectly natural response on the part of the Christians. And quite reasonably, the clergy and nobility reacted by forcing Yazdagird I completely to reverse his tolerant policy.

Shapur II had exhibited no hostility toward the Jews. I do not, indeed, find evidence of a persecution of Jewry or of Judaism from the time

¹ If, as I suppose, Jews played a less important role in politics than they did earlier, the reason *may* be that their numbers diminished. We have no reason to imagine—if such was the case—that some persecution produced large numbers of martyrs, or that a plague hit Jewry and no other communities, reducing their numbers. Further, there is some evidence of Jewish migration from Palestine, still more of the movement of Jews from Armenia to Babylonia and Fārs by Shapur II. Hence I can only suppose that from ca. 275 onward, considerable numbers of Jews became Christians, a supposition by no means farfetched. It is true that among the Christian populations were converts from the worship of Mazda and other cults in the Tigris-Euphrates valley. But many certainly came over from Judaism. With the two communities at cross purposes, the Jewish one, smaller in numbers than before, was distracted from affairs of state to what amounted to intramural warfare. This would help to account for the relative unimportance of Jewry as compared to their part in Parthian and early Sasanian history. On conversion of Jews to Christianity, see vol. III pp. 10-16, 24-29; vol. IV, pp. 56-58; and for an additional comment, below, p. 133, n. 1.

of Ardashir I to the advent of Yazdagird II and Peroz more than two hundred years later, though we cannot ignore the claim of Kartir to have "opposed" Judaism among other religions in ca. 275 A.D. We therefore cannot see in the stories of Yazdagird's founding cities to please his Jewish wife, daughter of the exilarch, evidence of a change of policy as was the case with the Christians. In any case those stories cannot be regarded as historically persuasive. That some women of the court may have favored the Jews, perhaps even were of Jewish origin, is entirely plausible. That the king of kings on that account would found cities or move vast populations is not. In any event, if Yazdagird I did not persecute the Jews and perhaps even showed to some of them special courtesy, as in the story of Huna b. Nathan, the reason was hardly the presence in the harem of Jewish wives or sympathizers.

It was simply that Sasanian policy from Shapur I onward continued without alteration, and that policy was to treat with even-handed justice the Jews, among other generally docile and sometimes useful, inoffensive minorities. It did not require special influence either at court or in the imperial bed-chamber to insure the safety and security of Jewry. The Iranian empire—for all its political turbulence—was generally a law-abiding state and followed stable policies. The personality of the emperor mattered less than long-term procedures and recognized realities. To attach much importance to the stories, Iranian, Christian, and Jewish, of how the emperor was healed and so was moved to change a policy of three-quarters-of-a-century standing, or how the empress inveigled her malleable husband to set up a city here and another there, or how the emperor quoted Scripture—to attach much importance to these stories is to take over without criticism the historiographical perspective of late antiquity, which stressed personalities over policies. It may well be that these things happened as the tale-tellers said they did, but more likely, something happened which took *both* form *and* explanation from the imagination of the tradents of the stories we have considered.

The rabbis' sayings pertaining to this period showed the persistence of an equally old political theory, that of rabbinical Judaism. The pagan state—any pagan state—has been imposed upon Israel on account of her sin, and the Messiah must some day come to remove the yoke of the nations and reimpose that of the kingdom of God. Interpreting events from this perspective, the rabbis curiously took for granted the possibility of persecution even when none existed, and they still trusted in God that no persecution would utterly wipe out the remnant of

suffering Israel. If the irritations of everyday life under an alien regime proved unbearable, the rabbis could easily direct the consequent hostility of the people away from the state and against their own community's non-rabbinical leadership. It was not merely expedient politics but also good theology to do so, for when the rabbis would reshape the life of Israel, then redemption would inexorably follow. Actual evidence of persecution proves flimsy and unpersuasive. A few generalized sayings about the ever-present potentiality of oppression are balanced against some striking stories about selling iron to the Iranian army and wood to the Mazdean fire-temples. Whatever the rationalizations offered to explain each action, it is striking that to an important rabbi such conciliatory behavior was attributed. This means that in an influential school where the rabbi's behavior was regarded as precedent-setting, tradents found it both conceivable that such a thing could have been done and important to preserve the stories about it. If so, the opinion of the school was that the Iranians on the whole were bearable masters in an unavoidable setting of subservience.

The rabbis did not confuse what they had to accept, namely, the situation of exile, with what they could never reconcile themselves to, namely, the existence and prosperity of other religions and cults. They most vehemently objected to the conversion of Jews to Christianity. They altered synagogue practices to forestall heretics from claiming to find verification for heresy in Jewish liturgy. They sought occasions to speak against the magician "Balaam." Since they could not take seriously the actual theological claims of Christians, regarding the whole matter as meretricious through and through, we find mainly exegetical polemic. For the Christians' part, they continued to advance the time-tested arguments that they were now the true Israel, that redemption had come but had been rejected by Jewry, and especially, that the law no longer applied. This last point was especially important, for numerous among the converts to Christianity were ordinary Jews, to whom the Sabbath, Passover, circumcision, and other rites remained sacred. Disputes with Magi exhibited neither the vigor nor the profundity of the Jewish-Christian argument. From the conversation about permitting waters to flow from Hormiz's to Ahormiz's territory, we can only conclude that the rabbis simply did not take Mazdaism seriously. It seems likely that few Jews were attracted to that cult, and so mere ridicule, rather than violent polemic, was sufficient to meet the problem.

The rabbis' policy called for relations of unrelieved hostility or

uncomprehending mockery between Judaism and other religions. The Jews were neither numerous enough nor sufficiently powerful to maintain such an xenophobic theological policy in everyday affairs with gentiles, and I do not think they would have wanted to in any event. True, the rabbis strictly enforced the taboos against using wine which had been employed for idolatrous purposes and long ago had further interpreted the taboo to apply to wine which a gentile had merely touched. But it is equally clear that rabbis as well as other Jews both accepted and gave hospitality to non-Jews in their homes on ordinary days as well as at festival times. We do not know how widespread was social intercourse among the several religious groups. The few stories pertaining to this period do not permit a firm conclusion. On the other hand, R. Papa's saying about obviously heathen names suggests that Jews were easily distinguished from gentiles by their names. Yet an examination of the names of the Christian martyrs suggests that at least biblical names were in a measure held in common among the two biblical communities, and the magical bowls testify that Jews probably bore Iranian and Aramaean names. We do not know how commonplace was the saying cited by R. Papa which maintained Aramaeans always made fun of Jews, however much they liked them. If ordinary Jews said what R. Papa reported, and if many folk believed the idolator was normally a land-grabber and when possible could be cheated for technical, legal reasons, then the relations between Jews and gentiles could not have been pleasant. But these sayings contrast with the evidences of mutual hospitality. Even more, they should lead us to expect widespread popular dislike of Jews, culminating in occasional pogroms of various kinds. But to the best of our knowledge, no such pogroms ever took place, no anti-Jewish parties or policies existed in Iranian Babylonia. Profound hostility between Jews and Christians must be attributed to theological causes. But if for centuries we find that Jewry lived a relatively placid existence, suffering only with and in the same measure as other communities in the region, we must take account of that fact. I can think of two mutually harmonious explanations. First of all, the Jews remained mostly by themselves, so occasions for tension among disparate groups may have proved limited. And second, so far as they entered into social or commercial relations with outsiders, they ignored the theological and legal ethics of the virtuosi in their own community and treated the outsider pretty much according to everyone's everyday expectations and requirements. As I said, we have no solid evidence that ordinary folk did ignore the spirit

and letter of the rabbis's laws on how to treat gentiles. Still, the negative evidence mentioned just now seems to me considerable.

From the advent of Shapur I to the death of Yazdagird I and beyond, Babylonian Jews enjoyed a secure legal position and a quiet and stable religious life. They practiced what was a licit cult, and little if anything happened to attract the attention of chroniclers and therefore of historians. But very soon events of considerable historical consequence were to take place, and the reason, I think, was the Jews' own faith that the Messiah would some day come and take them home. If that belief had earlier preserved their tranquillity and rendered them a tolerable, docile minority, it would in time so excite them as to render them as obnoxious as were the Christians in Yazdagird's day. I imagine that a great many people expected the Messiah in 468 or 471. In 400 or 420, that could hardly matter. But as the days grew near, rabbis and exilarch alike prepared to receive him—and so produced calamity.

CHAPTER TWO

THE FIFTH CENTURY

I. THE HEPHTHALITE PROBLEM

Through the fifth century the Iranian Empire faced a severe threat in the northeast from the White Huns, or Hephthalites.¹ Part of the age-old struggle between Iran and Turan beginning with the wars of Cyrus against the Massagetae and the defeat of the Sakas by Darius I, the Hephthalite invasion presented a parallel to the contemporary difficulties of Byzantium with the nomadic peoples, not to mention the past Parthian struggles with the Yueh-Chih. The Hephthalites, probably of Turkic origin, occupied Transoxiana, Khwarizm, Turkestan and Bactriana. They reached Transoxiana about 425.² Fundamentally a sedentary people unlike other Huns, they were by no means nomads but preserved relatively fixed frontiers. Their arrival on the northeastern border of Iran approximately coincided with the European invasion of Attila in 430 and the Huns' assault against the Caucasus at about the same time. The movements cannot be thought to have been coordinated. (It took the later genius of Ghenghis Khan to effect so massive a plan.) Still, the appearance of the Black Huns discomfited the Lazic, Iberian, and Armenian tributaries of Byzantium and Iran, and it was found necessary to defend the Caucasian gates from their attacks. In 464 Peroz sent an expedition against them.

¹ See R. Ghirshman with T. Ghirshman, *Les Chionites-Hephthalites* (Cairo, 1948: *Mémoires de la Délégation Archéologique Française en Afghanistan*, Vol. XIII). Ghirshman points out (p. 18) that the Iranians paid tribute from 484 to, at the very least, 545, well into the reign of Khusro I. He supplies considerable numismatic evidence of that fact. Of greatest interest is Ghirshman's reconstruction of Chionite-Hephthalite history, pp. 69ff. See also Eduard Drouin, "Mémoire sur les Huns Ephthalites dans leurs rapports avec les rois perses Sassanides," *Le Muséon* 14, 1895, pp. 75-84, 141-161, 232-247, 277-288; J. Marquart, *Eräniahr nach der Geographie des Ps. Moses Xorenac'i* (Berlin, 1901), pp. 52-66; Altheim and Stiehl, *Staat*, pp. 273-283; Geo Widengren, "Xosrau Anōšurvān, les Hephthalites, et les peuples turcs," *Orientalia Suecana*, 1, 1952-3, pp. 69-94. Note also the Armenian traditions in Patkanian, pp. 165-6, 195, on Armenian wars against the Hephthalites and Kushans in the time of Khusro.

² But see below, p. 38.

The Hephthalite crisis extended from 425 to 557, when the allied Iranians and Turks destroyed the Hephthalites and occupied their lands. The first conflict took place in 427. Then the Khagan of the Hephthalites invaded with a large army, ravaged Khorasan, and penetrated deep into Iranian territory. The government of Bahram pretended to agree to submit tribute, but then Bahram's forces attacked at Merv, having caught the Hephthalites off guard. The Khagan was killed in his tent, and the victory was complete, if temporary. The Hephthalites now besought a fixed frontier, which was granted. As we shall note, Bahram's successor, Yazdagird II, undertook several Hephthalite campaigns. In the dynastic struggle following the death of Yazdagird II, the Hephthalites for the first time interfered in Sasanian politics. When Hormizd came to power, Peroz fled across the border, enlisted the support of the Khagan, returned at the head of an army of Huns, and recovered the throne of Iran. He then had the problem of achieving independence from the Hephthalites. His first effort proved disastrous; he was captured and had to pay a large ransom. A second campaign, preparation for which began in *ca.* 482, resulted in his death in 484.

In the struggle for succession, Kavad obtained Hephthalite support and once again rewarded the Khagan with many "presents." When Kavad was deposed a few years later, he fled to Turkestan, remained for a time, and returned to power at the head of a Hephthalite army. During his exile he married a daughter of the royal household, who became the mother of Khusro I. Pressed for funds for the Hephthalite tribute, Kavad turned to Anastasius for help. Being refused, Kavad invaded Roman Armenia and besieged Theodosiopolis (Erzroum). He quickly withdrew, however, to meet a new Hephthalite invasion. Lasting from 503 to 513, the war was a bitter one. A brief peace with Rome permitted him a free hand in the east. His son, Khusro, of mixed Iranian-Hephthalite heritage, victoriously concluded the long struggle with the Hephthalites. He first concluded peace with Rome in order to concentrate on the eastern question. He allied himself with the Turks, who first appear in Sasanian history in 550. The alliance was, as usual, sealed with a royal marriage; Khusro's son, Hormizd IV, was called "son of the Turk." Toward 566 Persian and Turkish armies enveloped the Hephthalite forces, killed the Khagan, and ravaged the country. Khusro took Tokharistan, Kabul, and part of Transoxiana.

The Turks took the principal part of Transoxiana, toward Bokhara. Drouin provides the following chronological summary:¹

427	First campaign of Bahram V Gur
442-9	Second War, Yazdagird II
450-1	Third War
454	Fourth War
458	Peroz asks help against Hormizd
464-6	First campaign of Peroz
482-4	Second campaign, Peroz killed
486	Kavad takes refuge among Hephthalites
497-9	Second exile of Kavad among Hephthalites
503-513	War of Kavad against Hephthalites
556-7	War of Khusro I, destruction of Hephthalites

The Hephthalite problem thus took two forms. First, the Hephthalites represented a strong and well-organized power, posing a persistent threat on the northeastern frontier. They mounted a number of successful invasions of Iranian territory and therefore could never be safely ignored. Second, they constituted a continuing danger to the stability of Iranian politics, for disaffected nobles and ambitious contestants for the throne could always count upon their support in exchange for appropriate concessions or tribute. Two emperors of the fourth and fifth centuries owed their throne to Hephthalite support. Both responded by sending large armies against their erstwhile friends. The Hephthalites thus preoccupied the Ctesiphon government, and for more than a century both politically and militarily weakened the Iranian state.

II. BAHRAM V AND YAZDAGIRD II

Bahram V ("Gör"), 420-438, and Yazdagird II, 438-457, reigned in difficult times. Bahram, called "the wild ass," either because of his behavior or because he liked to hunt asses, faced opposition in effecting his claim to the throne. He supposedly inherited his father's cruel nature. The Arab historians agree he was raised and educated among

¹ But his dates are somewhat at variance with those provided by Rawlinson and others. For example, the final victory of Khusro I is dated in 556-7. Yet at that time Khusro was preoccupied with the Byzantine problem and was only able to turn against the Hephthalites after the peace of 562, according to Rawlinson.

the Arab tribes of Mesopotamia, at Hira. Soon after Bahram succeeded, Shapur, his brother, who had formerly lived in Armenia, was murdered. The Magi and nobles called on a prince named Khusro, a descendant of Ardashir I, and enthroned him. Bahram then marched on Ctesiphon at the head of a large Arab army, and the nobles, Magi, and Khusro submitted to his rule. Ghirshman comments, "This intervention by a foreign people in the dynastic affairs of Iran provided a precedent that was followed by others and in the end was one of the causes of the decline of the Empire."

Perhaps to conciliate the Magi, Bahram continued the Christian persecutions, and many had to exile themselves to Roman territory. The Iranian ambassadors at Constantinople demanded their return, but Theodosius refused. Preparing for war, the Romans took the field, invading Armenia and defeating Narseh, Bahram's general. The Iranians counterattacked against Mesopotamia. The Roman force moved quickly enough to force Narseh into refuge in Nisibis, which was besieged. Alarmed, Bahram took the field with Arab allies under Monzer (Mundir) of Hira, forcing the Romans to retire. Bahram thereupon attacked Theodosiopolis, near the sources of the Euphrates and on the road from Armenia to the Byzantine territory. After a thirty-day siege, Bahram retired. He shortly thereafter withdrew, supposedly when a combat of champions produced a Roman victory. In 422 peace was concluded, and Bahram agreed both that Iranian Christians might remain in Roman territory, and that the persecutions on the Iranian side of the border should cease. Conditions in Armenia were chaotic, and Bahram now attempted to restore government to the crucial marches.¹

As we have seen, Bahram was the first Iranian emperor to face the Hephthalite problem. The Hephthalites may well have been in contact with Iran before the fifth century. Frye points out that in 359 the king of the Chionites was mentioned by Ammianus as an ally of Shapur II

¹ I follow Rawlinson, *Monarchy*, pp. 282-300; Christensen, *L'Iran*, pp. 274-282; Nöldeke, *Tabari*, pp. 86ff., 422-3; G. Rothstein, *Die Dynastie der Labmiden in al-Hira* (Berlin, 1899), pp. 18ff.; Altheim and Stiehl, *Staat*, p. 133; Nöldeke, *Aufsätze*, pp. 104-6; Ghirshman, *Iran*, pp. 299-300; on the war of Bahram and Rome, see Procopius, *Persian War*, trans. H. B. Dewing, (N.Y. and London, 1914), I, ii, pp. 11-15.

On the war of 420-421, see Bury, *Later Roman Empire* I, pp. 304ff.; and on the fifth-century wars in general, E. W. Brook in *CMH* I, pp. 457-487. See also Sykes, *History* I, on Bahram V, pp. 431-435, on Yazdagird II, pp. 435-6; and Justi, *Geschichte*, pp. 527-8, 528-30. Note also Patkanian, pp. 161-167; Mohl, on Bahram, pp. 514-518. On the Byzantine war of Bahram, see also Jones, *Empire*, I, p. 193. III, p. 37, p. 46.

at Amida. Frye states, "It is generally believed that the Chionites, with the form *OIONO* = *Hyon* = *Hun* on their coins, were Central Asian invaders of eastern Iran connected with the Hunas of Indian sources and with their successors the Hephthalites."¹ The Chionites, expanding east of the Caspian and north of the Oxus, in Bahram's time invaded across the Oxus and ravaged Merv, crossed the Elburz into Khorasan, and proceeded as far as Ray. Bahram collected picked troops and marched toward Azerbaijan, gathering forces from Armenia. By night marches he reached the enemy unobserved and made a surprise attack, scattering the enemy. Bahram sent troops to the Oxus and peace was agreed upon.

Bahram, who died in 439, was regarded in oriental traditions as a good emperor. In concluding the Roman war in time to meet the danger on the northeastern frontier, solving the Armenian problem, and checking the central Asian threat, he showed himself a shrewd and able monarch. Christensen calls him one of the most popular of all the Sasanian emperors.

His son, Yazdagird II, renewed the war with Rome in 441 in order to secure Nisibis. Rome offered peace, which Yazdagird accepted. There was little change in the frontiers. Yazdagird turned to face a new threat in the northeast, leaving a regent in Ctesiphon and himself settling at Nishapur to remain closer to the danger-zone. From 442 to 449² he launched annual campaigns across the Oxus. He sent agents to attempt the conversion of Armenia to Mazdaism, producing martyrs and open rebellion. Busy with the threat of Attila, the Romans left the Armenians to their own devices, and the Zoroastrian cause now triumphed. But the triumph was short-lived, for new Hephthalite unrest called the emperor back to the east and defeat in 455-6. He died shortly afterward.³ The razzias from the Oxus would continue year after year.⁴

¹ Frye, *Heritage*, pp. 216-7; Christensen, *L'Iran*, pp. 280-281; Ghirshman, *Iran*, p. 299.

² Rawlinson, *Monarchy*, p. 304, gives the dates as 443-451.

³ Rawlinson, *Monarchy*, pp. 301-310; Christensen, *L'Iran*, pp. 282-89; on the eastern capital, see Markwart, *Ērānshahr*, p. 56; Altheim and Stiehl, *Staat*, p. 114; Nöldeke, *Aufsätze*, pp. 106-7; Pigulevskaja, *Villes*, p. 189. On the war of Yazdagird II and the Kushans or Huns, see Marquart, *Ērānshahr*, pp. 55-6.

⁴ For the oriental accounts of the reigns of Bahram V and Yazdagird II, see Reuben Levy, *The Epic of the Kings, Shab-Nama, the national epic of Persia by Ferdowsi* (Chicago, 1967), pp. 295-314; Zotenberg, *Tabari*, II, pp. 104-128; Nöldeke, *Tabari*, pp. 85-117; C. Barbier de Meynard and Pavet de Courteille, *Maqouidi II*, pp. 190-195.

Chronique de Séert, *Pat. Or.* 5, 2, pp. 331-2, Chapter 74, contains the story of Bahram's coming to power and the martyrdom of Mar Jacob. See also Langlois,

III. HORMIZD III AND PEROZ

Hormizd III (457-9) and Peroz (459-484) at first competed for the throne.¹ Hormizd was favored by his father and was kept at home near Ctesiphon, while Peroz was made governor of distant Seistan. Hormizd succeeded Yazdagird, and according to Tabari, Peroz sought Hephthalite help from Khuš-newaz (in Nöldeke's spelling), who ruled in the Oxus, Bactria, Tokharistan, and surrounding country. Peroz maintained his court in a Hephthalite city.² He defeated and captured Hormizd, won over his troops, and by 459 was established at Ctesiphon. In the meantime Albania, in the eastern Caucasus, had thrown off Persian allegiance, but with the help of his Hephthalite allies, Peroz now subjugated the revolted province.

Peroz's empire suffered a long drought which began five years after he took power and continued for a (perhaps legendary) seven years. Peroz insured a steady supply of food, remitting taxes, distributing money to the poor, and importing grain from west and east alike.

In 464-5 Peroz went to war with the Hephthalites to regain his rightful tribute, probably hoping to achieve complete mastery of his former allies. He meanwhile strengthened the northern frontier by fortifying cities in Gurgan and Azerbaijan. The first Hephthalite war ended in 469, but was followed by a revolt in Armenia. Peroz had persecuted the Christians of Armenia, Georgia, and Albania, and the anti-Christian party seemed strong. But with Peroz's defeat at the hands of the Hephthalites in 481, Iberia and Armenia took heart and rebelled.

Collection I, pp. 166ff.; II, p. 184. On the Christian persecutions of Bahram, see Socrates, *Ecclesiastical History* VII, p. 18, and Theodoret, *Ecclesiastical History* V, p. 39. On Bahram V and Yazdagird II, see also Tha'alibi, pp. 535-6, 569-73, respectively. See also Funk, *Juden in Babylonien*, pp. 114-136 for a brief summary of Jewish history in this period.

¹ I consulted Rawlinson, *Monarchy*, pp. 311-330; Christensen, *L'Iran*, pp. 289-296; Pigulevskaja, *Villes*, pp. 2-6, 212, 215; Ghirshman, *Iran*, p. 300; Nöldeke, *Aufsätze*, pp. 107-8; Altheim and Stiehl, *Staat*, pp. 114-115; Maçoudi, p. 195; Zotenberg, *Tabari*, pp. 128-142; Nöldeke, *Tabari*, pp. 117-132, 423-5; Levy, *The Epic of the Kings*, pp. 315-316; *Chronique de Séert* (*Pat. Or.* 5, 2), pp. 101-2; 107-8. On Peroz and the Christians, see Nöldeke, *Tabari*, p. 118, and Bar Hebraeus (ed. Budge), p. 68; on the war with the Huns, Bar Hebraeus, p. 71; Procopius, *War*, on Peroz and the Hephthalites, I, iii, 1-iv, 35. See also Sykes, *History* I, on Hormizd III, pp. 436, on Peroz, pp. 436-438; Justi, *Geschichte*, pp. 530-1; Marquart, *Ērānšābr*, p. 57; Patkanian, pp. 167-175, for the Armenian traditions on the "cruelty" of Peroz; and for the Jewish ones, below, pp. 60-69. Note also Tha'alibi, on Peroz, pp. 573-583, on Balash, pp. 583-586. On the hunting scene with Peroz from Chahar Tarkhan, see Ghirshman, *Iran: Parthians and Sassanians*, p. 187.

² But compare Markwart, *Ērānšābr*, p. 57.

The Christian party took the capital at Artaxata and reestablished a national government for Persian Armenia. In 482 Peroz sent two armies, one against Armenia, the other into Iberia. The Armenians held their own, but the Iberians did not, and in time both rebellious nations were subjugated. In 483 a Persian army invaded once again and recovered most of the country. Peroz then returned to the Hephthalite front, hoping to recover the situation lost in the earlier war. Peroz, several of his sons, and most of his army perished in the campaign, and many more were taken prisoner.

The frontier wars on the north and northeast thus continually sapped the strength of the empire, probably more than the terrible famine. Indeed, Christensen holds that they caused the economic difficulties of Peroz's reign.¹ Foreign wars against Hephthalites and Hunnic peoples of the Caucasus proved costly. When his son Kavad was held as a hostage by the Hephthalites, for example, Peroz had to raise the ransom by special taxes. Byzantine policy was to preserve Iran as a buffer state. If Iran became too weak, Byzantium would be endangered. If she was too strong, the rich Mesopotamian provinces of Byzantium would suffer. Ghirshman observes, "It was essential, therefore, to save Persia from too disastrous a defeat, and yet at the same time to instigate and foment its conflicts with the Huns."² Consequently the Byzantines did not take advantage of the defeat of Peroz to attack and destroy the Iranian state. But by the death of Peroz, Iran was hardly able to hold her own on the northern and northeastern frontiers.

IV. BALASH

Balash (484-487) succeeded upon the death of Peroz. When he came to power, he found the northeast frontier wide open to Hephthalite attack. He first strengthened his army and then negotiated with the Hephthalites for the release of the Iranian captives, in exchange for which he paid tribute for a time. He turned next to the northwestern frontier and attempted to pacify Armenia. The Iranian Marzban proposed negotiations, and the Armenian Shah, Vahan, offered to lay down arms in exchange for the destruction of the fire-altars and for freedom to exercise Christianity, prohibition of conversion from Christianity to Zoroastrianism, and direct administration of Armenian affairs by the emperor, rather than by subordinates. The Marzban

¹ *L'Iran*, p. 290.

² *Iran*, p. 301.

agreed. Before the treaty was concluded, however, civil war broke out in Ctesiphon, as a son of Peroz staked a claim to the throne. The Marzban suggested to Vahan that he support Balash, and he did so.

Shortly thereafter Kavad, another son of Peroz, claimed the throne but was forced to flee to the Hephthalites, who gave him refuge. Balash then agreed to the terms proposed by Vahan, who had meanwhile made himself indispensable. Christianity was reestablished as the Armenian state-religion. Armenia and Iberia were thus pacified. Balash died in peace, thanks to his prudence shown both in paying tribute to the Hephthalites and in renouncing religious aggression in Armenia.¹ His successor was Kavad. Ghirshman points out that since Kavad had spent his youth among the Hephthalites, "we may conclude that they had a hand in the events leading to his accession." He calls them now "virtually the master of Iran."

V. MAZDAISM

As we noted,² under Yazdagird I Mihr-Narseh came to power, but it was only later that he exerted considerable authority. Bahram V may have created for him the position of *Mobadan Mobad*, chief of Mobads.³ Wikander says that in the critical situation after the death of Yazdagird, when Bahram struggled with other pretenders to the throne, the support of the Mobads proved decisive.⁴ This would account for the great power exercised by Mihr-Narseh. Under Yazdagird II Mihr-Narseh founded a number of fire-temples, one for himself, and another for each of his sons. His eldest son was called Zurvandad, "created by Zurvan."⁵ Yazdagird II proselytized most vigorously in Armenia. He sought to convert the nobility by encouraging converts with gifts of

¹ I consulted Rawlinson, *Monarchy*, pp. 331-335; Ghirshman, *Iran*, p. 301; Nöldeke, *Aufsätze*, pp. 108-109; Altheim and Stiehl, *Staat*, pp. 115-6; Christensen, *L'Iran*, pp. 297-9; Pigulevskaja, *Villes*, pp. 42, 215; Maqondi, p. 195; Zotenberg, *Tabari II*, 142-6; Nöldeke, *Tabari*, pp. 133-4; 425-6; *Chronique de Séert (Pat. Or. 5, 2)*, pp. 122-4 (under the name Milas), Chapter II. The *Chronique* reports that Kavad was rejected in favor of Milas/Balash, who treated the Christians well and permitted the reconstruction of the churches earlier destroyed. See also Sykes, *History I*, pp. 438-40; Justi, *Geschichte*, p. 531; Patkanian, pp. 175-7.

² Above, p. 6.

³ Duchesne-Guillemin, *Religion*, p. 285; Stig Wikander, *Feuerpriester in Kleinasien und Iran* (Lund, 1946), pp. 50-51.

⁴ *Feuerpriester*, p. 149.

⁵ See Wikander, *Feuerpriester*, p. 177; Duchesne-Guillemin, *Religion*, p. 285; and Christensen, *L'Iran*, pp. 277ff.; Zaehner, *Zurvan*, p. 44.

money and land. Mihr-Narseh then issued an edict demanding adherence to the Good Religion of Mazda. Many Magi were sent to carry out the decree.¹ Yazdagird II took a keen interest in religion, "for he studied all doctrines and examined the religion of the Magians and Chaldees and all the teachings of his country."² We know little of religious developments under Peroz and Balash. It is clear, however, that Peroz removed Mihr-Narseh from power.³ Iranian tradition remembered Mihr-Narseh as a man of high culture. When he held power, his sons exercised authority as high ecclesiastical officer, director of finances, and chief of staff, respectively.⁴

Peroz was preferred by the Iranian clergy to other contestants for the throne.⁵ Clerical support proved significant time and again in this period.

VI. CHRISTIANITY

Bahram V continued and intensified the persecution of Yazdagird's last days. He too had depended on support of the Mazdean clergy in overcoming competitors for the throne, and neither wanted to, nor could, extend clemency to the Christians. When Christians fled to the Byzantines, Bahram demanded their return, and a brief war ensued. As we have seen, when the war ended in 422, Bahram traded freedom for Christianity in Iran in exchange for freedom for Mazdaism in Byzantium.⁶ In the meantime, however, Christians had suffered the destruction of their churches. Many had denied the faith. Private property was confiscated. Large number of believers were expelled from their homes.⁷

At first, Yazdagird II showed a tolerant disposition toward the Christians, but in the second year of his reign (440), he began to

¹ Zaehner, *Zurvan*, pp. 41ff.; Christensen, *L'Iran*, pp. 283ff.

² Quoted by Zaehner, *Zurvan*, p. 47.

³ Zaehner, *Zurvan*, p. 46.

⁴ See also R. C. Zaehner, *The Dawn and Twilight of Zoroastrianism* (London, 1961), pp. 187-188. On the apocalyptic meaning of the year 431 in relationship to Yazdagird I and Bahram V, see H. S. Nyberg, *Die Religionen des alten Iran* (Leipzig, 1938), pp. 36-45.

⁵ Christensen, *L'Iran*, p. 290.

⁶ Labourt, *Christianisme*, pp. 109-118; Bardy, p. 325; Vööbus, *Asceticism*, pp. 284-287; Christensen, *L'Iran*, pp. 280-281. The *Chronique de Séert* is silent on the years 424-484.

⁷ On the martyrs under Bahram V, Yazdagird II, and Balash, see Hoffman, *Auszüge*, pp. 39-78; Braun, *Akten*, pp. 150-220; Sachau, pp. 86-7. On internal church affairs, Labourt, *Christianisme*, Dadisho as Catholicos (421-456), pp. 119-125.

persecute Armenian Christianity, and soon afterward, about 445-6, the persecution spread to Iran as well.¹ Labourt and Nöldeke see the actions of Yazdagird II as motivated by religious fanaticism, not merely international politics.

Peroz continued the anti-Christian policies of Yazdagird II.² He imprisoned the Catholicos. But Peroz favored the Nestorians over the Monophysites, who were in communication with Byzantium, and under his rule numbers of Monophysite priests were massacred. With the peace of 464, however, toleration returned for Iranian Christendom. In the time of Balash, the Christian bishop of Nisibis, Barsauma, enjoyed high favor at court. He was sent on missions to Constantinople and exercised considerable influence.³

During the fifth century Byzantine theological disputes yielded major consequences for Iranian Christianity. The chief issue was Christological. Diodorus of Tarsus and Theodore of Mopsuestia stressed the humanity of Jesus, his full development in body and mind. In Moore's words, they emphasized the reality of "the temptations, the evidence of human weakness, fear, suffering of mind and body; the limitations of his knowledge. They held that he was in fact sinless, but would not admit that it was by the constitution of his nature impossible for him to sin."

Nestorius, who concerns us, took essentially this position. As Patriarch of Constantinople in 428 he also supported the view that Jesus had been truly and fully human. The dispute affected the school at Edessa, which was sympathetic to Theodore and Nestorius. In 431-432, the teachers were removed for maintaining the views of Theodore. The Edessan teachers then took refuge in Iran, and among them was Barsauma, bishop of Nisibis (435-489), mentioned above. Zeno finally expelled the Nestorians. The Iranians naturally favored Christians persecuted by the Romans, and the Nestorians gained many converts. The school of Edessa was finally closed in 489, and the teachers and students fled to Nisibis, where they were welcomed by Barsauma.

Vööbus dates the founding of the Nisibis school in 490. The head of the school was Narseh. Other Nestorian schools were founded, including one at Seleucia. Nisibis became the center for the education of Iranian clergy and missionaries, who went out to central Asia and

¹ Vööbus, *Asceticism*, pp. 294-298; Labourt, *Christianisme*, pp. 126-130, Christensen, *L'Iran*, pp. 283-288.

² Labourt, *Christianisme*, p. 129; *Chronique de Séert, Pat. Or.*, VII, pp. 101-102.

³ Labourt, *Christianisme*, p. 130, Bardy, pp. 327-328.

China. The school resembled a monastic foundation. Students remained for three years, with a vacation from August to October; they normally supported themselves, though the head of the school would offer some aid.¹ Separated from Byzantium by the unscaleable wall of theological dispute, Iranian Christendom thereafter generally enjoyed respite from persecution for merely political reasons. Indeed, Barsauma won the friendship of Peroz for propagating theological views inimical to Byzantine Christianity.² A synod in 484 held at Bet Laphat under Barsauma's leadership blessed the memory of Theodore of Mopsuestia, condemned Monophysitism and orthodoxy alike, legalized marriage of priests and bishops, and established the doctrines of Nestorius as the accepted theology of Iranian Christianity.³

VII. THE EXILARCH

The Geonic traditions on the late fourth and fifth century exilarchs are as follows:

Huna Mar died, and after him arose Abba the son of his brother, the son of Mar 'Uqban. Rava and Rabina were his sages. In his days Shapur went up to Nisibis and conquered it. Abba died, and after him arose Nathan his son. R. Aḥa and R. Ḥaviva were his sages. Nathan died, and after him arose Mar Kahana [I] his brother. R. Safra was his sage. Mar Kahana died, and after him arose R. Huna [IV] his son. R. Aḥi was his sage. R. Huna died, and after him arose Mar Zuṭra [I] his brother. R. Aḥi of Difti was his sage. Mar Zuṭra died, and after him arose Kahana his son. Rabina was his sage. Kahana died, and after him arose R. Huna [V] his brother. R. Aḥa b. Nehilai was his sage. He died, and there arose after him R. Huna [VI] son of his brother, son of R. Kahana. R. Mari and R. Ḥanina Rabbah were his sage(s).

¹ On Nestorianism, see Labourt, *Christianisme*, pp. 131-154; Christensen, *L'Iran*, pp. 291-2. I follow the lucid account of George Foot Moore, "The Theological School at Nisibis," *Studies in the History of Religions presented to Crawford Howell Toy*, edited by David Gordon Lyon and George Foot Moore (N.Y., 1912), pp. 255-267. Quotation is on p. 256. See also J.-B. Chabot, "L'école de Nisibe, son histoire, ses statuts," *JA* 9th Series 7, 1896, pp. 43-93. On the school as a monastery, pp. 63ff.

The most important work is Arthur Vööbus, *History of the School of Nisibis* (Louvain, 1965). Vööbus supplies, as usual, a thorough bibliography. On the Edessan phase of Nestorianism, see pp. 7-32; on the founding of the school of Nisibis, pp. 33-56; on Narseh/Narsai, pp. 57-121; on the statutes of the school, pp. 90-99. On Christian medical schools, Christensen, *L'Iran*, pp. 422-3. On Nestorian theology, Labourt, *Christianisme*, 248-269; on the schools of Nisibis and Seleucia, pp. 288-301. See also Atiya, *History*, pp. 239ff.

² Bardy, p. 328. But I do not think Peroz's anti-Jewish policy was the result of Barsauma's influence.

³ Atiya, *History*, pp. 252-3.

(*Seder 'Olam Zuta*, in Felix Lazarus, *Die Häupter der Vertriebenen*. [*Jahrbücher für jüdische Geschichte und Literatur*, 10, 1890], pp. 165, 1. 1-166 1. 5.)

This passage brings us from ca. 370 to 484, for the following sentence begins, "And in the year 416 after the destruction of the Temple [= 484 A.D.], the world stood without a king." The next passage, which deals with the birth of Mar Zuṭra and his rebellion, is cited below.¹ The pertinent traditions of R. Sherira are as follows:

And in all these years after R. Papa, R. Ashi was Gaon in Mata Meḥasia ... and he [R. Ashi] ordained festivals and fasts which formerly [belonged] to the exilarch and [were celebrated earlier in] Neharde'a' [his capital] ... And Huna b. Nathan, who was exilarch in these times,² and Maremar and Mar Zuṭra who were after him—all of them were subordinate to R. Ashi and set their feet [toward] Mata Meḥasia...³ And since the festivals of the exilarch were established in Mata Meḥasia, permission was required [for the exilarch] to go there from Pumbedita on the Sabbath of *Lekh-Lekha* [the third Sabbath in the annual lection] (for that is the Sabbath which was the festival of the exilarch)...

(*Letter of R. Sherira*, ed., B. M. Lewin, pp. 90 1. 14-91, 1. 16.)

And every year when the exilarch was in Mata Meḥasia, with the festival [of the exilarch] ordained in the house of the Rabbi [Ashi], the heads and rabbis of Pumbedita went to him. And thus was this practice carried on for a hundred years from this time, for the exilarch possessed [= exercised] severe hegemony [MRWT QSH] and great authority in the days of the Persians and in the days of the Ishmaelites, for the exilarchs purchased the exilarchate for substantial sums, and they greatly troubled the rabbis and oppressed them...

(*ibid.*, p. 92, 1. 5-15.)

Seder Tannaim ve Amoraim, Chapter Two, contains the following:

And after him, Mar Zuṭra [died] in the year 724 [= 413 A.D.]. And on that very day there was a great earthquake in the world, and the land moved. And after him [died] R. Aḥa b. Rava in the year 730 [= 419 A.D.] ... And after him [died] Rabina in the year 733 [= 422], and after him [died] R. Ashi in the year 738 [= 427]. In the year 742 [= 431] R.

¹ Below, pp. 95-105.

² See L. Bank, "Une agada provenant de l'entourage du resch-galoutha Huna bar Nathan," *REJ* 32, 1896, pp. 51-5.

³ Here R. Sherira cites the passage in b. Giṭ. 59a about R. Ashi's combining Torah and greatness in a single "place".

Yemar was gathered [died], and a pillar of fire appeared in the firmament and stood there for thirty days. In the year 753 [= 442] R. Huna the exilarch was gathered [died]. And in the year 762 [= 451] R. Idi b. Abba died. In the year 766 [= 455] R. Naḥman b. R. Huna died. And 'Argezur the King of the Persians decreed against our fathers that they desecrate Sabbaths. In the year 779 [= 468] Rabba b. R. Ashi died. In the year 782 [= 471] R. Ḥama b. Rava died, and Huna b. Mar Zuṭra the exilarch was killed, and the Jews were given into the hands of the state. In the year 779 [= 468] the synagogues were destroyed, and they decreed concerning the Jews to be [subject] to Persian law, and Rabbah Tosfa'ah died. In the year 793 [= 482] the world still trembled, and Perah [sic!] the king of the Persians was killed.

(*Seder Tannaim ve Amoraim*, ed. M. Grosberg [London, 1910] pp. 64-5.)

According to R. Sherira, Huna succeeded Mar Kahana and died in 441, so he was a later contemporary of R. Ashi, who died in 427, following the dates of the *Seder Tannaim ve Amoraim*. Huna b. Nathan appears in the Talmud as R. Ashi's contemporary. Bacher therefore proposes that the *SOZ* be emended, "since Huna was probably not the son of Mar Kahana, but the son of the latter's elder brother Nathan..."¹

Lazarus² concludes on the basis of the above accounts that Huna Mar was succeeded by his nephew Abba Mari, who held office to 370. The reference to Nisibis is to be dated in 363, when the Iranians took the city after the treaty with Jovian. He provides the following list for the subsequent exilarchs to the end of the fifth century:³

Nathan II	— 370-400
Kahana I (son of Abba)	— 400-415
Huna IV	— 415-442
Mar Zuṭra I (son of Kahana I)	— 442-455
Kahana II	— 455-465
Huna V (son of Mar Zuṭra I)	— 465-470
Huna VI (son of Kahana II)	— 484-508

Lazarus's dates are mostly estimates. For example he takes as fact the death of Huna IV in 442 and hence divides the reigns of Nathan II, Kahana I, and Huna IV, within the period from 370 to 440.⁴ The rest of the dates are based upon the evidence given earlier.

¹ *JE* V, p. 289b.

² *Häupter*, p. 105f.

³ *ibid.*, p. 130.

⁴ *ibid.*, pp. 109-110.

If, however, we do not attempt a harmonization of the several Geonic and later accounts, we find the following:

<i>SOZ</i>	<i>Seder Tannaim</i>	<i>R. Sherira</i>	
Huna Mar			
Abba - Rava, <i>Rabina</i>			
Nathan - <i>Aḥa</i> , Ḥaviva			
M. Kahana - Safra	Kahana	} R. Ashi
Huna IV - Aḥi	Huna b. Nathan	
Zuṭra - Aḥi of Difta	413 - Zuṭra - <i>Aḥa</i> b. Rava <i>Rabina</i> (422), Ashi	Maremar	
Kahana II - <i>Rabina</i> II	(427), Yemar (431)	Mar Zuṭra	
Huna V - <i>Aḥa</i> b. Nehilai	442 - Huna - Idi b. Aba (451) Naḥman b. Huna (455)		
484 - Huna VI - Mari,	Rabba Tosfa 'ah		
Ḥanina R.	471 - Huna b. Mar Zuṭra Ḥama b. Rava		

The *Letter of R. Sherira* seems to agree with the middle of the *SOZ* except for the insertion of Maremar. One may wonder whether one of the *SOZ*'s Aḥi's is a corruption of Ashi. The *Letter of R. Sherira*'s date of 441 for the death of Huna IV b. Nathan is probably about right. *Seder Tannaim* has confused Huna IV and Huna V, and killed the latter in 442. Its date for Zuṭra's death is much too early. And it ignores Kahana II. But the agreements are more striking than the differences, so far as *exilarchs* go. What is more curious is the difference in the lists of rabbis. Unless R. Ashi = Aḥi, no rabbi appears on all three lists! Excluding patronyms, there are only two names, Aḥa and Rabina, which appear on both *SOZ* and *Seder Tannaim*; yet *SOZ* lists eleven rabbis and *Seder Tannaim* nine. So we have evidence of two completely different chains of rabbinical tradition, probably of two different schools. In considering the formation of the Babylonian Talmud, that fact will become an important consideration, for we suppose that much of the editorial work was done at Sura and Pumbedita, that is, the schools which later on were the subjects of R. Sherira's letter.

Beer on the Geonic Traditions: M. Beer, in his "Exilarchs of the Talmudic Epoch Mentioned in R. Sherira's Responsum" (*PAJR* 35, 1967, pp. 43-74), examines the traditions of R. Sherira concerning Mar 'Uqba, Mar Yuhna, and Mar Zuṭra, all of whom were supposedly exilarchs. The passage (ed. Lewin, p. 126), reports that the title "Mar"

may be part of a proper name, or it may denote "the Babylonian exilarchs ... such as Mar 'Uqba" etc.

Beer's primary argument is that none of those designated as exilarch in R. Sherira's letter is attested to in Talmudic literature as having held the office. He therefore wishes to prove "that the Geonim possessed a tradition concerning the exilarchate other than, and in addition to, the presently extant *SOZ*. This observation applies especially to R. Sherira Gaon. Even though he made use ... of the Talmud, *SOZ*, and *STW* [Seder Tannaim veAmoraim], or of some earlier common sources accessible to the last two and himself, he also had access to a family tradition concerning the Exilarchs of Amoraic ... times (p. 74)."

Beer first treats Mar Yuhna/Yuḥanan and attempts to find in *SOZ* R. Sherira's basis for designating him exilarch, where a contemporary of Samuel is mentioned, and in certain Talmudic passages (pp. 44-46). Mar Judah (pp. 46-49) was an exilarch, Beer thinks, because he is mentioned as having had an audience with Shapur II, and "only heads of schools or exilarchs had such audiences." I do not know why Beer thinks so.

Of special interest here is his discussion of Mar Zuṭra (pp. 49-55). Mar Zuṭra was a major legal authority, close to R. Ashi, Amemar, and Maremar. He appears to have been the head of a school. Beer notes that no explicit evidence can be adduced to show he was exilarch, but that (as we have seen many times) cannot prove decisive one way or the other. Why did R. Sherira suppose someone called Mar Zuṭra was also exilarch? The *SOZ* list includes three exilarchs by the name of Mar Zuṭra. But Geonic tradition was unequivocal that Mar Zuṭra was head of a school, and that is precisely the picture to be drawn from Talmudic materials. Beer suggests that R. Sherira deduced from the Talmud that he was exilarch, on the basis of b. Ket. 61a-b, cited above, about Amemar, Mar Zuṭra, and R. Ashi at the gate of Yazdagird's palace. Beer states, "It is important ... to know that Mar Zuṭra appeared in the King's palace ... Now according to Lazarus, Mar Zuṭra succeeded to the Exilarchate in 411 [and R. Ashi died in 426] ... If so, it is possible, chronologically, to regard this visit as an historical event." I am perplexed by Beer's reading of the source. First, the source contains no reference at all to the *reception* of the three Jews in the palace, but only to a miraculous event that took place at the gate. Second, surely others besides exilarchs, heads of schools, and similar leading figures were received "at the gate," meaning that they merely had business to do with the Government. Beer argues that R. Sherira may have deduced

from here that Mar Zuṭra, "in his capacity as Exilarch ... paid an official visit to the King." This is far-fetched.

If R. Sherira actually had traditions independent of those in the Talmuds, *SOZ*, and *Seder Tannaim*, it would be an important fact. I do not see how it can be demonstrated by trying to show that when R. Sherira differs from the Talmuds, he does so on the basis of (mis)interpretations of Talmudic passages. This would rather show that he did *not* have independent traditions.

Beer proposes his "final solution" in the fact that a court and school existed at the exilarchate. "Mar Zuṭra appears ... as master of Halakha..." because of his headship of the exilarchic school and court.

On *Maremar*=*Mar Yemar*, Beer engages in a similar inquiry (pp. 55-61). Maremar was a major legal figure, head of a school. Beer disputes Halevy's contention that Maremar lived at Sura. He holds that Maremar and R. Yemar were certainly separate individuals. R. Yemar was R. Ashi's successor at Sura (= Mata Meḥasia). Maremar headed some academy "or rather a well-known Beth Midrash, apparently in Sura, about the time of R. Ashi..." Sura apparently had many schools of various sorts, Beer seems to think. Why did R. Sherira fail to mention Maremar as head of a school? Maremar belonged to the exilarch's family, Beer says (p. 61), or may have been himself an exilarch, but he was not head of a school. He and Mar Zuṭra were "very close friends": "The Exilarchal family ties between them are especially evidenced in their practices on the Festival Sabbaths of the Exilarch, and on public fast days ... Nevertheless Maremar as Exilarch or a member of that family might possibly have headed some Beth Midrash or Beth Din, which, in its inner structure, may have resembled an Academy. His activity in an institution of such a type has left a marked impression on the Babylonian Talmud. But he did not head either of the two preeminent Academies of Sura and Pumbeditha, and so R. Sherira, who normally only listed the heads of those two Academies did not include Maremar's name in his roster." I do not know Beer's basis for creating so many kinds of academies, schools that "may have resembled an academy" and the like. What has all this to do with a powerful, learned exilarch?

As to *Huna b. Nathan*, Beer again tries to find out R. Sherira's basis for thinking Huna was an exilarch (pp. 62-70). Beer says that the Talmudic passages make it clear "that he was no halakhic authority." When we have examined those passages (below), we may come to a somewhat different view, namely, that he was sufficiently respected as

an authority for his traditions to be taken very seriously indeed and to be cited by major figures. As to the passage about "Torah and greatness in one place [person]," Beer argues that it would be obvious to anyone that Huna was subordinate to R. Ashi in *halakbab*: "This is self evident, and would need no specific mention. Hence the remark was taken to mean that Huna was restricted in his secular authority..." I simply cannot comprehend Beer's reasoning as an historian. It certainly *would* be noteworthy for any exilarch to submit to rabbinical legal authority in any detail, for, as we have seen, from the third century onward the exilarchs were persistently accused in rabbinical circles of doing the opposite. Why are we supposed to regard that as "self-evident," and so should be forced to reinterpret the tradition in so acutely convoluted a manner, concluding from it that Huna actually gave up his "secular authority" to R. Ashi? The question is absurd, the answer pure fantasy.

Beer must therefore show examples of such subordination to R. Ashi's "secular authority." But first he demonstrates that Huna b. Nathan was indeed exilarch, by citing the story of Yazdagird's adjusting Huna's girdle. "...Because he had stood before the King and was cordially received," Beer says, R. Sherira supposed he actually was exilarch.

As to the chronological implication of what the angel of death said to R. Ashi (b. M.Q. 28a, cited below, p. 56), Beer is disposed very carefully to interpret the angel of death's rejoinder: "we must investigate the meanings of the two expressions he [= the angel of death] used." Obviously Beer cannot conceive that the angel of death actually talked to R. Ashi. What the angel was represented as saying would probably reflect the beliefs of the narrator and would therefore possibly be a valuable source of information as to the *narrator's* notion of R. Ashi's chronology. But I do not find those data open to close philological investigation for legitimate historical purposes. The idea that "sovereignties" cannot be permitted to coincide is of theological, not historical interest. We find it in other contexts. Before we can suppose the conversation *proves* that R. Ashi died before Huna b. Nathan became exilarch, we must first show that the narrator actually knew quite specifically that "R. Ashi had to die to make way for Huna b. Nathan to 'reign'...", as Beer says. I do not see how this is to be done.

Concerning the plainsense of the conversation between the angel of death and R. Ashi, Beer notes that R. Ashi apparently "had to die to make way for Huna b. Nathan to 'reign'." If so, "how could Maremar and Mar Zutra who, according to this tradition, succeeded Huna b.

Nathan, still have occupied their offices during R. Ashi's lifetime?" My own reply to this "difficulty" is that they obviously had not had an angelic vision and so had not yet learned what the angel of death wished to tell them. In any case even a cursory review of the Talmudic accounts leaves no impression whatever that R. Ashi died before Huna succeeded to power, but on the contrary, strongly suggests that the two men were contemporaries and had dealings with one another.

As to Huna's supposed subordination, Beer makes much of the report of R. Sherira that the celebration of the Sabbath of the Exilarch was moved from Maḥoza to Mata Meḥasia. R. Ashi "thereby humiliated the Exilarch ... and glorified and enhanced his own influence as Head of the Academy instead." Yet, Beer admits, this event is never mentioned in the Talmud. It may be utterly anachronistic, a projection of current practice.

Beer's researches have brought much new insight to the study of Babylonian Jewry. Here my disagreement, I emphasize, is not merely with his conclusions, but with his method. He has brought to bear on the study of historical questions a kind of logic and inquiry perhaps useful for legal and theological purposes but wholly unsuited for historical ones.

Talmudic Traditions: Stories about an unnamed exilarch may be divided into routine accounts of rabbinical supervision of exilarchic ritual affairs, on the one hand, and exceptional traditions on the conduct of the exilarch and his servants, on the other. In the former category are the following:

R. Ḥama permitted the stewards (ʿBWNGRY) of the house of the exilarch to do their work on the intermediate days of a festival...
(b. M.Q. 12a)

In the house of the exilarch, sides of meat were once salted with the sciatic nerve in them. Rabina forbade, and R. Aḥa b. R. Ashi permitted [eating] them. Mar b. R. Ashi said, "My father permitted [eating] them..."
(b. Ḥul. 97b)

Of a still more commonplace character are these stories:

R. Geviha of Be Katil expounded at the gate of the exilarch...
(b. Bez. 23a)

R. Ashi said, "The house of R. Neḥemiah¹ the exilarch ... asked me about this matter..."
(b. B.M. 91b)

¹ I do not understand the reference to R. Neḥemiah, who must have died long before the effective years of R. Ashi. As we have seen, no Geonic source refers to Neḥemiah as exilarch in the time of R. Ashi.

Rabina and R. Ḥama b. Buzi once dined at the house of the exilarch.
R. Ḥama [prepared to say grace]...

(b. Ber. 50a)

For two centuries and more, the rabbis had advanced the claim that they were sole masters of "the whole Torah" revealed to Moses at Sinai. It was quite natural for them to claim they enforced that Torah at the exilarch's palace as elsewhere. Most of the stories of how they actually did so at the exilarchic palace pertained to ritual matters, such as the observance of dietary laws, festivals, the Sabbath, and similar matters. Perfectly conventional stories appear with reference to late fourth and fifth century masters. I find nothing incredible in these accounts. On the contrary, it seems likely that the exilarch did accept rabbinical supervision of his kitchens and of other ritual matters, as he had done for centuries. Teaching and judging at the gate of the exilarchic palace were similarly routine, unremarkable activities. That the exilarch's sages sought the legal advice of R. Ashi (in this case, about keeping the biblical law of separation of species) is not unusual. The following story is not much different:

The exilarch came to Hagronia, to the house of R. Nathan. Rafram and all the rabbis came to his lecture. Rabina did not come. The next day Rafram wanted to remove Rabina's [insult] from the mind of the exilarch [by eliciting the excuse for his failure to pay honor to the exilarch]. He said to him [Rafram to Rabina], "Why did the master not come to the lecture?" He replied "My foot hurt me..."

(b. Yoma 78a)

It is entirely credible that the rabbis normally showed the respect due to the exilarch, and that the latter would certainly be irritated with a sage who did not do so. What is surprising is, first, that the exilarch gave lectures, and second, the assumption that if the exilarch *knew* the legal reason for the rabbi's failure to appear—it had to do with whether he might wear a sandal on the Sabbath to protect his injured foot, or whether he had better not violate the Sabbath by doing so and hence should stay home—the exilarch would both understand the reason and accept it as sufficient. The exilarch was thus described, to be sure quite incidentally, as a reasonably learned legal scholar and observant Jew. He assuredly did not display indifference to the laws of the Sabbath. Since many stories had as their point the assertion that the exilarch did not keep those very laws, the inclusion of the contrary view quite *en passant* is not unimportant. The following story is exceptional:

R. Hiyya Parva'ah came to the palace of the exilarch. They said to him, "An egg roasted [by pagans]—what is the law?" He replied to them, "Hezekiah and Bar Kappara permit it, and R. Yoḥanan prohibits it, and the words of one [authority] cannot [stand against the opinion of] two." R. Zevid said to them, "Pay no heed to him. Thus did Abaye say, 'The law follows R. Yoḥanan.'" They gave him spiced vinegar [NGWT'DHL'] and he died.

(b. A.Z. 83b)

According to Geonic chronology, R. Zevid died in 385,¹ and the unnamed exilarch whose servants [= they] murdered R. Zevid must have been Nathan II, following Lazarus. But whoever it was, I find it puzzling that the Geonic historians take no note whatever of this account. The commentaries stress that it was the pagan servants, offended by R. Zevid's decision against the propriety of their cooking food for Jews, who put him to death. But if so, these servants understood a legal reference in highly arcane form, which is implausible. One might suppose they were discharged or threatened with discharge and learned who was the cause of it. But it hardly matters whether the murderers were Jewish or gentile.

That a leading rabbi, head of a school, was murdered by the persons attached to exilarchate, that the murderers presumably went unpunished (for the story contains no hint to the contrary), and that the rabbis told the story of how their colleague had died—these are extraordinary facts. We must, however, keep in mind that the genre of stories about the evil deeds of the exilarch, generally not named, and his staff, was an old one. Similar stories about the imprisonment or attempted murder of leading sages by the exilarchate for performing their duties had been told for more than a century. So it is not astonishing that the story itself was told and later preserved in rabbinical traditions. But was it a true story? Obviously the rabbis told the story to discredit the exilarch, but that does not mean the event did not happen. On the whole I find it quite plausible that exilarchic servants did treat rabbis pretty much as rabbis said. It is not unbelievable, though it is noteworthy, that they murdered R. Zevid for giving a decision that endangered their po-

¹ Vol. IV, p. 285, citing the relevant passage in R. Sherira's letter. See also below, p. 136. M. Seligman (*JE* XII, p. 645) holds that there were two fourth-century Amoras, both contemporaries of Abaye; the former is represented in the story cited here, the latter ruled in Pumbedita and taught the major masters of the final generation, including Huna b. Nathan, whom we shall meet below as exilarch. I do not see why the traditions on R. Zevid should be divided into two, for there is no chronological problem whatever. I assume, therefore, that the R. Zevid of this story is the same one who died in 385 according to R. Sherira's account.

sitions, just as earlier servants tried to murder R. Sheshet and mistreated others. The exilarch regarded the rabbis as his employees, whose pretensions he tolerated to be sure, but who in the end served at his grace in his administration. If members of the retinue of the exilarch found that a rabbi's decision displeased them, the less scrupulous among them may not have hesitated to take revenge. Such literally cut-throat competition was frequent in princes' courts and in the entourages of great nobles of this, as of most, periods. It has no necessary connection with the question of how the exilarch himself treated rabbis. I should suppose he behaved toward them generally much as did the Seleucian Catholicos toward the priests, nuns, and monks of his church. That is to say, in both cases the state-supported *millet*-authority controlled, utilized, and often respected those endowed with merely spiritual authority. Both catholicos and exilarchs were usually themselves believers.

Two contemporary exilarchs are mentioned by name¹ in Talmudic sources. The first was Mar Samuel, as follows:

R. Papa visited Mar Samuel. Barley-broth was set before him, but he did not taste it...

(b. Bez. 14b)

The reason R. Papa refrained was, discussion indicates, "the laxity of the servants." That Mar Samuel was exilarch is not indicated in Talmudic, but only in Geonic traditions.

The other was Huna bar Nathan, concerning whom we have the following accounts in addition to the Yazdagird story cited above:²

R. Aḥa b. Rava said, "I also say that from the times of Rabbi [Judah the Prince] to R. Ashi we do not find [knowledge of] Torah and [worldly] greatness in one place." Is that so? But was there not Huna b. Nathan? Huna b. Nathan was exceptional, for he submitted himself [to the authority of] R. Ashi.

(b. Giṭ. 59a = b. Sanh. 36a)³

R. Ashi said, "Huna b. Nathan told me, 'Once we were walking in the wilderness and we had a leg of meat with us. We opened [it] and removed [the forbidden fat and thigh-vein sinew] and put it in the grass. While we were bringing wood, the leg returned to its shape, and we roasted it. When we returned after twelve months, we saw that those

¹ Excluding the equivocal reference to Rabbana Neḥemiah above.

² b. Zev. 19a, cited p. 12.

³ In b. Sanh. 36a, the tradent is R. Adda b. Ahavah.

coals were still glowing. When I¹ came to Amemar, he told me, "That grass was *SMTRY* [an herb able to unite severed parts] and those glowing coals were of broom [*RYTM*]."

(b. B.B. 74b)

R. Huna b. Nathan asked R. Ashi, "What is the meaning of the Scripture, *Kinah, and Dimonah, and Adadab* (Josh. 15:22)?" He answered, "The text is reckoning places in the land of Israel." He replied, "And did I not know that?! But R. Geviha of 'Argiza said [= derived] concerning it a reason [lesson]: 'Whoever has jealousy (*QN'H*) against his fellow and keeps silent (*DWMM*), the One who dwells in eternity ('*DY 'D*) will do his justice (for him)...'"

(b. Git. 7a)

The passage continued with discussion of a second such play on words produced by R. Geviha.² Further sayings include this one:

R. Ashi saw him [the angel of death] in the market place... On the thirtieth day, he [the angel] came. He [R. Ashi] said to him, "Why all this [haste]?" [The angel of death replied], "The foot of Bar Nathan presses, and one sovereignty cannot touch another even a hair's breadth."

(b. M.Q. 28a)

From this story Beer infers R. Ashi died before Huna bar Nathan became exilarch, as we saw above (p. 51). Further stories are as follows:

R. Ashi said, "R. Huna b. Nathan told me that Amemar ruled that a Persian document witnessed by Jews is sufficient warrant for recovering even from mortgaged property..."

(b. Git. 19b)

Amemar permitted R. Huna b. Nathan to take a wife from Khuzistan...³

(b. Qid. 72b)

R. Ashi said, "Huna b. Nathan told me that Amemar did not accept this view [concerning seizures for the poll-tax]..."

(b. B.B. 55a)

R. Huna b. Nathan recited [a passage] following Rava's opinion...

(b. Zev. 30a)

¹ I assume it is R. Ashi telling about Huna's and not his own, consultation of Amemar.

² A "Huna b. Nathan" is cited by R. Nahman, b. Ket. 7a, but chronologically this cannot be the same man as in these passages, if it is either R. Nahman b. Jacob or R. Nahman b. Isaac.

³ Even though Khuzistan lay outside the boundaries of Babylonia where, the rabbis said, one should choose mates.

R. Nahman b. Isaac, or some say, R. Huna b. Nathan, said... [re the measurements mentioned in the Mishnah]

(b. Bekh. 40a)

R. Huna b. Nathan disagreed with the ruling of Rava's concerning tithing a herd and argued about the matter with Mar Zuṭra b. R. Nahman.¹

We notice, first of all, that a significant part of the Huna b. Nathan corpus was handed on in R. Ashi's name, three of the above eight sayings. R. Ashi further figured in another two sayings here; in the Yazdagird traditions, the form "R. Ashi said, Huna b. Nathan told me" appears as well. It is striking, second, that Huna b. Nathan was sometimes given the title of rabbi, and sometimes denied it. The R. Ashi sayings are as inconsistent as the others. We should require a far more accurate Talmudic text than we have before we might speak with confidence about the omission of the title in some pericopes or its inclusion in others. Nonetheless, the fact is that the exilarchs were not rabbis, and most of them are never given the rabbinical title. Huna, by contrast, is. What is equally striking in the above accounts is that Huna b. Nathan is never referred to as *the exilarch*. We recall² that when late third-century exilarchs were the subject of unfavorable stories, they were generally left anonymous; when favorable tales were told about them, they were normally given names, but then were not referred to as *the exilarch*. Here we find no such relatively fixed literary convention, for Mar Samuel was the object of an unfavorable rabbinical account, yet named. Huna b. Nathan was well-treated in rabbinical accounts. The anonymous stories cited earlier generally are neutral.

Without the Geonic accounts, therefore, we should not have any substantial corpus of information on the exilarch. The Talmudic rabbis' picture is as follows: Rabbis ruled exilarchic ritual observances for both Sabbath and dietary laws. They were consulted by the exilarch. They expounded laws at his palace. The exilarch enjoyed a friendly relationship with the Iranian emperor. Rabbis paid him respect, and when they were unable to do so, explained the reason in highly sophisticated legal terms. Still, at least early in this period, it was dangerous to give a legal opinion contrary to the wishes of the exilarch's staff. One of the greatest exilarchs was Huna b. Nathan. He was a master of "Torah" as well as of worldly power. Yet he was so pious that he submitted to the authority of Amemar a question about whom he might

¹ b. Bekh. 54b.

² Vol. III, pp. 41-94.

marry, and of R. Ashi, just as Mar 'Uqba had submitted to the teaching authority of Samuel two centuries earlier. The rabbis held a highly favorable opinion of Huna, no less than did Yazdagird I. They even called him "rabbi," a title not usually bestowed in their traditions on exilarchs. R. Huna's traditions and stories were respected and preserved as legitimate precedents in the law. His teachings in the name of *his* teachers were taken seriously, and what he said was passed on afterward.

According to Geonic readings of rabbinical accounts, therefore, Huna b. Nathan, Amemar and Mar Zuṭra were all both exilarchs and rabbis, a combination we have not in fact seen since Mar 'Uqba. I am struck by this portrait. The traditions surrounding the exilarchate of this period have been shaped in its interests, for, as we have seen, one can discover practically no really hostile traditions about the exilarch, excepting the murder story early in the period. The traditions of the fifth-century therefore are remarkable by contrast to those concerning the preceding exilarchs.

We can hardly suppose, however, that the traditions were formulated within the exilarchate itself. They are from viewpoint of form and general theme no different from the earlier sayings, which had exhibited considerably greater hostility toward the exilarch. Indeed, the story of the murder of R. Zevid conforms to what was characteristic for nearly two centuries. The portrait of Huna b. Nathan therefore presents a striking contrast. Yet even here, without Geonic traditions we should *still* not have known that Huna was also exilarch. That fact seems to me decisive. Exilarchic tradents could scarcely omit the fact that such a fine fellow had also been exilarch. Whatever the history of the traditions—and we have no knowledge of it as yet—we cannot suppose that the exilarchate controlled their formation. Hence "the rabbis," or more likely, some circles of rabbis, are primarily responsible for these stories. Specifically, the circle around R. Ashi, Amemar, and presumably Mar Zuṭra, clearly took a highly favorable view of Huna b. Nathan the exilarch. And it was in precisely this circle that the Talmud was supposedly edited. We can hardly conclude otherwise than that Huna b. Nathan came very close to the rabbinical idea of the exilarch.

I can think of only one explanation for that fact: Huna b. Nathan must have emerged from the rabbinical schools and afterward generally conformed to their religious and social ideals. If he was schoolman and exilarch, we can account both for his handing down acceptable traditions and precedents and for his carrying out exilarchic functions.

What explains his rabbinical learning obviously must be that he was sent to study in rabbinical academies. So the explanation for the apparent rapprochement between rabbinate and exilarchate lies somewhat earlier than the turn of the fifth century. If an exilarch sent his son to a rabbinical school, he must have thought the school a satisfactory place, and that must mean that he did not fear subversion of his authority from that direction. We may be reasonably sure that from the death of Samuel in ca. 263 some of the schools were at the least wary of, and at worst quite hostile to, the exilarch. We know that for half a century, from ca. 300 to ca. 350, all the heads of the school at Pumbedita attempted to reduce their school's financial dependence upon the exilarch. Whatever may have been the education of the exilarch's sons of that day, I do not think it was in rabbinical schools like the one at Pumbedita. We recall, by contrast, that a second-century exilarch had sent his son Nathan to school in Palestine, and that for the rest of the century, exilarchic representation continued in the Palestinian academies and at the patriarchate as well. Rav's and Samuel's relations to the exilarch were generally excellent. As I said, for the next century a considerably less satisfactory situation prevailed.

The period of severest tension therefore came to an end, I imagine, at about 350, when Rava moved—or was forced to move—the Pumbeditan school to Maḥoza, where the exilarch's offices were located.¹ With one of the chief centers of rabbinical learning well in hand, the exilarch of the day could easily have sent his sons to study the law with outstanding rabbis. Later on, as earlier, such rabbinically-trained exilarchs could well combine "Torah" and "greatness," as the later editors said Huna b. Nathan had done. That R. Ashi was located at Sura (= Mata Meḥasia) changes matters not at all, for once within the rabbinical ambience the exilarch could readily conciliate the great leaders of the rabbinical estate wherever they were located. All this is quite conjectural. What is beyond conjecture is the fact that Huna b. Nathan was both exilarch and rabbi, a phenomenon we have not seen, as I said, for well over a century.²

The following years produced an even closer alliance of exilarch and rabbi, when the persecutions of the time of Yazdagird II and Peroz

¹ Vol. IV, pp. 91-102. On the ability of exilarchs to appoint the heads of the Suran academy after 350, see Y. S. Zuri, *Shilṭon Ra'ibut HaGolah veHaYeshivot. Tequfat Rav Nahman bar Yizḥaq* (Tel Aviv, 1939), pp. 210-216. Zuri also sees the move to Maḥoza as signifying greater exilarchic control of the schools.

² See below, pp. 124-127, for further discussion of rabbinical-exilarchic relationships.

engulfed both groups. Schools were closed. The exilarch and leading rabbis were imprisoned and finally put to death. A rapprochement—if that is what happened—in good times proved vital in bad times as both parties suffered martyrdom together.

VIII. YAZDAGIRD II, PEROZ, AND THE JEWS

Bahram V probably made no changes in his father's favorable policy toward the Jews. He supposedly knew Hebrew. According to Tha'alibi he was adept at languages, for example using Arabic for public ceremonies, Persian for reviewing troops, Indian for medicine, Greek for astronomy, and

en traitant des matières de droit, il se servait de l'Hébreu.¹

The likelihood that he did any such thing is slight, but as part of the affectionate legends about Bahram Gor, the tale reflected the liberal spirit attributed to the emperor.

Yazdagird II in a short while "changed from his father's pleasant ways."² He and Peroz after him subjected Babylonian Jewry to the most severe persecution of Parthian and Sasanian history. Nothing before or afterward compared to it. For close to half a century Judaism was treated as an illicit religion, and some Jews were punished for practicing it. One has to look backward to the brief but vicious Hadrianic repression following the Bar Kokhba War for a similarly severe crisis. We shall first review the several sources and traditions:

And after him [R. Yemar] was R. Naḥman b. R. Huna. He died in the year 766 (= 455 A.D.). Then a persecution took place, for Yazdagird decreed to annul the Sabbath.

(*Letter of R. Sherira Gaon*, ed. B. M. Lewin, pp. 94, 1. 12-13, 95, 1. 1-2.)

In the year 766 [= 455] R. Naḥman b. R. Huna was gathered in [= died]. And 'Argazur [sic!] the King of the Persians decreed against our fathers that they profane Sabbaths. In the year 779 [= 468] Rabbah b. R. Ashi died. In the year 782 [= 471] R. Ḥama son of Rava died. Huna b. Mar Zuṭra the exilarch was killed, and the Jews were given

¹ Zotenberg, trans., *Tha'alibi*, p. 555. On the Shāh-Nāma traditions about Bahram's friends among Jewish merchants, see trans. Mohl, V, pp. 453ff., and Widengren, *Status*, pp. 123-24. I do not see how these stories provide any historically reliable information. The same traditions occur in *Hamza Isfahani*, ed Gottwaldt, trans. p. 40.

² Zotenberg, trans., *Tha'alibi*, p. 571.

over to the government. In the year 778 [= 467] the schools were destroyed. And they decreed against the Jews to be under [= subject to] Persian law. And Rabbah Tosfa'ah was gathered in. In the year 793 [= 482]¹ the world again moved [there was an earth-quake] and Perah [sic!] king of the Persians was killed.

(*Seder Tannaim ve'Amoraim*, ed. M. Grosberg, Chapter II, p. 65.)

A Geonic responsum, cited by Jacob Mann from *Shibbolé Halleget*² provides the following account of the insertion of the *Sbema*³ in the *Qedushah*:

Because in the time of R. Nahman, Yuzgard [sic!] the king of Persia decreed that the *Sbema*⁴ should not be read. Forthwith what did the sages of that generation do? They decreed to swallow [= include] it in the midst of every *Qedushah* ... And why did they decree to say it by swallowing [= inclusion elsewhere]? So that the *Sbema*⁴ should not be forgotten from the mouth of the children. And they sought mercy from heaven. Thereupon a serpent came at noonday and swallowed Yuzgard [sic!] the king in his bed, and the decree was annulled...

The *Letter of R. Sherira* further states that R. Reḥumi died in 459 at the time of the persecution decreed by Yazdagird.³ Israel Lévi suggests that the story of Yazdagird's death derives from the legends concerning Yazdagird I. Since the Jews preserved a good opinion of the first Yazdagird, they assigned the stories of his death due to supernatural causes to the second one.⁴

Jacob Mann holds that the prayer which follows was written at the time of Yazdagird's persecution. He says (p. 250), "The Jewish authorities of the time at first impressed upon their coreligionists the duty of reciting the *Sbema*⁴ (at least the first verse) privately in their homes before proceeding to the synagogue for the morning service. In the course of the religious persecution they invented also the

¹ In V. Grumel, *La Chronologie*, in *Traité d'Études Byzantines*, ed. Paul Lemerle (Paris, 1958), pp. 476-481, I can find no reference to such an earthquake. There were earthquakes in 480 and 487, both in Constantinople. I am indebted to Professor Abraham Sachs for this reference.

² I cite the text as given by Jacob Mann, "Changes in the Divine Service of the Synagogue due to Religious Persecutions," *HUCA* 4, 1927, p. 256, n. 29, from ed. Buber, p. 38. Translation is my own. On the prohibition of the *Sbema*⁴, see p. 250.

³ Ed. Lewin, p. 96, l. 5-7.

⁴ "La mort de Yezdegerd d'après la tradition juive," *REJ* 36, 1898, pp. 294-297. Lévi discusses the view of S. Rappoport, *Erekb Milin* (Warsaw, 1914), pp. 70-77. On the persecution of Yazdagird, see also Z. Yavetz, *Toledot VIII*, pp. 144-146; Christensen, *L'Iran*, p. 283; Baron, *History II*, p. 181.

stragem of inserting the beginning and the end of the *Shema* ' in the *Kedushah*." The prayer is as follows:

A man shall always revere God, in thought as in deed, acknowledge truth, and speak the truth even in his heart. On arising he shall declare: Lord of all worlds, Not upon our righteousness do we rely when we bow in supplication before You, but upon Your great compassion. What are we? What our lives? What is our piety? What is our righteousness? What is our attainment, our strength, our might? What can we say before you? Before you, O Lord our God and God of our fathers, the mighty are as nothing, the famous as if they had never been, the wise as if without wisdom, the clever as if with no reason. Their doings are without meaning. Their days are as a breath. Man's superiority over the animal is but a vain illusion. All life is but a fleeting breath.

We are your people, the sons of your covenant, children of Your friend Abraham ... Therefore it is our duty to thank and to praise, to glorify and to sanctify you.

How great is our joy, how good is our portion, how pleasant our lot, how beautiful our heritage! What great joy is ours that twice each day, morning and evening, we are privileged to declare, *Hear O Israel: The Lord our God, the Lord is One*. Praised be His glorious sovereignty for ever and ever. You are the Lord everlasting before creation and since creation, in this world and in the world to come. May your holiness be made manifest through those who suffer martyrdom in Your name. May your holiness be made manifest through our redemption to dignity and strength. Praised are You, O Lord, whose holiness is manifest before all mankind.

(Text and Translation, *Weekday Prayer Book*, ed. by Jules Harlow, [Rabbinical Assembly, N.Y., 1961], pp. 12-13.)

Mann states, moreover, that the author of *Seder Eliahu Rabbah* was arrested in the persecution of Yazdagird. He points out (pp. 302ff.) that nowhere in the book is Islam mentioned, nor is there an illusion to the great improvement in the Jewish political situation under Islam. Much internal evidence is adduced to support a mid-fifth century date for the book. Mann therefore sees the following discussion between the author and a Magus as a disputation at this time of troubles:

Once I was walking in the largest city in the world, and there was there an investigation [of aliens, following M. Friedmann, *Commentary*, p. 5 n. 17], and they took me and brought me to the king's court ... A certain Magus (HBR) came and said to me, "Are you a scribe?" I said, "Of a sort." He said to me, "If you will tell me this thing which I shall ask you, then [you may] go in peace." I said to him, "Say on." He said

to me, "Why did God create vermin and creeping things?" I said to him, "God is a judge, holy, righteous, merciful, and truthful unto all eternity. He knows the beginning and the end. He foretells the end from the beginning ... And he created vermin and creeping things in the world as a healing for men on earth..."

(*Seder Eliahu Rabbah*, ed. M. Friedmann [Repr. Jerusalem, 1960], pp. 5-6.)

The conversation runs on. The Magus asks about several Scriptures which seem to prove that God is fire, and the author gives another extended reply. Mann cites several other opinions on the dating of the *Seder Eliahu Rabbah*, which range as far afield as tenth-century Italy, and even as late as the Crusades. But the date, which I am not qualified to discuss, has little effect on the time of the institution of the above prayer. It is unfortunate that Mann discussed both issues in the same context. The prayer, the Geonic traditions are certain, was composed in this period, at the time of Yazdagird's persecution. If so, it is an important contemporary Jewish response to the troubles available to us. The answers to Magian polemic about the unity of God, the creation of evil, the nature of God, may also be seen as response to these troubles; even though they may have been invented earlier, they must have gained greatly in importance at this time.

I am however puzzled by Mann's reading of the data. It is one thing to suppose that Yazdagird prohibited observance of the Sabbath, closed the Jewish schools, and subjected Jewry to Iranian law. Why the Iranian government at Mazdean behest would have made a decree against reciting the *Shema'* is clear. But the government officials, we are asked to imagine, knew enough about Jewish theology and liturgy to tell the Jews no longer to proclaim God's unity, but not enough to know that the Jews had fooled them by moving its place to another part of the liturgy. To carry out such a decree effectively—and Mann certainly supposes the government did just that—detectives (or Mobads) must have been stationed in the synagogues. Those police or priests would have had to know Hebrew so as to follow the service, or their presence would have been pointless. But they supposedly did not know enough to comprehend the Jewish prayers in which the *Shema'* was allegedly "swallowed up," namely the *Qedushah* prayers. The same detective or Mobad who knew how to prohibit saying the *Shema'* at the proper place in the service must have recognized it somewhere else. Saying the *Shema'* at home and in private is another matter, and it is at least plausible that the prayer cited above was in

fact composed to meet an emergency of some sort. But I do not know what evidence *compels* us to suppose that it was *now* written. We shall note below a similar attribution to a time of persecution at the end of Sasanian rule of the deletion of reading a prophetic passage in Sabbath afternoon services. Here again some have alleged that the government made a decree against the practice, but I find the whole matter dubious.

As to Peroz, the only pertinent Talmudic passage is as follows:

(Rav said, "*Shabur 'andrafta* [Jastrow: species of bird] is permitted, *piruz 'andrafta* is prohibited.") Your mnemonic is, "*the wicked Peroz.*"
(b. Hul. 62b)

The italicized words would have been added later on. In the letter of R. Sherira, we find the reason for the reference to Peroz as "wicked." R. Sherira reports that in 470:

Rabbana 'Amemar bar Mar Yenuqa, Huna Mar bar R. Ashi the exilarch, and Mesharshia b. Peqod were imprisoned. On the 18th day of Tevet, Huna bar Mar Zutra the *Nasi* [= exilarch] and Mesharshia were killed, and in Adar of the same year Rabbana 'Amemar bar Mar Yenuqa was killed. And in the year 470 all the synagogues in Babylonia were closed, and the children of the Jews were seized by the Magi.

(*Letter of R. Sherira Gaon*, ed. B. Lewin, pp. 96, 1. 14-16, 95, 1. 1-9.)

The same tradition occurs in the *Book of Tradition (Sefer HaQabbalah)* of Abraham ibn Daud as follows:

Before this [the Moslem conquest], however, the Almighty, blessed be He, had turned their heart to hate His people, so that the Persian king sized three Jewish notables: 'Amemar bar Mar Yanqa bar Mar Zutra, the colleague of R. Ashi, R. Mesharshia, and the exilarch, whose name was Huna Mar, and put them to death. He also seized Jewish youths and compelled them to leave the fold, in Tevet, 4234.

(*The Book of Tradition* [Philadelphia, 1968], ed. and trans. by Gerson D. Cohen, IV, 1. 158-164, pp. 41-42.)

Cohen points out¹ that Ibn Daud's source was in error, for "Huna Mar was son of the exilarch Mar Zutra." As to the date, he says that Ibn Daud's source probably read 785 for 781 (= 474 for 470 A.D.).

¹ See the Supplementary Notes for IV, lines 161-164, p. 125.

According to Hamza Işfahānī, cited by Geo Widengren,¹ in the eleventh year of Peroz (that is, 468), Jews of Isfahan flayed two Magi alive. As a result, half the Jewish population of Isfahan was slaughtered, and the children were handed over to the service of the fire-temple at Harvan.² Gottwaldt's Latin translation of the passage in the history of Hamza Işfahānī (ed. Leipzig, 1848, II, p. 41) is rendered by Professor Michael Putnam as follows:

Dimidiam Judaeorum Ispahanensium partem interfici puellosque eorum pyreo pagi Hervan, Surosch Adzeran, ad opera servilia tradi jussit, quia tergis duorum archimagorum pelles detraxerant, deinde ambas inter se compactas subigendo ad usum suum paraverant.

He ordered half of the Jews of Isfahan to be killed and their children to be given over to the service of the fire-temple of Surosch Adzeran [Widengren: Srōš Adurān] in the village of Hervan, because they had flayed the backs of two of the chief Magi...

What shall we make of these late accounts? The earliest source simply tells us that Peroz was called "the wicked," a certain sign that he had done something hostile to the Jews. We know full well that both Yazdagird II and Peroz persecuted Christianity. Just as they directed their efforts against priests, nuns, and monks, so in the Jewish case they supposedly imprisoned and then put to death both rabbis, heads of schools in particular, and the exilarch. Since it was in the Christian case primarily a religious persecution, without the usual attribution of political motives, it is striking that the Jewish accounts report decrees against the Sabbath, the conduct of schools, and similar fundamental Jewish religious practices (not to mention the abolition of Jewish self-government). So the persecutions of the two religious communities exhibit similar qualities.

The independent account from Isfahan moreover provides a measure of verification for the Jewish stories. It is striking, first of all, that the detail about seizure of Jewish children for Mazdean purposes appears in both Jewish and Iranian traditions. But of still greater interest is the reason for the persecution. While the Jewish (and Christian)³ traditions claim that it was directed against religious practices, and therefore presumably motivated by religious "fanaticism," the Iranian story is

¹ *Status*, p. 143.

² See Nöldeke, *Tabari*, on the persecutions of Yazdagird II, p. 114, n. 1; of Peroz, p. 118, n. 4.

³ But Jewish and Christian sources both ignore persecutions of the other group. See for example *Chronique de Séert*, *Pat. Or.* VII, p. 101.

that Jews had mistreated Magi and were therefore punished. It was not a widespread but a local action against the malfeasance of a local community.

Since we have stories from Christian sources of how Christian saints had burned down fire-temples under Yazdagird I, it is by no means so incredible as some have argued that Jews now did something of the same sort in Isfahan.¹ The Christians did so because they thought Yazdagird I would follow the path of Constantine. The Jews had a tradition that the Messiah could come in the year 468:

Said R. Ḥanina, "From the year 400 after the destruction [of the Temple, dated by the rabbis in 68] if someone says to you, 'Buy a field worth a thousand dinarii for one dinar,' do not buy it." In a *beraita* we learn, "From the year 4231 of the Creation of the World onward [= 471 A.D.], if someone says to you, 'Buy a field worth a thousand dinarii for a dinar,' do not buy it."

(b. A.Z. 9b)²

While R. Ḥanina lived in the third century in Palestine, we know that his tradition certainly was preserved in the Babylonian schools a century and a half later. It is therefore possible that some Jews, including leading rabbis, actually expected the Messiah to come in 468 or shortly thereafter. If so, the preliminary destruction of pagan temples and murder of their priests would have followed as a reasonable consequence of such a belief. Now we do not have the slightest idea what happened, if anything, in Isfahan in 468. But it is at least plausible that some Jews would have done what later Iranian tradition centered on Isfahan claimed they did. If so, the local pogrom would have been a natural result.³

Funk's explanation of the anti-Judaic policies of Peroz is that Peroz

¹ Widengren, *Status*, p. 143, "That the Jews would have dared to commit anything of that kind is so obviously incredible that it stands to reason that such an accusation was due to rumors put in circulation by the Mobads in order to create the atmosphere necessary for a wholesale persecution."

² See A. Marmorstein, "The History of the Jews in Palestine in the Fifth Century C.E.," in Hebrew, in *Luncz Volume* (Jerusalem, 1928), pp. 41-50.

³ Nor should it be supposed that "Jews would not do things like that." Some of the Palestinians who helped the Persians take Jerusalem a century and a half later expected to rebuild the Temple; therefore a messianic impulse probably motivated them. When they took Jerusalem, they killed many Christian captives. We have little reason to doubt that the Palestinian Jews behaved pretty much as the Isfahani ones supposedly did.

was motivated by political reasons, seeking to win the support of Iranian religious leadership to his throne.¹

Perhaps also the economic difficulties of the time moved the government to persecute minorities as a means of diverting attention from more serious matters. In a time of foreign disasters, instability at court, and local famines, it may have proved useful to turn the hostility of the people against two minority groups in the population. But if so, it was the first and last such action in Sasanian history. Normally, from the time of Shapur II onward, if Christians were persecuted, the reason was the suspicion of the state that they were disloyal or favored the fortunes of the Christian enemy across the Euphrates. Kartir's "opposition" to the several non-Iranian and heretical cults was based upon religious conviction. Furthermore, the Christian persecution ended in 464, before the worst part of the Jewish one took place, so if the state intended a coordinated attack on all minorities to divert attention from famine or foreign disaster, the sources do not indicate it. I cannot think of another instance when the Sasanians ever used so modern a means of coping with misfortune. After Kartir for nearly two centuries Jews in particular had never faced such difficulties as those imposed by Yazdagird and Peroz. The support of the Magi could be gained in other ways than by means of the destruction of Judaism and Christianity through the extreme measures attributed to the two emperors.

I therefore find it puzzling that the state engaged in such a far-reaching repression of Judaism as a religion. If Magi went so far as to seize Jews and interrogate them about religious matters, investigate and legislate concerning the content of Jewish worship, close synagogues, snatch away Jewish children, and the like, and if the state supported these actions, it seems to me that some motive or provocation far more profound than political or economic necessity must have been at hand. And if for their part Jews provoked these severe repressions, as the Isfahani tradition says they did, they for their part must have had a considerable reason. In the background of every Jewish act of political or religious violence lies the messianic expectation.

We must therefore take very seriously the conviction that the Messiah would come in 468 or in 471. We recall that in the days of Shapur II, in 362-3, a similar movement took shape in Maḥoza, so Shapur II was compelled to send troops to massacre the messianists.² Later on, similar

¹ *Babylonien* II, p. 119. I find it plausible, particularly in the early years of Peroz's reign. See below, p. 71.

² Vol. IV, pp. 32-33.

movements appeared, coalescing around local figures in Babylonia and Mesopotamia, as well as in Byzantine territories.¹ Marmorstein has shown that in the 20s and 30s of the fifth century Messianic movements were rampant in Jewish Palestine and in the Greek diaspora. It is perfectly clear that Messianism constituted a powerful force in Babylonian Judaism. Jewish messianists invariably took active measures in consequence of their convictions. When in Hadrianic times, they had believed Bar Kokhba to be the Messiah, and some rabbis had confirmed this belief, they fought a bloody war. The natural result was repression not only of the war but also of those Judaic religious practices which the Romans believed had caused it. Similarly, when in the time of Khusro II Palestinian Jews believed the Messiah was about to come, in consequence of the capture of Jerusalem by Iranian and Jewish troops, they murdered many local Christians, particularly the religious. The fact that the Sabbath was prohibited, certain central prayers outlawed, and important rabbis, not to mention the exilarch himself, put to death in the years between ca. 455 and ca. 475, according to later tradition, seems to me illuminated by the Messianic expectations attached to just this period. Whatever the state of Yazdagird's and Peroz's religious convictions, Jews may well have followed the dictates of their *own* piety, with disastrous results. Perhaps earlier persecutions combined with the older tradition about what would happen in 468 served to verify this expectation. It was a partially self-fulfilling prophecy. The involvement of the exilarch is particularly striking, for, we recall,² the rabbis had taught (and presumably the exilarch did as well) that the Messiah would come forth from the Davidic household of the exilarch. If the exilarch was implicated, his government would naturally have been outlawed.

Conclusion: I therefore see the persecutions of Yazdagird II and Peroz within a coherent context. As part of the repression of non-Mazdeans, the government of Yazdagird II instituted some highly unusual, unprecedented prohibitions of Jewish religious practices. Jews then supposed these were preliminary to the coming of the Messiah in 468, therefore responding as the Isfahan tradition says. The government of Peroz then took strenuous measures to suppress Jewish self-government and to prohibit the practice of Judaism. The Christian, Iranian, and Jewish sources all testify to persecutions of minority groups. The Isfahan tradition is both entirely independent of the others and striking-

¹ Below, pp. 128-130, and Marmorstein, cited above.

² Vol. III, pp. 61-81.

ly congruent to the equivalent Jewish stories. Even though all the materials are late, I regard them as generally reliable.¹ Whether the persecution of Judaism was provoked by Jewish actions, and whether these actions were based upon messianic hopes, however, still are highly conjectural matters.²

IX. SUMMARY AND CONCLUSIONS

The fifth century was a time of severe trouble for Sasanian Iran. The succession to the throne was repeatedly contested by force, with foreign intrigues affecting the selection of the king of kings. First Arabs, then Hephthalites intervened in domestic politics, and the Byzantine threat was always present. Iran seemed ever weaker, destined to replace Armenia as the Poland of the Middle East. Bahram V continued the Christian persecutions of his father, which became a pretext for war with Rome. The Romans most often moved through Armenia, where they enjoyed local sympathy so long as they did not stay on, and the Iranians invaded through Mesopotamia, probably because the local Arabs favored them against Rome. The war ended after brief but vigorous campaigning. Bahram threw back the Hephthalite invasion. Yazdagird II spent much of his reign on the northeastern front campaigning against the Hephthalites. The gravity of the problem is underscored by his seven-year residence at Nishapur. Hormizd III and Peroz were rivals for the throne, and with Hephthalite help Peroz finally won it and subdued the revolted provinces.

Peroz presided over one disaster after another, first a great drought, then an unsuccessful Hephthalite campaign, then Armenian and Iberian revolts, finally death in battle against the Hephthalites. At home, the treasury was depleted by these expensive undertakings. Balash was in effect a Hephthalite tributary. He relied, further, on Armenian

¹ Graetz, *History* II, pp. 628-29, trans. H. Szold, adds to Peroz's sins the destruction of Sura, on the basis of the following passage:

R. Ashi said, "I can assure that Mata Mehasia will not be destroyed."
But behold it was destroyed?

(b. Shab. 11a)

Graetz apparently reasons that since the Talmud was edited ca. 500 A.D., and since R. Ashi died about a half-century earlier, sometime in the intervening years, Sura (= Mehasia) was destroyed. This reasoning is made explicit by Saul Pinhas Rabbinowitz in his note to his Hebrew translation of Graetz (Warsaw, 1907), II, pp. 452-53, n. 6. I think it unlikely.

² See also Nöldeke, *Tabari*, p. 425; Christensen, *L'Iran*, p. 291; Otakar Klíma, *Mazdak* (Prague, 1957), pp. 43-44, 123, n. 7.

support, granted in exchange for cessation of the effort to convert Armenia from its national Christianity to Mazdaism. So ended the effort of Yazdagird II and Mihr-Narseh to convert Armenia as well as minorities at home to Mazdaism in its Zurvanite form. Mihr-Narseh had founded numerous fire temples, and his efforts were encouraged by the emperor Yazdagird II, who took a keen interest in religion in general. Peroz enjoyed Mazdean clerical support in his struggle with Hormizd III. It may be that the lower clergy desired a king of kings who would continue vigorous support of the faith but would discontinue the powerful rule of Mihr-Narseh. Evidently Peroz satisfied them on both counts.

Yazdagird's persecution of Armenian Christianity had quickly expanded into an attack on the church at home. Peroz continued this policy until the peace of 464. Christianity quickly recovered. By the time of Balash Christians exercised substantial influence at court.

In the early part of the fifth century the Jewish community enjoyed more stable, unified government than it had seen for a century or more. The exilarch, having reestablished his control over the rabbinical schools, in the last third of the fourth century began to send his sons and heirs for rabbinical education. By the turn of the fifth century, the exilarchs included men who had achieved mastery of rabbinical learning and won the approval of the leading schoolmen.

Later Jewish sources refer to persecutions of both the Jews and Judaism by Yazdagird II and Peroz. These emperors issued decrees against observance of the Sabbath, later on closed the schools, then in one stroke swept away the legal foundations of the Jewish court-system and thus of Jewish government by subjecting Jewry to the rule of Iranian, rather than Jewish, law, and finally, put to death the leading rabbis and the exilarch. The persecution was directed against rabbinical Judaism more than against ordinary Jews. The decrees against the schools and courts, the execution of rabbis and the exilarch—these have their counterpart in the repeated attacks on monks, nuns, and Catholicos, the closing of monasteries and the like. The purpose of the government was not to depopulate the country, but to extirpate those forces within minority groups responsible for preserving beliefs and doctrines believed to be either dangerous to the government or inimical to the Mazdean church. Only the alleged decree against the Sabbath and saying the *Shema* would have affected common folk as well as religious virtuosi. According to the Geonic evidences, the persecutions began after 455, and continued until 484. Traditions

preserved at Isfahan record the persecution of Jews on account of their own actions against Magi.

The persecution of Jews and Christians at approximately the same period is remarkable, for until Yazdagird II the Jews were left alone for almost the whole of Sasanian history. It may be that the early part of the troubles came for narrowly religious reasons, an outgrowth of Yazdagird's interest in religious matters. Yet other Sasanian emperors were praised by the Mazdean traditions on account of their piety and pious benefactions of the fire-temples, including, for instance Shapur II and Khusro I, while never engaging in anti-Jewish actions on that account. Normally, moreover, the tolerant Iranian state left Christians at home pretty much alone except when it felt threatened by their supposed loyalty to Rome or took seriously their hope for, and persistent efforts to achieve, the eventual conversion of the Iranian nobility and throne to Christianity. Had Christian Armenia been situated in a less strategic area, or had its immediate neighbors not been Christian, it is reasonable to suppose that the repeated efforts to recover the Armenians for the service of Mazda and the Good Religion would not have been made. In other words persecution of religion generally resulted from political provocation, whether in the actions of the persecuted or in the imagination of the state.

Now it may be that the piety of Yazdagird and the distress of Peroz motivated the anti-Christian and coincident, though continuing, anti-Jewish measures. Perhaps the disaster of a contested succession provided the setting, as Funk suggested. Peroz, dependent upon foreign support, may well have won some friends among the Mazdean clergy by promising to return to, or to intensify, the anti-Christian policies of Yazdagird II, and by the same token to extend them to the Jews. Hence the decrees on not proclaiming the unity of God, on not keeping the Sabbath, and so forth may to begin with have been the price Peroz was willing to pay—and it cost *him* nothing—for some Mazdean support. Once in power and cut off from the Hephthalites by his own actions, Peroz would have had to continue and intensify these very policies. After the peace of 464 he would have concentrated mostly upon the Jews and abandoned the attacks on the Christians. Whatever happened, I do not believe the Sasanian regime was attempting to divert attention from domestic and foreign difficulties by attacking the minority groups. *If* the government acted without general provocation, then I think the cause was the need of the king of kings to win over local enemies to replace his foreign friends, and chief among them would

have been the clergy, who preserved fond memories of the piety of Yazdagird II.

For the Jews' part, the expectation of some that the Messiah would come four hundred years after the destruction of the Second Temple—an expectation for which biblical support could be derived through an exegesis of appropriate texts—would have provided a satisfactory explanation for contemporary disasters. When we recall that the decrees of Yazdagird II and Peroz were the first such state decrees hostile to Judaism, except for the ones of Kartir, in a period of more than seven centuries—going back to Parthian times—and that actually from the settlement of Jewry in Babylonia by the Achaemenids, Judaism had enjoyed the status of a completely licit religion, we can understand how astonished Jewry must have been by these calamities. It would therefore have been perfectly natural to interpret the preliminary decrees of Yazdagird and their confirmation by Peroz as pointing toward the advent of the Messiah: "These are the painful troubles which are supposed both to precede and to herald his coming." Taking quite literally the Isfahani date, we may guess that the first reaction of Jewry in 468 was to extirpate the enemies of God. The Magi of the town responded, as the story says, by killing many Jews and seizing their children for the Mazdean temples. Provoked to wrath, the government now would have stepped in, adding to the earlier decrees about the Sabbath and certain prayers far more serious ones against the whole court and school system of Jewish Babylonia, which was held responsible for Jewish "sedition." It had long been the exilarch's task to keep the Jews in line. Once they made trouble, possibly with his connivance, he would have to go—and with him went the Jews' autonomy. The leading Jews, heads of the important schools, and the exilarch at once were imprisoned and shortly thereafter put to death. By the end of Peroz's reign, the Jewish community would have been deprived of its leadership, its schools, and its government. This account of events is purely conjectural, based upon a literal reading of dubious, because at best very late, traditions.

CHAPTER THREE

THE SIXTH CENTURY

I. KAVAD I AND MAZDAK

Kavad I (488-531) inherited a difficult situation.¹ Famine, unsuccessful wars, and foreign intrigues had greatly weakened the government and devastated the economy. On the northwestern frontier the vassal-states of Iberia and Armenia were in revolt. In the northeast the Hephthalites demanded tribute. Specie, particularly gold, was much needed. Kavad could hardly expect help from Byzantium. At home the great nobility had for nearly a century interfered with the succession to the

¹ On Kavad and Mazdak, I consulted Rawlinson, *Monarchy*, pp. 339-379; Ghirshman, *Iran*, pp. 301-3; Nöldeke, *Aufsätze*, pp. 109-113; Altheim and Stiehl, *Staat*, pp. 116-118; Christensen, *L'Iran*, pp. 316-362; Pigulevskaja, *Villes*, pp. 195-230, 100, 125, 137, 158, 245; Frye, *Heritage*, p. 212; Christensen, *Le règne du roi Kawād I et le communisme mazdakite* (Copenhagen, 1925); Otakar Klíma, *Mazdak. Geschichte einer sozialen Bewegung im sassanidischen Persien* (Prague, 1957); O. Klíma, "Die erste grosse Sozialbewegung in Persien, ihre Geschichte und ihre Auswirkungen," *Das Altertum*, III, 3 (Berlin, 1957), pp. 173-183; O. Klíma, "Mazdak und die Juden," *Arch. Or.* 24, 1956, pp. 420-431; R. Levy, trans., *The Epic of the Kings*, pp. 317-321; Zotenberg, *Tabari*, II, pp. 146-159; D. M. Dunlop, *The History of the Jewish Khazars* (N.Y., 1967), pp. 20-22; Nöldeke, *Tabari*, pp. 135-147; *Chronique de Séert*, *Pat. Or.* 5, 2, 124-5, 127-8, 132-3; *Maçondi*, II, pp. 195-7. For further sources, see Christensen, pp. 335-6, n. 1.

On the Khazar raids, see J. H. Kramers, "The Military Colonization of the Caucasus and Armenia under the Sassanides," *BSOS*, VIII, 1935-1937, pp. 613-8.

See also W. E. D. Allen, *A History of the Georgian People from the Beginning down to the Russian Conquest in the Nineteenth Century* (London, 1932), pp. 65-6, on Sasanian fortifications of Albania to protect Atropatene; pp. 77-8, on the Georgian invasions of the sixth century emperors. On Kavad and the Hephthalites, see Marquart, *Éranšahr*, p. 63. On the border skirmishes with Byzantium, see C. Honigmann, *Ostgrenze*, pp. 17ff. Note also Sykes, *History*, I, pp. 441-448; Justi, *Geschichte*, pp. 531-533. On the Mazdakite movement, see also Edward G. Browne, *Literary History of Persia* (Cambridge, 1956), I, pp. 166-172.

The relevant Armenian traditions are in Langlois, *Collection*, II, pp. 343ff. and Patkanian, pp. 178-182. Note also Zachariah of Mitylene, *Chronicle*, trans. F. J. Hamilton and E. W. Brooks (London, 1899), Book VII, Chap. III, pp. 151-168. On the Byzantine war of 502 et seq., see Jones, *Empire*, I, pp. 231-2, III, pp. 42, ns. 32-34. See also Tha'alibi, pp. 586-603. On Kavad's campaign of 502-3, see especially L. Dillemann, *Haute Mésopotamie Orientale et pays adjacents* (Paris, 1962), pp. 313-316.

throne and thus weakened the central government. Ghirshman says, "He [Kavad] had to choose between the powerful nobility and the people, the mass of whom followed the Mazdakite movement and demanded far-reaching social reforms ... He had the courage to side with the people in order to weaken the power of the aristocracy."¹

At the outset Kavad owed his throne to Hephthalite help, won by promise of rich tribute. Very soon he had to face the new danger posed by the Khazars, who were making raids through the Caucasian passes against the dependencies of Iberia, Albania, and Armenia. He easily repelled them. J. H. Kramers points out that Kavad was the first emperor to take energetic measures against the Khazars' raids. To stabilize the frontier, he fortified several towns. Khusro I continued this policy.

Upon his return Kavad confronted the Mazdakite problem. Mazdak, born in either Persepolis or Nishapur and a Mobad, presented himself as a reformer, teaching that since men were born equal, none came into the world richer than any other; property and marriage therefore were human inventions. God in fact required an equal division of property and prohibited marriage. Adultery, incest, and theft thus were necessary steps to reestablish the true laws of nature. Life was sacred. Men should abstain from animal products, except milk, cheese, and eggs, dress simply, and renounce great luxury. All evil was attributed to the demons of Envy, Wrath, and Greed. Mazdak supposedly converted the king through a miracle, but, as Ghirshman points out, the royal favor was, if miraculous, also owing to the king's rational choice among the claims of conflicting forces.

The Mazdakites proceeded to carry out their doctrines, particularly by sharing the wealth and the women of the upper classes. The Mobads declared the new religion heretical, but with the support of the king the followers of Mazdak had little to fear. They even tried to convert the Armenians to the new movement. The Mobads and nobility determined that the only remedy was to depose the emperor. Zamasp, the emperor's brother, was chosen, and the revolutionaries imprisoned, but did not kill Kavad. When Mazdak was seized, his followers freed him, and he was allowed to live. Zamasp reigned from 498 to 501. In the latter year Kavad escaped and fled to Hephthalite territory. The Hephthalite Khagan provided the wherewithal for a return to power. When Kavad reached Ctesiphon, Zamasp abdicated.

¹ *Iran*, p. 302.

The second period of Kavad's reign, coextensive with the Byzantine emperors Anastasius, Justin, and Justinian, was marked by efforts to reduce the Mazdakite problem to manageable proportions. The Armenians were promised religious freedom. Mazdak might live, but the throne ceased to advocate his views. The revolutionary program of Mazdak had produced vast looting, abduction of women, and expropriation of land. At first Mazdak was apparently left alone. Kavad later broke completely with the movement when, in 528, the Mazdakite leaders opposed the nomination of his son, Khusro, as his successor. Now the Mazdakites were massacred, their books burned, and the movement ceased to function as an effective force. But afterward Khusro would have to solve the social problems which to begin with had given Mazdak a sympathetic audience. Foreign crises prevented Kavad himself from doing so.

Kavad thus had in the end merely utilized the Mazdakite movement in order to weaken the power of the feudal nobility. He welded the country into a strongly centralized state. The great achievements of the next century were the result.

Hostilities broke out in 502 when the Romans declined to continue to pay for the support of the Caspian defense, agreed to long ago in 442.¹ The need of funds to pay for the Hephthalite troops forced Kavad to raise the issue once again. When Anastasius refused help, Kavad, regarding it as a repudiation of the earlier agreement, then renewed war, after sixty years of peace beginning in 441. It was actually the first prolonged struggle in more than eighty years. Kavad, supported by Hephthalites and Arabs, invaded Roman Armenia. He took Theodosiopolis, ravaged Armenia Major, and, moving thence into northern Mesopotamia, besieged Amida. The town resisted, and the walls held. When the town finally fell at the turn of 503 A.D., the inhabitants were massacred or enslaved. Kavad easily repulsed the Roman counter-attack. Unfortunately, Hephthalite unrest forced him to move rapidly to the northeastern frontier, and in his absence the Romans met with some success, even threatening Nisibis. But both sides proved ready for peace. With the payment of an indemnity of a thousand pounds of

¹ On sixth century Roman-Iranian relations, I consulted, in addition to the works cited above, C. Diehl, "Justinian. The Imperial Restoration in the West," in *CMH*, II, pp. 7-8, 28-29; Freya Stark, *Rome on the Euphrates. The Story of a Frontier* (London, 1966), pp. 363-5; H. B. Dewing, trans., *Procopius, The Persian War*, I, v. 1ff.; on the need of funds to pay the Hephthalites and consequent request to Anastasius, I, vii, 1-4; on the war of 502-5, I, vii, 5-1, ix, 22; on the war of 527-532, I, xi, 1 to xviii, 56, I, xxi, 1 to xxii, 19.

gold, Byzantium achieved peace, concluding the skirmish of 502-505.

For the next ten years Kavad was occupied in the east, while the Romans built up their defenses on the Persian frontier, establishing the new fortress of Dara, a forward base within a dozen miles of Nisibis. On concluding his Hephthalite war in 517, Kavad returned to the west. In 520-522 the Romans, who had been bribing Persian dependencies among the Hunnic tribes to transfer their loyalty to Byzantium, achieved real success as some of the tribes converted to Christianity. Both Kavad and Justin now preferred to keep the peace, however, so Kavad is said to have proposed that Justin adopt his favorite son, Khusro, to insure the succession if Khusro's claim should be disputed. Nothing came of the proposal (if in fact it was made). In the meantime, as I said, the Mazdakites conspired against the expected succession of Khusro, and in 528 Kavad massacred many of them.

New troubles in Iberia were brought on by the effort to convert the chiefs of the government to Mazdaism and to force them to cease burying the dead. Kavad proved successful in quelling the outbreak. Rome, threatened by his victory, invaded Persian Armenia and Mesopotamia in 526-7. In 528 a new fortress was begun near Nisibis. Kavad sent an army to attack the workmen and defeated the Romans. Justinian continued the enterprise, winning a subsequent battle. The Iranians found themselves equally unfortunate in Armenia. In 531 they made an alliance with Arabs in order to take Antioch. When the allies found the Romans well prepared, they withdrew, roundly defeating the Roman army of pursuit at Callinicus on April 19, 531. Kavad renewed the battle later in the year, but he died in September, 531, before the campaign was far advanced. Thus threatened by the increase of Roman influence among Georgians, Lazi, Iberians, and Huns, Iran could not long remain idle. But the death of the emperor and Justinian's problems elsewhere produced a temporary peace.

The war of 525-532 was not sustained. Both parties were distracted on other fronts. The Romans' victory at Dara, the first in many years, and their progress in Persian Armenia would in time produce new conflict. But for now, Justinian agreed to pay the annual subsidy to achieve an "everlasting peace," which was concluded in September, 532. Dara was to be abandoned as a major fortress, and the Roman defense line moved back to Constantina. Kavad agreed that Lazica would remain within the sphere of Byzantine influence, and the Iranians evacuated their fortifications there. When both parties sought peace,

grounds for agreement thus could easily be uncovered. Kavad's last campaign was hardly decisive. Given the troubles he had had to overcome at home and on other frontiers, however, he had achieved a signal victory simply by holding his own. Kavad had restored the power of the throne over the nobility, defeated the Hephthalites abroad and the Mazdakites at home, on both of whom he had earlier depended, and held Rome at bay.

Mazdak: Christensen interprets the Mazdakite revolution in terms of the highly rigid and formalized class structure of the Iranian state.¹ Because of political disasters and economic crisis, the supports of society weakened. While the Byzantine historians repeatedly referred to the Mazdakite doctrine of the community of women, the Arabic and Persian ones treat Mazdak as a man of action, by contrast to the theoretician of the movement, Zaradusht.² In general, Christensen says, the doctrine of Mazdakism can be characterized as a Manichaean reform, with discussion of primordial principles, light and darkness, and a metaphysical doctrine of the nature of both. As among the Manichaeans, the elect remained celibate, were expected to follow the way of holy vagrancy and to possess little property. Accused of libertinism and sybaritism, the true Mazdakites in fact were highly ascetic in doctrine.

Mazdak's relations with the emperor are obscure, for, in Christensen's view, we do not have much authentic information.³ But, he says, in any event Kavad was a partisan of the Mazdakite cause. Almost all contemporary and later accounts agree on this point. He did not abolish marriage. The innovations of Kavad were not sufficiently important to attract the attention of Byzantine and Syrian observers. He may well have imposed heavy taxes on the rich, but that seems to be all. Whether Kavad himself converted to the cause is unclear. Some say he did so out of fear or insincerely. (Nöldeke holds that he favored the Mazdakite cause in order to weaken the nobility.⁴) Christensen concludes that while Kavad did not too strictly follow the moral teaching of Mazdakism, he was influenced in his conduct by the idealistic humanitarianism of the movement.

Christensen notes, however, that when Kavad was imprisoned, he still retained the support of some of the great lords of state. Upon his

¹ *L'Iran*, p. 318.

² *ibid.*, p. 339.

³ *ibid.*, p. 344.

⁴ *Tabari*, pp. 142-3, n. 3 and p. 461.

return to power, Kavad therefore was more circumspect in his support of the Mazdakites. His choice of Khusro over his first-born, who was educated in the Mazdakite religion, indicates his ultimate intent to withdraw royal support from the movement. The effort to force Zoroastrian institutions on the Iberians reinforces this impression. Christensen thus characterizes Mazdakism as a fundamentally religious doctrine, imbued with idealism and humanitarianism. Social reform was of secondary importance. When the "communist" ideas took root among the people, however, the religious piety and detached altruism of Mazdak gave way to a more provocative policy. While the movement took on the quality of a social revolution, the religious base of its doctrine remained firm. When the movement was suppressed, the doctrine continued. So Christensen.¹

Nöldeke² provides a full account of the relevant Arabic sources on the Mazdakite movement. He sees Mazdak not as apostle of "Zaradusht," but in his own right a fully original religious leader.³

Pigulevskaja⁴ emphasizes the social and economic origins of the movement: "Lorsque l'harmonisation entre les forces productrices et les rapports de production... est rompue, on voit nécessairement apparaître des mouvements sociaux très profonds. C'est à cette cause qu'est due la naissance du mouvement mazdakite..."⁵ The desperate situation at the death of Peroz forced Balash to improve the situation of the people. He reduced taxes and distributed money to the poor. Impoverished farmers were abandoning their lands. The hostility of the upper classes to Balash is to be explained, therefore, by reference to his economic policy. The clergy, nobility, and army combined to drive out Balash and bring in Kavad. The new emperor had quickly to assert his power over these supporters and so favored the popular movement of Mazdak. Mazdak's success proved greatest during the famines of the time of Balash and of the early years of Kavad's rule. Taking from the rich to give to the poor, the Mazdakites deepened the hostility of the upper classes against themselves. To restore the natural condition of men and regain primitive equality, wealth must be equally distributed, along with other possessions. After the restoration, Kavad continued to tolerate the Mazdakites, but already in the cam-

¹ See his *Le règne du roi Kavād*, cited above.

² Nöldeke, "Über Mazdak und die Mazdakiten," *Tabari*, pp. 455-467.

³ *ibid.*, pp. 456-7. Compare Klīma, *Mazdak*, p. 296, Christensen, *Règne*, p. 99.

⁴ *Villes*, pp. 195-230.

⁵ *ibid.*, p. 195.

paings of 502 and the following years he sought to restore the equilibrium of the state. The Byzantine war would resolve several problems at once, by reestablishing the political prestige of the state, improving finances through booty, ransom, and other spoils of war, and unifying public opinion. The ransoms collected from the various besieged cities indeed proved of great value. In time the emperor overcame the Mazdakite threat by destroying its leadership.

Altheim and Stiehl see in the movement a renewal of Platonic philosophy; they provide an account of its metaphysical beliefs, emphasizing its religious character.¹ The fullest studies of the sources are in the works of Klíma² and Christensen.³ Christensen provides a full summary of the relevant sources and seems to me the most reliable guide to them.⁴

II. KHUSRO I

Khusro I "of immortal soul" (531-579)⁵ achieved lasting success in the struggle with the aristocracy. His was the most brilliant epoch in

¹ *Staat*, 189-205, and see also "Mazdak and Porphyrios," *HR*, 3, 1, 1963, 1-20, and Werner Müller, "Mazdak and the Alphabet Mysticism of the East," *HR*, 3, 1, 1963, 72-82.

² *Mazdak* (Prague, 1957).

³ Cited above, p. 73, n.l.

⁴ See also J. Duchesne-Guillemin, *La religion de l'Iran ancien*, p. 286; Geo Widengren, *Die Religionen Irans*, pp. 308-310.

⁵ I consulted Rawlinson, *Monarchy*, pp. 379-458; Ghirshman, *Iran*, pp. 304-5; Christensen, *L'Iran*, pp. 363-440; Frye, *Heritage*, pp. 218ff.; Pigulevskaja, *Villes*, pp. 97-106, 221-229; she cites her "La réforme fiscale de Chosroès I Anouchirvan" in *Vestnik drevnej istorii*, I, 1937, which I have not read; see also Nöldeke, *Aufsätze*, pp. 113-120; *Maḡonī*, II, pp. 197-211; Levy, trans., *Shāb-nāma*, pp. 322-334; Zotenberg, *Tabari*, II, 159-164, 219-232; Nöldeke, *Tabari*, pp. 151-168, 238-264, 428-430; *Chronique de Séert*, *Pat. Or.* 5, 3, pp. 146-7, Chap. 24, pp. 162ff.

On the peace of 562, see Güterbock, *Byzanz und Persien* (Berlin, 1906), pp. 57-66; on the relations of Khusro and Justinian, Güterbock, pp. 37ff.

Note also Justi, *Geschichte*, pp. 533-541; Sykes, *History*, I, pp. 449-460; Mario Grignaschi, "Quelques spécimens de la littérature sassanide conservés dans les bibliothèques d'Istanbul," *JA* 254, 1966, in particular pp. 1-142, "le kārnamag d'Anūšīrwan"; Bury, *History*, II, pp. 95-113; Freya Stark, *Rome on the Euphrates*, pp. 365-367; N. H. Baynes, "The Successors of Justinian," *CMH*, II, pp. 263-274; Paul Goubert, *Byzance avant l'Islam. I. Byzance et l'Orient sous les successeurs de Justinien. L'Empereur Maurice* (Paris, 1951), pp. 63-88; Geo Widengren, "Xosrau Anōšūrvān, les Hephtalites, et les peuples turcs," *Orientalia Suecana*, 1, 1952, pp. 69-94; Wright, *Literary History*, pp. 172-181. For the Armenian traditions, Patkanian, pp. 182-187.

On the Byzantine wars, see also Jones, *Empire*, I, pp. 269, 271-3, 288, 305-6, 309, III, pp. 54, ns. 4, 8, 9, 11, 56, p. 44; 58, ns. 5, 6. See also Tha'alibi, pp. 603-637. On the peace of 562, see C. M. Patrono, "Bizantini e Persiani alla fine del VI secolo," *Giornale della Società Asiatica Italiana* 20, 1907, pp. 169-174.

Sasanian history.¹ He first of all returned property seized during Mazdakite times and regulated the position of women and children of the nobility who had been seized during the excesses of the former troubles. The children were educated by the state. Further, villages were rebuilt, communications repaired, canals cleaned, lost livestock replaced, lost property restored to its owners. The fiscal organization of the empire was reformed, as we shall see. The government now encouraged marriage and large families. Subject-tribes were settled in the marches, reviving the earlier practice of transplanting peoples for state purposes. Strong fortifications were constructed at strategic passes, and a wall of several miles was built to defend the Gorgan plain, otherwise unprotected by the mountainous armor of the empire. A long period of peace at home ended the disorders of former times. The nobility and Mobads supported Khusro's claim to the throne, and the new emperor, fearful of the claims of other, older brothers, soon put to death all male sons of Kavad as well as their sons. In the reaction Mazdak's followers were persecuted, and many were martyred.

At the outset Justinian, eager to end the eastern war, offered a truce, and peace was concluded in 532. Rome was to pay eleven thousand pounds of gold toward the Caucasian defense; the fortress of Dara, earlier built to threaten Nisibis, was left in Roman hands, but the Roman headquarters were to be fixed farther away from the border. Persian properties in Roman hands were returned. Rome and Iran were to aid each other when needed. So ended the thirty years of war inaugurated by Kavad's attack on Anastasius.

In the next six years (533-9) Justinian's forces achieved astonishing victories in the West, destroying the Vandal kingdom in Carthage, subduing the Moors and Ostrogoths, and doubling the size and resources of the empire. Each Byzantine success further threatened, or at least frightened, Iran. At first Khusro demanded his share in the spoils, which Justinian granted. But then, receiving embassies from the Ostrogoths and Armenians in 539, Khusro paid attention to their warning that Justinian intended to build a universal empire and accepted their view that Iran alone stood in his way.

Earlier emperors had invaded through either Mesopotamia or Armenia. Kavad had conducted razzias against Syria, like Shapur I aiming at Antioch. With the Roman forces preoccupied in Italy, Khusro now determined on the same course. He crossed the Euphrates and moved

¹ Christensen, *L'Iran*, pp. 363, 438, "un des périodes, les plus brillantes de l'époque sassanide."

up the right bank, past Circesium, Zenobia, and Callinicus. Taking the first Roman town on the west side of the river (variously given as Suron and Dura), he destroyed the place. He received a large ransom for Hierapolis, then advanced on Berrhoea (Aleppo), accepted its ransom, and moved against Antioch. After three centuries the rich "queen of the east" was again threatened by a Sasanian emperor. In 540 Khusro took the city after a brief, desperate siege. He quickly agreed to withdraw on payment of an indemnity of five thousand pounds of gold, an annual fee of five hundred pounds more as payment for holding the Caspian gates against the Huns, and delivery of hostages. Before the truce was actually concluded, however, Khusro advanced on Apamea on the Orontes and successfully demanded all the valuables in the temple, thence returning to Antioch by way of Chalcis, which additionally paid two hundred pounds of gold into the Iranian treasury. Khusro thus made each important city, including Edessa, Constantina, and Dara, pay a huge ransom. By then, Justinian had accepted the terms earlier agreed upon in Antioch. Justinian however regarded the conduct of Khusro after leaving Antioch as a gross violation of the agreement. He forthwith renounced the peace. So ended the campaign of 539-40. Khusro, meanwhile returning home, built a new city near Ctesiphon.

In 541 two operations, on fronts distant from each other, found the Romans on the offensive in one region, the Iranians in another. These are known, respectively, as the Lazic War and the War in Mesopotamia. Lazica, the ancient Colchis on the Black Sea, was a Roman protectorate from 522, and now revolted, in 540-1, seeking Iranian support. Khusro accepted the submission of the Lazic envoys and led a large army into the country, making it an Iranian province. In the meantime, Belisarius moved from Roman Mesopotamia against Iran, attacking toward Nisibis. In the course of the summer, he withdrew after inconsequential manoeuvres. In 542 Khusro appeared in Com-magene, planning to move toward Palestine. Belisarius stopped the movement. At the same time, a plague broke out at Pelusium and spread from Egypt into Palestine. In 543 the Iranian armies crossed into Armenia but with little result. A year later Khusro marched against Edessa, perhaps now planning to take and hold Roman territories. From 363 when Shapur II took Nisibis, the Iranians had felt secure in the eastern part of Mesopotamia. If they could occupy Edessa and Dara, they would hold the whole and force the Romans well back on to the Euphrates frontier. But the siege of Edessa proved a failure. In

545 after five years of hostilities, Khusro agreed to receive Justinian's ambassadors. Khusro proposed a simple cessation of fighting for five years. Justinian agreed, paying a price of two thousand pounds of gold.

In 550-551 an insurrection took place in Khuzistan, led by a son of Khusro. It was, Pigulevskaja says, similar to the Mazdakite rebellion. The rumor that Khusro was gravely ill served as pretext. With Mazdakite and Christian support the rebels did not have sufficient resources to undertake an invasion of Babylonia. Loyal troops quelled the rebellion. Pigulevskaja says that the insurrection was not an ordinary coup d'état but a social revolution.

A year earlier, in 549 the Romans had already broken the truce. Since Khusro had found his Lazic allies difficult to control, he determined to deport them from their homes and to resettle faithful subjects in Lazica. Justinian thereupon took the Lazic rebels against Khusro under his protection. From 549 to 557 the contesting empires fought a new struggle, the Second Lazic War. Khusro apparently planned to hold the Black Sea foothold he had earlier gained, and of necessity the Romans were determined to repel him. The ill-success of the Iranian forces finally persuaded Khusro that the scheme of holding Lazica was hopeless, for his forces were greatly overextended. In 556 he opened serious negotiations; hostilities were suspended. Each party was to hold what it then possessed. In the following five years negotiations produced a permanent settlement. In order to secure lasting peace, Khusro ceded all sovereignty of Lazica to Byzantium, withdrew completely, and handed the territory over to the Romans. An annual fee of thirty thousand gold-pieces was to be paid to Iran for the costs of the Caucasian defense. Iranian Christians were guaranteed free exercise of their religion but prohibited from converting Zoroastrians. Free trade was assured in specified markets and routes. Dara might be retained by Rome as a fortified town, but not as headquarters of a large offensive army. Iran was to maintain the Caspian Gates against the Huns and Alans. The peace was supposed to last fifty years. In all a million and a half pieces of gold would have to be paid over the coming half-century.

Rawlinson points out that the advantage to Khusro in consequence of the treaty of 562 was similar to that of Rome in 532.¹ He now no longer had to maintain substantial forces on the western and north-western fronts but could move in the south and east. He soon inflicted

¹ *Monarchy*, p. 422.

a heavy defeat on the Hephthalites, long a formidable enemy, and overran the Khazars. Meanwhile in the south an important Christian state had been established by Ethiopians in Arabia Felix, giving Khusro some alarm. He determined to drive the Ethiopian colonists out and to free the Arab tribes from their domination, at the same time extending Iranian influence to the Red Sea. The war in western Arabia lasted from 570 to 576. Khusro sent his forces by ship through the Persian Gulf. He allied himself with local Jews and native Arab armies. The plan worked, and the Ethiopians were driven out. An Iranian Marzban was set over the Arab tribes, who were free to revert from Christianity to their former cult.

Khusro had received ambassadors from the Turks, who as allies had helped overcome Hephthalite power in Transoxiana and Sogdia. The Turkish khan proposed a treaty of trade and friendship. Khusro rejected the overtures, and the Turks turned to Byzantium. Justin cordially received them and in 568 made an alliance which promised a trade route with China free of Iranian control. The Turks thereupon determined on an invasion of Iran, took some territory, but retired to Turkestan before the Iranian counterattack. In 571 Turkish ambassadors applied for Roman support, intending simultaneous invasions on both west and east. Declining to pay the installment of the Caucasian defense levy, Justinian now renounced the "Fifty-year" peace of 562, which had lasted a decade. The war of 572-591 began when Khusro took the field, marched against the Romans who were besieging Nisibis, raised the siege, and forced the Romans back into Dara. Another Iranian army ravaged Syria, Coelesyria and beyond, destroying Apamea. Dara surrendered on Nov. 15, 573. The Romans proposed an armistice, hoping to restore their forces in the east. In December, 574, Khusro accepted the truce for a price of forty-five thousand gold coins. In 575 war was renewed. But shortly thereafter, a three-year truce, excluding Armenia, was agreed upon (576-579), at a cost to Rome of thirty thousand gold coins a year. Khusro now reestablished his rule in Armenia, which as often had taken advantage of Iranian preoccupation elsewhere to revolt. He threatened Cappadocia but thereby aroused Justinian to counterattack in Persian Armenia. In 578-9 war was renewed. The Romans successfully took the offensive in 579, ravaging almost as far as Ctesiphon. There Khusro died, like his father while on a campaign. His death closed a brilliant age.

The long stretches of war had preoccupied Khusro but did not prevent him from repairing the condition of the empire, concluding

the vast reforms begun by Kavad.¹ Khusro reorganized his finances, taking as model the Roman system established by Diocletian. Taxes on land were assessed after a careful census of date palms, olive trees, and other wealth-producing resources. The head-tax, depending on a man's productive capacity, was carefully assessed by a new census. Soldiers, Magi, and high nobility as well as state officials were exempted. Khusro sought a fixed, stable income. Minority communities paid a heavier head tax. Altheim and Stiehl cite the following maxim of Khusro: "Das Königtum stützt sich auf das Heer und das Heer auf das Geld, und das Geld auf den *barag*, und der *barag* auf den Landbau, und der Landbau auf die Gerechtigkeit, und die Gerechtigkeit auf die Integrität der Beamten, und die Integrität der Beamten auf die Zuverlässigkeit der Wezire, und die Spitze des Ganzen ist die Wachsamkeit des Königs gegenüber den eigenen Neigungen und seine Fähigkeit, diese so zu lenken, dass er sie beherrsche und sie ihn nicht beherrschen." Khusro thus stressed the improvement of the administration, which was so important to him. He set governors over the four divisions of the empire to watch over local officialdom, thereby increasing the administrative means of controlling the vast bureaucracy. The reorganization of the bureaucracy became a model for Islamic government. The clergy and nobility did not regain their former power.

Of Khusro's reforms, Frye observes, "The sources agree in their assessment of the empire of the Sasanians after Chosroes as a tightly organized structure with the king supreme at the top of the hierarchy... It would seem that there was a considerable activity in fixing rules of behaviour, prerogatives and obligations for various classes of society in this period... The fascinating picture of society under the later Sasanians is one of a people who have seemingly reached a social and religious stability in religion, class structure, and general culture, but,"

¹ See Frye, *Heritage*, pp. 218-220; Christensen *L' Iran*, pp. 365ff.; Nöldeke, *Tabari* pp. 437-455; F. Altheim and R. Stiehl, "Staathaushalt der Sasaniden," *La Nouvelle Clio* 5, 1953, pp. 267-321; Ernst Stein, "Ein kapitel von persischen und vom byzantinischen Staate," *Byzantinisch-Neugriechische Jahrbücher* I, 1920, pp. 60-70, "Die Reformen des Kawadh und des Chosrau Nuschirwan"; Pigulevskaja, *Villes*, pp. 197ff.; Sykes, *History*, I, pp. 400-8; Grignaschi, *op. cit.*, pp. 17-18, 20-21, 27-28; Bury, *History*, II, pp. 112-113.

I. Hahn, "Sassanidische und spätromische Besteuerung," *Acta Antiqua* 7, 1959, pp. 149-160, provides an excellent account of the taxes of Kavad and Khusro I, including a study of relevant Talmudic materials (pp. 154ff.). He shows on the basis of Talmudic evidences that headtaxes were imposed before the reforms of Khusro. Yet it may be an anachronistic use of later terminology by the editors of the Talmud, who may have applied to the earlier situation usages which only afterward were commonplace.

he remarks on the existence of "continuing seeds of decay in the resultant stagnation."¹ A standing army replaced the former feudal levies. Khusro moreover strengthened the frontiers by a system of limes in the Syrian desert, the Caucasus, and as we noted, east of the Caspian Sea in the steppes of Gurgan.

Khusro enriched the civilization of Iran by extending a welcome to the refugee scholars of Athens who in 529 had fled to Iran. Various works in Greek learning were translated into Pahlavi. Iranian epics were written down and fixed in final form. The Avestan alphabet was created under Khusro, as we shall see. He supported at Gundashapur a university where medicine, philosophy, rhetoric, and poetry were studied. In all, Khusro followed a highly tolerant policy toward Christians, particularly Nestorians, and toward other minorities in the empire.² Called *anosharvan*, of immortal soul Khusro was the outstanding emperor in later Sasanian times.

John, Bishop of Ephesus, writes, "He was a prudent and wise man, and all his lifetime he assiduously devoted himself to the perusal of philosophical works. And... he took pains to collect the religious books of all creeds, and read and studied them, that he might learn which were true and wise and which were foolish... He praised the books of the Christians above all others, and said, 'These are true and wise above those of any other religion.'"³ It seems likely that John's eloquence exceeded his veracity. It is noteworthy that the old heroic names of Iranian antiquity, Kavad, Jamasp, and Khusro, now reappear in the ruling household.⁴ This is consistent with Khusro's cultural policy, which was to reemphasize Iranian heroic traditions, a policy hardly to be reconciled with his alleged belief in the superior wisdom of Christian teachings.

III. HORMIZD IV AND BAHRAM VI

Hormizd IV (579-590) and Bahram VI Chobin (590-591)⁵ followed the long reign of Khusro. The succession of Hormizd IV, in February,

¹ *op. cit.*, p. 219.

² See in particular Christensen, *L'Iran*, pp. 415ff.

³ Quoted by Bury, *History*, II, p. 113.

⁴ T. Nöldeke, *The Iranian National Epic*, trans. L. Bogdanov (Bombay, 1930), pp. 9-10.

⁵ I consulted Rawlinson, *Monarchy*, pp. 459-493; Ghirshman, *Iran*, pp. 305-6; Pigulevskaja, *Villes*, pp. 223, 246; Christensen, *L'Iran*, pp. 441-446, on the meaning of *chobin*, p. 443, n. 1; Nöldeke, *Aufsätze*, pp. 120-122; Altheim and Stiehl, *Staat*,

579, was undisputed. Son of the emperor and a Turkish princess, he auspiciously began his reign by promising to follow his father's policies. He explicitly declined to persecute Jews and Christians, according to Tabari remarking, "As in a large territory there were many kinds of soil, so it is fitting that a great empire should contain many kinds of opinions and ways of living."

He inherited his father's wars as well, now to be fought against Tiberius and Maurice. The former offered to negotiate peace and to relinquish all claims on Armenia. Hormizd refused to consider a peace which did not include a Roman subsidy for the Caucasian defense. In the summer of 579 the Byzantine forces crossed the Tigris and ravaged Kurdistan, possibly also Media. In 580 the Romans planned an invasion of Babylonia, including an attack on Ctesiphon. The emperor was warned, so a large Iranian army entered Roman Mesopotamia and threatened Callinicus, forcing Maurice to retreat and defend his own rear.

The next spring the Iranians attacked Constantina but suffered a great defeat. Meanwhile in 582 Tiberius died, having placed the empire in Maurice's hands. In 584-585 the Romans plundered Iranian lands on the Upper Tigris, facing little opposition. Late in 585 the Iranians unsuccessfully besieged several Roman towns. Negotiations were resumed with no result. In 586 a new Roman invasion produced victory. The Iranians withdrew inland, and the Romans followed. Fresh forces now joined the Iranian army, however, and forced a Roman retreat. Heraclius then took command of the Byzantine forces and devastated the frontier territories on both sides of the Tigris. The campaigns of 587 produced no consequential result. In 589 a new campaign led to the Iranian conquest of Martyropolis. The Romans counter-attacked around Nisibis, and Heraclius won a major victory, took the Iranian camp, and seized rich booty.

pp. 119-120; Patrono, *Bizantini e Persiani*, pp. 232-258, Pigulevskaia, *Villes*, pp. 246, 223.

On the war of 572-591, I follow Honigmann, *Ostgrenze*, pp. 20-37; Güterbock, *Byzanz und Persien*, pp. 110-126; M. J. Higgins, *Persian War of the Emperor Maurice (582-601)* (Washington, 1959), pp. 24-41; Justi, *Geschichte*, pp. 541-543; Sykes, *History*, I, pp. 476-479; Bury, *History*, II, pp. 95-113; N. H. Baynes in *CMH*, II, pp. 275-280; Goubert, *Byzance avant l'Islam*, I, pp. 87-117; on Bahram Chobin, pp. 121-127.

See also Maçoudi, pp. 212-222; Zotenberg, *Tabari*, II, pp. 246-253, on Bahram Chobin, pp. 253-286; Wright, *Literary History*, pp. 181; Levy, *Epic*, pp. 335-349; Nöldeke, *Tabari*, pp. 264-275, 430-1, 474-478, on the romance of Bahram Chobin.

For the Armenian traditions on Hormizd, see Patkanian, pp. 187-191; on Bahram, pp. 192ff. On the war against Maurice, note also Jones, *Empire*, I, pp. 310-311, III, p. 310, ns. 19, 21. See also Tha'alibi, pp. 637-661.

A sudden danger on other fronts deepened Iranian difficulties. Surrounding peoples, particularly the Arabs and Khazars, now invaded the territories of Iran. The Arabs spread over Mesopotamia; the Khazars attacked in Armenia, which was now in revolt, and Azarbaijan. More serious still, in July, 588, the Great Khan of the Turks crossed the Oxus, captured Balkh and Herat, and threatened the Iranian plateau. Hormizd sent a general, Bahram, who had made a name in Khusro's wars, to oppose the Turks. Bahram decisively defeated the Khan in the east and Huns in the north. He thereupon reopened the Lazic war, ravaging the undefended province, but was soon forced out. Still, the tide was turning.

Hormizd, not unhappy at his general's failure in Lazica, insulted him. Bahram repaid the insult in kind. Bahram then openly revolted, and with the Mesopotamian army joined to his, advanced by way of Adiabene. Hormizd's forces deserted him, and the insurgents closed on Ctesiphon. A palace-revolt saved Ctesiphon from the necessity of a siege. On February 6, 590 Hormizd was deposed, and his son, Khusro II was proclaimed emperor. The palace rebels accepted him, but Bahram did not. Khusro, facing a large army, determined to seek a reconciliation with Bahram, whom he personally had done nothing to offend. He invited Bahram to court and offered him second place in the empire. Bahram rejected the offer. Khusro gathered whatever forces he could find. Bahram now attacked and defeated the loyalists. Khusro fell back on Ctesiphon and then fled to Circesium, seeking Byzantine help.

While some in Constantinople proposed to exploit the Iranian civil strife, Maurice feared that Sasanian anarchy would only serve to invite still more formidable foes on the east to take power on the Byzantine frontier. He therefore gave Khusro all necessary support in exchange for the cession of *all* of Iranian Armenia and Eastern Mesopotamia. It was a considerable price to pay even for the throne. Bahram had meanwhile taken Ctesiphon but found that Armenia and Mesopotamia favored his rival, fearing (in the latter case) the renewed troubles of a Roman invasion. The garrison of Nisibis, nearest the Roman border, went over to Khusro. In the spring of 591 Khusro, with his Mesopotamian, Roman, and Iranian allies, moved against Bahram. Passing through Adiabene, he met Bahram at the fords of the Zab. A force despatched as a diversion down the Mesopotamian side of the Tigris suddenly appeared before Seleucia, took it without a fight, received the surrender of Ctesiphon, and then proclaimed Khusro emperor.

Bahram had still to be dealt with. The better general, Bahram carried the day, but his difficult position, with the loss of Ctesiphon, persuaded him to retreat to the northeast, toward Ray. Bahram evacuated his camp and took up quarters south of Lake Urmiah. Khusro and the army followed and forced a new retreat. Finally, Bahram was routed and fled to the Turks. Khusro then reentered Ctesiphon, and after a year's absence reascended the throne. But the Byzantine frontier now extended to Lake Van.

Hormizd's unpopularity, which produced the difficult succession of Khusro II, derived from lack of prudence. Like Khusro I, he had sought to retain ascendancy over nobility and clergy, but he only succeeded in making enemies of both. When he tried to disgrace Bahram, the nobles seized the opportunity to depose him. The rising power of the aristocrats was reflected in their construction of small castles all over the empire.¹ But on the other side of the picture, Frye notes that the "standardization of the coinage with the stamping of dates and mint marks shows that the state exercised more control over the later issues than earlier in Sasanian history. After Khusro I the reduction of copper coinage in favor of silver further indicates the end of local autonomy and the decline of provincial commercial interests in favor of centralization, and this tendency was not reversed with the political decline of the central government."² While commercial life seems sophisticated, the economy did not flourish. The wars produced rich booty but were expensive and destructive.

IV. MAZDAISM

The name of Kavad recalls the ancient heroic figure of Iranian epic of the ancient regime.³ Whatever the motives of the emperor, whether religious or political or a combination of the two, the restoration after Jamasp led to the reestablishment of Mazdean power. Kavad now showed himself most zealous for the official religion. When Khusro

¹ Frye, *Heritage*, p. 224.

² *Heritage*, pp. 224-5.

³ *La Religion*, p. 286. On *kai/kavi*, see Arthur Christensen, *Les gestes des rois dans les traditions de l'Iran antique* (Paris, 1936), pp. 43-74, "Rois et héros dans la littérature narrative de l'époque sassanide." Note also Wikander, *Feuerpriester*, pp. 146-7, and Christensen, *L'Iran*, pp. 326-7.

put down the Mazdakites, he decreed that "the truth of the Mazdayasnian religion has been recognized."¹

Zachner translates the relevant passage of the Denkart as follows:

His present Majesty, the King of Kings Khusro ... son of Kavad, after he had put down irreligion and heresy with the greatest vindictiveness according to the revelation of the Religion in the matter of all heresy, greatly strengthened the system of the four castes, and in a diet(?) of the provinces he issued the following declaration: "The truth of the Mazdayasnian religion has been recognized. Intelligent men can with confidence establish it in the world by discussion. But effective and progressive propaganda should be based not so much on discussion as on pure thoughts, words, and deeds, the inspiration of the Good Spirit, and the worship of the gods paid in absolute conformity to the word. What the chief Magians of Ohrmazd have proclaimed do we proclaim; for among us they have been shown to possess spiritual insight. And we have asked ... of them the fullest exposition of doctrine both of that which concerns spiritual insight and of that which deals with conduct on earth, and for this we give thanks to the gods."²

Khusro decreed that the Avesta and commentary (Zand) be studied zealously. Zachner comments that Kavad's toying with the newest religion then current necessitated the new decree "to set matters straight."³ So Khusro reestablished "true Mazdean doctrine." He sought "a *via media* both between religion on the one hand and philosophy or science on the other, and between the rival schools of Mazdeanism and Zurvanism."⁴ He was highly intolerant of heresy.

If, as Agathias says, he studied Greek science and philosophy, Khusro still remained faithful to the old tradition. But he displayed tolerance toward other religions. As we noted, Christians were given religious liberty, except the right to make converts, by the treaty of 562. Indian culture was welcomed in Iran. The game of chess was supposedly brought from there during this time. The court of Ctesiphon gave protection to the refugee scholars of Athens, as we noted. Zachner holds that the "harsh, xenophobe Khusro" of the Denkart passage cited above was the young ruler, who had at the outset to take "harsh measures ...to preserve both Church and State from disintegration. After he had strengthened the Zoroastrian Church and put a stop to doctrinal wrangling within it, he could afford to adopt a

¹ Zachner, *Zurvan*, p. 48.

² *Zurvan*, pp. 8-9.

³ *Zurvan*, p. 11.

⁴ *Zurvan*, p. 48.

generous policy towards the Christians, who, maintaining the errors of Nestorius against the orthodoxy of Byzantium, could no longer be regarded as enemies within the gates. The presence of a few Greek philosophers at his court might well cause offense to the more conservative among the Magians, but was no doubt pleasing to the vanity of the King of Kings. We can then conclude that the reign of Khusro I combined the reestablishment of Mazdaism with the policy of toleration towards other religions. For he himself says in his decree, "We have no dispute with those who have other convictions."¹ The clergy never regained its ancient power.

Mary Boyce points out that in Zaehner's mind, "times of xenophobia and persecution are interpreted as times of orthodoxy, and times of liberalism as Zurvanite."² In the long period in which Zurvanism took shape, however, "the likelihood is that by that [Sasanian] time it was quite as capable as Mazdaism of intolerance and nationalism." Duchesne-Guillemin characterizes Khusro's reign as "clerical and liberal,"³ at first the one, at the end the other, following Zaehner.

As to the editing of the Avesta, Bailey⁴ shows that by the ninth century, "no single account of the transmission of the texts had been

¹ *Zurvan*, p. 50.

² "Reflections," *BSOAS* 19, 1957, p. 306.

³ *La Religion*, p. 291.

⁴ See H. W. Bailey, *Zoroastrian Problems in the Ninth-Century Books* (Oxford, 1943), pp. 149-176, Vol II, p. 16, n. 3, and Vol. IV, p. 19. Compare Geo Widengren, *Religionen*, pp. 245-259. Widengren assigns to Shapur II the gathering of sacred scriptures, and to Khusro I the final editing. See also Wikander, *Feuerpriester*, pp. 160-1, H. S. Nyberg, *Die Religionen des alten Iran* (Leipzig, 1938), pp. 414-429.

F. Nau, "Étude historique sur la transmission de l'Avesta et sur l'époque probable de sa dernière rédaction," *RHR* 95, 1927, pp. 149-199, provides a thorough account both of the traditions on the editing of the Avesta (pp. 149-154), of the theories on its composition held by various scholars (pp. 155-157), and, of greatest interest, of the Christian-Syriac sources referring to Persian scriptures (pp. 175-192).

He concludes, "C'était en effet l'époque où les ravages d'Héraclius et peut-être déjà le bruit des victoires des Arabes pouvaient faire craindre la disparition des traditions et des lois cérémonielles par le massacre ou la mort des hommes qui les possédaient par cœur et qu'on ne pourrait plus remplacer facilement... De plus, un grand nombre de mages s'étaient fait chrétiens, on ne pouvait donc plus comme auparavant conserver secrètes les traditions mazdéennes, on avait intérêt au contraire à fixer un texte assez rapproché du monothéisme et dégagé de l'idolatrie, enfin c'était le moment où les Nestoriens et les Massorètes hébreux inventaient des points voyelles pour fixer la lecture de la Bible, on comprend donc qu'on ait voulu vers cette époque perfectionner l'alphabet pehlvi pour fixer enfin une lecture et par suite une récitation de l'Avesta" (pp. 195-6).

He holds therefore that the Avesta now in our hands derives from the seventh century A.D. (p. 157). But see Christensen, *L'Iran*, pp. 515-517 for a devastating

uniformly adopted."¹ It is not impossible, however, that the Avesta in the form we now know existed in the time of Khusro I or immediately following his death, for, Bailey says, "The external evidence would not prevent us admitting the existence of a written text of the Avesta in Avestan script at a date about the middle of the sixth century A.D.; not at any rate later than c. 850 A.D. and more probably before that date."² He later states, "The date of the first complete writing down of the Avesta may be about the middle of the sixth century A.D. For this a new alphabet was invented, the Avestan alphabet, out of the cursive form of Pārsīg letters."³ He also cites the following passage, "It was so that Vēh-sāpuhr in the council of Khusro the king of kings son of Kavad of immortal soul published the twenty-one divisions..."⁴ Concerning the Avestan script Mary Boyce likewise writes, "This, which represents a considerable technical achievement, was probably in being by the reign of Khusro I, when the canon of the twenty-one *nasks* or divisions of the Avesta appears to have been finally established by a council presided over by the high-priest Wehsabuhr. With the carefully-forged instrument of the new alphabet, the Avestan texts were set down in their late Sasanian priestly pronunciation."⁵ We may take this as the last word on the subject.

He had sought, in Zaehner's words, to "combine the syncretistic approach of Shapur I with the rigid dualist orthodoxy sponsored by Shapur II. He regarded Zoroastrianism as the specifically national religion to which Iran owed its greatness, but it must no longer be a religion that was not prepared to learn from others."⁶

His son, Hormizd showed wide tolerance in religious matters, and therefore incurred the enmity of the Mobads.⁷ Bahram VI likewise met clerical opposition.⁸

critique of Nau's results. The theory that impending disaster forces scholars to write books, in Nau as in the histories of rabbinical literature, seems to me unlikely in general, but in any case unproven in this specific setting, both for the Talmud and for the Avesta, redacted in roughly the same time.

¹ *Problems*, p. 162.

² *Problems*, p. 169.

³ *Problems*, pp. 172-3.

⁴ *Problems*, p. 173.

⁵ "Middle Persian Literature," in B. Spuler, ed., *Handbuch der Orientalistik I. Der Nahe und der mittlere Osten*, IV. *Iranistik*, 2. *Literatur*, Lieferung 1, pp. 34ff.

⁶ See also Zaehner, *Dawn*, pp. 188-190; Widengren, *Stand*, pp. 123-4; Christensen, *L'Iran*, p. 491.

⁷ Christensen, *L'Iran*, p. 443.

⁸ *ibid.*, p. 445.

V. CHRISTIANITY

Mazdak caused considerable difficulty for the Christian community, particularly on account of the doctrine of community of women and property. When Jamasp deposed Kavad, he favored Christianity and called for a married, therefore Nestorian, clergy. At a council in 497 Babai, son of Hormizd, secretary to the Marzban of Beit Aramaye, was chosen Catholicos. In 498 he assumed the title of "patriarch of the east." He himself was married, and the council favored, and Babai ordered, marriage for all priests. Babai died about 502, and his death was followed by a period of anarchy.¹ Several pretenders, in particular Narseh and Elisha, competed for the Seleucian catholicate.

Finally in 540 Mar Aba came to power.² At first he enjoyed the support of Khusro I. He called a synod in 540 to end the schisms of the preceding half-century. Rules were promulgated on how to choose between contending candidates for the position of Catholicos. Mar Aba undertook a long pastoral journey through lower Babylonia and to the east, where he brought local schisms to an end and strengthened the churches. He addressed an encyclical to the Iranian church, pointing out that the schisms of earlier years had now ended by the grace of God and with the help of Khusro. He encouraged Christians to marry and to follow Christian law in the conduct of marriages and urged laymen to learn Scriptures. He taught that Christ is both God and man, fully divine and fully human, two natures intimately conjoined in one person.

In January, 541, Mar Aba returned to Seleucia, and devoted himself to the peaceful concerns of the catholicate. Shortly thereafter, however, the outbreak of hostilities with Rome produced a new persecution. Mar Aba was exiled to Azarbaijan from 541 to 548. While ordinary folk were mostly left alone, both monasteries and churches were laid waste. The school of Nisibis then closed for a brief period. In 548 Mar Aba escaped from exile. He returned to Seleucia but was imprisoned for

¹ Bardy, pp. 497-8; Labourt, *Christianisme*, pp. 154ff.; *Chronique de Séert, Pat. Or.* 7, pp. 128-130; Atiya, *History*, pp. 253ff.; Christensen, *L'Iran*, pp. 425-7. On the persecutions in Armenia, see R. Payne Smith, trans., *Ecclesiastical History of John... of Ephesus* (Oxford, 1860), pp. 117ff.

² On Christianity in the time of Khusro I, see Bardy, pp. 498-506; Labourt, *Christianisme*, pp. 163-197; Vööbus, *School of Nisibis*, pp. 157ff. On Mar Aba's theology, see Labourt, pp. 264f. See also *Chronique de Séert, Pat. Or.* 7, on Narseh and Elisha, pp. 147-152; on Paul, p. 153; on Mar Aba, pp. 154-171; on Joseph, pp. 176ff.; on Ezekiel, pp. 192-195; on Ishoyabb, pp. 438-442.

three years. Released in 551, he died soon afterward. Several Iranian nobles who had embraced Christianity were offered the choice of reversion or martyrdom.¹ As we noted, Christians were implicated in the subversion of 550-1. The peace of 561 produced respite from persecution.

Mar Aba was succeeded by Joseph, who held office from 552 to 567. He was chosen by the emperor himself. A doctor of medicine who had served the royal court, Joseph seemed a safe choice. He was forced to convene a general synod in 554. After renewing their profession of faith in two natures against the Monophysites, the fathers issued a number of decrees. Joseph ruled the church with an iron hand and soon found himself deposed by the bishops. Joseph sought royal support but did not gain it. Khusro instead approved the succession of Ezekiel, a disciple of Mar Aba. He held office from 567 to 579.

When Hormizd IV came to the throne, he showed considerable tolerance. According to Tabari,² he rejected the demand of the Magi to persecute both Jews and Christians, as we noted.

Ishoyahb, bishop of Arzun, was chosen Catholicos in 582-583. In 585 he called a synod in Seleucia, again to oppose Monophysitism, a growing problem. Ezekiel and Ishoyahb left few historical records.³ We know that Ezekiel made a trip to Nisibis in 573. In 587 the synod convened by him enacted a number of new canons, mostly concerned with schism. The choice of Ishoyahb was due to his support of the Iranian armies against the Romans. But the victory of Khusro II compromised his situation. He had tried to remain aloof from the dynastic struggle, supporting neither Bahram nor Khusro II, but so incurred the enmity of both. Ishoyahb fled from Seleucia, took refuge among the Arabs with Na'mān of Hira, and died in exile in 595-6.⁴

In 559 Jacob Baradaeus, who gave his name to the Monophysite ("Jacobite") church, visited the court of Khusro I to gain tolerance for the Christian Jacobites. He was appointed the bishop of Beth Aramaye and metropolitan of the East, and so founded the Jacobite catholicate

¹ See Hoffman, *Auszüge*, pp. 78-90; Christensen, *L'Iran*, p. 426.

² Nöldeke, *Tabari*, p. 268.

³ Labourt, *Christianisme*, pp. 197ff., 276ff.; Christensen, *L'Iran*, pp. 442-3; and see especially Vööbus, *School*, pp. 223-230.

⁴ On Christianity among the Arabs, see François Nau, *Les Arabes chrétiens de Mésopotamie et de Syrie du VII^e au VIII^e siècle* (Paris, 1933); L. Duchesne, "Note sur le massacre des chrétiens himyarites," *REJ* 20, pp. 220-224; Jacques Ryckmans, *La persécution des chrétiens himyarites au sixième siècle* (Istanbul, 1956); Atiya, *History*, pp. 258-9; and H. Charles, *Le Christianisme des Arabes nomades sur le limes et dans le désert Syro-mésopotamien aux alentours de l'hégira* (Paris, 1936), which I have not read.

of Iran. In 575 the new metropolitan was martyred for converting a member of the royal family. The Jacobites and Nestorians continued to compete within Christendom.¹

I am struck by the continuing effort of various sorts of Christians to convert Mazdeans, especially members of the nobility. The conversion of Mazdean aristocrats recurs as the single most consequential provocation of persecution, and in the several agreements between Iran and Byzantium Christian religious freedom was always qualified by the prohibition of Christian proselytizing within the Zoroastrian community. It therefore seems to me that the repeated persecutions of Christianity might well have been averted by a more circumspect policy. But the Christians of Iran, as we have seen, both hoped for and fully expected the conversion of the empire to Christianity, and therefore kept doing what they could to hasten that day. The conversion of Constantine had thus aroused false expectations, producing not only the disastrous Christian politics of 339-345, but also the appalling behavior after Yazdagird's decrees of tolerance. While the Mazdean clergy naturally could not favor the conversion of their flock to other cults, their close ties to the nobility imposed particular concern about the state of upper-class religion. So theological and political factors on both sides led to the recurrent conflict and persecution of the minority community.

I am less clear, on the other hand, about why the state directed its harshest measures against the monasteries, nuns, and monks. While their religious life may have come into conflict with the ideals of the Mazdean faith, that conflict in fact was not much greater than the one with the religion of lay Christians. True, the Mazdeans favored marriage, while the monks practiced celibacy. Further, the impoverished religious could hardly pay the head tax, so the state lost an additional source of funds. But these matters seem minor compared to the intensity of state concern and repeated persecution of the ascetics. It seems plausible that since the Christian religious appeared remarkably similar to the Manichaeans, the Mazdeans' "heretics" par excellence, they thus invited special hostility. But that explains little, for while in the confusions of Kartir's time, the persecution of Manichaeans spilled over onto the Christian religious, in general Mobads knew full well whom they were interrogating and why. In the end we must conclude with Vööbus that the religious really were the backbone of the church. If

¹ Atiya, *History*, pp. 183-4; Christensen, *L'Iran*, p. 426; *Chronique de Siert, Pat. Or.* 7, pp. 545.

the state planned to extirpate Christianity or merely to render it harmless, it had best start with the sources of Christianity's vitality.¹

VI. THE JEWISH STATE OF MAR ZUṬRA II

A peculiar group of traditions on the condition of Jewry in the time of Kavād derives from *Seder 'Olam Zuṭa*. We shall consider first the story about the birth of Mar Zuṭra, then the materials on his revolt. The former is as follows:

In the year 416 of the destruction of the Temple [= 484], the world stood without a king. In it [= BGWYH] perished [those] of the house of David. This is what happened: The wife of R. Huna the exilarch was daughter of R. Ḥananiah the head of the school. R. Ḥananiah was a great man [*gavra rabbab* = master of rabbinic traditions and reasoning]. A judge of the exilarchate went to the place of R. Ḥananiah, the head of the school, and wanted to do a session [of studies = LM'VD PRQ']. But the head of the school did not allow him [to do so]. He [the judge] came before the exilarch, and the exilarch appointed [an agent] whom he sent to bring [to him] the head of the school. Then [when the rabbi came], he [the exilarch] commanded concerning him [R. Ḥananiah] and placed him with a local guard [PYLY > PWL, guardsman] all night. The next day they brought him, and he [the exilarch] ordered them to pull out all the hair of his [R. Ḥananiah's] beard. He commanded [the guards] not to give him lodging. So the head of the school went and sat in the great synagogue and wept. He filled a bucket with tears and drank it. Then a plague fell upon the house of the exilarch, and all of them died on one night. There remained [only] Mar Zuṭra in the belly of his mother.

Mar R. Ḥananiah saw that night in a dream that he went to an orchard [BWSTN'] of cedars, took a flame, and killed [QṬL] every cedar which was in it. But there remained one [small] cedar under the ground which the flame did not kill. An old blind man came and said, "I am David, King of Israel, and this orchard is mine. You—what reason did you have to kill them [the trees]?" He struck him [R. Ḥananiah] on his neck and his face was turned backward, and when he woke up, his face had [actually] been turned backward. He said to the rabbis, "Does there yet remain of the house of David a single [survivor]?" They said to him, "There remains of them not a single man, but your daughter is pregnant." He went and stayed by her door in rain and sun until she brought forth a male child. When she gave birth, his face returned to normal.

¹ On the prohibition of conversions from Mazdaism to other cults, see especially Eduard Sachau, *Von den rechtlichen Verhältnissen der Christen im Sasanidenreich*. (Mitteilungen des Seminars für Orientalische Sprachen zu Berlin, 10, Abteilung II, *Westasiatische Studien*, Berlin, 1907), pp. 5ff.

He took to himself [the child], taught him, and made him a great man. One son-in-law [remained] of the house of David, and that was R. Paḥda. When he saw that the house of David had perished, he took money and bribed the king, so they made him head [of the Jewish community]. When Mar Zuṭra was fifteen years old, he and [his grandfather] the head of the school went to the king and retrieved the headship from R. Paḥda.

And as to that R. Paḥda—a fly went up his nose and swelled up until he died. On this account in the house of David they put a fly on their signets.

And Mar Zuṭra was exilarch twenty years.

(*Seder 'Olam Zuta*, ed. Felix Lazarus, in *Die Häupter der Vertriebenen* [*Jahrbücher für jüdische Geschichte und Literatur* 10, 1890], pp. 166 l. 4-168 l. 9.)

In fact, this story is drawn from the legend of the birth of Bostanai, first exilarch under Islamic rule. According to the Bostanai fable, the last Sasanian king, whose name is given as Hormizd, for some unspecified reason decided to destroy the house of David. No one survived except a young woman, whose husband had been killed shortly after marriage but had left her pregnant. The king then dreamed he was in a beautiful garden, where he uprooted the trees and broke the branches. As he was lifting up his axe against a little root, an old man snatched the axe and gave him a severe blow. The king promised to guard the last root, whereupon, when he awoke, an old man told him that the last root symbolized the sole surviving Davidide. The young woman was thereupon brought to the king, who treated her well and gave her a residence in his palace. The child was called Bostanai, from the garden (*bostan*) of the dream. The same legend contains the story of a wasp (fly). One day the king saw a wasp sting the boy. Blood trickled down the child's face, but he made no move to chase away the wasp. The boy, when asked why, explained that since the house of David had lost its throne, its descendants could not laugh or lift up a hand before a king, but had to stand in motionless respect. The king was deeply moved and made the boy exilarch. In memory of this incident the exilarch Bostanai placed a wasp on his seal.¹

The only source for Mar Zuṭra's revolt is as follows:

And Mar Zuṭra was exilarch twenty years, with Mar Rav Ḥanina [sic!], Rav Sama [or Ḥama], and Rav Yizḥaq as his sages. In his days

¹ Louis Ginzberg, "Bostanai," *JE* III, pp. 330-331. Lazarus comments on the confusion, pp. 23-25.

Mar Rav Yizḥaq head of the school was killed. On that day a great one [RB'] went forth from the hand of a greater one (?)¹—may the memory of our prince be for the life of the world to come! A pillar of flame appeared to him [Mar Zuṭra], and with him four hundred men went forth. They did battle with the Persians and founded (?)² a kingdom. He collected taxes for seven years.

In the end of seven years the rebels (?)³ who were with him sinned, for it was found that they had drunk wine used for pagan libations and had eaten in the palace of the kings of gentiles. The pillar of fire which had moved before him disappeared.

The Persians took and killed him and crucified the exilarch Mar Zuṭra and the head of the school on the bridge in Maḥoza. Then the king commanded that they return him to the place of the exilarch. On the day on which Mar Zuṭra was killed—may the memory of our prince be a blessing!—a son was born to him, and they called him Mar Zuṭra [II] according to the name of his father.

Then [members of] the house of David fled and for thirty years Mar Ḥunai could not show his face. Mar Rav Giza the brother of the father of the house of Mar Rav Nehilai went and dwelt at the Zeva canal [Nehar Zwa]. Mar Zuṭra the son of Mar Zuṭra the exilarch went up to the land of Israel. They elevated him to be head of the session [*resh pirqa*]. And in the year four hundred and fifty-two of the destruction of the Temple (= 520) which is the year 4280 of the creation of the world, he went up to the land of Israel and was head of the Sanhedrin.

(*Seder 'Olam Zuṭa*, ed. Felix Lazarus, pp. 168 1.9-170 1.4.)

These are by no means simple texts, and I have not been able to find the meaning of a number of words in them, as I have specified. Still, I think the main sense of both passages is accurate and clear as given. Further relevant texts are as follows:

¹ This is the best I can do with "nepaq raba miyadh gadhöl."

² 'WRYT MLKWT': Graetz gives, "er gründete ein Reich." Lazarus offers, "er besetzte." Neither explains how he reaches such an interpretation. I can do no better. I find in R. Payne Smith, *Compendious Syriac Dictionary*, ed. J. Payne Smith (Oxford, repr. 1957), p. 8, 'WRT, *apbel* of YRT, "to give an inheritance or possession," but the meaning "he possessed [gave possession] of a kingdom" seems to me not supported by that entry.

³ Lazarus' text reads DGYWTQY, and several MSS read DNTQY. Lazarus (p. 169 n.) cites several who emend to DDYWTQ', Jastrow for DYWTQ' gives DYWQT', "the examination of family records required for pure marriages" (I, 297, col. b), which can mean nothing here. If, however, we follow the reading HNK DNTQY, we may refer to the root NTQ, pa'el "to tear, sever, shift, transform." My "rebels" is a rough approximation at best, and is, alas, as groundless as the suggestions of others. Funk (cited below) reads TNDQY "Zandik" (sic!). See the critique of Klima, article cited below p. 101, n. 2.

And in the year 787 (= 476) R. Sama son of Raba died ... In the year 819 (= 508) R. Huna the exilarch died.

(*Letter of R. Sherira*, ed. B. M. Lewin, p. 97 l. 10-11.)¹

R. Sherira dates the deaths of R. Aḥai b. Rabba b. Abbuha in 511, and of R. Taḥna and Mar Zuṭra sons of R. Ḥanina in 515.

Scholarly Discussion: The traditional scholarly view of Mar Zuṭra's Jewish state and its relationship to Mazdak was formulated by Graetz, followed by Bacher without qualification, and by Funk in the main. Funk accepted the chief postulates of Graetz's analysis, differing only on minor points of detail, especially of dating. What is striking in all three is the uncritical acceptance of the fabulous stories as literally true, factual historical accounts, though with the exclusion of the more miraculous of the miracles. Klíma and Widengren exhibit a more critical spirit, but only Widengren recognized the hopeless state of the evidence.

Graetz begins with the assumption that the insurrection of Mar Zuṭra II was "for the purpose of resisting this intolerable communism" of Mazdak.² Graetz holds that Mar Zuṭra was born ca. 496. His father was Huna, who held the exilarchate from 488 to 508. Mar Zuṭra was then a young boy, and the office was filled by Paḥda. But Paḥda was unwilling to yield the post to his rightful heir, so Mar Zuṭra's grandfather, Mar Ḥanina, "in company with his grandson, sought the court of the Persian king, and in 511, presumably by means of valuable presents, succeeded in effecting Paḥda's deposition and Mar Zuṭra's investiture." Then Mar Zuṭra "arose, sword in hand, to protect his brethren." The cause of the insurrection was the "murder of Mar Isaac," as in the *SOZ* above. The four hundred "Jewish warriors" expelled "Mazdak's rapacious and lustful adherents from the territory of Jewish Babylonia."

Graetz further embellishes the story: "He is further said to have accomplished such brilliant feats of arms that the troops which had been sent by the king to quell the insurrection were unable to withstand him." I do not know who said so. He even laid non-Jewish inhabitants "under tribute." But the Jewish army of four hundred was finally "overcome by the superior numbers of the Persian host." As a result the Jews of Maḥoza "were stripped of their possessions and led

¹ Above, p. 96.

² *History of the Jews*, III, trans. by H. Szold (repr. Philadelphia, 1949), pp. 1-5. See also the translation of S. P. Rabinowitz (Warsaw, 1907), III, pp. 14-18.

into captivity." The exilarch's family fled to Palestine. Ahunai and Giza fled, the latter to the "river Zab." Graetz's view has been widely accepted.

Bacher, for example, follows Graetz's dates.¹ He says, "Mar Zuṭra, who came into office at the age of fifteen, took advantage of the confusion into which Mazdak's communistic attempts had plunged Persia, to obtain by force of arms for a short time a sort of independence for the Jews of Babylon. King Kobad however punished him by crucifying him on the bridge of Maḥuza (c. 520)... After Mar Zuṭra's death the exilarchate of Babylon remained unoccupied for some time. Mar Ahunai lived in the period succeeding Mar Zuṭra II, but for more than thirty years after the catastrophe he did not dare to appear in public, and it is not known whether even then (c. 550) he really acted as exilarch." I am not sure how Bacher understands the reforms undertaken by Kavād in his second period in power. It was then that the emperor ended the "confusion into which Mazdak's communistic attempts had plunged Persia," and according to Bacher's general interpretation, the dates of Funk would make more sense.

Funk: The usual dates for the state thus are 511-518, according to Graetz, though Klīma notes several minor variations.² Funk, however challenges Graetz's dates.³ He criticizes Graetz's view that Mar Zuṭra II was the son and successor of Huna II, who supposedly died in 508, on the basis of which Graetz came to the dates specified above. According to Graetz, Mar Zuṭra II would thus have been born in 496, therefore was only fifteen years old at the time of the revolt, and would have fled to Palestine at age twenty-two. Funk finds this impossible. He notes that it was *only* in the last years of Peroz and after his death that a Jewish state could have been established. No persecution took place under Peroz's successors. He concludes that the Jewish state was founded in 471. Mar Zuṭra ruled from 471 to 491, that is, the years of independence; and the actual "Erhebung" of Mar Zuṭra was in 484. Before that time a regent or guardian, R. Paḥda, ran the exilarchate, as in the Bostanai fable. Funk thus proposes a conflation of the SOZ and R. Sherira stories.

In his text (pp. 122-126), Funk furthermore incorporates a number of Talmudic stories into his history of the Mazdakite period. The tales

¹ "Exilarch," *JE* V, p. 290.

² "Mazdak und die Juden," *Arch. Or.* 24, p. 423, n. 10.

³ "Aufstand der babylonischen Juden unter Mar Sutra II," in *Die Juden in Babylonien*, II, pp. 143-145.

in b. Ta'anit 22a about a Jewish jailer who is careful both to keep men and women separate in his jail and to protect the purity of Jewish women is interpreted within the context of the Mazdakite doctrine of community of women. The death-sentence decreed by R. Hama b. Tuvyah against a priest's daughter who committed adultery (b. Sanh. 52b) was an "exemplary punishment." Funk says (p. 133), "Offenbar wollte er durch das strenge Urteil eine Anhängering Mazdak exemplarisch bestrafen..."

The expectation of the Messiah referred to in the following passage gives us "ein genaues Bild der damaligen Zeitverhältnisse":

R. Hanan b. Tahlifa sent to R. Joseph, "I once met a man who had a scroll written in Hebrew in Assyrian letters. I said to him, 'Where did you get this?' He replied, 'I hired myself as a mercenary in the Roman army and found it in the Roman archives. In it it is stated that 4231 years after the creation, the world will be orphaned. Some of [the following] years will be spent in the war of the great sea monsters, some in the war of Gog and Magog, and the rest will be the Messianic era..."

(b. Sanh. 97b)¹

The year 4231 A.M. is 471 A.D. The current printed texts have 4291, that is, 531 A.D.² On this passage Funk apparently had a text that read (or he himself emended the text to read) 4261, therefore 500 A.D. He forthwith explains, "Die wilden Scharen Gogs Magogs kamen in der Tat um das Jahr 500 ins Land. Kowad wurde nämlich vom Adel und den Magiern im Jahre 498 abgesetzt und ins Gefängnis geworfen..."³

Funk's interpretations of the Talmudic stories seem to me completely without foundation, indeed fantastic. Even though the rabbis mentioned in the several passages lived in this time—and this by *no* means certain—the consequent reading of all stories as pertinent to the Mazdakite troubles is still groundless. The supposed "exemplary" punishment and the behavior of the jailer hardly compel us to conclude that the Mazdakite doctrine of community of women posed a problem among the Jews. I have not got the slightest notion how Funk knows that the priest's daughter was a follower of Mazdak. The difficulty in finding an accurate reading of the date in the scroll found in the Roman archives precludes any such precise interpretation of its contents and

¹ On the Messianic prediction for the year 531, see Baron, *History*, p. 318, and p. 435, n. 31.

² See Ben Zion Wacholder. "Biblical Chronology in the Hellenistic World Chronicles," *HTR* 61, 1968, pp. 451-81, p. 453, n. 4.

³ Pp. 144-145.

implications as Funk imposes.¹ Funk's reading is egregious. Klíma's criticism of Funk's discussion is absolutely sound.

Otakar Klíma supposes that Mar Zuṭra's state came into being at the time of Zamašp. The exilarch was defending the Jewish community against the Mazdakites.² Klíma points out that the story of Mar Zuṭra II is confused with the legend of the birth of Bostanai. He thus finds the dates proposed by Funk to be roughly acceptable, though he does not accept Funk's reasoning.

He finds no pertinent information in R. Sherira's letter. The reference to "a storm" at the death of R. Aḥai b. Rabba b. Abbuha, as follows, Klíma says, tells us nothing:

And in the year 822 (= 511) on the Day of Atonement there was a storm [Z'P'] and R. Aḥai b. Rabba b. Abbuha died...

(*Letter of R. Sherira*, ed. B. M. Lewin, p. 98 l. 16-17.)

Klíma says we cannot explain what "storm" is here referred to. No Talmudic evidence whatever pertains to the Mazdakite movement (pp. 425-428). In fact, Klíma notes, we have no accurate and historically credible information on the Jews in the time of Kavād. He is willing to conclude, however, that immediately after the outbreak of the Mazdakite revolt, at the latest in the first half of 494, the Jews really did revolt and found a Jewish state. They were led by the exilarch himself: "Mar Zuṭra verband sich gewiss mit den den Mazdakiten feindlichen Elementen und nach der Absetzung Kavāds mit dem Adel und kämpfte gegen die Mazdakiten. Die Regierung des Jamāsp räumte ihm ziemlich grosse Freiheit ein und er konnte als eine von den Stützen der neuen Regierung auch Steuern erheben." In general no one paid much attention to the Jewish state in the unrest of the following years. Since the Court was opposed to the Mazdakites, the Jewish leaders could well have frequented it, and so they would have eaten with Persian courtiers, as the *SOZ* claims. The restoration of Kavād changed all this. He put an end to the state but continued the exilarchate, placing someone else, whose name we do not know, in charge of it. So the state would have been in existence from approximately 494 to 500.

But we know nothing, Klíma states, about the relations of Mazdak and the Jews. Islamic sources, cited by Klíma, relate that he had some

¹ But in R. Rabinovicz, *Diqduqei Soferim* (Repr. N.Y. 1960), XI, p. 144, I can find no support for Funk's reading.

² "Mazdak und Die Juden," *Arch. Or.* 24, 1956, pp. 420-431.

connection with Jews. Mazdak supposedly said that when the people of Israel sin against the Torah, then God sends his prophets, and so explained his coming at "just that time." But this tradition has nothing to do with historical events, Klíma says.

Widengren and Others: Abraham E. Kaplan explains the names of the several sages mentioned in the above accounts.¹

*Pigulevskaia*² expresses doubt that a mere four hundred men could have held out for seven years. She states, "On peut en conclure que la population juive traversait des troubles contemporains du mouvement mazdakite et peut-être en rapport avec lui." She therefore supposes that the Mazdakite movement gained "some non-Zoroastrian support."

Widengren states, "It would seem that nothing can be said with any certainty about the part taken by the Jews in this period. That there might have been some local rebellions can be argued. On the other hand it is quite possible that the Jews took up arms in order to support the king, Kavad, who temporarily was deposed and had to fight for his throne against both nobility and priesthood."³

Widengren adds, "Nor can I find that Klíma has brought forth any evidence speaking for a special importance of the Mazdakite movement for the Jews."⁴ He however does regard Klíma's thesis that Mar Zutra fought against Kavad and for Zamasp to be plausible, yet, "one could accept this hypothesis were it not for some circumstances that contradict it." He finds it incredible that Zamasp would have permitted the Jewish exilarch to impose taxes in the region of the capital. Further, as we shall see, the Jews in 502 and 531 fought for Kavad and would not have done so had they thought him anti-Semitic. *Widengren* says, "How could the Jews of northern Mesopotamia have been willing to risk everything—and actually their action led to a wholesale massacre of men, women, and children—to support against their own government a king who had not long ago executed the head of their brethren in the south?"⁵

Comment: It seems almost hopeless to come to any firm conclusion

¹ "Berurei Shemot," in *Sefer Zikaron leRabbi Yizhaq Isaac Halevy*, ed. Moshe Auerbach (Benei Beraq, 1964), pp. 203-209.

² *Villes*, p. 220.

³ *Status*, p. 144.

⁴ *Status*, p. 144, n. 3.

⁵ *Status*, p. 145, n. 1. See also Baron, *History*, II, pp. 196-197, who accepts the dates proposed by Funk. On Mazdakite suppression of Jewish holidays, see also L. Ginzberg, *Geonica* (N.Y., 1909), I, pp. 216-217. See also S. Rabinovitz, trans. of Graetz, III, pp. 385-387.

on the basis of this farrago of fable and purportedly historical narrative. The traditions in *SOZ* were redacted in the ninth century. The legend of Bostanai first occurs, according to Louis Ginzberg, in the sixteenth.¹ Yet the etiologies of the name of Bostanai and of the hornet/fly on his signet obviously provide the basis of the first *SOZ* passage. Well before the redaction of *SOZ*, therefore, the legend of Bostanai must have been confused with the story of R. Ḥananiah (whose name was changed in the following account to R. Ḥanina). I therefore find absolutely no useful historical data in the first passage.

The second is full of equally incredible, fabulous legends. We cannot rightly delete or ignore the supernatural details, particularly the pillar of fire, nor can we bypass the edifying and moralistic intent of the narrator. God had favored the rebels, until, preoccupied with war and the court (as Graetz states for fact), they neglected their study of Torah and so fell into sin. When God removed the sign of his favor (= "overcome by superior numbers"), their state collapsed. Anileus and Asineus similarly had prospered until one of them married a gentile woman and put on airs; the two brothers forthwith met defeat at the hands of the Parthians.² In stories such as these the storytellers must have regarded supernatural details as vital. Whether they were important to Josephus or not, they certainly constituted the main point for the author of *SOZ*.

It is striking too that we can in no way correlate the slight information available to R. Sherira with the fables of *SOZ*, despite Funk's effort. Strikingly, R. Sherira knew nothing of the Jewish state of Mar Zuṭra, yet he did know that both rabbis and exilarch were put to death by the Sasanian government. We cannot suppose that he was interested only in rabbinical and academic history, for in this very passage he provides important political information, *but* all of it is considered in connection with Yazdagird II and Peroz. Indeed, it is difficult to avoid the suspicion that R. Sherira and the *SOZ* preserve stories about pretty much the same event, whatever actually happened. For both, the exilarch and rabbis were killed. But they were different rabbis and a different exilarch. What renders the materials on Yazdagird II and Peroz immediately credible is the absence of supernatural detail, on the one hand, and the possibility of correlating Iranian, Christian, and Jewish traditions on the other. The three bodies of evidence obviously do not tell the same story. But they do make it clear that something

¹ *JE*, III, p. 331.

² Vol. I, 2nd ed. revised, pp. 53-61.

happened, about which each has information roughly congruent to that of the others.

In the Mar Zutra material, on the other hand, only late and largely legendary data are available. It is possible for historians to conclude that Jews fought against Mazdak (Graetz, Funk) and that they fought for him (Pigulevskaja); that the Jewish state arose in the first reign of Kavad and in the second—or perhaps in Peroz's time; that Jews supported Kavad and that they supported Zamasp. Since reputable scholars have come to exactly opposite conclusions upon the basis of pretty much the same evidence, the fault probably lies with the evidence, especially since it is so evidently inadequate, indeed incredible, to begin with.

What "kernel of historical truth" can we possibly derive from the second story? If, as I said, we can believe that a pillar of flame appeared to Mar Zutra and that it departed when his troops drank wine used for pagan libations and ate *unkosher* food, then we can affirm that Mar Zutra did indeed found a state centered at Maḥoza, collected taxes, was finally crucified, and, on that very day, his wife bore a son. If we cannot—and I for one regard the whole *SOZ* account as a fairy tale—then all we have is a legend of no more historical value than the part of the *SOZ* story about Bostanai. As we shall see, excellent evidence indicates that Jews in 502 and 531 fought for Kavad and favored his cause against Rome. Following Widengren, I wonder whether the emperor who had a decade or so earlier massacred the followers of a scion of the Davidic house could have called forth such deep loyalty, however much the Jews hated Rome. But this cannot be regarded as a decisive argument.¹

Conclusion: The chaos of the period of Zamasp (498-501) may have provided the setting for some such Jewish state, as Klíma suggests. The years immediately following on the death of Peroz (484) were also an equally plausible time, as Funk argues. But I share the view of Widengren that whatever may have happened in outlying satrapies, the government could easily control events in Maḥoza, the Jewish suburb of the capital, even in times of greatest stress.² It therefore is

¹ For reasons given below, p. 106.

² In the first century A.D., the Arsacid state was in complete disarray, and no effective bureaucracy seems to have functioned in Ctesiphon. But the Parthians' administrative deficiencies had long since been corrected. Though the governments of Hormizd III, Peroz and Balash were hardly efficient, they seem to me to have been far more effective than those preceding Vologases I four hundred years earlier.

difficult to locate a time in which events such as these actually could have taken place, unless of course the supernatural assistance assumed by all the stories in *SOZ* actually came about. So I see no alternative to Widengren's judgment. We can say nothing for certain. It may be that some Jews rebelled—four hundred fighting men would mean a group of two or three thousand in all. This could not have mattered much. But on the basis of the evidence in our hands, we have little reason to think Jews did revolt. We have still less reason to suppose that had they done so, the Iranian government would not, or could not, have suppressed them in short order.

VII. JEWRY FROM KAVAD I TO BAHRAM VI

Kavad: Two unrelated and therefore persuasive passages indicate that the Jews of northern Mesopotamia both favored the Iranian cause and fought for it. The first is as follows:

When he [Kavad] came to Tella [= Constantiniana] he encamped against it. And the Jews who were there plotted to surrender the city to him. They dug a hole in the tower of their synagogue, which had been committed to them to guard, and sent word to the Persians regarding it that they might dig into it and enter by it. This was found out by the Count Peter.

(*Chronicle of Joshua the Stylite*,
trans. W. Wright [Cambridge,
1882], p. 47.)

Peter was in Iranian hands. He persuaded his guards to allow him to come near the wall of the city, on the excuse that he had left clothes and various possessions in the city and wanted to ask the Tellenes to give them to him. The guards permitted him to do so. He reported in Greek "the treachery of the Jews," and the Tellenes maintained the pretense by throwing down a pair of trousers. Having verified the report, they found that a great mine had been dug at the center of the tower. As a result:

When the Greeks saw what was there, they sallied out against them [the Jews] with great fury, and went around the whole city, and killed all the Jews whom they could find, men and women, old men and children. This they did for (several) days, and they would scarcely cease from killing them at the order of the count Leontius and the entreaty of the blessed Bar Hadad, the bishop.

(*Chronicle of Joshua*, p. 48.)

Widengren comments, "This action on the side of the Jews is only possible to explain if Kavād was a friend of the Jews and their situation now considerably improved as compared to the days of Pērōz."¹

On the eve of a battle between Kavād and Belisarius in 531 the Iranian general sent a message to the Byzantine commander:

He sent to the Romans, asking them to respect the feast for the sake of the Nazarenes and Jews who are in the army that is with me, and for the sake of yourselves who are Christians.

(Zachariah of Mitylene, Chronicle,
trans. E. J. Hamilton and E. W.
Brooks [London, 1899], pp.
225-226.)

The same story appears in the Chronicle of Michael the Syrian and is quoted by Bar Hebraeus.² Here again we find that Jews fought for Kavād against Rome, as did Christians. It is striking that the Iranians were willing to employ Jews in the army, and Widengren once again stresses, "To suppose that Jews were found in the armies of the king they had a short time before been up in arms against would seem to create difficulties." Such arguments are, of course, inconclusive, and especially so about a king who has lost his throne, returned to it with somewhat different backers and a profoundly different policy, and again altered both supporters and policy. Moreover, history makes particularly strange bedfellows in feudal societies, where security in terms of local bases of power means that feudal lords of quite different persuasion can easily unite for a brief, common purpose without having to fear far-reaching consequences of a victory. The reliability of Widengren's arguments may be indicated by another. He notes that if the Mobads had collaborated in Kavād's deposition, the emperor would not afterward have permitted them to set his policy toward religious minorities. But by the account given above (pp. 73-79) he evi-

¹ *Status*, p. 145. See also Michael Avi-Yonah, *Bimei Roma uVizantion* (Tel Aviv, 1952), p. 189. On this passage, Baron states (*History*, II, p. 179), "Especially in defensive warfare, however, the Jews fought on the Roman side as they did on that of the Persians. As late as 502-503, the Jews of Tella offered stout resistance to the Sassanian armies, which, however, did not prevent their opponents from accusing them of contemplated treason." (Italics supplied.) In his note (p. 398, n. 10), Baron cites the passage reproduced here. I simply cannot comprehend how this text yielded Baron's interpretation of it. All we know is that the Jews tried to offer "stout" assistance to Iran, indeed contemplating treason.

² Quoted by Widengren, *Status*, pp. 145-146, and p. 145, notes 2-3.

dently did not. The minor religions were tolerated, and even Madzak lived on for twenty-seven years before the final break.¹

Khusro I: While Khusro's generally liberal attitudes toward minorities are well attested, we have no evidence whatever about the situation of Jewry in his long reign. His harsh measures against heresy were not normally directed against Jews or Christians². Christians were employed in his administration. We do know that in the wake of the Samaritan uprising in Palestine in 529 Samaritans and Jews sent an embassy to Khusro I asking him not to make peace with Rome. They promised that the Samaritans and Jews would support him in continuing the war.³ But nothing came of it.

We know too that a Jewish jailer was employed to guard the Christian martyr Shirin in the time of Khusro. The passage says she was handed over "to the Jews."⁴

Babram VI Chobin: In the struggle between Khusro II and Bahram VI from 590 to 591, the Jews certainly sided with Bahram. Bahram had overthrown Hormizd VI, under whom the Jewish schools were closed. Furthermore, Khusro II, his rival not only favored the Christians but enjoyed Byzantine support. It therefore was natural for the Jews to side with Bahram. After the forces of Khusro II conquered Antiochia Rūmīyah, the following took place:

But on the sixth day, he [Khusro II's general, Māhbod] destroyed with the short sword many of the Jewish community who had sufficiently participated in the revolutionary actions of Baram, imposing upon them the death penalty. For the inclination of the Jews toward Baram appeared to the tyrant to be not inconsiderable. At that time a large number of this people, rich in wealth, inhabited Persia. This is a wicked people. They love uproar and are despotic....⁵

Widengren, who calls attention to this passage, comments, "This persecution, however, would not seem to have been directed against the Jews *qua* Jews but *qua* insurgents against the legitimate king."⁶

¹ *Status*, p. 146, n. 1. All the available sources, Widengren concludes, "speak the same language."

² Christensen, *L'Iran*, p. 378.

³ Joannis Classen, *Theophanes, Chronographia* (Bonn, 1839), I, pp. 274-75, for the year 6021. See also Avi-Yonah, *Roma*, p. 189; Dillemann, *Haute Mésopotamie*, p. 159. He gives the date as 521. Avi-Yonah cites the same story in *Malalas*, ed. Bonn, p. 455f.

⁴ Widengren, *Status*, p. 156, and p. 156, n. 1.

⁵ Immanuel Bekkerus, ed., *Theophylacti Simocattae Historiarum* (Bonn, 1834), p. 218. My colleague, Professor Horst Moehring, kindly translated the passage, V 7-9.

⁶ *Status*, pp. 146-147, and p. 146 n. 2.

Following Graetz, Christensen's judgment is that the Jews, seeing in Bahram a benevolent protector, actually provided subsidies for his army.¹ This is plausible in the light of the account above. But I do not see how B. Broyde identified Maḥoza with Antiochia Rūmīyah.²

VIII. SUMMARY AND CONCLUSIONS

Kavad and Khusro retrieved the disastrous situation bequeathed by Peroz. They transformed Iran from a feeble, semi-tributary state, wracked by dynastic squabbles, weakened by economic crisis at home, and open to foreign intervention or invasion on every front, into a strong and united empire. Kavad's first task was to rebuild the domestic economy, to recover the loyalty of the lower classes and to restore dominance over nobility. He had to cope with the Mazdakite movement, which had aroused the aspirations of common folk for a redistribution of wealth and power. In the beginning he allied himself to the movement. Quickly thereafter he repelled Khazar raids and fortified the Caucasian frontier. The Mazdakite movement grew apace, however, and the frightened nobility determined to remove the emperor and replace him with his brother Zamasp. Kavad regained the throne with Hephthalite support. On returning to power, he at first withdrew support from the Mazdakites and restored the lands and families of the nobility. Later he completely suppressed the movement and killed Mazdak. But the nobles had been weakened by the massive

¹ *L'Iran*, p. 445. See also Goubert, *Byzance avant l'Islam*, I, p. 157.

² On the location of Rūmīyah, see Christensen, *L'Iran*, p. 386. This is not the same place as Rumaqan, see Obermeyer, *Landschaft*, pp. 179-180. See I. Broyde, "Bahram Tshubin," *JE*, II, p. 443. Graetz, III, pp. 8-9, says, "He [Bahram] was for them what the Emperor Julian had been for the Jews of the Roman Empire... he put an end to their oppression and favored their endeavors. For this reason they espoused his cause with great devotion, assisted him with money and troops, and supported his tottering throne. Without the aid of the Jews, it is probable that he would have experienced great difficulty in retaining it for any length of time... Only the army for the most part remained faithful to Bahram, and the Jews, doubtless, provided for the maintenance and pay of the troops..." Graetz likewise finds "Maḥoza" in Antioch-Rūmīyah; in connection with Julian's invasion of 363 he had already identified Maioga-malcha with Maḥoza! But Khusro II "did not hold the Jews to account for their participation in the revolt." I do not know the basis for that statement. If Khusro's general killed Bahram's Jewish allies, that seems to me "holding to account." On the other hand, the general's action may have been spontaneous. There is no evidence that the emperor himself initiated the punitive action. We cannot be sure, though Khusro's supposedly hostile actions later on suggest that he did hold Jewry to account. See also Graetz, trans. Rabinovitz, III, pp. 392-4.

social revolution, and a century passed before they regained their former influence in domestic politics.

Wars with Rome occupied much of Kavad's reign. Kavad needed funds and had depended upon the Roman subsidy to help defray the cost of the Caucasian defense. When the Romans reneged on earlier promises, Kavad invaded Armenia and Mesopotamia. From 505 to 515 Kavad fought a war against his erstwhile Hephthalite allies beyond the Oxus. In the next years he resumed the struggle with Rome and died while campaigning against the foe. His death found the northern and western frontiers endangered by Roman influence among Georgians, Lazi, Iberians, and Huns.

Khusro I completed the reconstruction of the domestic economy, investing vast sums in agriculture, communications, canals, and the like. He simultaneously reorganized the tax-structure and assured a regular supply of revenue. Khusro secured his own succession by putting to death both potential contestants for the throne and Mazdakite sympathizers. In the wake of Justinian's successes in the west, Khusro feared that the hereditary enemy would soon overpower his own country as well and so rule the entire world. His western campaigns produced enormous profits, as one city after another ransomed itself or handed over the treasures of its temples. At the same time, Khusro opened a new front on the Black Sea, apparently seeking an outlet in the west outside of Roman control, or merely to outflank Byzantium. The campaigns of Lazica and Mesopotamia continued intermittently for many years. When the long war drew to a close in 562, Iran found itself in a strong position in Mesopotamia, which mattered, but without substantial holdings in Lazica, which did not.

Khusro now turned against the Hephthalites and once for all wiped them out. He further overcame the Khazars, drove the Ethiopians out of Arabia Felix, and extended the sphere of Iranian influence to the Persian Gulf and the Red Sea. A new war with Rome followed from 572 to 591, and Khusro, like his father, died while on a campaign. The restoration of Iran was complete. No enemy threatened except Byzantium, which could be held at bay, if not overcome. On the southern, eastern, and northeastern frontiers as well as in the Caucasus, Iran predominated. Foreign powers could no longer intervene in the dynastic succession at home. The domestic economy was strong and the treasury well supplied with gold. The great emperor moreover enriched Iranian civilization with the spiritual treasures of the Greek and Indian worlds. He was responsible for the preservation in writing of the Avestan traditions.

Hormizd IV enjoyed an undisputed succession, as his father had long planned. He specifically declined to persecute Jews, among others. Like his father he found room in the Iranian empire "for many kinds of opinions and ways of living." The war against Rome continued and produced considerable success for a time. But with the victory of Heraclius before Nisibis, the Arabs and Khazars invaded, Armenia revolted, the Great Khan of the Turks crossed the Oxus and took Bakh, and in all, the situation seemed desperate. The great work of Khusro rapidly fell to pieces. Hormizd's general, Bahram, repulsed the Turks in the east and the Huns in the north, reopened the Lazic war, and for a time promised success. But Bahram was defeated in Lazica, and the emperor goaded him to revolt. Hated by clergy and nobility, Hormizd now found himself deserted. His son Khusro II was left to vie with Bahram for power. Bahram enjoyed widespread support at home, but Khusro II had friends in Byzantium. The emperor Maurice supplied Khusro with an army in exchange for the cession of all of Persarmenia and eastern Mesopotamia, a thoroughly outrageous price. Khusro II traded the strategic security of the empire for its throne. Mesopotamian, Roman, and Iranian detachments moved against Bahram and forced him to retreat. The nobility by now had completely recovered the position lost under Kavād and Khusro I. Foreign intervention once again determined the succession to the throne. No frontier was secure. By disgraceful concessions Khusro II had succeeded in inheriting a tottering empire. He would breathe into it new if transient life.

The strong emperors, particularly Khusro I, subordinated the catholici of Seleucia and freely intervened in the affairs of the church. Though the middle years of Khusro were marked by persecution, in general ordinary Christians found little difficulty.

Our knowledge of the situation of the Jewish community depends upon late and unreliable accounts. While those pertaining to the times of Yazdagird II and Peroz seem straight-forward and contained few if any incredible details, the tales of the exilarch Mar Zuṭra's birth and his uprising sometime after the death of Peroz proved singularly unpersuasive, being full of fabulous, supernatural events. We are told that the exilarch and leading rabbis responded to the killing of the head of a school by rebelling and setting up a Jewish state in and around Maḥoza, which survived for seven years. We cannot come to a persuasive estimate of when that state came into existence or of what were the circumstances surrounding it. We do not know how the Jews

responded to Mazdakism, though most historians have assumed that the doctrines of Mazdak would somehow have produced difficulty for the Jews and have further conjectured that the state of Mar Zuṭra was founded as a way of defending the Jews against Mazdakism. However, as we saw, no sooner do we try to locate an appropriate setting for the state of Mar Zuṭra than we are confronted by the utter inadequacy of our evidence. That has not prevented historians from offering dates from as early as 471 to as late as 520, a period of roughly fifty years.

My guess is that if the exilarch and rabbis founded "a Jewish state," it would have been at the time of the persecutions of Yazdagird II and Peroz. Such a Jewish state, as I said, would have been a natural consequence of their belief that the Messiah would soon come to rule it, indeed to transport its subjects en masse to Palestine. The deaths of Huna bar Mar Zuṭra the exilarch and several rabbis in ca. 470 would have put a quick end to the Jewish state. Later accounts replete with folklore must have been confused as to events, but in no case can I conceive that shortly after the whole Jewish government was wiped out by Peroz, a new state could have been founded. In any event, "four hundred men" were hardly sufficient to overcome even the weakened forces of the emperor, whose nobility and armies near at hand were many times that number. I do not believe the pillar of fire would have made up the difference. So, as I have indicated, the whole matter of the Jewish state of Mar Zuṭra II must be regarded in the same light as the birth-legend. It simply has no historical value whatever.

What is beyond doubt is that Jews supported Kavād's campaigns—early and late—against Rome. Jews in northern Mesopotamia tried to assist in the Iranian siege of their native town. Kavād's army facing Belisarius included both Jews and Christians. The probability is that the king of kings retained the support of the Jewish community. If so, the reason may be that the hostile policies of Yazdagird II and Peroz were abandoned. I should therefore imagine that after the chiefs of government and religion were put to death, the Jewish community for a time found itself without leaders, but in due course the exilarchate may have been restored, and in any event the schools resumed their normal operations. As to the Jewish courts and administrative structure, we have no firm evidence whatever. If, however, they were abolished by Peroz, then they probably were reestablished in some form, perhaps by Kavād but certainly by Khusro I, who had his hand in all sorts of matters pertaining to the Christian community, and, it is likely, to the Jewish one as well. Khusro well knew that the Jews of the

west hoped for his success. He had no reason to expect the resumption of local subversion. In any case the Iranian government was now strong enough to stop it at the first appearance. The very weakness of Peroz may have encouraged the Jews to try to realize their messianic expectations, and that weakness may have permitted them to do so for a short time. But Khusro I had little to fear, so I see nothing to contradict the late tradition that in *ca.* 550 the exilarch resumed his functions, and that for the next thirty or forty years, he governed Jewry.¹

Hormizd was not illiberal, but in the aftermath of his deposition the Jews favored Bahram VI. The reason was that Khusro II was the candidate of the hated Romans. It was unfortunate for Jewry, therefore, that Bahram VI proved no match for the Roman candidate. Many were killed, and one may guess among them were the upper-class elements around, and probably including, the exilarch. For the rest of Sasanian times, no Jewish government recognized by the state apparently functioned in Iranian Babylonia. We know very little about Jewry in the sixth century. The few pieces of solid information available to us permit no substantial conclusions. We may be certain of only one fact, that the Jews consistently supported Iran against Rome, both in politics at home and in battle on the frontiers.

¹ See below, pp. 124-127.

CHAPTER FOUR

THE SEVENTH CENTURY

I. KHUSRO II ("THE TRIUMPHANT")

With the help of Maurice, Khusro II returned to the throne in the summer of 591 and ruled until his death in February, 628.¹ He briefly extended the frontiers of the Iranian Empire to their widest point in history. Khusro II at the start required a Roman body-guard to protect him from his subjects. Soon afterward he avenged himself against those who had deposed his father and brought him to the throne. The Christians supposed that he had adopted Christianity as a result of his Roman sojourn. In any event he was remembered in Christian sources

¹ I follow the accounts of Rawlinson, *Monarchy*, pp. 493-532; Martin J. Higgins, "International Relations at the Close of the Sixth Century," *Catholic Historical Review* 27, 1941, pp. 279-315; N. H. Baynes in *CMH* II, pp. 285-300; Bury, *History*, II, pp. 207-248; Paul Goubert, *Byzance avant l'Islam*, I, pp. 128-190, on the rise of Khusro II, pp. 128-164, and on Khusro's relations to Byzantium from 591-602, pp. 167-183.

Note also M. J. Higgins, *Persian War of the Emperor Maurice (582-602)*, pp. 42-54; Patrono, *Bizantini e Persiani*, pp. 258-277; Christensen, *L'Iran*, pp. 447-496; Sykes, *History*, I, pp. 478-487; Justi, *Geschichte*, pp. 543-5; Altheim and Stiehl, *Staat*, pp. 120-123; Pigulevskaja, *Villes*, pp. 99, 151, 158, 224, 226, 246; Frye, *Heritage*, pp. 224-5, 229-230; V. Minorsky, "Roman and Byzantine Campaigns in Atropatene," *BSOAS* II, 1945, pp. 243-265; Nöldeke, *Aufsätze*, pp. 122-128; *Maqondi*, pp. 212-232 (on "Eberwiz"); Zotenberg, *Tabari*, II, pp. 286-302, 304-305, 325-327; Ghirshman, *Iran*, pp. 306-308; Levy, *Epic*, pp. 350-405; Nöldeke, *Tabari*, pp. 275-303, 351-361.

On Khusro II as a Christian, see Nöldeke, *Tabari*, p. 287, n. 2; also pp. 430-1; also Paul Peeters, "Les *ex-voto* de Khusrau Aparwez à Sergiopolis," *AB* 65, 1947, pp. 5-56. For the Armenian traditions, see Patkanian, pp. 192-215.

For the Byzantine wars, see also Jones, *Empire*, I, pp. 316-317. On the Avars and their Iranian alliance, see especially the excellent summary of H. H. Howorth, "The Avars," *JRAS* n.s. 21, 1889, pp. 721-810. On the meaning of *parvêz* = *aparvêl*, see Nyberg, *Hilfsbuch*, II, p. 15, s.v. *aparvêlîh*. See also Tha'alibi, pp. 661-728.

The best brief survey of Jewish history in this period is Salo W. Baron, *A Social and Religious History of the Jews. High Middle Ages, 500-1200: Volumes III-VIII. III. Heirs of Rome and Persia* (Philadelphia, 1957), pp. 54-60. On the "pogrom" in Isfahan, see p. 254 n. 69; on the Jews and Khusro I, p. 57. Baron (p. 58) characterizes the reign of Khusro II as "the stormiest period of Near Eastern Jewish history." On the massacre of Jews in Mahoza, see pp. 58-9 and p. 255, n. 73.

for having offered prayers to the saints and martyrs. He married a Christian and supported the construction of various churches and monasteries in Ctesiphon. The Armenians now held in check the surviving Hephthalites and Turks. Khusro maintained good relations with Rome at least at the beginning of his reign. Higgins says, "At the end of the 6th century, Rome unequivocally recognized the right of Persia to exist as a sovereign and independent state on terms of equality with herself." But it was a belated recognition of reality. A century earlier, it might have made a difference.

When in 600 some Arab clients of Rome ravaged Iranian territory, Khusro accepted the apologies of Maurice's envoy. In 602 Maurice was murdered. Khusro supported the right of his son Theodosius to succeed. When the murder of Maurice, Khusro's friend, was followed by the coronation of his murderer, Phocas, Khusro on this pretext declared war. In 603 Khusro defeated the Roman troops loyal to Phocas, with the help of rebellious Roman troops at Edessa. In 605 he besieged Dara and took it. In the next year, Iranian armies went on to take several towns in Mesopotamia, including Amida. Two years later Khusro took Carrhae, Resaina, and Edessa, and crossed the Euphrates, ravaging the western cities. He captured Hierapolis, Berrhoea (Aleppo) and other towns, while a second Iranian army in Armenia took Theodosiopolis, then invaded Cappadocia and threatened Caesarea Mazaca. Throughout Galatia and Phrygia Iranian troops ravaged the countryside and may even have come as far as Chalcedon, opposite Constantinople. In May, 611, after taking Callinicus and Circesium, Iranian armies defeated the Roman forces in Syria and sacked Apamea and Antioch. Phocas was in the meantime deposed by rebellious generals and replaced by Heraclius, prefect of Egypt. Heraclius sued for peace but to no avail.

Khusro now continued the war despite the irrelevance of its original pretext. In 612 he invaded Cappadocia again and captured Caesarea-Mazaca. The next year he took Antioch, and shortly afterward an Iranian force seized Damascus. Khusro clearly aimed at holding the Mediterranean coast. In 614-5 the armies invaded Palestine and found substantial Jewish support. After securing the Jordan valley and Galilee, the Iranians captured Jerusalem on May 5, 614. In the spring of 619 the same army under Shahrbaraz invaded Egypt, took Pelusium and Alexandria, meeting little resistance. The rest of Egypt soon submitted. Iranian detachments advanced up the Nile.

Meanwhile in the northwest, another army marched from Cappado-

cia to the Bosphorus and besieged Chalcedon. Heraclius again put out peace feelers, again to no avail. In 617 Chalcedon fell, and the Iranians stood in a stronghold a mile from Constantinople. Three years later, Ancyra (Ankara) and Rhodes submitted. In fifteen years Khusro's forces had built an empire from the Tigris to the Nile, controlling the whole of the Middle East. But it was hardly permanent. The Iranian armies plundered and left, but no administrators, bureaucrats, or tax-collectors followed in their footsteps. The Iranians, as in the time of Shapur I, brought not a new government but anarchy and destruction. Khusro may well have meant to retain the new territories. In so brief and ephemeral an occupation he was scarcely able to lay the foundations for permanent rule.

Heraclius, in despair, determined to carry the war to the enemy, for he still had an excellent navy, while Khusro had none. Bury divides the subsequent campaigns as follows: 1) the campaign of Cappadocia and Pontus; 2) the first campaign of Azerbaijan in 623; 3) the campaign of Albania and Armenia in 624; 4) the campaign of Cilicia in 625; 5) the second campaign of Azerbaijan in 626; 6) the campaign of Assyria (= Adiabene) in 627-8, as well as the Iranian attack on Constantinople of 626.

On Easter Monday, 622, the Roman fleet sailed southward to the Gulf of Issus and landed at the Bay of Nicomedia, hoping to establish a foothold from which the Roman forces might advance in every direction and outflank the Iranians in Asia Minor. The Iranian army of Egypt and Jerusalem moved against Heraclius. Toward the Armenian frontier the Romans won a significant victory, destroyed the army of Shahrbaraz, and returned by sea to Constantinople. Asia Minor was again safely open to Roman forces. In 623 attack on Iran came from the Khazars. Heraclius had allied himself with them and moved by ship to Trebizond and then into Lazica, where his allies joined him. The Roman armies now invaded Armenia. Khusro fortified Azerbaijan, particularly Gazaca, and commanded two other field armies to join and oppose the Romans. Heraclius quickly moved against Gazaca. The emperor retreated toward the Zagros, so evading the pursuit of Heraclius. Khusro made use of the rough country in between to effect his escape. Heraclius wintered in Albania. He needed time to recruit new forces in Christian Armenia and the Caucasus.

In 624 Khusro again took the offensive. He sent a small force into Albania to tie down the enemy. Heraclius avoided it and moved into Iranian territory along the plains beside the Araxes River. The Iranian

army sent to block the advance was defeated, but Khusro rallied and achieved a stalemate. The Romans again wintered in Armenia. In 625 Heraclius crossed over to the Upper Tigris, recovered Martyropolis and Amida, and in March met a new Iranian force blocking the passage of the Euphrates. Heraclius forded the river and by way of Samosata retreated to Cilicia, near the sea. The Iranian force followed but was stymied and retreated. Heraclius wintered in Cappadocia. Through 626 the situation remained fluid. Khusro still held parts of Syria, Palestine, Egypt, and Asia Minor up to Chalcedon, but the Romans could move almost at will within these same territories, particularly in Asia Minor.

Khusro determined on a final, great effort. He enrolled a vast army of Iranians, Bulgars, Slavs, and Avars, intending to take Constantinople by siege. Heraclius sent only part of his troops to guard the capital. He himself proceeded to Lazica, calling in the Khazars to help lay siege to Tiflis. The siege was foiled. Meanwhile in Asia Minor, however, a Roman force defeated the main Iranian army, and the troops before Constantinople made no progress whatever. The northern barbarians, Avars, Slavs, Bulgars, and others, having moved to attack, should have brought invincible force to the Iranian side. But the Iranians failed to take advantage of their opportunity; they had no naval power by which to cross, then control the Golden Horn. Heraclius, certain of the security of the capital and now enjoying Khazar support, could strike where and when he pleased. In September, 627, he started from Lazica on a winter campaign, quickly passing through Armenia and Azerbaijan. There the Khazars left him. Heraclius stood near Arbela on the road to Ctesiphon. Khusro however had sent a force into Azerbaijan, which blocked Heraclius's lines to Lazica. A force in front closed the road southward. A battle fought near Nineveh on December 12th, 627, decided matters in Heraclius's favor. He then occupied Nineveh, passed through Adiabene, and forced Khusro to recall his troops from Chalcedon. Heraclius's armies prevailed. Khusro fled to Ctesiphon, then to Seleucia across the Tigris. On January 10th, 628, the Roman army stood on the Nahrwan Canal, a mere few miles from Ctesiphon. Heraclius determined to rest there but not to besiege Ctesiphon. He made his orderly retreat in the next month and by March stood at Gazaca. Khusro had lost cities, booty, and palaces, but not the war. With large Iranian forces in the west, Heraclius was equally anxious for peace, if in its wake could come the restoration to Roman hands of Egypt, Syria, and Asia Minor. Khusro however was still ready for further, if hopeless, combat when, on February 28th, 628,

he was murdered by rebellious nobles and troops. Heraclius had completed one of the great campaigns in military history. Khusro's death secured its fruits.

Khusro II had spent most of his reign in the field. He did not visit Ctesiphon from 604 to 628.¹ But his government raised vast sums of money to support the wars and must have been efficient. Arabic and Persian writers celebrated the splendors of his palace, its rich appointments and lavish way of living.² Legends of his power and wealth were told for centuries to come.

II. KAVAD II, BORAN, ARDASHIR III, HORMIZD V, KHUSRO III AND YAZDAGIRD III

Kavad II, 628-629, Boran, 629-630, Ardashir III, 629, Hormizd V, 630-632, and Yazdagird III, 632-651, the last Sasanian rulers, proved consistently unfortunate.³ Kavad II came to the throne after his father's murder. His first task was to make peace with Heraclius, now in Gazaca. Peace upon the basis of *status quo ante bellum* resulted. Egypt, Palestine, Syria, Asia Minor, and Western Mesopotamia all were returned to Roman rule, along with the holy relics of Jerusalem seized decades earlier. Rome granted safe conduct to the retreating Iranians and abandoned Eastern Mesopotamia. The frontier was to be that of 591. Kavad II put to death all the Sasanian princes he could lay his hands on, but his sisters were allowed to live. He died soon afterward, possibly of the plague. He had ruled for about a year, from February, 628, to July, 629.

Since few Sasanian heirs had been allowed to live, the powerful general of the Byzantine wars, Shahrbaraz, sought Roman support in

¹ Christensen, *L'Iran*, p. 454.

² On Khusro's palace at Kas-i Shirin, see Roman Ghirshman, *Iran: Parthians and Sassanians*, pp. 200-201. On the sumptuary arts of his time, see pp. 203ff.

³ I consulted Rawlinson, *Monarchy*, on Kavad, pp. 533-540, on the interregnum, pp. 540-545, on Yazdagird III, pp. 545-578; Frye, *Heritage*, pp. 229-232; N. H. Baynes in *CMH*, II, pp. 299-300; C. H. Becker, "The Expansion of the Saracens," *CMH*, II, pp. 346-9; Bury, *History*, II, pp. 243-248; Christensen, *L'Iran*, pp. 494-509; Marquart, *Eränkabr*, pp. 67ff.; Sykes, *History*, I, pp. 488-502; Justi, *Geschichte*, pp. 545-549; Altheim and Stiehl, *Staat*, pp. 123-124; Pigulevskaja, *Villes*, pp. 154-5; Nöldeke, *Aufsätze*, pp. 128-134; Maçoudi, pp. 232-237; Zotenberg, *Tabari*, II, pp. 328-353; Wright, *Literary History*, I, pp. 182-184; Ghirshman, *Iran*, pp. 307-309; Levy, *Epic*, pp. 406-420; Nöldeke, *Tabari*, pp. 361-399, 432-434.

For the Armenian traditions, see Patkanian, on Kavad II, pp. 215-218, on Ardashir III, pp. 218-220, on Shahrbaraz, pp. 220-222, on Boran, pp. 222-224; on Yazdagird III, pp. 227-232. See also Tha'alibi, pp. 728-748.

seizing the throne. Heraclius agreed in order to get Iranian troops off Roman soil. Shahrbaraz marched on Ctesiphon, took the city, and possibly married Boran, eldest daughter of Khusro, to strengthen his hold on the throne. Within a month he was assassinated. Boran succeeded, followed briefly by her sister Azarmindukht. We do not know how they died. One noble after another took power. In the four or five years after Khusro II nine or ten pretenders held the throne but little else. In effect Iran suffered complete anarchy from 629 to 632.

In June, 632 Yazdagird III came to the throne, crowned in Istakhr. Grandson of Khusro II, he was brought up in that city, tied to the Sasanian dynasty from of old. He inherited a weakened country, divided among generals and governors,¹ and exhausted after the long struggle with Rome. By 632 a new power was taking shape in Arabia. Yazdagird III found himself threatened at the lower Euphrates, just as the Romans were in Syria and Palestine, by the mobile Arab armies. After Syria fell to an Arab force, the main Moslem armies turned against Iran. In May 637 a Sasanian army was defeated, and its commander, Rustam, killed, at al-Qādisiyya. Ctesiphon fell shortly thereafter. At the end of 637 a second battle was lost at Jalūlā. All of the low country (Iraq = Babylonia) now was lost to Iran. In 641 the Sasanians were defeated at Nihavend. In 643 Hamadan fell. Through the next years the city provided the base for expeditions into Azerbaijan, Fārs, Kerman, and elsewhere. The Moslem armies continued into Khorasan. Yazdagird fled before them but was murdered by his own forces in Merv in 651.

Ghirshman comments, "During the fourteen years between the death of Chosroes II and the accession of the last prince of the dynasty... no less than a dozen kings succeeded one another on the throne of Iran. The disappearance of the Great King burst the dyke of force and cruelty that he had raised against the ambitions of the feudal lords and military leaders. Exhausted by war, taxation, and other exactions, the country was engulfed by passions and rivalries. The royal princes became mere pawns in the hands of rival factions and were crowned only to be assassinated within a few months... The army, which had contributed so materially to the greatness of the dynasty, in the end brought about its downfall. The generals treated the provinces... as their own fiefs in a manner that strikingly recalls the independent attitude of the satraps in the last days of the Achaemenian Empire. The Sassanian

¹ Christensen, *L'Iran*, p. 501.

Empire crumbled away and disintegrated into a collection of petty states which are precisely enumerated by the Arab historians. No group or individual was capable of opposing the Arab advance..."¹

III. MAZDAISM

Khusro II was "thoroughly disliked by the Zoroastrian clergy."² As we saw, he may well have favored Christianity. But he also wore amulets, consulted sorcerers, and practiced astrology. Christensen says that "superstition was the real basis of his religion."³ He founded hundreds of fire temples and appointed twelve thousand herbad.⁴ In his day Zurvanism flourished.⁵ He himself also was devoted to Anahita, as at Taq-i Bostān.⁶ The last Sasanians showed special favor to the cult at Istakhr, the temple of Anahita from which they had emerged more than four centuries earlier. Of Yazdagird III, crowned at Istakhr,⁷ Wikander says, "Es scheint, als ob man in dieser verzweifelten Zeit das Heil des Reichs in der Rückkehr zu alten sakralen Traditionen gesucht habe."⁸

IV. CHRISTIANITY

The doubtful loyalty of Ishoyahb fortunately did not lead to a persecution of Christianity.⁹ Eutychius alleged that Khusro II converted to Christianity. While this was not so, his early dependence on Maurice and his Christian wife Shirin combined to produce a favorable situation for Christians, for Khusro could hardly maltreat Maurice's co-religionists. Indeed, Khusro II proclaimed religious freedom, with the necessary qualification that Christians might not convert Mazdeans. Khusro II built many altars to St. Sergius and restored churches.

When Ishoyahb died, a general synod proposed to select a new

¹ *Iran*, p. 308.

² Zachner, *Zurvan*, pp. 50-51.

³ *L'Iran*, p. 488.

⁴ A symbolic number in Zurvanism, see Wikander, *Feuerpriester*, p. 179.

⁵ Mary Boyce, *BSOAS*, 19, 1957, p. 308. See also Duchesne-Guillemin, *La religion*, pp. 291-2.

⁶ Duchesne-Guillemin, *La religion*, p. 292, if the relief there dates from the time of Khusro.

⁷ See Widengren, *Religionen*, p. 271, Christensen, *L'Iran*, p. 499.

⁸ Wikander, *Feuerpriester*, pp. 55-56. On Istakhr and the cult of Anahita, see Roman Ghirshman, *Iran: Parthians and Sassanians*, p. 121.

⁹ Labourt, *Christianisme*, pp. 208-247, 280-287; Bardy, p. 510; Vööbus, *School*, pp. 316-317, on Gregory. On Shirin, see Christensen, *L'Iran*, pp. 475-6. See also *Chronique de Séert, Pat. Or. 7*, on Sabrisho, pp. 474-498, 501-504; on Gregory, pp. 521-524; on Ishoyahb II, pp. 553-579.

Catholicos. In 596 Khusro chose Sabrisho, who was enthroned on Easter Day at Seleucia. Sabrisho was an ascetic, much revered in the royal city. He used his influence to have churches reconstructed. The queen, Shirin, had a monastery built for him. But Shirin was a Monophysite, so the Jacobites made great gains. When in 603-4 hostilities with Rome broke out, Sabrisho accompanied Khusro II to war. He could not stand the strain of travel and retired to Nisibis, where he died in 604.

Khusro then permitted the convocation of a general synod to name a new Catholicos. In 605 Gregory was chosen, or rather imposed by the king of kings. He was a teacher in the school of Seleucia. The synod reaffirmed the canonical authority of Theodorus of Mopsuestia and Nestorian doctrine against growing Jacobite influence. Gregory behaved like a "courtesan-prelate," in Labourt's words. He was highly avaricious, and when he died in 609, the royal treasury confiscated his vast riches.

Khusro did not hasten to make a new appointment. In 612 the Nestorian bishops, fearing the progress of Monophysitism, turned to the throne for permission to choose a new head. The results are not entirely clear. Khusro II posed a number of theological questions to the bishops, particularly: What is the faith which the apostles preached? Who is Mary—mother of God? or of a man? And did anyone before Nestorius teach that Christ had two natures? The fathers responded with refutations of the doctrines of their Monophysite and other opponents. Khusro chose to postpone his decision, indeed not to make any decision at all. From the death of Gregory in 609 to that of Khusro II in 628 the Seleucian bishopric was left empty.

When Heraclius successfully invaded Iranian territory with troops paid for by the gold of Byzantine churches, Khusro's former benevolence toward Iranian Christendom changed. Nestorians and Monophysites alike were now persecuted.¹

In the early part of the reign of Khusro II large numbers of Christians were employed by the government. Among the great lords of state was Yazden, a Nestorian Christian. His family possessed large estates in Karkha de Bet Slokh. Yazden was placed in charge of imperial finances by Khusro II and accompanied the armies to collect and safeguard the treasures seized in pillage or gained in ransom. He endowed monasteries and supported churches. After the Iranian armies took Jerusalem,

¹ Hoffman, *Auszüge*, pp. 91-115, and excursus, pp. 115-122; Braun, *Akten*, pp. 221-277; Vööbus, *School*, p. 293, on Nataniel, p. 297; Christensen, *L'Iran*, pp. 492-3.

Yazden sent the remnants of the "true cross" back to Ctesiphon and punished the Jewish population for their anti-Christian actions at the time of the conquest. He likewise rebuilt Jerusalem's churches. With the troops of Heraclius in the western provinces, Khusro had Yazden executed and put Yazden's wife to the torture to locate her husband's hidden treasures. It therefore was probably as part of the Christian persecution of Khusro's last years that Yazden fell from power.¹

The death of Khusro II brought an end to the troubles. Kavād II extended to Christians complete religious freedom. Nestorians elected a new Catholicos, Babai, in 628, but he declined the post, so Ishoyahb of Gedala, bishop of Balad, was chosen in his place.² In Boran's time he led a delegation of prelates to negotiate with Heraclius and handed over holy relics taken in Khusro's campaigns. He held office until 644/6. The Christians observed benevolent neutrality toward the Arab invaders. Ishoyahb in particular sought to ingratiate himself and his community to them. He had little choice. As Labourt comments,³ the Aramean populations had been accustomed for a dozen centuries to submit to the law of the stronger. The Achemenids, Seleucians, Parthians, and Sasanians had successively exploited them, "so it mattered little to the slave which master he would serve."⁴

¹ Christensen, *L'Iran*, pp. 451-2, 490-1. On the change in Khusro's Christian policy, see *Chronique de Séert, Pat. Or.* 7, pp. 498-501; on Christians in his service, pp. 524-5.

² Vööbus, *School*, pp. 297ff.

³ *Christianisme*, p. 246.

⁴ J. B. Chabot provides a full account of Syriac traditions on the several Seleucian synods held in Sasanian times, in "Synodicon orientale, ou Recueil de synodes nestoriens, publié, traduit et annoté," in *Notices et extraits des manuscrits de la Bibliothèque Nationale et autres bibliothèques, publiés par l'Académie des Inscriptions et Belles-Lettres*, 37, 1902, pp. 1-692. Labourt made extensive use of this text, as did Vööbus; by contrast, Christensen seems not to have seen it.

On the synod of Mar Isaac (410), see pp. 253-275, summarizing the excellent condition of the church, the election of Mar Isaac, the regulation of the priesthood and sacred calendar, and the canons; similarly on the synod of Mar Yahbalaha I (420), pp. 275-284; on the synod of Dadjesus (424) at Markabta, pp. 285-298; on the synod of Mar Acacius (486), pp. 299-307; on the synod of Mar Babai (497), pp. 310-317; on the synod of Mar Aba (544), pp. 318-351; on the synod of Joseph (554), pp. 352-367; on the synod of Mar Ezekiel (576), pp. 368-389; on the synod of Mar Ishoyahb (585), pp. 390-455; on the synod of Sabrisho (596), pp. 456-470; on the synod of Mar Gregory I (605), pp. 471-479. Later reports pertain to Islamic times.

References to the Jews as they appear in the Gospels are on pp. 372, 467, 501, 504, 552. In the record of the synod of Ishoyahb are found several references to patriarchal opposition to the opinion of "les Juifs stupides" who think there is only one person in God (p. 395, 442-3) and to Jewish marriage-law (p. 411). Otherwise I am unable to find any legislation dealing with relations to contemporary

V. PALESTINIAN JEWRY AND THE IRANIAN CAPTURE OF JERUSALEM

From 40 B.C. when a Parthian army took Jerusalem and restored the Hasmonean house to the Judean throne for a few years, some Jews looked forward to hearing the footsteps of Iranian cavalry on Palestinian roads.¹ The hatred characteristic of Christian-Jewish relations in the Byzantine state intensified the Jewish hope for succor from the Iranian east.² In 578 Justin II faced a combined Samaritan-Jewish uprising in Palestine, as had Justinian in 556. In 592-3 the Jews of Antioch were punished for a sacrilege perpetrated by one of them. All had their heads shaved and were thrown out of town.³ In Justin II's reign some Jews were forcibly converted. In 608-9, during the reign of Phocas, a widespread pogrom took place in Antioch and elsewhere.

When the Iranian army drew near Antioch, in September, 610, the Jewish community rose in rebellion but was put down. In 612 the Jews of Caesarea-Mazaca in Cappadocia remained in the city after the Christians fled before the Iranian advance and gave the city over to the new conquerors. Their action strikingly contrasts with that of their brethren in the times of Shapur I. Then the Jews had fought in defense of the city against Sasanian raiders. At Tyre and Acre in 610 Jews attempted to support the invading armies. The Jewish community at Tyre was massacred in retaliation. In Acre the Jews destroyed churches and homes and forcibly converted a priest who had been notorious for his anti-Judaism.

As Iranian armies advanced on Palestine, therefore, none could have been surprised at the enthusiastic Jewish response. The invaders began with the conquest of the coast, and Jews from all parts of the country, particularly Tiberias, Galilee, Nazareth and the surrounding areas, joined in the struggle.⁴ Avi-Yonah and Hillkowitz suggest that they

Jews, discussion of Judaism or Judaizing tendencies in the church, or reports of problems posed by Jews to the Seleucian catholicate or to the Nestorian churches generally. Essentially a collection of laws, somewhat like the Mishnah, the canonical records are thus primarily concerned with internal matters.

¹ Vol. I, pp. 23-33.

² Joshua Starr, "Byzantine Jewry on the Eve of the Arab Conquest (585-638)," *The Journal of the Palestine Oriental Society* 15, 1935, pp. 280-293. See also M. Avi-Yonah, *Bimei Roma u'Vyzantion* (Jerusalem, 1952), pp. 147-204, in particular pp. 157ff. On Phocas and the Jews, see J.-B. Chabot, "Trois épisodes concernant les Juifs," *REJ* 28, pp. 290-2. On the Jewish-Samaritan revolt of 556, see J. Juster, *Les juifs dans l'empire romain* (Paris, 1914) II, p. 198.

³ Starr, *Eve*, p. 283.

⁴ See especially K. Hillkowitz, "The Participation of the Jews in the Conquest of Jerusalem by the Persians in 614 A.D.," (in Hebrew) *Ziyyon* n.s. 4, 1939, pp. 307-

hoped for the reestablishment of the Jewish state and the rebuilding of the Jerusalem Temple. On the Iranian side the military support to be derived from a Jewish alliance was the sole interest. The Iranians' route from Damascus to Caesarea passed through the heart of the Jewish settlements; Jewish support greatly facilitated the invasion.

On April 15, 614, Iranian units and Jewish detachments stood before the holy city. The Christian patriarch, Zachariah, was willing to surrender the city, but others did not agree, so he organized the defense. The siege took twenty days. The victorious army massacred "sixty-thousand" Christian inhabitants and burned many churches. After a time, the Iranian general called forth those in hiding and selected "thirty-seven thousand skilled workmen" for deportation to Iran. According to the eyewitness account of Strategios, the Jews offered to ransom Christian captives if they would accept Judaism. Hillkowitz regards the story as reliable. But the tale that Jews bought captives from the Persians and then murdered them in cold blood, Hillkowitz says, is not proven. After the Iranian army left Jerusalem together with the Christian captives, the Jews destroyed the rest of the churches in the city. They apparently renewed the sacrificial offerings and intended to Judaize the city. This was indeed their third effort to do so, counting those of Bar Kokhba and of the time of Julian, since the second temple was destroyed. The churches thus were razed as part of the effort to "sanctify" the city once again. Throughout Palestine many were converted, forcibly or otherwise, to Judaism. The Iranians shortly thereafter not only declined to extend to the Jews the rights of self-government and of rebuilding the Temple, but became hostile to them, possibly because of the intervention of Christian court-officials in Ctesiphon.¹ In 617 they punished the Jews who had participated in the slaughter of Christians and forbade Jewish settlement in Jerusalem.

Hillkowitz sees the change of policy as an Iranian effort to seek reconciliation with the Byzantine court, for shortly thereafter the Christians were permitted to rebuild the ruined churches of the city, and so, he concludes, "It seems that the Jews were sacrificed on the altar of Persian-Byzantine friendship." Avi-Yonah points out that the Iranians now wished to restore peaceful conditions to Palestine.² They

316. Hillkowitz provides the most careful analysis of the sources, and I follow his account, pp. 315-316. See also Widengren, *Status*, pp. 147-8.

¹ Above, pp. 120-121.

² Pp. 199f. See also Widengren, *Status*, p. 148. On Khusro, the Jews, and "the true cross," see *Chronique de Séert*, *Pat. Or.* IV, p. 272.

required local support. The Jews were not likely to give it, since they planned to rule the country themselves. The Iranians may have been willing to leave the country in Jewish hands if they were numerous enough to control it, but being a minority of ten to fifteen per cent of the population, the Jews could hardly do so. Their loyalty could be taken for granted. The Christians, more numerous to begin with, were also less reliable, and it was important to encourage them to transfer their loyalty from Byzantium to the new rulers. My view is that the excesses of the Jews themselves, combined with the pro-Christian sympathies of Khusro II and the influence of Yazden, caused the Iranians to revise their Palestine policy. There is in any event no evidence whatever of a rapprochement between Heraclius and Khusro II between ca. 614-628. When twenty years later the Arab armies invaded Palestine, the Jews there generally sided with the Moslem cause.¹

VI. THE EXILARCH IN THE SIXTH AND SEVENTH CENTURIES

Geonic traditions on the exilarchate in this period are as follows:

[The members] of the house of David fled. For thirty years Mar Ahunai could not show his face. Mar R. Giza brother of the father(s) of the house of Mar R. Nehilai went and settled on the Ziva river, and Mar Zuṭra son of Zuṭra exilarch went up to the land of Israel [as above].

(*Seder 'Olam Zuṭa*, in Felix Lazarus, *Die Häupter der Vertriebenen*, pp. 169, 1. 10 - p. 170 1. 8.)

From this point, the concluding lines pertain entirely to the descendants of Mar Zuṭra in Palestine. Ahunai is therefore the last Babylonian exilarch mentioned by name in *SOZ*. In the *Letter of R. Sherira* we find the following:

And in the year 819 [=507 A.D.], R. Huna the exilarch died.

(*Letter of R. Sherira* [ed. B. M. Lewin], p. 98, 1. 14-15.)

According to a Karaite source,² Huna Mar was exilarch from 550 to

¹ For the sources, see also Avi-Yonah, *Roma*, pp. 228ff., notes 9-10. See also Patkanian, p. 198, for a survey of Armenian traditions; Baron, *History*, II, p. 179. On the Jewish reception of the Arab conquest of Palestine, see V. Chapot, *La frontière de l'Euphrate* (Paris, 1907), p. 24, n. 3.

² See J. Mann, *Texts and Studies in Judaism*, II, p. 131, cited by Alexander D. Goode, "The Exilarchate in the Eastern Caliphate, 637-1258," *JQR*, n.s. 31, 1940, pp. 147-170. See p. 153, n. 24. See also Lazarus, *Häupter*, pp. 44ff. for a full discussion of Karaite traditions. Goode also cites Harkavy, *Responen der Geonim*, p. 378, with reference to Kafnai. On Ḥaninai as father of Bostanai, see pp. 145-4, n. 25. Goode also calls attention to Neubauer, *Mediaeval Jewish Chronicles*, II, p. 110.

560. His son Kafnai followed him in office from 560 to 581 and died in a persecution instituted by Hormizd IV in 581. Goode says he is the Ahunai of the *SOZ* cited above.¹ Ḥaninai followed from 581 to 589, and died in "the widespread disorders at the end of Harmisdas's [sic] cruel régime."² Goode takes at face value the Bostanai legend cited above. "A posthumous son, Bostanai, was born to Ḥaninai's widow, the daughter of Ḥananiah... A regent held the position of Exilarch, which he refused to relinquish when Bostanai came of age, until compelled to do so by the force of Jewish opinion."³ On the sixth and seventh century exilarchs, *Seder 'Olam Zuṭa*, the *Letter of R. Sberira*, and *Seder Tannaim ve Amoraim* thus provide no information whatever. Karaite sources provide a few names, the story of a martyrdom, but little more than that. Lazarus refers to the years from ca. 520 to ca. 630 as the most obscure period of the exilarchate and of the history of Babylonian Jewry generally.⁴ He provides the following table:⁵

Mar Zuṭra II	508-520
Ahunai (Huna Mar, Ḥuna, Ḥana, Ḥananiah)	560
Kafnai	560-580
Ḥaninai	580-590
Bostanai	d. 660.

Lazarus quite plausibly sees a causal relationship between Jewish support for Bahram VI and the end of the exilarchic house in the reign of Khusro II.⁶ As to the thirty years in which no exilarch ruled, from the death of Mar Zuṭra II to about 550, Lazarus holds that it was a natural consequence of the unsuccessful "rebellion of 513-520."⁷ Ahunai belonged to the exilarchic house and therefore fled. He escaped to the River Zab, in Adiabene. He finally returned and held office from 550 to 560, presumably in the time of Khusro I's persecution of the Christians. Of Kafnai we know nothing, but his son Ḥaninai was

¹ P. 153, n. 24.

² P. 154, n. 37.

³ P. 154. Goode cites the literature on the Arabic Bostanai legend in p. 154, n. 27. He states, "The story of the regent Mar Paḥda who refused to relinquish the office of Bostanai is wrongly applied to the earlier Exilarch Mar Zuṭra by the S.O.Z." But there the story says that Mar Zuṭra *bribed* the Persian Government to make him exilarch, and makes no reference to "Jewish opinion."

⁴ Lazarus, *Haupter*, p. 42.

⁵ P. 130.

⁶ P. 123.

⁷ P. 127.

put to death by Khusro II. Then came Bostanai, Lazarus concludes.

Given the difficulty of reconstructing the history of the persecutions of Yazdagird II and Peroz and of Mar Zuṭra's later rebellion, we can say with certainty almost nothing about the exilarchate in the sixth century. Yet I think it highly plausible that if an exilarch made trouble for the government in the time either of Peroz or of Kavād, the Sasanians certainly would have withdrawn their support from the exilarch of the time, perhaps even suppressing the institution entirely. We know that Kavād I and Khusro I undertook massive reforms of the administrative structure. They must have taken account of earlier difficulties with the Davidic household. It seems reasonable to suppose that from the last years of Kavād to the middle of the century no exilarch functioned. Whether the office lapsed we do not know, but it hardly matters. How Khusro's regime governed the Jews we cannot say. Perhaps when the memories of the earlier outbreak had grown cold, Khusro or one of his ministers permitted the reestablishment of the exilarchic regime, as the Karaites say happened. If so, Ahunai, Huna Mar, and Kafnai would have held office.

The reason I find such a restoration plausible is the story of the death of the exilarch Haninai at the hands of Khusro II. As we have seen, it is entirely congruent to the information provided by Theophylactus Simocatta about the Jews' support for Bahram VI. He specifies that it was the richer part of the community that assisted the emperor, and the exilarch would have been deeply implicated in what was, from Khusro's viewpoint, subversion. If there was a massacre of Jews in 590-591, the exilarch may well have died, as the Karaite traditions say.

This theory of the later exilarchate, however, leaves one possible question unanswered. *If* Kavād suppressed the exilarch, how is it that Jews fought in his armies in the final campaign against Belisarius? The Jews who fought in the army may not have been in sympathy with the exilarch. They may not have cared that the government had forced the surviving Davidide to flee and hide out. Perhaps also they were so much opposed to Rome that they could overlook local difficulties. That does not mean they were not "good Jews," for it is clear that they did not wish to fight on Passover. But it is equally plausible that Kavād had nothing at all to do with the suppression of the exilarchate. The troubles at the time of Peroz may well have led to its extinction. Kavād thus would have had no part in any anti-Jewish, or anti-exilarchic policy. Being neutral, he would not have inherited the en-

mity caused by his predecessors' actions. The Jews who fought for him would have had no reason to do otherwise.¹

One may guess that, impressed by the loyalty of his Jewish subjects in the Roman wars, Khusro I might well have restored their privileges of self-government. In any event, the exilarch would have been put to death in 590, as I said. Whatever happened thereafter, Bostanai must be regarded as a creature of the Moslem conquerors, and not—of all people—of Yazdagird III, who scarcely had time enough in office to act out all the fables told about him in Jewish circles. I take it as fact, therefore, that there was no exilarch from 590 to 640.

Khusro II probably suspended all forms of Jewish self-government, just as his administration imposed grave difficulties upon the conduct of the rabbinical academies and the Christian churches and patriarchate. The Jews of the west either did not know about his hostile Jewish policy in Babylonia or did not care.² Supporting his invasion of Syria and Palestine, they found to their disappointment that he was no less hostile to them than were the Byzantine Christians. Whether or not an exilarch existed in the sixth century, Jewish government cannot be said to have functioned effectively for most of that period. If and when it was revived by Khusro I, it made a disastrous error in its support of Bahram VI. These indeed are obscure years to us, but I think they must have been dismal ones as well.

VII. BABYLONIAN JEWRY AT THE END OF SASANIAN TIMES

The years of Khusro II and his successors proved difficult for the Jewish community.³ R. Sherira provides evidence of some kind of oppression, as we saw earlier:

And there were years of persecution and troubles at the end of the Kingdom of the Persians, and they [the rabbis] were not able to hold sessions...

¹ See above, p. 111.

² Any more than Babylonian Jewry cared to send help against Vespasian and Hadrian or mourned when Shapur killed Jews in Caesarea-Mazaca.

³ Graetz, *History*, III, p. 9, says that Khusro II "was both just and humane," and so the schools enjoyed uninterrupted prosperity. The last of the Sasanians "had no leisure to devote to the affairs of the Jewish population in their shattered empire; the Jewish community in Babylonia continued, therefore, to exist in its ancient order..." Graetz attributes to Justinian the prohibition of the *Shema*. But I do not understand why he rejects R. Sherira's explicit statements about persecution and troubles at the end of the "Persian kingdom." See Graetz, trans. Rabinovitz, III, p. 393. Here he attributes persecution to the alliance with Bahram VI. I do not

That R. Sherira refers specifically to the end of Iranian rule is clear from his subsequent list of Geonim who were in office beginning

...at the end of the kingdom of the Persians, from the year 900 [= 589]...

(*Letter of R. Sherira Gaon*, ed. B. M. Lewin, pp. 99, 1. 10-11, p. 100, 1. 1-2.)

Furthermore, Geonic traditions as interpreted by B. M. Lewin and Jacob Mann purportedly indicate that at this time the practice of reading a passage in prophetic literature at the afternoon service of the Sabbath was suppressed. R. Naṭronai Gaon wrote,

And as to your question, What is the *baṣṣarab* for the Sabbath afternoon service: The early generations would read ... but in the years of the Persians they decreed [in] a persecution not to read a *baṣṣarab* [of prophetic literature], and since the practise disappeared, it disappeared.¹

In connection with this passage Lewin quotes the passage of R. Sherira's letter cited above.²

Louis Ginzberg however notes evidence that the practice of reciting such a prophetic passage continued among Persian Jews as late as the eleventh century. He comments, "If the afternoon, *Maṣṣir* had actually been dropped by reason of persecutions in Persia, one would hardly expect to find the custom there at so late a day."³ I cannot think of a reason why the Iranian government would have prohibited so specific and inconsequential a Jewish religious practice. It seems to me that a generalized persecution, such as R. Sherira referred to, would more likely have produced the prohibition of public worship, of keeping the Sabbath, or of living under Jewish law. But the reason for denying the trivial matter of reading a prophetic passage on the Sabbath afternoon is entirely incomprehensible to me. I doubt the Iranian government knew or cared about the practice. What seems more likely is that the reference of R. Sherira to "years of persecution" curiously led both Lewin and Mann to identify those years with the passage in R. Natronai's letter. Neither apparently saw or took seriously Ginzberg's earlier remark.

know why Graetz so approved of Khusro II. For Graetz to ignore or neglect a possible persecution is particularly astounding.

¹ *Ozar HaGeonim*, ed. B. M. Lewin (Jerusalem, 1930), II, *Shabbat*, p. 26, paragraph 80.

² P. 26, ns. 6-7. See also Mann, *Changes in Liturgy Due to Persecution*, p. 258. Mann takes it for granted that this account is historical.

³ Louis Ginzberg, *Geonica*, II, p. 298.

On both sides of the bitterly contested frontier between Iran and Rome the Jews looked eagerly for the messiah. Whether they heard of the exciting events in the south we do not know. We do know that messianic issues were discussed in Byzantium. A messiah provoked at least one Jewish response in Babylonia:

A certain Jew of Bêth Aramâje' [= Babylonia], from the village of Pallûgtâ', which is the place where the waters of the Euphrates separate for the irrigation of the surrounding lands, preached in 640 A.D. that the Messiah had come. He called about four hundred men—weavers, carpetmakers, and bleachers of linen—who burned three churches and killed the superintendent of the district. Then the troops sent against them from 'Âqôlâ killed them all with their wives and children, and crucified their leader in his own village.¹

Coming just as Sasanian rule was crumbling in Babylonia and Iran Proper, other messiahs may likewise have won substantial Jewish audiences beyond this one instance.

It is clear that the Iranian capture of Jerusalem raised high hopes among Palestinian Jews for a Messianic resolution of history. We have an apocalyptic document, in which the Sasanian emperor Siroes (= Kavad II) plays a part.² In the vision, the Iranian king Siroes fights for Jerusalem against Nehemiah son of Houshiel and Israel.³ He kills the precursor of the Messiah, and the Jews flee. The events of the vision will supposedly take place nine hundred ninety years after the destruction of Jerusalem, that is in the year 1058. Lévi dated the work in 629-636, the years of Kavad's reign, and supposes the author lived in Palestine. Kavad II (Siroes) was the anti-messiah par excellence. In assassinating his father, he relied on Heraclius's aid and made peace with him. On that account, the Jews and Samaritans hated Siroes, hence the attribution of a villainous role in the messianic drama. Graetz dated the apocalypse in eleventh-century Italy.

The arrival of Islam intensified messianic reflections. A. H. M. Jones

¹ A. Musil, *The Middle Euphrates* (N.Y., 1927), p. 280. See also T. Nöldeke, *Syrische Chronik* (Vienna, 1893), p. 36, and I. Guidi, *Un Nuovo testo siriano sulla storia degli ultimi Sassanidi*, in *Actes du Huitième Congrès Internationale des Orientalistes, Stockholm, 1889* (Leiden, 1891), *Semitic Section*, Part B, pp. 1-36; story is on pp. 28f. It is also quoted by Francois Nau, *Les arabes chrétiens de Mésopotamie et de Syrie du VII^e au VIII^e siècle* (Paris, 1933), p. 45. He gives the date as Ca. 650 A.D. On Christian messianism in Byzantine lands, see Avi-Yonah, *Roma*, p. 187. My colleague Professor Horst Mochring kindly translated Nöldeke's version for me.

² Israel Lévi, "L'Apocalypse de Zorobabel et le roi de Perse Siroes," *REJ*, 68, 1914, pp. 129-160, 69, 1919, pp. 108-121, 70-71, 1920, pp. 57-65.

³ *REJ* 68, p. 151.

calls attention to a conversation between two Jews at Carthage. One reports to the other that the Saracens had killed the *candidatus* Sergius at Caesarea, and the Jews were delighted. The conversation continues:

"And they say that a prophet has appeared coming up with the Saracens and proclaims the coming of the anointed, the Christ who cometh. And when I, Abraham, came to Sycaminum, I went to the elder, a very learned man, and said to him, 'What do you say, Rabbi, about the prophet who has appeared with the Saracens?' And he groaned loudly and said, 'He is false, for surely the prophets do not come with sword and chariot. Verily the troubles of today are works of confusion, and I fear lest the Christ who came first, whom the Christians worship, was himself he that was sent by God...'"¹

All parties were in great confusion.

According to R. Sherira the Jewish community of Piruz-Shapur extended a cordial welcome to the Moslem conqueror:

When 'Ali b. 'Abutalab conquered [it], Mar Yizhaq went forth from Piruz-Shapur to meet him and received him in a friendly manner, and in Piruz-Shapur at that time were 90,000 Jews, and 'Ali ben 'Abutalab [likewise] received them in a friendly manner.

(*Letter of R. Sherira* [ed. B. M. Lewin], p. 101, 1. 2-7.)

VIII. SUMMARY AND CONCLUSIONS

At the outset a Roman candidate for the throne of Iran, Khusro II quickly established control of the empire. He enjoyed a more favorable foreign situation at the beginning of his reign than had any Iranian emperor for more than a century. With Byzantium as his protector and Armenia friendly, the Turks held in check and the Hephthalites no longer a power, he had little to fear. Rome now showed herself prepared to accept the independent existence of Iran and to treat her as an equal, something rarely extended to neighbors in the history of the western enemy. With the murder of Maurice, however, Khusro turned against his Roman friends to avenge his patron. He now embarked

¹ A. H. M. Jones, *The Later Roman Empire*, I, pp. 316-317. The passage derives from *Doctrina Jacobi*, see N. Bonwetsch, *Doctrina Jacobi nuper baptizati* (Berlin, (1910), *Abhandlungen der königlichen Gesellschaft der Wissenschaften zu Göttingen, Phil.-hist. Kl.*, n.s. XII, 3. The passages are iv, 2, iii, 9, and v, 16, Bonwetsch, pp. 63, 60, and 86 respectively. On Byzantine Jewry during the Iranian invasions, Jones calls attention to iv, 7 and v, 12, the former, Bonwetsch, p. 69, on events in Ptolemaides; the latter, Bonwetsch, p. 81.

upon an amazing campaign, which took him in little more than a decade to the furthest limits of Sasanian-Iranian power, Egypt in the southwest and the gates of Constantinople. He moreover organized international support and set up against the capital a pincers movement in alliance with the Avars, showing himself a skilled diplomat as well as a brilliant general.

But it was all in vain. Khusro was crippled by his lack of a navy, on the one hand, and by the natural limitations of his empire, on the other. He could not take Constantinople without a fleet to control the Bosphorus. Iran could not hold Asia Minor, Syria, Palestine, and Egypt, without either vastly overextending herself, or, alternatively, developing local sources of support as the Achemenids had done. She had no time to do so. Her enemy, Heraclius, was too good a general to allow it. Khusro's empire collapsed within a month of his death, and Sasanian Iran never recovered. The dynasty ended where it began, in the person of a king of kings crowned in Istakhr. But while in the first half-century of Sasanian rule there were only two kings of kings, in the last twenty years, there were more than a dozen, none much more than a name on a fugitive coin.

Near and Middle Eastern Jewry therefore had no reason to mourn the end of Sasanian rule. The Palestinian communities had been deeply disappointed by Iranian policy. They had hoped for Iranian support in reestablishing a Jewish state and rebuilding the temple, and among them were some who supposed the Messiah to be near at hand. But afterward others saw in the king of kings the veritable antichrist, the worst enemy of the Messiah. The intervening events explain why. Shortly after taking the city, the Iranians restored it to Christian hands and prohibited Jews even from entering. The Jews now were too few to hold Palestine for Iran, and the Christians were, for a time at any rate, too strong in the court at Ctesiphon to allow them to try. But however powerful the Christians, Jews had no court influence whatever. The last exilarch had died in 590-591, probably in the aftermath of Bahram's defeat. Khusro could have had no interest in reestablishing the office. He owed nothing to Jews, who had opposed his rise to power and were enemies of his friends, the Romans. He was away from Ctesiphon after 604, so the earlier policy was never reexamined. His strongly Christian sympathies would have intensified his unwillingness to deal favorably with Jewry. Later on he could take for granted Jewish support against Rome. We have no reason whatever to doubt the report of R. Sherira, "And there were years of persecution and

troubles at the end of the Persian kingdom." No wonder, then, that the messianic hope burned ever stronger, with reports of strange happenings in Arabia and the appearance of new messiahs among both Roman and Iranian Jewish communities. The Jew of Pallugta in Babylonia who attracted a small following and burned the churches in the area was only one among several messianic candidates known to us. The Moslem conquest, by no means unwelcome to Babylonian Jewry, came as a relief.

CHAPTER FIVE

THE SCHOOLS

I. INTRODUCTION

Babylonian Jewry hardly constituted an important social and religious group within Iranian society. As we have seen, while the Jews found themselves persecuted from time to time, they were left alone for most of Sasanian history, being severely troubled only briefly under Yazdagird II and Peroz, and again under Khusro II. Anti-Semitism as a political, religious, or cultural doctrine was unknown. Normal tensions between differing religious groups were not exaggerated. Jews now played no substantial part in international events. They may have fought in the army, but probably not in large numbers, though they normally favored the Iranian cause. The intricate politics of the Sasanian court involved few if any Jews, at any rate none we know about. I doubt that the exilarch himself amounted to much in Ctesiphon. He governed an inconsequential community which demanded little attention.¹ True, it was better to support him than to permit the Jews to evolve some other means of government and administration remote from the state's knowledge or control. But from the perspective of the government, the Jews and their ruler carried little weight. Strikingly, only once in this period did Jewry play a significant part in the selection of an emperor, and then they chose the wrong man.

We have noticed that the Jewish sources provide practically no direct and significant information on Sasanian dynastic and court affairs, Iranian-Byzantine relations, Christian life and problems, Mazdean beliefs and practices, and the like. They are indifferent to outsiders, like the sources produced by every other subordinated communi-

¹ This is merely an impression, based on the small role of the Jews in contemporary politics, both at home and abroad. I do not think the numbers of Jews had diminished. What changed was the political role open to the community. In Parthian and into early Sasanian times, the Jews played a very active part in politics. Later on it seems to me they did not. Perhaps the turning-inward which we shall note later on (below, p. 134) with reference to the life of the schools also characterized the community's interest in participating in politics.

ty. Their sole interest is in the inner life of the Jewish group. As I have already said,¹ the Jewish sources thus impose their own perspective on our studies. They naturally lead us to regard the Jews as more important than they actually were in the context of Babylonian society and politics as a whole. And within Jewry, the Jewish data concentrate on the affairs of those responsible for their editing and preservation, the rabbis.

The Jewish community included some wealthy merchants and tradesmen, but by and large it was, like the Christian one, part of the lowerclass. It was composed mainly of farmers and workers, unimportant people. Their affairs counted for very little.² The rabbinical courts had to adjudicate cases about a couple of onions or a piece of cloth or a date-palm, never about thousands of zuz of silk or large tracts of real estate. We ought, therefore, to be able to say something about the social and economic history of Babylonia's working class—at least, of the Jewish part of it. One might expect that we could provide a detailed description of the everyday life of artisans at their stalls and farmers in their fields, an account of the economic history of the submerged part of society. The fact is that so far we cannot.³ Paradoxically, a substantial document deriving from the poorer part of society and pertaining entirely to the private life of a *millet*-community contains very little explicit, detailed information on the everyday life of that community. Just as Talmudic and cognate literature tells us practically nothing about the political and religious context of Babylonian Jewish history, so it leaves us mostly ignorant of the social and economic life of Babylonian Jews.

What we do know about is the life of the great schools of Sura and Pumbedita, where, as I said, the Babylonian Talmud itself was eventually compiled, and, of still greater importance, afterward given final form. The schools may not in *their* day have constituted the most im-

¹ Vol. IV, pp. 125-131, 279-283.

² Vol. IV, pp. 251-253.

³ At least, we cannot do so on the basis of Talmudic materials as we now understand them. I know no equivalent to the strikingly original economic studies of R. S. Lopez, *The Birth of Europe* (London, 1966), pp. 258-303, for example, and I think the reason is, in some measure, that the kinds of data available to Lopez are not available to students of Middle Eastern history in Sasanian times. He can, for example, describe the workings of major commercial ventures and movements and give an account of the life of farmers and workers. Perhaps economic history may evolve out of the laws I have supposed were actually applied to, or in some ways shaped the life of, ordinary folk. I am still dubious, however, that the evidence is sufficient for a really wide-ranging and imaginative account such as that of Lopez.

portant or influential force in the shaping of the political or social history of Babylonian Jewry everywhere. But they were the force which later on succeeded in preserving a record of itself and then exercised the predominant influence in the shaping of everyday life and of political and historical events in Jewry, both in Babylonia and elsewhere, for many centuries to come. We therefore focus attention on the life of the schools, not because we are certain that in the period of which we speak the schools merited so much attention, but because, first, they are all we know; second, they later became the most important institution deriving from earlier times. We must never lose sight of these facts. A carpenter of Nazareth who lived and died outside the mainstream of history turns out to have been the most consequential (or, at least, written-about) figure in his day, although that does not mean we have much credible information about him. In the case of the great rabbis and rabbinical schools, the abundance of information and the later importance accorded to it combine to distort our perspective on what really mattered in their own times.

II. GEONIC AND MEDIEVAL TRADITIONS ON THE LATER MASTERS

Earlier writing of "Talmudic history" consisted of the effort to weave various stories into a unitary account, generally following the conventions as to the order of generations supplied by the Geonic and later traditions. Thus dating a given rabbi early or late, ascription to his sayings of much consequence, organization of information around schools and by generations—these historiographical tasks have depended less upon internal evidence, which is thin and frequently ambiguous, than upon what the post-Talmudic, particularly Geonic, writers said. Therefore for the purposes of Talmudic historiography, it became more interesting to investigate the intentions and insights of, or even the textual traditions pertaining to, Geonim, particularly R. Sherira, than to concentrate narrowly on the Talmudic evidences. This sort of investigation leads directly to the egregious remarks of M. Beer (see above, pp. 48-52), who would write a history of the exilarchate in later Sasanian times out of the mind of R. Sherira. Rather than repeat these inquiries (which have proved their value, such as it is), we had best consider just what the later sources consist of, and then turn directly to the Talmudic evidences. We have not got sufficient manuscript evidence to justify much confidence in choosing between variant chronological readings of the later materials, and we have not

got sufficient historical material to determine the accuracy of post-Talmudic writers. R. Sherira provides the following:

In all the years of Rava there was only one academy [which was] in Pumbedita. After Rava they [the authoritative sages] were divided [into] two schools. R. Naḥman b. Yizḥaq was in Pumbedita four years. He died in the year 667 [= 356]. R. Papa was in Neresh, which is near Sura. He ruled there twelve years and died in 687 [= 376].

(*Letter of R. Sherira-Gaon*, ed. B. M. Lewin, p. 89, 1. 7-14.)

After R. Naḥman b. Yizḥaq there ruled in Pumbedita a number of Geonim. R. Ḥama was in Pumbedita and died in the year 688 [= 377]...

(*ibid.* p. 89, 1. 15-17.)

After him [R. Ḥama] R. Zevid ruled in Pumbedita, and died in the year 696 [= 385]. After him R. Dimi of Nehardea ruled. He died in the year 699 [= 388]. After him Rafram ruled. He died in the year 706 [= 395]. After him R. Aḥa the son of Rava ruled. He died in the year 730 [419]. In all these years after R. Papa, R. Ashi was Gaon in Mata Meḥasia [Lewin, n. 10, adds a comment, "and the academy was moved from Sura to Mata Meḥasia."] and he pulled down the synagogue of the school and [re]built it [as in b.B.B. 3b]. He decreed a number of excellent ordinances and ordained festivals and fasts which pertained only to the exilarch and in Nehardea [the exilarch's residence]. He arranged the festival of the exilarch in his place, because he [R. Ashi] was exceptional,¹ and the greatness and Torah [of R. Ashi] were abundant. Huna b. Nathan, exilarch in these days, and Maremar and Mar Zuṭra who were after him—all were subject to R. Ashi and set [held] their festivals in Mata Meḥasia²...

(*ibid.* p. 90, 1.5 through p. 91, 1.10.)

And what R. Ashi did was not annulled afterward...

(*ibid.* p. 91, 1.17.)

After R. Ashi there were two academies... Annually, when the exilarch was in Mata Meḥasia (for the festival was ordained in the school house), they [the rabbis of Mata Meḥasia] went before him [the exilarch], and [so did] the rabbis of Pumbedita. So was this matter conducted until the end of a hundred years from this time. The exilarch[s] thus wielded severe authority and great power in the days of the Persians and in the days of the Ishmaelites, for they would purchase the exilarchate with substantial funds and would greatly torment and persecute the rabbis...

(*ibid.* p. 92, 1.6-15.)

¹ *WHWH MPLYG*, var. *MYPLYG*. Alternatively: "He was separate."

² Here R. Sherira quotes b. Giṭ. 59a, about "Torah and greatness in one place."

R. Ashi held power in his school close to sixty years...

(*ibid.* p. 93, 1.15-16.)

...and he died in the year 738 [= 427].

(*ibid.* p. 94, 1.6-7.)

After him R. Yemar ruled in Mata Meḥasia. He died in the year 743 [= 432]. After him was R. Idi b. Abin. He died in the year 763 [= 452]. After him was R. Naḥman b. R. Huna. He died in the year 766 [= 455]. A persecution occurred, for Yazdagird decreed to prohibit the Sabbath.

(*ibid.* p. 94, 1. 8 through p. 95, 1. 2.)

And R. Ṭavyumi ruled in Mehasia (and he is [the same as] Mar b. R. Ashi), and died in the year 799 [= 468] at the end of the Day of Atonement. After him was Rabbah Tosfa'ah. He died in the year 781 [= 470]. And on the fourth day of the week [Wednesday] which was the thirteenth of Kislev in the year 811 [= 500] Rabbana 'Abina b. R. Huna, who is Rabina, died, and this was [= marked] the end of instruction.¹

(*ibid.* p. 95, 1. 5-9.)

In these years there ruled in Pumbedita R. Geviha of Be Ketil, who died in the year 744 [= 422]. After him was Rafram of Pumbedita, who died in the year 754 [= 443]. After him was R. Reḥumi ... who died in the year 760 [= 449] on the eve of the persecution which Yazdagird decreed. After him ruled R. Sama b. Rava, and at his time and at [the time of] Mar b. R. Ashi,—we have heard from the ancients and [moreover] have seen written in the books of their remembrances—they besought mercy so that a snake swallowed Yazdagird [II], the king, in his bedroom, and thus the persecution was annulled. In the days of R. Sama, on the Sabbath of Ṭevet in the year 781 [= 470] Rabbana 'Amemar b. Mar Yenuqa and Huna Mar b. R. Ashi, the exilarch, and Mesharsheya b. Peḡod were imprisoned. And on the eighteenth day of Ṭevet Huna b. Mar Zuṭra the Prince [Nasi = exilarch] and Mesharsheya were killed, and in Adar of the same year Rabbana 'Amemar b. Mar Yenuqa was killed. In the year 871 [= 470] all the synagogues of Babylonia were closed, and the children of Jews were seized by the Magi.

(*ibid.* p. 96, 1. 1 through p. 97, 1. 9.)²

And in the year 787 [= 476] R. Sama b. Rava died. After him ruled R. Yosi. In his days was [came] the end of instruction, and the Talmud was completed.

(*ibid.* p. 97, 1. 10-13.)

And most of the Saboraic rabbis died in a few years, for so did the Geonim explain in the books of their remembrances in the chronicles: In the year 815 [= 504] died Rabbana Sama b. Rabbana Yehudai in

¹ *SWP HWR'H.*

² As above, pp. 60-69.

[the month of] Sivan, and they say that he was a judge. On the first of the week [Sunday] which was the fourth in Adar of the year 817 [= 506] R. Aḥai b. R. Huna died. In Nisan of the same year R. Reḥumi died... In the year 817 [= 506] in [the month of] Kislev died R. Samuel b. Judah of Pumbedita. In Adar died Rabina b. 'Amozia. And in the year 819 [= 508] died R. Huna the exilarch. In the year 822 [= 511] on the Day of Atonement there was a storm. R. Aḥai b. Rabbah b. Abbuhah died.

(*ibid.* p. 97, 1. 14 through p. 98, 1. 18.)

And in the year 826 [= 515] R. Taḥna and Mar Zuṭra the sons of R. Ḥinnena died. There remained Rabbah Joseph Gaon in our school [= Pumbedita] for a number of years. Afterwards R. 'Aina' was in Sura and R. Simonia in Pumbedita. And afterwards [came] R. Rabbai of [the town of] Rob. He was of our school, and they say he was a Gaon. There were [now] years of persecution and troubles at the end of the kingdom of the Persians, so that they [the rabbis] were unable to hold sessions and to arrange academies and to ordain Geonic practices until after some years. Then the rabbis came from Pumbedita to the vicinity of Nehardea, to the city of Piruz Shabur. These are the Geonim who were in our city after these things at the end of the kingdom of the Persians: from that year 900 [= 589] ruled Mar Hanan from 'Ashiqiyya. After him ruled Mar R. Mari, our forefather, son of Mar R. Dimi... After him ruled in Sura R. Mar b. R. Huna in the year 902 [= 591]... After him ruled in Nehardea R. Ḥinenai of Be Gihra, and in his days Maḥmad went forth to the world...

(*ibid.* p. 99, 1. 1 to p. 100, 1. 12.)

What is striking in R. Sherira's account, first of all, is his reference to written records possessed by the school of Pumbedita and prepared by his predecessors. Whether these records included the dates of the deaths of great rabbis or not is unclear. He refers specifically to a written report of the miraculous death of Yazdagird. He seems to underline this source, probably because its contents were incredible: "We have *heard* from the ancients... and *seen* written in the books of their remembrances." The other reference to a written source concerns the Saboraic rabbis. R. Sherira is interested in two schools, Pumbedita and Sura, as if no others existed. The appearance of R. Ashi in Mata Meḥasia requires the identification of that academy with the one in Sura, although these were different places.¹ The "break-up" of the

¹ See Gerson D. Cohen, *Book of Tradition*, p. 121, note to 1. 7; W. Bacher, *s.v.* "Matah Meḥasya," *JE* VIII, 374-5, and M. Beer, "Iyunim beIggeret R. Sherira Ga'on," *Bar Ilan Yearbook*, IV-V (1956-1965), pp. 187-191.

Beer notes that there is no mention in the Talmud of the move of the exilarch's festival to Sura. R. Sherira regarded it as exceptionally important. He notes that the "subjugation" of Huna bar Nathan is not clearly defined.

"unified school" of R. Ashi apparently accounts for the reestablishment (if that is what happened) of the school of Pumbedita. What seems more likely is that many schools existed. In any event the one at Pumbedita was not suppressed or closed by R. Ashi, but perhaps lost some sort of legal authority or influence on the formation of traditions. In any event upon this basis one can hardly compose a history of the schools. We learn mainly the names of the heads of two important academies, but little more than that.

According to R. Sherira, the exilarch not only utterly subordinated himself to the head of the school of Mata Meḥasia, but actually paid his respects in a public ceremony as a sign of that subordination. According to his view, when other Jews came to pay their homage to the exilarch, they came to the place of R. Ashi, not to that of the exilarch. R. Ashi moreover issued decrees pertaining specifically to Nehardea and the exilarchate. R. Sherira furthermore stresses that what R. Ashi ordained remained valid later on. His assertion is dubious in the light of his later complaint that the exilarch bought his office from the Iranian government and used it to make trouble for the rabbis. I doubt that the leading schoolmen dominated the exilarchate, for if they had, R. Sherira would not have had reason to extend his complaint against exilarchic predominance of Islamic times back into the days of the later Sasanians. It seems on the face of it that R. Ashi's exceptional influence over Huna b. Nathan produced a singular situation which did not quickly repeat itself. But R. Ashi's school remained in Mata Meḥasia and continued as the leading school. As to the Saboraic period, R. Sherira's meaning is that it was brief and ended in the final years of Sasanian rule, not that all the Saboraim individually died young.

Remembering that R. Sherira, a descendant of the Pumbeditan school, represents a tradition hostile to the exilarch, we may somewhat differently reconstruct matters. The exilarch, faced with trouble in the academies, decided to dominate by support and found an agent for his purpose in R. Ashi, the ambitious head of Sura. He persuaded R. Ashi to move to Mata Meḥasia, thus getting rid of the unpleasant associations of Sura, financed his building programs there, and accepted his decisions as *the* authoritative interpretations of the law, thus making his academy *de facto* the primary one and putting Pumbedita in second place (thus R. Sherira's "were subject to" would mean "were forced to accept his legal decisions.") On the other hand the exilarch came every year to the festival of the Mata Meḥasian academy, and the rabbis there

ceremonially acknowledged his authority (= passed in front of him) during this annual visit of inspection. And so did those of Pumbedita and all other schools who had to come to Mata Meḥasia for the annual festival and review of the rabbinical corps. R. Ashi was established under the exilarch as a little Mobad Mobadan under the Shah, and the system he set up lasted as a means of exilarchic control of the rabbis for a century.

The traditions in *SOZ* pertain mostly to exilarchs and were cited above.¹ We here review the names and approximate dates of the sages mentioned there:

<i>After 363</i>	R. Ḥananel
<i>Ca. 400</i>	Rava and Rabina
<i>After 484</i>	R. Safra
	R. Aḥa of Difti
<i>Ca. 525</i>	Rabina
	R. Aḥa of Difti b. R. Ḥanilai
	R. Mari and Mar Ḥanina Rava

The sages listed above appear in *SOZ* as having served the exilarchs of their day.² To this list we should add the names of Mar R. Ḥanina, R. Sama, and R. Yiḏḥaq, who were Mar Zuṭra's sages according to the legend of Mar Zuṭra's rebellion. Why *SOZ* does not list them in the earlier sequence I cannot say for sure. Probably the reason is that the Mar Zuṭra legend is completely separate from the earlier material. The *SOZ* list strikingly omits practically all the men designated by R. Sherira as heads of schools. R. Ashi's distinction, his supposed superiority to the exilarch, his direction of exilarchic ritual affairs—none of these "facts" so important to R. Sherira even appears. But, as we have already observed, what R. Sherira knows is unknown to the *SOZ*, including even the fifth century persecutions. We do find a Rabina [= Rabbana 'Abina b. R. Huna] mentioned by both as the "end of instruction," but the source of the statement for both R. Sherira and *SOZ* was the famous Talmudic passage:

R. Ashi and Rabina [were] the end of instruction [*bora'ab*].
(b. B.M. 86a)

The rabbis associated with the exilarch Huna Mar b. R. Ashi were Mesharsheya and Rabbana 'Amemar b. Mar Yenuqa, about whom

¹ Pp. 95-97.

² *SOZ* ed. Grossberg, pp. 47-49. There follows the story of the birth of Mar Zuṭra and his revolt, p. 49ff.

SOZ knows nothing, As a matter of fact, not a single name appearing on the *SOZ*'s list of important rabbis who served the exilarchate in the late fourth, fifth, and sixth centuries is even known to R. Sherira as a major rabbinical figure. While R. Sherira provides a history of the two great schools that survived to his own time, and chiefly his own, Pumbedita, *SOZ* concentrates on exilarchic history and presumably exilarchic rabbis. The author may indeed have had access to exilarchic archives just as R. Sherira used academic ones. Neither, however, provides an organized list of all the names of major rabbis in these centuries.

Seder Tannaim ve Amoraim contains the following

And after him [R. Naḥman b. Yizḥaq, who died in 667 (= 356)] R. Papa [died] in 686 [= 375], and after him R. Zevid [died] in the year 696 [= 385] and after him R. Dimi of Nehardea [died] in the year 699 [= 388], and after him R. Kahana [died] in the year 702 [= 391], and after him Mar Zuṭra [died] in the year 724 [= 413]. And on that very day there was a great rumbling in the world, and the earth quaked. And after him R. Aḥa b. Rava [died] in the year 730 [= 419]. ... And after him Rabina [died] in the year 733 [= 422], and after him R. Ashi [died] in the year 738 [= 427]. In the year 742 [= 431] R. Yemar was gathered in... In the year 753 [= 442] R. Huna the exilarch was gathered in.¹ In the year 762 [= 451] R. Idi b. Aḥa was gathered in. In the year 766 [= 455] R. Naḥman b. R. Huna was gathered in, and 'Ardezur the king of the Persians decreed...² In the year 779 [= 468] Rabbah b. R. Ashi was gathered in. In the year 782 [= 471] was gathered in R. Ḥama b. Rava, and Huna b. Mar Zuṭra exilarch was killed... In the year 811 [= 500] Rabina was gathered in, [which marked] the end of instruction, and the Talmud was completed.

And the Saboraic rabbis followed, and these are their names: R. Aḥai of Bet Ḥatom; R. Geviha of 'Argizta; R. Aḥa b. Nehilai; Rabbana Sama b. Rabbana Judah; R. Samuel of Pumbedita; Rabina b. 'Umḥia; R. Aḥadbuy b. Qaṭina; and Mar Zuṭra b. R. Ḥama. In their times Maḥumaṭ went forth, in the year 928 [= 617].

(ed. Grosberg, pp. 64-66.)

Seder Tannaim ve Amoraim evidently depends upon some of the data of the letter of R. Sherira. The dates are similar or identical for the most part; more important, the focus of interest is the same. Exilarchs appear only rarely, while by contrast, heads of Sura and Pumbedita are never omitted. The discrepancies are minor and unimportant. In fact little if anything appears in the later list which has not been borrowed

¹ As above, p. 136.

² As above, p. 61.

from the earlier one. The chief interest is Sura. I do not think the *Seder Tannaim ve Amoraim* contains any independent information of value.

The twelfth-century *Book of Tradition* of Abraham Ibn Daud best illustrates the state of the question in medieval and into modern times:

The fifth generation [of Babylonian Amoraim] was that of R. Nahman bar Isaac, R. Papa, and R. Huna the son of R. Joshua... R. Papa became head of the academy in Naresh, a city close by Sura, served for nineteen years in that office, and he died in 4132 [= 372]. After R. Nahman bar Isaac passed away, R. Hama of Nehardea became head of the academy of Nehardea. He, too, died in 4132 [= 372], after a term of fifteen years. As for R. Huna the son of R. Joshua, his name is not recorded among the heads of the academies.

The sixth generation was that of R. Ashi and the heads of the academies who lived in his days... During R. Papa's term, in 4127 [= 367], R. Ashi became head of the academy of Sura for sixty years. In the fifth year of his office, R. Papa and R. Hama passed away. R. Zevid became head of the academy of Pumbedita for eight years and died in 4140 [= 380]. He was succeeded by R. Dimi [who served] for three years and died in 4143 [= 383]. His successor was Rafram bar Papa who died in the same year. His successor was R. Kahana the second [who served] for twenty-eight years and died in 4171 [= 411]. His successor was R. Aha the son of Rava [who served] for two years and died in 4173 [= 413]. Thus, R. Papa as well as these six heads of academies all passed away within the lifetime of R. Ashi. R. Ashi passed away in 4187 [= 427], which is equivalent to 738 of the Seleucid Era. He began to commit the Talmud to writing.

The seventh generation was that of Meremar, Mar bar R. Ashi, and their colleagues. After the death of R. Ashi, his successor as head of the academy of Sura was Meremar [who served] for five years and died in 4192 [= 432]. His successor was R. Idi bar Abin [who served] for twenty years and died in 4212 [= 452]. His successor was R. Nahman bar Huna [who served] for three years and died in 4215 [= 455]. Following these men, Mar bar R. Ashi succeeded to his father's post for thirteen years. Since those were good years, he was called R. Tavyomi.¹ He died in 4228 [= 468], which is equivalent to 779 of the Seleucid Era. His successor was Rabbah Tosefa'ah [who served] for six years and died in 4234 [= 474]. These five men had been disciples of R. Ashi. Although some, like Meremar and R. Idi b. Abin, were [also] his colleagues, the others were disciples.

In the year of Rabbah Tosefa'ah's death [= 474], the Persian Empire decreed frightful persecutions against the Jews...

(ed. and trans. Gerson D. Cohen,
pp. 34, 1. 47 through p. 36, 1. 83.)

¹ Ibn Daud obviously knows nothing of the persecutions of Yazdagird or dates them later on. In any event, it is a peculiar etymology. On the relationship of Ibn

At the time that these men were heads of the academy in Sura, the following were heads of the academy in Pumbedita: R. Gevoha of Be Ketil became head of the academy in the year of R. Ashi's death for six years, and he died in 4193 [= 433]. His successor was Rafram [who served] for ten years and died in 4203 [= 443]. His successor was R. Reḥumi [who served] for thirteen years and died in 4216 [= 456]. He was succeeded by R. Sama the son of Rava, who passed away in 4236 [= 456]. He was succeeded by R. Sama the son of Rava, who passed away in 4236 [= 476].

(ed. and trans. Gerson D. Cohen,
p. 42, 1. 165-173.)

The first generation [of the Saboraim] was that of Rabbah Yosi,¹ who marks the beginning of the Saboraic rabbis. He served as head of the academy after Rabina for thirty-eight years,² until 4274 [= 514]. In the twenty-fourth year of his presidency, which was the year 4260 [= 500] and 811 of the Seleucid Era and 123 before the Muslim reckoning, the Talmud was sealed ... Rabbah Yosi died in 4274 [= 514]. The second generation of the Saboraic rabbis was that of R. Aḥai bar Huna and his colleagues. R. Aḥai served as head of the academy for one year and died in 4275 [= 515]. He was succeeded by R. Samuel bar Rava, [who served] for three years and died in 4278 [= 518]. He was succeeded by Rabina of 'Umza [who served] for one year and died in 4279 [= 519]. His successor was R. Teḥina who served for seven years and died in 4286 [= 526]. He was succeeded by R. Simona and R. 'Aina', the latter in Sura and the former in Pumbedita. R. Simona lived until 4300 [= 540]. All these were of one generation.

The second generation also included the disciples of R. Simona and R. 'Aina'. However their names were not recorded, inasmuch as the academies were closed for about fifty years after R. Simona's death until 4349 [= 589] because of the hostility of the Persian kings and their persecutions.

The third generation was that of R. Ḥanan of Ashiqiyya, who took over from the disciples of R. Simona and R. 'Aina'. He was followed by R. Mari, R. Huna, R. Ḥanina, and R. Ḥinena, respectively. All these were of one generation. R. Ḥanan of Ashiqiyya became head of the academy in 4349 [= 589]. He was followed by these four heads of the academy, whose terms of service, however, are not recorded.

Daud's account to that of R. Sherira, see below, pp. 144 ff. See Cohen, *op. cit.*, p. 123 on 1. 77.

¹ Cohen comments (p. 43 n. to 1.3) that since Rabina was supposed to mark the end of the Amoraic period and Rabbah Yosi the beginning of the Saboraic one, Ibn Daud also inferred that Rabbah Yosi succeeded to Rabina's post, although R. Sherira does not say so.

² Cohen comments (p. 126, n. to 1.4) that Ibn Daud's dates are traceable to R. Sherira's letter.

<i>Sherira</i>		<i>SOZ</i>
<i>Sura</i> (= Nersh, Mata Mehasia)	<i>Pumbedita</i>	<i>After 363:</i>
R. Papa, d. 376	Naḥman b. Yiḥḥaq, d. 356	R. Ḥananel
R. Ashi, d. 427	R. Ḥama, d. 377	Rava and Rabina
	R. Zevid, d. 385	
	R. Dimi, d. 388	
	Rafram, d. 395	
	R. Aḥa b. Raba, d. 419	
R. Yemar, d. 432	R. Geviha, d. 422	
R. Idi b. Abin, d. 452	Rafram of Pumbedita, d. 443	
R. Naḥman b. R. Huna, d. 455	R. Reḥumi, d. 449	
R. Ṭavyumi = Mar b. R. Ashi, d. 468	R. Sama b. Rava, d. 476	
		<i>After 484:</i>
Rabbah Tosfa'ah, d. 470	R. Yosi	R. Safra
Rabina (= R. Abina b. R. Huna), d. 500		R. Aḥa of Difti
		Rabina
	<i>Saboraim</i>	<i>Ca. 525:</i>
	Rabbana Sama b. R. Judah, d. 504	R. Aḥa of Difti b.
	R. Aḥai b. R. Huna, d. 506	R. Hanilai
	R. Reḥumi, d. 506	R. Mari and Mar
	R. Samuel b. Judah, d. 506	Ḥanina Rava
	Rabina b. 'Amoziā, d. 506	
	R. Aḥai b. Rabbah b. Abbuhah, d. 511	
	R. Taḥna and Mar Zuḥra sons of R. Ḥinnena, d. 515	
<i>Sura</i>	<i>Pumbedita</i>	
R. 'Aina'	Rabbah Joseph Gaon	
	R. Simonia	
	R. Rabbai of Rob	
	R. Ḥanan from 'Ashiqiyya, (ca. 589)	
	R. Mari b. R. Dimi	
R. Mar b. R. Huna, d. 591		
R. Ḥinenai of Be Gihra ca. 640		

The fourth generation was that of R. Isaac. In his days the Muslim Empire prevailed over the Persian Empire...

(ed. and trans. Gerson D. Cohen,
pp. 43, 1. 1 through p. 44, 1. 31.)

Ibn Daud has obviously drawn heavily on the letter of R. Sherira. Yet, as Gerson Cohen points out,¹ while the two lists of the bearers of rabbinical tradition are similar, there are major discrepancies between

¹ Pp. 177-188.

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	<i>Sura</i>	<i>Pumbedita</i>
R. Papa, d. 375 R. Zevid, d. 385 R. Dimi, d. 388 R. Kahana, d. 391 Mar Zuṭra, d. 413 R. Aḥa b. Rava, d. 419 Rabina, d. 422 R. Ashi, d. 427 R. Yemar, d. 431 R. Idi b. Aba, d. 451 R. Naḥman b. R. Huna, d. 455 Rabbah b. R. Ashi, d. 468 R. Ḥama b. Rava, d. 471 Rabina, d. 500	[R. Papa (Ners), d. 372] [R. Ḥama (Nehardea), d. 372] R. Ashi (367-427) Maremar, d. 432 Idi b. Abin, d. 452 Naḥman b. Huna, d. 455 Mar b. R. Ashi, d. 468 Rabbah Tosfa'ah, d. 474	Zevid, d. 380 Dimi, d. 383 Rafram b. Papa, d. 383 Kahana II, d. 411 Aḥa b. Rava, d. 413 Geviha, d. 433 Rafram, d. 443 Reḥumi, d. 456 Sama b. Rava, d. 476
<i>Saboraim</i>	<i>Saboraim</i>	
R. Aḥai of Bet Hatom R. Geviha of 'Argizta R. Aḥa b. Nehilai Rabban Sama b. R. Judah R. Samuel of Pumbedita Rabina b. 'Urzia R. Aḥadbuy b. Qaṭina Mar Zuṭra b. R. Ḥama	Rabbah Yosi, d. 514 Aḥai b. Huna, d. 515 Samuel b. Rava, d. 518 Rabina of 'Umza, d. 519 Teḥina, d. 526 [= Taḥna?] 'Aina' - Simona, d. 540	
	Academies closed 540-589 Ḥanan of 'Ashiqiyya, 589-? Mari Huna Ḥanina Ḥinena Yizḥaq, ca. 640	

them. The one of greatest interest here concerns the dates of Rabina's death and the redaction of the Babylonian Talmud. But the lists of students and leaders of each generation differ markedly. Sherira moreover described the Saboraic age as a brief one, while Ibn Daud found in it five generations, lasting one hundred eighty-seven years; I have cited only part. Sherira dates the beginning of the Geonic period at 589, while Ibn Daud sets it in 689. Cohen points out that while Halevy held Ibn Daud had never even seen Sherira's letter, most scholars disagree. Cohen notes, "The affinities between the two works are much too marked to be dismissed as mere coincidence."¹ The length of the

¹ P. 179.

rabbis' terms of office is pretty much identical in the two lists. Some have held that Ibn Daud used R. Sherira's letter but also another source, Samuel ibn Nagrela's *Introduction to the Talmud*. Cohen persuasively rejects the theory of Abraham Epstein, which was based upon the view that Ibn Daud did indeed draw from Samuel ibn Nagrela. He notes that Ibn Daud's list is more closely related to R. Sherira's letter than to the *Seder Tannaim ve Amoraim*.¹ Where he diverges, "This would merely indicate that his basic source was a digest of Sherira, rather than a corrupted text of the *Epistle* itself."

We obviously cannot make facile use of the Geonic and medieval lists. The divergences are striking. We have little knowledge of the sources of data, none at all of the basis for assigning dates to the various rabbis. It is significant that Talmudic evidences standing by themselves and universally available have been able to produce little or no unanimity of opinion on even the most fundamental questions among Geonic and medieval historians. Granted the tendency of *SOZ* to concentrate on exilarchic history, we should nonetheless have expected, on account of that very interest, more extensive reference to R. Ashi than we have uncovered. In fact we do not know much more than the later chroniclers tell us, and what they tell us is too fragmentary to permit a continuous and detailed account of academic history. Yet I think we may take as fact the assignment of various sages to the several schools, even though why one school should be subsumed under another is obscure. I see no reason to doubt that R. Sherira knew who was in Pumbedita and Sura, where records of earlier authorities were preserved. Other schools, such as those in Nehardea, Nersh, Pum Nehara, are generally ignored in Geonic traditions.²

III. THE RITUAL OF "BEING A RABBI"

The rabbi functioned in Jewish society as a judge and administrator, for into his hands the exilarch had much earlier committed the court-system of the community. But the sage lived in a society, the school, in some ways quite separate from that of Jewry as a whole. The rabbinical academy was, to be sure, a law-school, and some of its graduates did serve as judges and administrators of the law. We should however err by regarding the school as a center for merely legal study. It was a kind

¹ P. 186.

² See Y. S. Zuri, *Rav Ashi* (Bilgoraj, 1924), pp. 3-18.

of Jewish monastery, much like the Christian one as the locus for a peculiar kind of religious living. Only one of its functions concerned those parts of the revealed Torah to be applied in everyday life through the Jewish judiciary. The school was a holy community. In it men learned to live a holy life and to become saints. When they left, sages continued to live by the discipline of the schools, and they invested great efforts in teaching that discipline by example and precept to ordinary folk. It was through the academy that Pharisaic-Rabbinical Judaism proposed to conquer the Jewish people and transform it into a true replica of Mosaic revelation as rabbis understood and expounded that revelation.

The school therefore should be seen not merely as a social force,¹ but also and especially as a *religious* phenomenon. It embodied the central myth of Pharisaic-Rabbinical Judaism, the belief that the Mosaic Scriptures constituted divine revelation, but only a part of it. At Sinai God had handed down a dual revelation, the written part known to one and all, but also the oral part preserved by the great Scriptural heroes, passed on by prophets to various ancestors in the obscure past of Pharisaism, finally and most openly handed down to the rabbis of the Palestinian, and now, the Babylonian schools as well.² The "whole Torah" thus consisted of both written and oral parts. That "whole Torah" was studied by David, augmented by Ezekiel, legislated by Ezra, and embodied in the schools and by the rabbinical sages of every period in Israelite history from Moses to the present. It was a singular, linear conception of revelation preserved only by the few, but pertaining to the many, and in time capable of bringing salvation to all.

The Pharisaic-Rabbinical myth further regarded Moses as "our rabbi," the first and prototypical figure of the schools. It held that whoever embodied the teachings of Moses "our rabbi" would thereby conform to the will of God—and not to God's will alone, but also to his *way*. The schools believed that in heaven God and the angels studied Torah just as rabbis did on earth. God donned phylacteries like a rabbi. He prayed in the rabbinical mode. He carried out the acts of compassion called for by rabbinical ethics. He guided the affairs of the world according to the rules of Torah, just like the rabbi in his court. One

¹ See below, Chapter Seven.

² Whether Babylonian schools had existed before R. Judah the Prince to preserve the oral tradition was a moot point in the traditions, as we have seen, Vol. I, pp. 170-172.

exegesis of the Creation-legend taught that God had looked into the Torah and therefrom had created the world. Moreover, heaven above was aware of what the rabbis in particular thought, said, and did below. The myth of Torah was many-sided. It included the striking detail that whatever the most recent rabbi was destined to discover through proper, disciplined exegesis of the tradition was as much a part of the way revealed to Moses as was a sentence of Scripture itself. It was therefore possible to participate in the giving of the law by appropriate, logical inquiry into the law. God, studying and living by Torah, was believed to subject himself to these same rules of logical inquiry, so if an earthly court through logic and tradition overruled the testimony, delivered through natural miracles, of the heavenly one, God would rejoice, crying out, "My sons have conquered me! My sons have conquered me!"

In a word, we are considering a religious-mythical system in which earth and heaven corresponded to one another. The Torah was the nexus and the model for both. The heavenly paradigm was embodied upon earth. Moses "our rabbi" was the pattern for the ordinary sage of the streets of Pumbedita and Sura. And God participated in the system, for it was his image which, in the end, formed that cosmic paradigm. The rabbi and school constituted the projection of heaven onto earth. Honor was due him more than to the scroll of the Torah, for through his learning and logic he might even alter the very content of Mosaic revelation. Intelligence and logical acuteness signified the possession of spiritual grace, so marking the rabbi as a holy man in much the same way as other expressions of supernatural favor, such as the ability to raise the dead, set apart the holy men of other communities. The rabbi *was* "Torah," not merely because he lived by it, but because at his best he constituted as compelling an embodiment of the heavenly model as did a scroll of the Torah itself.

The schools, like other holy communities, imposed their own particular rituals in the first instance intended for the disciples and masters. Later, it was hoped, all Israel would conform to those rituals and so join the circle of master and disciples. The schools' discipline transformed ordinary, natural actions, gestures, and functions into rituals—the rituals of "being a rabbi". Everyone ate. Rabbis did so in a "rabbinical" manner. That is to say, what others may have regarded as matters of mere etiquette, formalities and conventions intended to render eating aesthetically agreeable, rabbis regarded as matters of "Torah," something to be learned as part of the holy way. It was "Torah" to do things

one way, and to do them otherwise was "ignorance" (though not heresy, for theology was not at issue). The master of Torah, whether disciple or teacher, would demonstrate his mastery not merely through what he said in the discussion of legal traditions or what he did in court. He would do so by how he sat at the table, by what ritual formulae he recited before eating one or another species of fruit or vegetable, by how he washed his hands. Everyone had to relieve himself, dress himself, conduct normal social relations. The sage would do so according to "Torah". The personality traits of men might vary. Those expected of and inculcated into a sage were of a single sacred fabric.

One must repeatedly stress the fundamental difference between the way of "Torah" and other ways to salvation explored by other holy men and sacred communities. The rabbi at no point would admit that his particular rites were imposed upon him alone, apart from all Israel. He ardently "spread Torah" among the Jews at large. He believed he had to, because "Torah" was revealed to all Israel at Sinai and required of all Israel afterward. Hence if he was right that Moses was "our rabbi" and God kept the commandments, he had to ask of everyone what he demanded of himself, conformity to the way of "Torah." His task was facilitated by the widespread belief that Moses had indeed revealed "the Torah," and that some sort of interpretation quite naturally was required to apply it to everyday affairs. The written part of "Torah" therefore naturally shaped the life of ordinary pious folk. What the rabbi had to accomplish was to persuade the outsider that the written part of the Torah was not exhaustive but partial and incomplete, requiring further elaboration and completion through the oral traditions he alone possessed and embodied.

The final element in the rabbinical Torah-myth concerned salvation. It took many forms. One salvific teaching held that had Israel not sinned—that is, disobeyed divine revelation or Torah—the Scriptures would have closed with the story of the conquest of Palestine. From that eschatological time forward, the sacred community would have lived in eternal peace under the divine law. Keeping the Torah was therefore the guarantee of salvation. The opposite was said in many forms as well. Israel had sinned, therefore God had called Assyrians against Samaria, Babylonians and Romans against Jerusalem. But in his mercy he would be equally faithful to restore the fortunes of the people when they through suffering and repentance had expiated the result and the cause of their sin. So in both negative and positive forms, the Torah-myth told of a necessary connection between the

salvation of the people (and of the world) and the state of "Torah" among them. If, for example, all Israel would properly keep a single Sabbath, the Messiah would come. Of special interest here is the saying of R. Papa cited above, that the rule of the pagans depended upon the sin of Israel. If Israel would constitute a full and complete replication of "Torah," that is, of heaven, then pagan rule would come to an end. It would end, as I said earlier,¹ because all Israel then, like some few rabbis even now, would attain to the creative theurgical powers inherent in Torah. Just as God had created the world through "Torah," so saintly rabbis could now create animals and men. Rabbis quite practically asserted their magical power, by holding that they should not pay for the building of walls around their cities, "because rabbis do not require protection." Some rabbis enjoyed the general protection of heaven granted to those who do heaven's will and conform to its revealed word. But a few rabbis could quite independently of heaven exercise the power of Torah, and in doing so, they performed specific magical works such as those just mentioned. They probably would have regarded their power as a foretaste of salvation and as a demonstration of the power inherent in "Torah". Like the wonders of prophecy, the magic of some few rabbis provided a secular authentication for other aspects of their activities. But it was a part of the broader salvific pattern revealed long ago and supposed to come to fruition when Israel had made itself worthy through its embodiment of Torah, that is, as I said, through its perfect replication of heaven.

We shall here review the late fourth and fifth century evidences of the ritual of "being a rabbi" and later on examine other components of that estate. Many rabbinical sayings on proper behavior pertained not only to rabbis but to ordinary folk as well. They therefore cannot be interpreted as singularly characteristic rituals of "being a rabbi," although they obviously reflect the values of the academy. Among such sayings are R. Nahman b. Isaac's, that one should not keep a wild dog,² as well as dicta concerning good health, such as the following:

Mar b. R. Ashi had to urinate at a bridge. He was told, "Lo, your mother-in-law is coming." He replied, "[Even] in her ear."

(b. Bekh. 44b)

For this let every one that is godly pray unto Thee for a time of finding (Ps. 32:6). Mar Zutra [interpreted] 'for a time of finding' to refer to [finding] a privy.

(b. Ber. 8a)

¹ Vol. IV, pp. 401-402.

² b. Shab. 53b.

The latter saying means that one should be grateful to live near a privy. The former stresses that under certain circumstances one should not restrain oneself from performing one's natural functions. Such advice would have been equally salutary for everyone; what characterizes the rabbis is that they took it. They further would have regarded as seriously negligent any rabbis who behaved contrary to good advice universally available from rabbinical lore.¹

Some teachings concerning eating may have been intended for ordinary folk as well as rabbis. Others clearly were supposed to be carried out only by disciples of sages; by following them, the disciples would give evidence of their status. In the former category are the following:

Amemar, Mar Zuṭra, and R. Ashi were once seated [at a meal]. Fresh vegetables were brought before them before the fourth hour. Amemar and R. Ashi ate [them] but Mar Zuṭra did not eat them. They said to him, "What is your opinion? Is it [in accord with] R. Isaac who said, 'It is forbidden to converse with anyone who eats fresh vegetables before the fourth hour because [his breath] smells bad?' But we are eating, and lo, you have been conversing with us!" He replied to them, "I follow the other saying of R. Isaac, who said, 'It is forbidden for a man to eat fresh vegetables before the fourth hour.'"

(b. Ber. 44b)

What is striking in the second saying is the absence of a reason for R. Isaac's prohibition. In the former exemplum of R. Isaac's saying the prohibition obviously would apply to anyone; it was quite neutral, naturalistic. In the latter the absence of a reason renders the rule a matter of rabbinical etiquette alone: This is how a sage does things. He who wishes to live by rabbinical rules therefore will follow R. Isaac's rule without question. (In the commentaries, the prohibition against conversing with others constitutes the difference; in the latter case one ought not to eat vegetables early in the day, but if he does, he may continue to talk with other people.) An exchange such as this could not have taken place outside of the schools. There people would not ordinarily have known what R. Isaac had said about bad breath's resulting from eating vegetables too early in the morning. If ordinary people refrained, the reason would not have been attached to a master's

¹ See for example Vol. IV, pp. 300, 388, on having sexual relations in the daytime. The rabbis regarded it as unwise, since demons would be attracted on that account. But urban dwellers ignored the rabbinical view. They were not on that account heretics, but merely behaved foolishly.

name. I doubt there would have been an explicit reason to begin with. The simple matter of when one ate fresh vegetables thus entered into the rite of "being a rabbi."

Similarly, we may be sure that rabbinical sayings on drinking wine applied not only to sages:

R. Huna b. R. Joshua said, "If a person drinks wine, even though his heart is closed like a virgin, the wine opens it..."

(b. B.B. 12b)

Mar Zuṭra b. R. Naḥman advised parents to teach their children not habitually to drink wine or eat meat.¹ Obviously, counsel not to become accustomed to meat and wine pertained to anyone. Yet more rigorous asceticism would have been expected primarily from disciples of the sages. The question was raised, for example, whether a certain substance was too luxurious for ordinary use.² Similarly, Mar b. Rabina would fast the entire year except for three holidays, which were Shavu'ot, Purim, and the eve of Day of Atonement.³ Repeated fasting and other forms of abstinence characterized holy men, and no one seriously expected that ordinary people would do likewise. Yet holy men such as sages did not regard their rites as suitable only for themselves. Hence the advice not to become accustomed to meat and wine would have extended the fundamentally ascetic value of the sage to the life of a wider circle.

The following story illustrates peculiar legal considerations characteristic of rabbis' meals and not normally found elsewhere:

R. Papa and R. Huna b. R. Joshua joined their bread together. But by the time R. Huna b. R. Joshua ate one [piece], R. Papa ate four. He [R. Huna] said to him, "Divide with me." "You have accepted [me as a partner]," he [R. Papa] replied. [Thereupon] he raised all these objections ... and he answered him by [the teaching regarding ... and finally, they made the requested division]. He [R. Huna] then went and joined bread with Rabina. By the time R. Huna b. R. Joshua ate one [piece], Rabina ate eight. He said, "A hundred Papa's rather than one Rabina."

(b. Pes. 89b)⁴

¹ b. Hul. 84a. See also b. Shab. 119a, the sons of R. Papa b. Abba ate meat and drank wine daily.

² b. Shab. 50b. Note that the form of the saying is identical with that cited earlier, "Amemar, Mar Zuṭra, and R. Ashi were sitting, and such-and-such was brought before them." This is clearly a conventional form for the transmission of sayings such as this one. Whether the form was reserved for particular sorts of laws or not I cannot say.

³ b. Pes. 68b.

⁴ Trans. H. Freedman (London, 1948), p. 476.

Here the issue concerned the division of food originally contributed by each party to a common meal. Since R. Papa ate faster than R. Huna b. R. Joshua, a legal issue was raised, namely, whether R. Huna could legitimately withdraw. He won the argument and ended the common meal. No one can imagine that lay people sharing a meal would have disputed over the food in a similarly erudite manner. I should suppose that one who wished to depart with his food could do so, and none would expect him to supply weighty legal arguments, replete with learned citations, in justification. This story exemplifies how the sage would conduct himself at an ordinary meal by considerations not applicable to outsiders.

Early Pharisaism had laid great stress upon ritual purity in eating ordinary, that is, not consecrated, food. Now, one who was ritually pure could claim the privilege of saying grace after the meal, as in the following story:

R. Papa, R. Huna b. R. Joshua, and Rava b. Samuel were eating together. R. Papa said to them, "Let me say grace, because nine *kavs* of water have been thrown on me." Rava b. Samuel said to them, "...but for others, forty *se'abs* of water are required.' Let me say grace, since forty *se'abs* of water have been thrown on me." R. Huna said to them, "Let me say the grace, since I have had neither the one nor the other on me. [That is, I did not require the purification from uncleanness to begin with, not having suffered the emission of semen which would have necessitated it.]"

(b. Ber. 22b)

We see therefore that the rabbinical rules continued to stress a measure of cleanness from ritual impurity, though in no way to the same degree as in the early centuries of the common era; then a *haber* was characterized specifically by his refraining from eating unconsecrated food in a state of ritual impurity.

In the normal course of events sages would have eaten mostly with each other, since they spent most of their time while at the school-sessions in one another's company. These meals began and ended with appropriate blessings and grace.¹ The discussion of what blessings were to be said over particular foods was central to the schools' legal inquiry. Similarly, the saying of grace after meals produced numerous knotty legal problems. Both rites probably were peculiar to rabbis. The very many difficulties met by rabbis in learning the law pertaining to them

¹ On blessings over food, see also Vol. II, pp. 170-6, III, pp. 158-178, and IV, pp. 329-330.

suggest so. Further, not a single instance of an outsider's saying grace or asking the sages about laws pertaining to blessings or grace exists in Babylonian traditions. By contrast, we have many examples of sages' eating together and saying grace with one another, including both legal dicta and stories. I therefore suppose that while ordinary people might have expressed gratitude to the divinity for food they ate, they would not regularly have done so in the forms prescribed by the schools. Hence singular rites signifying whether a man was part of the rabbinical estate must have included those connected with eating. Since sacred meals of various kinds usually marked the existence of a holy community or brotherhood in ancient religions, one can hardly think otherwise. What is remarkable here as elsewhere, on the contrary, is the rabbis' insistence that everyone was supposed to do just as they did. But at this time I doubt that outsiders did so. I know no evidence that the rabbis now made an effort, through curses or promises, to see people did conform.

One important rule about eating was that food should not be thrown:

Amemar, Mar Zuṭra, and R. Ashi were once eating together. Dates and pomegranates were served to them. Mar Zuṭra took some and threw them in front of R. Ashi as his portion. He [R. Ashi] said to him [Mar Zuṭra], "Does not your honor agree [that edibles should not be thrown]?" He replied, "That was taught with reference to bread..."

(b. Ber. 50b)

The discussion proceeds to analyze Mar Zuṭra's action in the light of such teachings.

Sayings and stories about the proper blessings for various foods include the following:

Mar Zuṭra made [dough baked in a hole in the ground] the basis of his meal, and blessed it, "...who brings forth bread from the earth," and said three blessings after it [even though others held such a dough did not constitute real bread].

(b. Ber. 38a)

Mar b. R. Ashi stated, "Over honey of the date-palm we say, 'By whose word all things exist.'"

(b. Ber. 38a)

R. Ashi said, "When we were at R. Kahana's, he told us that over a broth of beets in which not much flour is stirred the blessing is 'Who creates the fruit of the ground,' but for a broth of turnip in which much flour is stirred, the blessing is, 'Who creates all kinds of foods.' Later

[he retracted and] said that the blessing for both is, 'Who creates the fruit of the ground,' since the flour is put in only to make the mixture coalesce." (b. Ber. 39a)

[If whole loaves and pieces of bread are set together, some say one may bless the pieces, and this serves for the whole loaves; others, that one should bless the whole loaf.] Mar b. Rabina used to put the broken piece under the whole loaf and then break the bread [and bless it, thus satisfying the opinions of both authorities.] R. Ashi said, "I saw R. Kahana take two and break one [loaf on the Sabbath]." Rabina said to R. Ashi, "Does this not look greedy"? He replied, "He does not do so ordinarily, but only today [on the Sabbath]..."

(b. Ber. 39b)

R. Papa was once at the house of R. Huna b. R. Nathan. After they had eaten the meal, edibles were set before them, and R. Papa took some and began eating. It was said to him, "Does not the master hold that after the meal is finished one may not eat [further]?" He replied, "*Removed* is the proper term. [That is, so long as grace has not been said, one may eat until the table has been cleared.]"

(b. Ber. 42a)

R. Mesharsheya said, "Over garden narcissus, the blessing is, 'Who creates fragrant woods.' Over wild narcissus—'Who creates fragrant herbs.'" Mar Zutra said, "One who smells a citron or quince should say, 'Blessed is he who has given a sweet smell to fruits.'"...

R. Papa was once visiting R. Huna b. R. 'Iqa. Oil and myrtle were brought before him, and he took the myrtle, blessed it first, and then blessed the oil. R. Huna said to him, "Does not your honor hold that the law follows..."

(b. Ber. 43b)

R. Papa said, "Water also [requires a blessing after it is drunk.]"

(b. Ber. 44b)

We note, first of all, that many of the teachings about liturgies in connection with foods were handed on at meals, as is quite natural. Yet ordinary folk, not regularly eating their meals with sages, would have had little opportunity to master such laws. The complicated rules about uncommon foods or foods not obviously covered by earlier rulings likewise could have meant little to the common people. It is moreover striking that the rules were taught in connection with actual deeds of major authorities. These paradigmatic stories never included reference to the presence of persons other than rabbis and their disciples. We therefore find little reason to suppose outsiders were present. We have no evidence whatever to suggest that rabbis undertook instruction of ordinary folk about the rules of blessing food.

The same situation pertains to grace after meals, which now as before remained a rite unique to the sages and their circle. Some of the stories pertain to special situations, such as grace at the home of a mourner or at a wedding banquet, as follows:

R. Assi came to the house of R. Ashi on the occasion of the wedding-feast of Mar his son, and said six benedictions ... R. Ashi came to the house of R. Kahana [on the occasion of a wedding banquet]. The first day he said all the [wedding] benedictions. Afterward, if there were new guests, he repeated them, but if not, he [said only some of them...] (b. Ket. 8a)

Mar Zuṭra visited R. Ashi when R. Ashi had suffered a bereavement [lit.: something happened to him]. In the grace after the meal he said a blessing, "Who is good and does good. God of truth, true judge, who judges in righteousness and takes away in justice, who rules over his world to do as he pleases in it, for all his ways are justice. All is his, and we are his people and his servants. For all [things] we are obliged to thank and bless him. He who fences in the breaches of Israel will close up this breach in Israel for life."

(b. Ber. 46b)

The behaviour of R. Ashi thus was cited as evidence of how one is supposed to say the grace at the wedding feast. Rabbinical behavior in this circumstance as in others was regarded as authoritative revelation of the correct law. The blessing of Mar Zuṭra may have been his own composition of scriptural and rabbinical sayings. From that time onward, though, it would have become the conventional form for his disciples, and still later, for disciples of those masters who accepted their liturgy. Further sayings and stories about the grace after meals include the following:

R. Papa said, "The law is that food which forms an integral part of the meal, when taken in the course of the meal, requires no blessing either before or afterward. Food not integrally part of the meal taken in the course of the meal requires a blessing before but not after [being covered by the grace]. Food taken after the meal requires a blessing both before and after [thus constituting a separate meal]."

(b. Ber. 41b)

As to breaking off in the middle of grace to join others who have finished eating and wish now to form a quorum of three, did not R. Papa break off for Abba Mar his son, he and another with him?...

(b. Ber. 45b)

Judah b. Maremar, Mar b. R. Ashi, and R. Aḥa from Difti took a meal together. None was superior to the other [in age or in learning], so as to have the privilege of saying grace. [They thereupon discussed

the Mishnaic law which should guide them, and concluded it is better for the blessing to be said separately.] They said [the grace] individually. When they came before Maremar, he said to them, "You have performed the obligation of grace, but not of saying grace in a quorum [*zimman*]..." (b. Ber. 45b)

If one came and found three persons saying grace, what does he say after them? R. Zevid said, "Blessed and to be blessed..." R. Papa said, "He answers, 'Amen.'" (b. Ber. 45b)

Amemar, Mar Zuṭra, and R. Ashi were sitting at a meal. R. Aḥa b. Rava was waiting on them. Amemar recited a separate blessing for each cup [of wine], Mar Zuṭra recited a blessing over the first and last cup [after grace], while R. Ashi recited over the first cup but no more. Said R. Aḥa b. Rava to them, "According to whose opinion are we to act..." (b. Pes. 103b)

To summarize: Grace, like blessings for food, was carefully studied in schools. The deeds of the masters were closely observed. No occasion more laden with ritual than eating existed in the lives of the sages. The rite of blessing food and saying grace was particularly central to the ritual of "being a rabbi."

The mode and manner of dressing oneself certainly entered into the ritual of "being a rabbi." Covering one's head was regarded as a sign of piety, therefore required of the sage above all:

R. Huna b. R. Joshua would not walk four cubits bareheaded. He said, "The *Shekbinah* is above my head." (b. Qid. 31a)

Similarly, R. Ashi pointed out that a *gavra rabbab*, one expert at legal dialectic, required a *sudarium*, or kerchief, for his head.¹ How rabbis donned various articles of clothing on the Sabbath similarly would be observed and carefully recorded.²

Since some of the sages were regarded as "living Torahs," their deeds as much as their words constituted a source of law. Thus the recollections not merely of schoolmen, but also of members of the family of a particularly reliable sage would serve as satisfactory precedent:

¹ b. Qid. 8a. On *gavra rabbab*, see Vol. III, p. 134. As to peculiar garments for rabbis, see S. Krauss, "Talitam shel Talmidei Hakhamim," *Bloch Jubilee Volume* (Budapest, 1905), pp. 83-97. There Krauss argues that such a characteristic cloak or garment was not worn by rabbis.

² b. Shab. 61a, how Mar b. Rabina put on shoes on the Sabbath.

The wife of R. Ashi sifted flour on the top side of a table [on a festival]. R. Ashi said, "This [wife] of ours is the daughter of Rami b. Hama, and Rami b. Hama was a master of deeds, so if she did not see [this] in the house of parents she would not have done [it]."

(b. Bez. 29b)

Reports by a master of what he himself had done were equally satisfactory evidence.¹ Further, deeds were constantly measured against the teaching of earlier masters:

[Rav Judah had said that if a person saying the Prayer wished to spit, he should do so into his robe or scarf]. Rabina once was standing [in Prayer] behind R. Ashi and wanted to spit. He spat behind himself. R. Ashi said to him, "Do you not accept the teaching of Rav Judah that one should cover it with his scarf?" Rabina replied, "I am squeamish."

(b. Ber. 24b)

In such a circumstance, it was not likely that disciples would ignore the precedents of early masters. Just as in the courts these precedents were binding, so in the schools, homes, synagogues, and elsewhere the words of the ancients echoed with authority in the minds of the disciples. In time a profoundly conservative impact would make itself felt on the personality of the disciple. He would first consciously, then unconsciously, shape himself into the mold of the former generations, and later on would produce the same impact upon his own disciples.

That impact affected not only custom of dress, speech, or eating, but also the formation of the disciple's personality. The schools debated about the traits most desirable in a rabbi. The issues were characteristically academic: Should a master be harsh or merciful? Should a disciple show modesty or pride? The following exemplifies the range of discussion in the later period:

R. Ashi said, "A disciple of the sages who is not as hard as iron is not disciple of the sages [quoting Jer. 23:29]." Rabina said, "Even so, a man should train himself to be gentle [quoting Qoh. 11:10]."

(b. Ta'anit 4a)

On the other hand, R. Yosi b. Abin explained to R. Ashi that he had abandoned his studies with R. Yosi of Derokert because the latter had showed no mercy to his children. He had cursed his son and daughter, the former for misusing the magical powers in prayer which he had

¹ b. Bez. 25b, R. Nahman b. Isaac said he had carried Mar Samuel from the sun to the shade.

mastered, the latter for being so beautiful as to become a source of distraction for men.¹ R. Ashi taught that arrogance is a blemish.² On the other hand, commenting on the saying that a disciple of the sages should possess an eighth [of pride], R. Huna b. R. Joshua said:

"It crowns him like the awn of the grain."

To this, R. Ashi countered:

"Every man with pride in him will eventually be degraded..."

(b. Sot. 5a)

Naturally rabbis supposed there was a direct causal relationship between personal virtue and worldly events. R. Papa was unable to make rain, for instance, until he showed himself truly humble. Then rain fell in buckets.³ The belief in an intrinsic relationship between events in the natural world and the moral virtues of sages was also illustrated by R. Papa's belief that he had met an accident because he had failed to help a beggar.⁴ Reinforced by the expectation that heaven would reward virtuous character as well as right conduct, the schools' effort to reshape the disciple's personality would have achieved considerable success. Yet "being a rabbi" did not consist merely of exhibiting the traits of pride or humility, harshness or gentility, any more than it amounted to sporting peculiar clothing and performing natural functions in a singularly "rabbinical" fashion.

The two central *rituals* of "being a rabbi" were study and discipleship. Study as a merely *natural* action would entail learning of traditions and executing them—in this context, in school or in court. Study became a ritual action when it was endowed with values extrinsic to its ordinary, intellectual character, such as when set into the highly mythic context I have already described. When a disciple memorized his master's traditions and actions, carrying out the former where appropriate and imitating the latter when possible, he participated in that myth, learning what God had taught for just such memorization. His study was thereby endowed with the sanctity which ordinarily pertained to prayer or other cultic matters. Study lost its primary referent in intellectual activity, let alone attainment. The *act* of study itself became holy, so that its original purpose, which was mastery of

¹ b. Ta'anit 24a.

² b. Meg. 29a.

³ b. Ta'anit 24b.

⁴ b. B.B. 10a.

particular bodies of information, ceased to matter to the exclusion of all other considerations. What now mattered was piety, but this piety was expressed through the rites of studying. Repeating the words of the oral revelation, even without comprehending them, produced reward, just as imitating the master resulted in merit, even if the disciple was not really able to explain the reasons for his actions. The separation of the value or sanctity of the act of study from the this-worldly, cognitive result of learning therefore transformed studying from a natural to a ritual action. That separation was accomplished in part by myth, as I said, and in part by the powerful impact of the academic environment itself.

A striking illustration of the distinction between mere learning and learning as part of ritual life derives from Mar Zuṭra's comment on Is. 14:5, *The Lord has broken the staff of the wicked, the scepter of rulers:*

Mar Zuṭra said, "These are disciples of the sages who teach public laws to uncultivated judges."

(b. Shab. 139a)

The fact that the "uncultivated judge" would know the law did not matter, for he still was what he had been, uncultivated or "ignorant." Thus mere knowledge of the laws did not transform an ordinary person, however powerful, into a sage. This passage is extremely important for political history. It suggests that the exilarch was now getting rabbinical students to teach civil law to non-rabbis in lay law-schools and was using these trainees as judges in its courts to compete with the rabbis. No wonder R. Sherira and SOZ have utterly divergent lists. Perhaps the "Lord broke them" refers to some sort of misfortune—plague, persecution—affecting the teachers in these schools.

That learning carried with it a far more than naturalistic valence is further seen in the saying of Amemar:

"A sage is better than [or, superior to] a prophet, as Scripture says, *And a prophet has a heart of wisdom.* (Ps. 90:12)."

(b. B.B. 12a)

What had characterized the prophet was, Amemar said, sagacity. Since the prophet was supposed to reveal the divine will, it was not inconsequential that his revelation depended not upon gifts of the spirit but upon learning—but learning of a peculiar sort.

One way in which that peculiarity found form was in the schools' stress on "learning and deed." The uncultivated judge could be relied

upon to learn and apply part of the law, to be sure, but no one expected that he would also embody all of it. On the other hand, the following saying shows the rabbis' stress on shaping one's way of life in all respects through "Torah":

R. Papa said, "Scripture said, *That you may learn them and observe to do them* (Deut. 5:1), [meaning] Whoever participates in the [merit for] doing participates in the [merit for] studying, and whoever does not, does not."

(b. Yev. 109b)

R. Papa's saying reflects an earlier viewpoint, that the purpose of "Torah" lay in the creation of a new personality, a new man, and not merely in the acquisition of learning, however sacred its origin. Here we must underline the rabbis' perspective. They studied "Torah" because they believed it was revealed at Sinai, therefore holy. But they expected that their studies would produce a profound transformation of themselves and their little community. Further sayings on studying include the following:

R. Zevid said, "He [who studies Scripture and Mishnah] is worthy of inheriting two worlds, this one and the one to come..."

(b. Hul. 44b)

R. Mesharsheya said to his sons, "When you wish to come before your teacher to learn, first review your Mishnah and then go to your teacher. When you are sitting before your teacher, look at the mouth of your teacher, as it is written, *But thine eyes shall see thy teacher* (Is. 30:20); and when you study any teaching, do so by the side of water, for as the water is drawn out [= MŠKY], so your learning may be prolonged. Be on the dustheaps of Mata Mehasia rather than in the palaces [PDNY] of Pumbedita. Eat a stinking fish rather than *kutħa* which breaks rocks."

(b. Ker. 6a)¹

The rabbis generally shared R. Zevid's certainty of great rewards now and in eternity on account of their study of Torah.²

Our earlier remarks ought not to obscure the rabbis' high expectations of actual accomplishment in learning. While, as I said, they stressed the *act* of study without reference to its achievement if any, at the same time they possessed very old traditions on how best to pursue their task. This tradition included much practical advice on how to acquire and preserve learning. R. Mesharsheya's advice to his sons

¹ Trans. I. Porusch (London, 1948), p. 38.

² Below, pp. 174-178.

exemplifies this rich source of distilled experience. Part of that experience was perfectly reasonable. Reviewing before classes, concentrating on the teacher, staying near the great schools—these things would make sense in any circumstance. On the other hand the advice to study by a body of water “so that your learning may be prolonged” has little to do with the practical problems of memorizing and reasoning. It rather relates to the rabbis’ view of a supernatural correspondence between their own study and those aspects of nature which the rabbis looked upon as symbolic of their activities—and they many times compared Torah to “living waters.” Rabina advised that those who make their studies accessible to the public will retain their learning.¹ R. Ashi warned that one who is stubborn in a quarrel or unyielding in a dispute deserves to be smitten with leprosy.² While his saying was a general one, it would apply with special force to the argumentative life of the academies.

No role whatever was assigned to women. They did not study in the Babylonian schools. The life of “Torah” was effectively closed to them. On the other hand mothers would encourage their sons to study Torah. Mar b. Rabina’s mother would prepare seven garments for seven days of the week to facilitate his learning.³ Rabina explained how the merit of study of the Torah applied to womenfolk. Women acquire merit when they arrange for their sons’ education in Scripture and Mishnah, and when they *wait* for their husbands to return from the schools.⁴ Since that return was often postponed by months or even years, it was no small sacrifice. But the schools were entirely male institutions; no equivalent religious communities existed for women. The disciples lived not only an ascetic life, but, in the months at school, a celibate one as well. It was therefore a kind of temporary monastic community, especially for the students from distant places. From the wives also it demanded celibacy.

The central human relationship in the schools was between the disciple and master. Long ago it had been taught that the master took the place of the father. The father brought the son into this world, but the master would lead him into the world to come. Whatever honor was due the father was all the more so owing to the master. But the master did not merely replace the father. He also required the vener-

¹ b. ‘Eruv. 53a.

² b. Sanh. 110a.

³ b. ‘Eruv. 65a.

⁴ b. Sof. 21a.

ation and reverence owing to the Torah. The extreme forms of respect which evolved over the centuries constitute the unique and most striking rituals attached to "being a rabbi." If, as we have seen, study was an act of piety, then the master to some extent was its object. That is not to suggest that the master was regarded as in any sense divine. But the forms of respect reserved for the divinity or for the Torah were not too different, in appropriate circumstances, from those owing to the master. In any event the forms of respect for the master constituted part of the ritual of "being a rabbi," and I think the most important part.

It was the "service of the disciples of the sages" [*sbimush talmidei hakhamim*] which ultimately separated the true sage from the merely learned man. It had earlier been taught that if one had studied Scripture and Mishnah but did not attend upon disciples of the sages, he was regarded as a Samaritan, a boor, an 'am ha'arez. To these epithets, R. Aha b. Jacob added:

"Behold, such a one is a Magus [MGWŠ]."

(b. Soṭ. 22a)

The discussion continued with a popular saying that the Magus mumbles and does not know what he is saying, just as the Tanna recites and does not know what he is saying. I find it incredible that R. Aḥa could claim to see no difference between a learned Jew and a learned Mazdean except that the former attended and served the sages. Obviously he knew gross differences. That attendance—meaning not merely service but rather imitation, study of the master as much as of the Torah—constituted a vital part of "Torah" because the master exemplified the "whole Torah," including the oral part of it. Mastery of Scripture and Mishnah, written and oral Torah, without observation and imitation of the sage meant little. The whole Torah was not in books nor in words to be memorized, but only to be found in whole and complete form in the master. That is why the forms of respect for the master were so vital to the mythic life of the schools.

Ordinary folk could reasonably be expected to carry out most of the rites characteristic of the rabbinical estate. True, ordinary folk were supposed to honor all rabbis, but that honor was quite different from the constant humility displayed by disciple before his particular master. The real difference was not the depth of submission but the constant attendance and attention. On the rare occasions when a great rabbi appeared in public, the ordinary people could be just as humble

as his private entourage, or more so. But the one thing they could not do was keep it up, wait on him constantly, and so learn all his little ways. They just did not have the time—or the interest. Of all human relationships open to rabbis, therefore, it was this one which was most thoroughly ritualized, the most utterly divorced from natural forms of human intercourse. The basis for the rite is best summarized thus: If the master is a living Torah, source of revelation of the oral tradition given at Sinai and embodied now in the master himself, then the disciple had best humbly imitate each and every gesture of that living Torah and so prepare himself as the nexus of the transmission of this same oral tradition to the coming generation.

Submission to the master produced several sorts of tensions. First, the master's knowledge, so much greater than the disciple's, must have intimidated the latter, and as this phenomenon reproduced itself one generation after the other, it led to exaggerating the attainments of the ancients and denigrating one's own:

Rava said, "We are like a finger in wax as regards reasoning." R. Ashi said, "We are like a finger in the well as regards forgetting."
(b. 'Eruv. 53a)

That is to say, "just as a finger cannot penetrate wax, so we cannot penetrate reasoning; just as a finger cannot bring up water from a well, so easily do we forget that we have learned." Both similes come at the end of a long line of sayings on the glories of the ancients and the limitations of the moderns. It was an attitude inculcated by the schools, inherent in the belief that perfection had been revealed at Sinai, only to be slowly but inevitably forgotten, stage by stage to suffer attrition through the ages. Master's and disciple's relationships must have been embittered, moreover, by the hardness fostered in the sage, who had to maintain his point with vigor in his quest for truth. Thus the master's arrogance, produced by pride in his very real achievements, would have troubled his relationships with children and disciples alike:

Why is it not common for disciples of the sages to produce sons who are disciples of the sages?... Mar Zuṭra said, "Because they [high-handedly] overrule the community." R. Ashi said, "Because they call men *asses*."
(b. Ned. 81a)

R. Ashi and Mar Zuṭra certainly condemned the qualities they cited to account for the sages' failure in raising their own sons in the tradition, but they also must have found it common for sages to behave arro-

gantly and to call people disrespectful names. A current example of ritualistic behavior between master and disciple is as follows:

It has been taught [in Tannaitic tradition], "A man should not drink water and hand [the cup] to his disciple unless he first pours some out." It happened once that a man drank some water and without pouring any out gave [the cup] to his disciple. The disciple was squeamish and did not like to drink, and he died of thirst. There and then they laid down a rule that a man should not drink and give [the cup] to his disciple without pouring some out. R. Ashi said, "Consequently if a disciple pours out in front of his teacher, this shows no disrespect." Do not spit anything out in front of your teacher except pumpkin and leek, for they are like a wick of lead.

(b. Tamid 27a)¹

Many other forms of respect were long ago established, and the strata of sayings of late fourth- and fifth-century masters is not especially rich in new rites; we have no reason whatever to doubt that the ancient patterns varied much.

While the masters encouraged large numbers of disciples to attend the schools,² relations between disciple and master proved stormy. For example, R. Papa cursed students who acted disrespectfully:

R. Huna b. Manoah, R. Samuel b. Idi, and R. Hiyya of Vestania had studied with Rava. When he died, they came to R. Papa. Whenever he said to them a saying which did not seem reasonable to them, they would gesture [mockingly] at one another. R. Papa's heart grew faint [but in a dream, he was encouraged to believe they would die]. The next day when they parted from him, he said to them, "May the rabbis go in peace [a greeting paid to the deceased]."

(b. Ta'anit 9a-b)

R. Papa similarly prayed for peace from the insolence of one of his students.³ But usually the sage did not have to rely either on prayers or on divine intervention to keep the students in line. Social pressures in the school, a small and closely-knit society, must have been tremendous. Further, the master could excommunicate the disciple, thus cutting him off from normal intercourse within his community. Banning a disciple would invariably have proved effective so long as the disciple chose to remain within the rabbinical estate. Since he would have been indoctrinated in its values for a long time, he would

¹ Trans. Maurice Simon (London 1948), p. 9.

² See Rabina's saying in b. Meg. 10a, for example.

³ b. Ta'anit 9b.

have been more susceptible than ordinary folk to the power of the ban.¹ We have the following sayings on the subject:

When a disciple of Mar Zuṭra the pious would incur a ban, he [Mar Zuṭra] would first excommunicate himself and then the disciple. On reaching home, he raised the ban from himself and then from the disciple.

(b. Ned. 7b)²

R. Papa said, "May [such-and-so] befall me if I have ever put a disciple in excommunication."

(b. M.Q. 17a)

Both sayings indicate that the ban was considered an extreme measure, not to be lightly invoked against the disciples.

This survey of late fourth and fifth century data on the singular rituals of "being a rabbi" by no means constitutes a complete or full account of rabbinical in-group rites. Many earlier sayings and stories, not germane to our historical period, would be required to fill out this portrait. I have said nothing, for example, about particular rabbinical modes of speech, though we know the rabbis had their "own" words for some objects, and little enough about rabbinical styles of dress, carrying out natural functions, etiquette at table, behavior with peers and superiors, and the like. What is important is that all of these matters were "Torah," required learning, and, properly done, exhibited sagacity. One recalls the story of Rav's student who hid under the master's bed to observe how Rav and his wife carried on their sex life. When the master discovered the disciple, the latter explained, "Rabbi, it is Torah and I need to learn." Whether or not this ingenious excuse for voyeurism persuaded Rav is unimportant. What is important is that within "Torah" were included numerous aspects of ordinary life which other Jews did not likely consider of religious consequence at all. Because of their belief that the school on earth corresponded to the school in heaven, the rabbis endowed with ritual value their particular ways of doing everyday tasks and of carrying out natural functions and relationships. For the same reason they held, as I have stressed, that following the rabbinical mode constituted both the demonstration of wisdom and the authentication of true sanctity. Yet this was only one such means of authentication, for the rabbis, like the society as a whole, believed in both worldly and supernatural recognition of their worth.

¹ See below, pp. 273ff.

² See also b. M.Q. 17a.

It would be a grave misjudgment to regard the master-disciple relationship as sterile and stifling, or to assess the inner life of the schools as did Gibbon the men of Byzantium, who

held in their lifeless hands the riches of their fathers, without inheriting the spirit which had created and improved that sacred patrimony; they read, they praised, they compiled, but their languid souls seemed alike incapable of thought and action... Not a single idea has been added to the speculative systems of antiquity, and a succession of patient disciples became in their turn the dogmatic teachers of the next servile generation...¹

The master taught the disciple, but did not seek to intimidate him. The disciple revered the master, sought to imitate his virtues, attain his holy way of living, transmit his heritage. But he was not expected to, and did not, surrender his own personality or give up his own critical judgment. If relations proved stormy, the reason was that the disciples preserved the freedom to judge and regarded reason and accurate traditions as holier than the opinion even of a beloved teacher. The master was a "living Torah," but not God. Servility was not confused with respect. Honor did not demand self-abnegation. On the contrary, the creative faculties of the disciples must have been carefully nurtured and enhanced, for the legacy of each generation greatly differs from that of the former ones. After several centuries of scholastic discipline, servile students and dogmatic teachers ought to have created nothing; as Gibbon said of the Byzantine schools:

Not a single composition of history, philosophy, or literature has been saved from oblivion by the intrinsic beauties of style, or sentiment, or original fancy, or even of successful imitation.

The contrary was the case. What testifies to the vivid and original intellects of the rabbinical schools is the Babylonian Talmud itself, the product not of servility, on the one side, or dogmatism, on the other, but of keen minds, an exceptionally critical imagination, and an utterly independent spirit. We must, therefore, not lose sight of the deeply mythic-religious foundations for the ritual of "being a rabbi." If we ignore the vitality of the Torah-myth that permeated and vivified the schools, we shall not perceive the very source of their creative life and achievement. The schools gave pedantry a cool welcome, for mere learning was insufficient. The masters and disciples took the opinions

¹ Cited by Peter Gay, *The Enlightenment... The Rise of Modern Paganism* (N.Y., 1968), p. 213.

and knowledge of the early generations into their care, respectfully learning them, reverently handing them on. But these they digested and made their own. Their minds were filled with the learning of other, earlier men, but their wisdom was their own.

IV. THE GLORY OF THE SAGE ON EARTH

The glory, or honor (KBWD), of the sage on earth presented a curious combination of practical with spiritual advantages. The rabbi felt himself, first of all, to be singularly fortunate because of his mastery of Torah. Among the many sayings in praise of the rabbinical status is the following of Rabina:

What does Scripture say of the rabbis? Rabina said, "*They that love him shall be as the sun when he goes forth in his might* (Judges 5:31)." (b. B.B. 8b)

The joy of study, the sense of serving God as he had said he wanted to be served, the confident hope that in doing so, men would find salvation and the Messiah finally be brought nearer—these were the sage's earthly glories, the truest rewards of his situation. He moreover enjoyed the trust that his activity in study and observance produced blessing in this sorry life:

Mar b. Rabina made a wedding banquet for his son. He saw that the rabbis were making merry too much. He brought a cup worth four hundred *zuz* and broke it before them, and they were saddened.

R. Ashi made a wedding banquet for his son. He saw that the rabbis were making merry too much. He brought a cup of crystal and broke it before them and they were saddened.

The rabbis said to R. Hamnuna Zuṭi [the younger] at the wedding banquet of Mar b. Rabina, "Let the master sing for us." He said [sang] to them, "Woe is us, that we die, woe is us, that we die!" They said to him, "And we—what shall we answer after you?" He said to them, "Oh Torah! Oh commandment!—they shield us!"

(b. Ber. 30b-31a)

The faith that Torah and commandments shield from death was the rabbi's chief glory, producing not pride or self-righteousness, to be sure, but rather the confidence of enjoying divine grace. Every man was destined to die, but the rabbi might enjoy the illusion that Torah would protect him in the world to come.¹ And moreover, the rabbi had

¹ Calculations of rabbinical lifespans curiously seem to indicate a much longer than average life. The average life-expectancy was in the low 30s, while we have

the inner certainty that, come what may, he might go forth to the day's task "like the sun when he goes forth in his might."

The rabbi saw himself, moreover, as the new priest, who now did by study of the Torah what the former priests had done by sacrifices—made atonement for the world. This is not to say he did not pray for the rebuilding of the temple. But he meanwhile substituted for it. Thus Amemar, Mar Zuṭra, and R. Ashi discussed the bringing of a gift of fruit to themselves as rabbis according to the legal regulations for bringing heave-offering to the priesthood of old.¹

The ordinary people assuredly paid due respect to the holy men of the community. Talmudic discussions (e.g. b. Qid. 33a) make it clear that the rabbis were normally greeted with particular respect. In the earlier generation Abaye and others had to avoid disturbing people, by making detours so as to prevent the necessity of formally rising and greeting of the sage. Rabina regarded it as impudent for a man not to cover his head before a sage:

Rabina was seated before R. Jeremiah of Difti. A certain man passed before him and did not cover his head. He said, "How full of gall is this man!" He [R. Jeremiah] said to him [Rabina]: "Perhaps he comes from Mata Meḥasia, where rabbis are commonplace." [Rashi: "Rabbis are so numerous that the people's hearts are arrogant toward them, as if they come from them."]

(b. Qid. 33a)

Naturally the needs of rabbis when addressing large public assemblies were carefully attended to. Amemar and Mar Zuṭra were carried on the shoulders of the people when they came to lecture on the Sabbath before Passover, on account of the sages' nervousness.²

The honor paid by sage to sage, however, like the homage of the

numerous examples of rabbis who lived considerably longer than that. Quite apart from the claim of one hundred twenty years for several earlier worthies (Moses, Yoḥanan ben Zakkai, 'Aqiva), for example, we may suppose that stories about rabbis' dying at forty or sixty may be taken seriously. But the commentaries understand the saying to pertain to the world to come. On the other hand, average life-spans are usually brought down by infant mortality, which in antiquity probably averaged about 50%. So relative length of life for adults must be evaluated by comparison with the relative lengths of life of those who got past the age of two—that is, of only half the population. Within this group one would expect to find the rabbis doing well because their studies necessitated, and also provided, a quiet, protected life, and only the relatively healthy and well-to-do—that is, the well-fed and well-clothed—had the time and ability to pursue them. So the favorable result is arrived at by selection from a favored group.

¹ b. B.M. 12a.

² b. Bez. 25b.

disciples for the masters, was of another order entirely. First of all, a rabbi could not renounce his honor, according to some authorities,¹ and this meant that sages believed heaven would exact the honor due a sage even if he did not care to do so for himself. Second, among themselves sages were quick to point out lapses in the required respect. When a rabbi did not break off praying to greet another though it was permissible not to do so, it was regarded as a sign of disrespect.² The sages would show great respect, to the contrary, by appropriate hospitality. This was frequently recorded, as in the following:

R. Joshua b. R. Idi visited R. Ashi. A calf a third fully grown was prepared for him...

(b. Shab. 11a)

R. Papa and R. Huna b. R. Joshua visited the house of R. Idi's son [= R. Joshua], who prepared a calf a third fully grown for them...

(b. Shab. 136a)

It was expected that sages would accompany their guests on their journey. The reward naturally was specified:

Rabina accompanied Rava b. Isaac four cubits in a city [a minimal distance]. Danger threatened, but he was saved...

(b. Soṭ. 46b)

Similarly, R. Mordecai accompanied R. Ashi for a considerable distance as a sign of respect.³ Disciples were also expected to accompany their masters. It was central to discipleship to do so.

When travelling from place to place, leading authorities would pay their respects to local masters:

R. Papa happened to come to Tav'akh. He said, "If there is a rabbinical disciple here, I shall go and greet him." A certain old lady said to him, "There is here a rabbinical disciple, and R. Samuel is his name, and he studies Mishnah. May it be God's will that you may be like him!" He [R. Papa] said, "Since she blesses me by him, I infer that he is a fearer of heaven." He went to him. He [R. Samuel] prepared⁴ for him an ox and prepared⁵ for him a conflict of Mishnaic teachings...

(b. Nid. 33b)

¹ b. Qid. 32a-b. Compare R. Ashi, b. Qid. 32b and in b. Soṭ. 41b.

² b. Ber. 14a.

³ b. Soṭ. 46b.

⁴ Lit.: threw.

⁵ Lit.: threw.

As it turned out, the ox was better baked than the legal conundrum. Whether or not provincial sages achieved much mastery of the traditions, it is striking that the head of the school did what he could to pay them respect. (It is also remarkable that the old lady could point to only one rabbinical disciple [= ZWRB' MYRBNN], and not to a single disciple of the sages [TLMYD HKhM], in the whole town!)

When sages died, they would be given eulogies, which were not normally provided for lesser folk. The funeral orations for Rabina and R. Ashi are recorded as follows:

When Rabina died, a certain professional eulogizer opened as follows:

"Palms, sway your head
For one who was righteous as a palm
Let us raise up lament¹ like the oceans²
For one who made nights¹ like days² [in study]..."

R. Ashi said to Bar Qipoq, "On that day [on which I shall die], what will you say?" He replied,

"If among the cedars a spark falls,
What will become of the moss on the wall?
If Leviathan is caught with a hook
What will become of the little fish?
If drought³ befall a bubbling brook,
What will become of the pond-water?"

Bar Abin said to him, "God forbid that of hooks and flames we should speak with reference to the righteous!" "And what would you say?" He responded:

"Weep for the mourners
And not for the mourned,
For he goes to his rest
But we to [our] sorrow."

R. Ashi's mind weakened [he was offended] against them, and their knees were turned backward [so that they were both crippled]. On that day [of R. Ashi's death], they did not come to eulogize him, and this [illustrates] the saying of R. Ashi, "Neither Bar Qipoq nor Bar Abin shall bare [his shoulder for me," as is done at the death of the head of a school].⁴

(b. M.Q. 25b)

¹ LYLWT.

² YMYM.

³ See trans. H. M. Lazarus (London, 1948), p. 160, n. 6.

⁴ On HLYZ, see also Lazarus, p. 161, n. 2 for an alternative explanation. The circulation of "saying of R. Ashi" seems to me significant, though I do not know what it means.

R. Nahman b. Isaac moreover taught that after death, the disciples of the sages would feast with the splendor of the *Shekbinah* in the world to come.¹ R. Papa said that one might mourn a sage even away from the, mourning-place and even on the intermediate days of the festival week, Hanukkah, or Purim; and

R. Kahana lamented for R. Zevid of Nehardea at Pum-Nahara...
(b. M.Q. 27b)

Clearly, the glory of the sage in life as in death constituted one of the central motifs of rabbinic Judaism. Like the *zaddiq* of later Hasidism, he was the cedar, Leviathan, the running brook, the righteous man, setting the standard for lesser folk, at least so far as his disciples were concerned.

A different sort of earthly glory derived from the rabbis' control of the Jewish court and administrative structure of Babylonia.² They there faced the strong temptation to favor their own estate over outsiders, and not a few in former times had boasted that they had been unable or unwilling to overcome that temptation.³ Some now held it was wrong to show favor to rabbis:

Mar b. R. Ashi said, "I am unfit to judge the suit of a disciple of the sages, for he is as dear to me as myself, and a man cannot see [something] to his own disadvantage."

(b. Shab. 119a)

Since the Jewish government was responsible for tax collections among the Jews, the rabbis' claim that they were exempted from the headtax⁴ conflicted with their judicial-administrative duties. While it is doubtful that they were able to sustain that claim, they clearly were able to use their administrative powers to free themselves from other, local obligations they found abhorrent. Thus as responsible local administrators, they had to provide for the defensive walls of the towns. Rav Judah had held that the rabbis, who do not require protection of earthly walls, are not required to contribute to the building of the

¹ b. B.B. 10a.

² See below, pp. 259ff., for a discussion of the working of the Jewish government to the sages' own advantage.

³ Vol. III, pp. 126-130, Vol. IV, p. 135. Note, for instance, the saying of Rava, "May I be rewarded, for when a disciple came to my court, I did not go to sleep before I had sought points in his favor," b. Shab. 119a, which precedes the saying of Mar. b. R. Ashi cited here.

⁴ Vol. IV, pp. 85-91.

walls, though even orphans must do so.¹ R. Ashi illustrated the reason for this exemption:

Rava b. Meḥasia in the name of R. Ḥama b. Guria in the name of Rav said, "Any city whose roofs are higher than [those of the] synagogue will in the end be destroyed..." Rav Ashi said, "I made it so that Mata Meḥasia would not be destroyed." And lo, it was destroyed? Yes, but not [on account of] that particular sin.

(b. Shab. 11a)

Rabbis knew what accounted for misfortune, what must be done to avert evil. Their knowledge of Torah thus yielded substantial practical consequence. By teaching the right way and leading the communities from error, they could prevent disaster. If they therefore enjoyed some little benefit as a result of their knowledge, it was no more than eventually accrued to one and all.

In any event, I do not think the rabbis' economic advantage was ever an articulated motive in rabbinical legislation or administration, even though it may have been present, and certainly things worked out to their advantage. While it is clear that rabbis did enjoy numerous economic benefits on account of their magical and legal powers, it is equally certain that they never set forth self-consciously to pursue their own gain. R. Papa attributed his wealth to having married a priest's daughter² or to his beer-manufacturing activities.³ While he inquired whether beer might be used in place of wine for ritual purposes, there is no evidence that he so ruled for his own benefit when he got the chance. In general, heads of the schools enjoyed great wealth. Other rabbis profited from the fantasies people attached to their powers. But in general, undistinguished fellows, such as the rabbinical disciple R. Papa met at Tav'akh, could not have profited much.

These evidences of earthly honor contain little that is supernatural, but the basis for much, perhaps most, of the worldly glory of the rabbi lay in the belief in his heavenly power. As I have stressed, the rabbinical academy was far more than a mere law school; it constituted in some measure an equivalent to the monastery, and in still greater measure embodied the holy community of which, rabbis supposed, prophets had prophesied. The rabbi was far more than a politician or judge. In the sage's view, his power derived *not* from worldly sources,

¹ b. B.B. 8a.

² b. Pes. 49a.

³ b. Pes. 113a.

such as exilarchic support or Iranian approval,¹ but from heavenly ones. It follows that the rabbis' legal knowledge, while vital, would have counted for nothing without the conviction that knowledge of Torah, including law, produced supernatural as well as political power.

V. THE POWER OF THE SAGE IN HEAVEN: INTRODUCTION

The supernatural environment in which the rabbis lived produced the widespread expectation that some men would enjoy divine favor and even exercise superhuman powers. People generally believed in a supernatural God, who had not only made the world and directed the destinies of men, but who also directly or through angels, demons, and other forces and powers affected the lives of individual men. But that God could be served through appropriate cultic and, in the case of Judaism, Christianity, and Mazdaism, moral actions. For Jews God was conceived essentially according to the model of man,² though much greater in dimension to be sure, and he responded pretty much as did men to those who pleased or displeased him. One way of achieving divine favor was through appropriate humility before him, demonstrated through constant, humble obedience, in the Jewish instance to his commandments. Another was to beseech divine blessing in prayer and to hasten to acknowledge divine grace through the same medium.

Those men who were believed, or at least believed themselves, to be especially adept in divine service would thus be assumed to have acquired unusual merits and therefore to enjoy exceptional divine favor. The puissance of some such men could be relied upon in times of crisis or in situations of great need. They were supposed to enjoy powers most men did not have, first of all exercised through prayer. But, as I

¹ See below, pp. 244ff.

² The profound anthropomorphisms of both the rabbis and ordinary Jews generally have embarrassed philosophical theologians of medieval and modern Judaism. Stories representing God in the form of a man—to take one of many instances at random, the opening passage of *b. A.Z. 2a-b*, where God takes a scroll of the law to his bosom, or *b. Pes. 94a-b*, an example of Shi'ur Qomah speculation, in which the dimensions of God are described—are mostly explained away. Yet, as Gershom Scholem has emphasized on the basis of mystical materials, we err by dismissing as mere conceits what the rabbis took very seriously indeed and preserved in their traditions. Obviously, what we refer to as "seeing God as a cosmic man" would have been corrected by the sages, who would have cited the Scriptures in Genesis, Ezekiel, and elsewhere to describe man as in the image of God. But for the purposes of the history of religions, it hardly matters.

have already pointed out,¹ it was possible for a few such men to exercise, quite independently of the will of the divinity, some of the powers of the divinity and of the cultic sancta, in the Jewish case inherent in Torah. For the schools and for the communities accessible to rabbinical influence, the rabbi was such a man. The rabbi was the expert on theology, on the nature of the supernatural world, the names of God. He was the authority on the time and form of prayer. His prayers were more effective than those of others because of his sanctity and merits, derived from his knowledge of Torah and peculiar observances. His prayers both in general and for particular purposes were believed effective. He could bless and curse. Angels visited him. Demons sometimes served him, either willingly or coerced by the power of his Torah. He was an authority on the meaning of dreams and omens, could avert witchcraft and prepare amulets.

We shall now survey sayings and stories pertinent to the rabbi's supernatural situation. We begin with tales illustrating the general expectations of the miraculous, and then examine stories showing rabbi's magical powers, his ability to exercise the black arts of cursing, laying on the evil eye, and commanding the demons. We shall then consider the rabbi's interpretations of heavenly messages. We next turn to the scientific skills attributed to holy men in general, mastery of astrology and of medicine, to see to what degree the rabbi was supposed to have attained knowledge generally believed to be part of the exact sciences of antiquity. We finally review the schools' theological, liturgical, and exegetical traditions, attributed to late fourth and fifth century masters.

The rabbis were not the only men in Jewry who were supposed to be skilled in supernatural arts or believed to possess divine favor. As we shall see,² Jews used magical bowls as a domestic prophylactic. Some of those bowls were prepared by Jews who were not representatives of rabbinical schools known to us, probably not rabbis at all. Yet even here, certain important rabbinical figures were cited as especially potent in driving away Lilith, Ghul, and other demons. Moreover, we may safely presume that Jews unrelated to the rabbinical schools practiced magic of various kinds, as was certainly the case in the Roman empire of the day.³ Jewish magic was highly reputed; in Antioch for

¹ Vol. IV, pp. 353-362.

² Below, pp. 217ff.

³ See most recently Stanley Kazan, "Isaac of Antioch's Homily against the Jews," *Oriens Christianus* 49, 1965, p. 59, and esp. n. 34.

example, a cult of the Maccabean martyrs, believed responsible for miraculous cures, was venerated, and eventually taken over by the Christian church, which was unable to extirpate it. Of greater consequence to our study is the Jew, thoroughly at home in the synagogue, who composed, in the *Book of Mysteries (Sefer HaRazim)*,¹ a compendium of prayers and sacrifices to be offered to pagan and Jewish deities in magical ceremonies, including an invocation to Helios in transliterated Greek, all this in excellent Mishnaic Hebrew.

Such a person, who certainly worshipped Yahweh as the supreme God presiding over the seventh, or highest, heaven, must stand midway on a continuum between the extremes, the Jew who paid no attention to the Scriptures or Judaism or Yahweh, but simply practiced pagan magic without scruple, on the one hand, and the rabbi, on the other. The one who took over pagan magic but made it part of a picture of the cosmos in which Yahweh was supreme above the pagan deities, such as the author of the *Book of Mysteries*, stood in the middle. By contrast, the rabbi supposedly does not practice "magic" at all, but his merits are so effective that he can call down divine blessings or curses or acts of power in his prayers. Thus the opposite of the Jewish magician represented as no different from a pagan magician in the magical papyri and bowls was the rabbi who through study of Torah directly mastered its creative and miraculous powers. Yet the Jewish practitioners of bowl-magic could not have wholly disregarded rabbinical magic, for they explicitly included references to a leading rabbi. It would be unwise, therefore, to postulate that the various sorts of Jewish magicians and clients had little or no contact with one another. What is clear, on the other hand, is that the rabbis wanted nothing to do with other kinds of magicians and disapproved of any acts of theurgy not done by rabbis.

Within rabbinical magic and supernaturalism we must distinguish between contingent rewards for merit and reliably effective magic. Examples of both occur in our sources. Rainmaking, as we shall see, appears as a rabbinical function, but it relied upon the generalized expectation that learning produces merit, which further produces a claim on the deity for performance of the service requested. Mastery of Torah-power was different from miracles produced by divine grace

¹ Ed. M. Margoliot (Jerusalem, 1967). Professor Baruch A. Levine's appendix demonstrates philological relationships between the language of the magical bowls and that of the *Sefer HaRazim*. This implies a common corpus of Jewish magical expressions and praxis.

elicited through right action. That difference, quite obviously, derives not from the actual events—we can be sure of that—but from the viewpoint and expectations of those who fantasized about those events. If the rabbi's own mastery of Torah led him to believe he possessed power he could exert independent of heaven, for example in his ability to order demons to do his will, then he could rely not upon heavenly reward for merits, but upon the magical power inherent in Torah and available to a master of Torah. On the other hand if he believed that when he prayed for rain, the prayer would be granted because of his merits, the granting of the prayer may be thought a miracle, but no magic was involved. This theoretical distinction will help to clarify the data we are about to consider (below, sections vi-ix).

Among the central supernatural beliefs of the schools was that their affairs were directly supervised from heaven. It was said, for example, that when Rava died, R. Ashi was born.¹ Likewise Huna b. Nathan could not become exilarch while R. Ashi was still alive, for one "sovereignty" cannot begin before another one has concluded. This view was explicitly attributed to the "angel of death." While the chronology of Rava and R. Ashi is highly dubious,² the conviction is significant: Heaven arranged things so that great leadership would neither cease from the schools nor conflict in time. Of greater interest is the following story, which can easily be duplicated many times:

[Abaye had ridiculed the view that one may cut off palm-branches during the festival week.] R. Ashi had a forest in Shelania'. He went to cut it down during the festival week. R. Shila' of Shelania' said to R. Ashi, "What is your opinion?... [Do you rely on an opinion contrary to Abaye? But Abaye ridiculed that opinion]" ... He said to him, "I have not heard it." [That is to say, it is not reasonable to me.] The hatchet then slipped [from the heft] as if to cut off his leg. He left off his task and returned [after the festival week].

(b. M.Q. 12b)

While stories were told of how earlier sages had rejected the testimony of the natural world,³ the later schools had no such compunction. They fully expected that the forces of nature would conspire to reveal, then to enforce, the correct view of the law. They felt certain, as I said, of a close correspondence between the fate of man and his moral character,

¹ b. Qid. 72b.

² Rava died in 352; according to the same chronology, R. Ashi became head of the school of Mata Mehasia in 367, holding office for sixty years. I do not believe anyone could ever have headed a school at the age of fifteen or sixteen years.

³ The most famous concerns R. Eliezer b. Hyrcanus, see b. B.M. 59b-60a.

also between the doings of nature and the deeds of men. R. Nahman b. Isaac, of the preceding generation, had said for instance that one who rejoices on the Sabbath will be saved from the subjugation of exile, citing Deut. 33 : 29,¹ and that if a man gives his dues to the priest, he will get rich, citing Numbers 5 : 10.² Mar Zuṭra or R. Ashi held that saying the *Shema*³ would similarly protect in bed the person who said it.³ Hence saying the *Shema*⁴ acted as a kind of prophylactic incantation, against demons or, presumably liliths, just as in some of the bowls, *mezuzot*, and elsewhere. At the same time, few expected so exact a correspondence between deeds and destiny. Mar Zuṭra explicitly stated that heaven does not behave like a storekeeper, adding up merits and balancing them against sins.⁴

VI. MIRACLES. RAIN MAKING

The distinction between what was miraculous and what was merely part of the natural order of things remains a highly subjective matter. What we might care to regard as "miraculous", meaning unnatural, would not necessarily have seemed so then. For example, when R. Ashi promised he would insure that Mata Meḥasia would never be destroyed, he was not pledging to work magic or make a miracle. He simply held that if a city's roofs were higher than the synagogue's, in the end it would be destroyed. He therefore made certain that the synagogue of Mata Meḥasia was taller than other buildings.⁵ Had the city endured for an impressive period, it might have seemed miraculous to those prone to make such judgments, but to R. Ashi it would have appeared perfectly normal and natural.

On the other hand, the following story tells us what was certainly regarded at that time as miraculous:

And Mar b. Rabina was going through the valley of 'Aravot and thirsted for water. A miracle [NYS⁵] was done for him. A well of water was created for him, and he drank [from it].

(b. Ber. 54a)

Another time he was walking through the Manor of Maḥoza and a wild camel fell on him, but the wall of a house fell, and he went [and escaped] into it. Whenever he would come to 'Aravot he would say the

¹ b. Shab. 118b.

² b. Ber. 63a.

³ b. Ber. 5a, as an exegesis of Ps. 149 : 6.

⁴ b. Qid. 40a.

⁵ b. Shab. 11a. See above, p. 173.

blessing, "Blessed is he who did for me a miracle in 'Aravot and with the camel." When he passed the Manor of Maḥoza he would say the blessing, "Blessed is he who did for me a miracle with the camel and in 'Aravot."¹

(b. Ber. 54a)

Miracles such as these were not done by any gesture or word of the rabbi, but by accident, that is, attributed to divine grace. The sage could not conjure the well of water, nor by a flick of the hand bring down the building, much as he might have wanted to. A miracle therefore had to happen quite independently of the actions of the person for whom it was done. At the same time it was counted as a sign of heavenly favor. The wise man would make certain of showing appropriate gratitude.

One did not have to be a sage to be granted miracles. Even rabbis believed ordinary people received them. On the other hand the sages thought that some of their own number could make rain. Rain came on account of their prayers, merits, or both. Rain-making would have to be included in the category of miracles, but not magic, for from the rabbi's viewpoint nothing he did independently could bring on the rain. He could only beseech heaven's favor to bestow it. The rabbis however expressed considerable confidence in their power to bring rain and even to stop it when they wanted. As to the latter:

[Regarding rain on the eve of the Sabbath, which was inconvenient and regarded as a curse] Amemar said, "If people did not need [rain, even on that day] we should seek mercy and cancel it [have it cease]."

(b. Ta'anit 8b)

R. Papa decreed a fast [for rain], but no rain came. His heart grew faint. He sipped a plate of grits and besought mercy, but rain still did not come. R. Naḥman b. 'Ushpazati [or, 'Ushparati] said to him, "If the master will sip another plate of grits, rain will come." He was humiliated. Rain [then] came.

(b. Ta'anit 24b)

...Did not R. Papa once when coming to the synagogue at Avi-Gobar ordain a fast, and rain fell before noon...

(b. Ta'anit 26a)

We see that the rabbi regarded his prayers as reliably effective in making rain, but sometimes no more so than the fast of the community as a whole. Moreover, the moral condition of the rabbi entered into the

¹ On saying a prayer of thanksgiving before a rabbi for a miracle, see Mar Zuṭra and R. Ashi, b. Ber. 54b.

matter. If he was not sufficiently humble, hence desperate, it was hopeless. One recalls that the disciples of Rava, Rabbah, and Abaye preserved three stories of how the several masters had recognized and commented upon the disparity of the learning and miraculous power between their generation and the former one. Their generation was more learned but less able to bring rain, they said. Abaye had explained that the ancients gave their lives for the sanctification of God's name, while "we do not do so." Rabbah said that this generation is not good enough to warrant miracles. Rava added that the "Holy One blessed be he requires the heart," and the ancients were more sincere at prayer than were the moderns.¹ In any event, the rabbis were believed to exert greater influence in the heavenly court than did others. They regarded it as part of their duty as community officials to avert trouble and to prolong prosperity:

R. Ashi said, "I saw R. Kahana, when there was trouble in the world, throw off his cloak, clasp his hands, and pray, saying, 'Like a slave before his master [do I pray].' When there was peace, he would take up his cloak and cover himself, fold himself [in the cloak] and pray. *Prepare to meet your God, O Israel* (Amos 4:12)."

(b. Shab. 10a)

We do not know the result. Evidently the rabbis found it satisfactory; at very least, empirical evidence did not destroy their credibility for either themselves or the community.²

VII. MAGIC

Integral to the supernatural environment were both belief in magic and knowledge of the distinction between magic and "true religion." Religion had nothing whatever to do with magic; *magician* was a term of abuse, denoting not quack but subversive. Deeds and prayer approved by society and part of the established cult or religion were in no way seen as magic or incantation. Mastery of enchantment or demons was never regarded as magical if the rabbis did it, but disreputable if others did it. For the rabbis, the difference between religion and magic was simple. *They* did not practice magic, but "Torah" empowered them to do supernatural deeds—which seem to an observer to be exactly the things magicians did. The difference between magic and religion thus

¹ Vol. IV, pp. 357-8, from b. Sanh. 106b, b. Ber. 20a. and b. Ta'anit 24a-b.

² Note also the perfectly naturalistic remarks of R. Zevid about meteorological signs, b. B.B. 147a.

drawn in late antiquity is wholly conventional.¹ What is important is that such a belief in the difference actually functioned.

The general background of belief in magic naturally produced a further expectation that the instrumentalities of magic, such as amulets and charms, reliably worked. R. Papa moreover held that plagues were due to witchcraft.² It also is clear that witchcraft was believed in, not only by ordinary folk, but also by the sages themselves.

If someone gives a piece of bread to a child, he must inform the mother. What should he do? He smears it with oil or puts rouge on it. But now that we are afraid of witchcraft, what is to be done? R. Papa said, "He smears the child with some of the substance [he has put on the bread. Butter or jam will not suggest witchcraft.]"

(b. Bez. 16a = b. Shab. 10b)

No one seriously doubted that witches existed and practiced witchcraft against children. Amulets had long ago been accepted as bearing medical or other merit. R. Papa explained how one tested the quality of amulets:

R. Papa said, "It is clear to me that if three amulets [work] for three people three times, the man [who made them] is approved and the amulet is approved. If three amulets [work] for three people once, the man [who made them] is approved but not the amulet. If one amulet [works] for three men, the amulet is approved but not the man [who made it]." [But] R. Papa asked, "If three amulets [work for] one man—what would be the consequence? The amulet certainly is not approved, but is the man [who made them] approved or not? Do we say, 'Lo, he healed [the man who used the amulet]'? Or perhaps [we conclude] that the star [MZL'] of that man is [responsible], for it receives writings."³ The question stands.

(b. Shab. 61b)

"I saw Qarna's father blow his nose violently, and streamers of silk issued from his nostrils."

(b. Shab. 67b)

R. Papa commented on what a magician can and cannot produce. R. Eleazar had earlier said that a magician cannot make a creature smaller than a barley-corn. R. Papa added that a magician cannot make some-

¹ See vol. IV pp. 360-62.

² b. Hor. 10a.

³ "Or perhaps, it is this man's fate to be susceptible to writings", so H. Freedman, trans., *Shabbath* (London, 1948), p. 287. But the word is *star*, not fate! On the practically universal belief in astrology, and the widespread assumption among rabbis that astrology applies to Israel as much as to the nations, see vol. IV, pp. 330-334.

thing even as large as a camel, for "the creatures larger than barley he can collect, and the others he cannot."¹

The rabbis' normative theory of magic contained two theses. Some supposed that if magic worked, it was a sign of heavenly approval of the man's merits, and hence magic posed no danger to good theology. Others regarded magic as "diminishing the power of the heavenly agents."² Magic in the mind of the latter party corresponded to natural science in the modern world. If man could control or coerce nature on his own, he would not need to depend upon heaven.

We have already noted a substantial increase in the number of instances of rabbinical practice of magic in the first half of the fourth century.³ The late fourth- and early fifth-century schools, by contrast, preserved only a few rabbinical accounts of magical deeds, including the following:

R. Judah HYNDW⁴ related, "Once we were going in a ship and saw a precious stone surrounded by a snake. A diver went down to bring it up. The snake came and wanted to swallow up the ship. A raven came and bit off its head. The waters turned into blood. A second snake came and took [the head] and hung it [on the decapitated snake] and it lived. Once again it came and wanted to swallow up the ship. Again the bird came and cut off its head. He [or it—the diver? the snake? the bird?] took the jewel and threw it into the ship. We had some salted fowl with us. We put [rubbed] it on them. They took [the jewel] and flew away with it."

(b. B.B. 74b)

On using an ant for healing a fever, Abaye had earlier taught that one takes the ant, throws it into a brass tube, and seals it with lead. Then he shakes it, lifts it up, and says, "Your burden on me, and mine on you." Concerning this teaching, R. Aḥa b. R. Huna said to R. Ashi:

¹ b. Sanh. 67b. I do not understand the language, "These he assembles/collects," from KNP. Rashi *ad loc.* explains that "it is easy to gather together large creatures and they are collected together to him, but a small creature is not gathered, for it has not got the strength [or power] to come from a distant place." H. Freedman, trans., *Sanhedrin* (London, 1948), p. 460, translates, "...But these [larger than a barley corn] he can [magically] collect [and so produce the illusion that he has magically created them]; the others he cannot." I do not see the basis for his bracketed addition at the end. There is no word about *illusion* here.

² b. Sanh. 67b, R. Ḥanina *vs.* R. Yoḥanan.

³ Vol. IV, pp. 391-402.

⁴ The Indian? He was a convert to Judaism, see b. Qid. 22b, Mar Zuṭra visited him when he was dying, and seized his slave, since he was a convert who had produced no Jewish heirs. See Hyman, *Sefer Toledot Tannaim ve Amora'im* (London, 1910) II, p. 575.

"But perhaps someone else had already found the ant and cast *his* illness on it? Rather let him say, 'My burden *and* your burden on you.' But if this is impossible,¹ let him take a new pitcher, go to the river and say to it, 'River, O river, take back the water you gave me, for the journey that chanced to me came in its day and departed in its day.'"

(b. Shab. 66b)²

Neither of the above accounts tells us much about the state of rabbinical magic. The story of R. Judah merely indicates a general readiness to accept as true fabulous stories about magical jewels. In preserving such fables, the rabbis showed only that they believed them, not that they could do much to effect magic. Moreover, the prayer or merit of the rabbi played no part whatever in the fables. The story of R. Judah could have been told by anyone. It reflects no particular rabbinical characteristics whatever. The continuation of, or comment on, Abaye's cure for fever is similarly of slight probative value. I imagine that all that was actually attributed to R. Aḥa was the correction of the formula to be recited to the ant in the tube. If so, all we have is some evidence that the earlier magical beliefs and practices persisted with little change, but also not much augmented. More consequential evidence of the state of rabbinical magic derives from stories about actual rabbinical power over the unseen world through unnatural means.

VIII. CURSES, THE EVIL EYE, AND DEMONS

It was, to begin with, dangerous to offend a rabbi. As we noted earlier,³ heaven itself would avenge an insult to a sage. R. Papa moreover reported that when a man made derogatory remarks about Mar Samuel, a log rolled off the roof and broke his skull.⁴ The rabbi himself could assure unfortunate results for actions or words that displeased him; he did not have to wait for heaven's judgment. For example when R. Aḥa b. Jacob succeeded in writing a perfect Torah-scroll on the exact measurements of calf-skin recommended in the law, "the rabbis set their eyes on him," and he died.⁵ Whether the evil eye came on account of jealousy, as in this case, or for more substantial cause, what is important is that the rabbi was a powerful and potentially dangerous man.

¹ This may be a continuation of Abaye's saying, rather than of R. Aḥa's.

² Trans. H. Freedman, p. 318, with minor revisions.

³ p. 170.

⁴ b. Ber. 19a.

⁵ b. B.B. 14a.

Even in the course of routine greetings, something might go amiss and produce tragedy, as in the following:

R. Papa and R. Huna b. R. Joshua were going along the way. They met R. Hanina b. R. 'Iqa'. They said to him, "Now that we see you, we offer for you two blessings, 'Blessed is he that has shared of his wisdom with those that fear him' as well as 'Blessed is he who has kept us in life, sustained us, and brought us to this time.'" He replied to them, "I too—when I saw you, I counted it for myself [as seeing] sixty myriads of the house of Israel, so I offered for you three blessings, the two [you said] and in addition, 'Blessed is he who discerns mysteries.'" They answered him, "Are you so clever as all that?" They set their eyes against him, and he died.

(b. Ber. 58b)

Why the rabbis were irritated by R. Hanina is unclear. Some have supposed they thought his praise excessive, therefore sarcastic. But whatever the reason, the fact is they were believed to have murdered him through unnatural means. The ability to manipulate the evil eye thus was clearly attributed to rabbis.

Everyone, including rabbis, believed in demons. Mar b. R. Ashi stated that he personally had seen the demon of destruction, "and he goes like an ox."¹ Advice on dealing with demons included apotropaic and prophylactic counsel. R. Kahana avoided them altogether, R. Ashi said.² Long ago, it had been taught that one should not drink wine "in pairs," that is, two cups at a time, for doing so supposedly attracted demons. R. Ashi reported that he had seen R. Hanania b. Bibi go out and gaze upon the street after drinking each cup.³ On the same matter, R. Papa reported advice received directly from a demon:

R. Papa said, "Joseph the demon told me, 'For two we kill, for four we do not kill, but for four we harm ... And if a man forgot and happened to go out [after drinking in pairs], what is his remedy? Let him take his right-hand thumb in his left-hand and his left-hand thumb in his right hand and say thus, 'You and I, surely that is three.' But if he hears someone saying, 'You and I, surely that is four,' let him reply, 'You and I are surely five.' And if hears one saying, 'You and I are six,' let him retort, 'You and I are seven.' This once happened until a hundred and one, and the demon burst.'"

(b. Pes. 110a)

Mar Zuṭra taught a remedy for the evil eye similar to the one for drinking in pairs:

¹ b. Soṭ. 48a.

² b. Pes. 111b.

³ b. Pes. 110a.

"If a man entering a town fears the evil eye, let him take the thumb of his right hand in his left hand and the thumb of his left hand in his right hand and say, 'I, so-and-so, am of the seed of Joseph over which the evil eye has no power...' If he is afraid of his own evil eye, he should look at the side of his left nostril."

(b. Ber. 55b)

Amemar was told by the chief of sorceresses how to behave if he met a sorceress. He should say the following imprecation:

"Hot dung in perforated baskets for your mouths, O witches! May your heads become bald! May the wind carry away your crumbs! May your species be scattered! May the wind carry off the new saffron you hold! You sorceresses, so long as he [God] showed grace to me and to you, I did not come among [you]. Now that I have come among you, your grace and my grace have cooled."

(b. Pes. 110a-b)

It is striking that the editor of the Babylonian Talmud here remarked, "In the West, they are not particular about pairs." To explain this anomaly, it is said that when a person is "not particular about pairs," the demons are similarly indifferent, but if one is "particular about pairs," the demons make sure to be "particular" too. (It is as if the demons were careful to enforce the individual's superstitions, whatever they might be.) It was thereupon remarked that R. Dimi was particular even about marks on a barrel. That is, he took care not to incise an even number of marks indicating the quantities sold. Once a barrel burst when an even number of marks had been made on it.¹ R. Papa moreover taught that if two men violate the rabbinical teaching against permitting a dog, a palm tree, a snake, a swine, or a woman to pass between two men, they should quote a biblical verse beginning with the word *'el* (God).²

Rabbis could do much more than merely counsel. Some of them could force demons into their service or otherwise control them:

Certain stevedores were carrying a keg of wine. They wanted to rest, so they set it under a drain-pipe, and the keg burst [since demons are to be found there]. They came before Mar b. R. Ashi. He took out *shofars* and excommunicated him [the demon]. He [the demon] came before him [Mar b. R. Ashi]. [Mar b. R. Ashi] said to him, "Why did you do this [destruction]?" The demon replied, "What should I do when they set it down right in my ear!" "And as for you," [Mar b. R. Ashi] replied, "What were you doing in a place where people are com-

¹ b. Pes. 110b.

² b. Pes. 111a.

monly found [in large numbers]? You are in the wrong. Go, pay [for the damages]." [The demon] replied, "Now let the Master set a time so that I may pay." They agreed on a time. When the appointed date came, he [the demon] defaulted. When [the demon finally] came, [Mar b. R. Ashi] said to him, "Why did you not come at your appointed time?" He replied, "Whatever is tied up, sealed, measured, or counted—we have no right to take. But if we find something that has been abandoned [we may take it]."¹ (b. Hul. 105b)

A demon in the service of R. Papa went to bring water from the river. He tarried. When the demon returned, he was asked, "Why are you so late?" He replied, "I waited until the bad water passed." Meanwhile he saw that they poured off a little water from the mouth of the jug. He said, "Had I known you were used to doing it thus, I should not have tarried."

(b. Hul. 105b-106a)

These stories contain no hint as to why demons were believed to obey rabbis. In earlier times, Abaye was told that in heaven it had been proclaimed concerning him, "Take heed of Naḥmani and of his Torah". Certain rabbis could pray so effectively that demons would be handed over into their power by a gracious heaven. So rabbis could cope, perhaps better than other people, with the world of demons. They avoided drinking two cups of wine at a time and practiced other measures either to keep demons away or to control them. No evidence exists that belief in demons was disapproved, or that magic used against them was eschewed by rabbis or used, with distaste, only to please or meet the needs of ordinary folk. It was just as integral to the character of the rabbi to use Torah against demons as to use it for deciding court-cases. Summoning a demon to court for a case of damages caused by him is neatly symbolic of the extent of "Torah." The measures earlier used to control demons included prayer, incantation, repeating Torah-sayings, astrological fortune-telling, and the like, only a few of which measures we have seen illustrated in data from this period. The writing of bowls for the same purpose was, by contrast, never mentioned at all.

IX. VISIONS, DREAMS, AND OTHER HEAVENLY REVELATIONS

Demons did not regularly serve as a link between heaven and earth, though they occasionally revealed to men secrets of the unseen world. At the same time they were subject to rabbinical authority. When

¹ I assume the meaning is that the demon was unable to collect sufficient funds on time, because of the prohibition he specified.

heaven wished to communicate with the Babylonian Jews, it might have recourse to several established media. People generally believed in the regularity and reliability of revelations through dreams, visions, and other means such as omens, wonders, astrology, signs, random exclamations of maniacs and children, and the like. What is of special interest here is to see whether the rabbis claimed to enjoy special prerogatives in this regard.

While early Pharisaism held that prophecy had come to an end with Malachi, prophecy theoretically could continue, according to some authorities. These authorities would probably have given short shrift to anyone who seriously claimed to be a prophet. Now, R. Ṭavyumi held, omens come from idiots:

Mar b. R. Ashi was in the manor of Maḥoza, and heard a certain idiot exclaim, "The head of the academy who will rule in Mata Meḥasia signs his name Ṭavyumi." He said, "Who among the rabbis signs his Ṭavyumi? I do. I infer that as for me, the hour [š'T] is standing [advantageously]..."

(b. B.B. 12b)

As a result of the imbecile's proclamation, Mar b. R. Ashi supposedly took measures to ensure his election, first of all by impeding that of his rival in Mata Meḥasia. There can be no doubt that he seriously believed that he had received a heavenly revelation or that people generally expected such things to happen. We cannot however imagine that such messages were directed exclusively or mainly to rabbis. We have not got the slightest evidence that rabbis believed themselves unique in this regard.

On the other hand rabbis did suppose the angels showed them special favor. Some rabbis regularly received visits from, and held conversations with, angels. R. Bibi b. Abaye, for example, claimed to have had frequent seances with the angel of death.¹ When R. Huna b. R. Joshua was dying, he saw a vision which included hearing the actual words of God. He later reported the vision, and the message he had received from God entered into the theological discourse of the rabbis as an *authoritative* ethical statement. God had told the angels, "Since he does not insist upon his rights, do not be particular with him [but let him go]."²

The schools held that rabbis were particularly adept at the interpretation of dreams. They possessed, first of all, an ancient corpus of infor-

¹ b. Hag. 5a.

² b. R.H. 17a.

mation on the meanings of particular signs and omens revealed in dreams. R. Papa for instance taught that seeing a white horse in a dream is a favorable omen.¹ If one saw unfavorable omens however, fasting could prove effective to counteract them. Rav had long ago taught that fasting is potent against a dream. R. Joseph had added one might fast for that purpose even on the Sabbath. R. Joshua b. R. Idi actually did so, declining to participate in a meal at R. Ashi's house because he was fasting on account of a dream.²

One should not for one minute suppose that the messages derived from dreams affected only trivial or theological matters.³ Supernaturalism, including this aspect of it, played a significant role in the formation of law and the evaluation of legal opinions as well. R. Ashi, for example, received a message through a dream from King Manasseh. The message pertained to a legal question. The next day, R. Ashi said, he would teach it in his school as authoritative law. The story is as follows:

The school of R. Ashi arose [from study] at the [passage of] "the three kings."⁴ He said, "Tomorrow we shall begin with *our colleagues*."⁵ [When R. Ashi went to sleep], Manasseh came and appeared to him in his dream. Manasseh said to R. Ashi, "Your *colleague* and the *colleague* of your father do you [now] call us? [If I am merely your colleague, then let me test your knowledge of Torah.] From what portion of the bread is [the piece for reciting] the blessing over bread to be taken?" R. Ashi replied, "I do not know." Manasseh said to him, "You do not [even] know from what part of the bread one takes the piece for blessing! Yet you call me *our colleague*!" R. Ashi replied, "Teach me, and tomorrow I shall expound it in your name at the school session." Manasseh said to him, "From the part that is baked into a crust." R. Ashi said to Manasseh, "Since you are so wise, what is the reason that you bowed down in worship of the stars?" He replied, "If you were there, you would have seized the skirt of your garment and run after me." The next day, R. Ashi said to the rabbis, "We shall open with the *rabbis*..."

(b. Sanh. 102b)

¹ b. Sanh. 93a.

² b. Shab. 11a.

³ Although R. Ashi did say that just as one cannot find grain without straw, so there could be no dream without meaningless details, b. Ned. 8a.

⁴ Mishnah Sanhedrin 11 : 1. The three kings who have no portion in the world to come, including Manasseh.

⁵ ḤBRYN. The kings of ancient Israel were supposed to have been students of Torah. Hence Manasseh, Ahab, and Jeroboam were all "our colleagues." Yet R. Ashi did not refer to them as "our rabbis," and so he reflected disrespect for the ancient royal masters of Torah who had sinned so as to be excluded from the world to come.

R. Ashi's discourse then stressed that Ahab was the father of idolatry; he now made no mention whatever of Manasseh in that connection.

The rabbis possessed means to cope with problems brought on by dreams. For example, they knew how to overcome not only dreams they could remember, but even dreams they only thought or feared they *may* have dreamt, as in the following:

Amemar, Mar Zutra, and R. Ashi were once sitting together. They agreed that each of them should teach a saying the others had not heard. One opened thus, "If someone saw a dream but does not know [remember] what he saw, let him stand before the priests when they spread out their hands [in the priestly benediction in the synagogue] and say [the following prayer]: 'Lord of the world, I am yours, and my dreams are yours. I have dreamed a dream, but I do not know what it is [portends]. Whether I dreamed concerning myself or whether my friends dreamed concerning me or whether I dreamed concerning others—if [these dreams] are good, strengthen and fortify them like the dreams of Joseph. But if they necessitate healing, then heal them as the waters of Marah [were healed] by the hand of Moses our rabbi, as Miriam [was healed] from her leprosy, as Hezekiah [was healed] from his ailment, and as the waters of Jericho [were healed] by Elisha. Just as you have turned the curse of the Evil Balaam into a blessing, so change all my dreams for me to good.' And he should conclude his prayer right along with the priests, so that the congregation will [unanimously] respond 'Amen'. But if not, then let him say, '[You who are] majestic in the heights and dwell in power, you are peace and your name is peace. May it be pleasing before you to bestow upon us peace.'"

(b. Ber. 55b)

The reason the rabbis among others took dreams so seriously clearly was their belief that dreams not only predicted, but actually shaped events. Hence it was important to seek divine grace to avert the evil consequence a dream might portend. Strikingly, rabbis reported that what they had dreamed about their own academies came true:

R. Papa and R. Huna b. R. Joshua saw dreams. R. Papa, who [saw in his dream that he] went into a marsh, was made head of a school. R. Huna b. R. Joshua who [saw in his dream that he] went up to a forest became head of the men of the *Kallah*.¹ Some say that both [saw in their dreams that they went into] a marsh. But [the difference was] R. Papa was carrying a drum and therefore was made head of a school. R. Huna b. R. Joshua was not carrying a drum and therefore was made [only] head of the men of the *Kallah*. R. Ashi reported, "I went into a marsh

¹ See vol. IV, p. 384.

[in my dream] and was carrying a drum and made a loud noise with it."¹
(b. Ber. 57a)

Tradition taught that if one saw a goose in a dream, he may hope for wisdom. If he dreamt of having sexual relations with one, he would become head of an academy. R. Ashi reported,

"[In a dream] I saw one and had sexual relations with her and was raised to a high position."

(b. Ber. 57a)

We have observed that dreams possessed an intrinsic force to affect events. Heaven might bestow good dreams but could be relied upon to help the worthy man overcome the effects of whatever he had dreamed. We cannot suppose that the rabbis were either the sole dreamers or the only interpreters of dreams. What is important in these traditions is that rabbis, sharing the popular faith, felt that their particular affairs—elections as heads of schools, teaching the law and theology in them—were subject to the influence of dreaming. They moreover composed prayers to cope with not only what had been seen but also what might have been seen by the dreamer, his friends, and anyone else. We may therefore generalize that the rabbis differed from outsiders little if at all in their view of the supernatural world but recorded a claim to be able to cope better than anyone else with the doings of that world.

X. THE SCIENCE OF ASTROLOGY

No sage now denied the accuracy of astrology, which was almost universally believed to be an exact science. Earlier debate had centered upon whether "Israel" was under the influence of the stars, but by the fourth century few Babylonian authorities doubted that Jews were subjected to planetary power as much as everyone else.² Astrology found a place in rabbinical theology somewhat in this way: God had created the world and could intervene in it in response to merits or in answer to prayer. But the day-to-day running of the heavenly court and its earthly counterpart lay in the hands of ministers, including the angels of the stars (as in Daniel 10) and planets. Their power varied like that of courtiers according to the positions of their stars. The guide to the cosmic administration was the science of astrology.

¹ This would account for his exceptional prestige as possessing both Torah [= heading an academy] and worldly greatness.

² Vol. IV, pp. 330-334.

In this time too, the rabbis believed not only in astrology but also in its direct pertinence to the destiny of Israel. That belief earlier had been qualified, for merits, prayer, and the like could affect destiny as well. Indeed, the following saying of R. Ashi may represent the remnant of an anti-astrological polemic:

Did not R. Ashi say, "I and Dimi bar Qaquzeta were [both born] on the first day of the week [Sunday]. I am a king, and he is the chief of the thieves..."

(b. Shab. 156a)

If so, what difference can the stars have made? In context, however it, means nothing of the sort. The passage begins with the citation of R. Joshua b. Levi's saying that a person born on Sunday shall be a man "without one thing in him." That "one thing" becomes the problem. Obviously, it cannot be "one virtue," because of the above saying of R. Ashi. It means rather "completely virtuous" or "completely wicked," just as light and darkness were both created on Sunday. The same passage includes a Palestinian discourse. R. Hanina told his disciples, "Go out and tell the son of Levi, 'Not the constellation of the day, but that of the *hour* is the determining influence.'" I think it clear, therefore, that in context R. Ashi's saying constitutes not a rejection of astrology but rather the observation of an astrological anomaly. If so, it is clear he believed as much as did the earlier Palestinian, R. Hanina, in the truth of astrological information, whether pertinent to Israel or to the nations. In fact, further sayings of R. Ashi make his position quite obvious:

[One born under Mars will be a shedder of blood.] R. Ashi said, "A surgeon, a thief, a ritual-slaughterer, or a circumciser."

(b. Shab. 156a)

[The proof, Abaye said, that prophecy has not been taken from the wise is that a great man makes a statement, and the same is then reported in the name of another great authority. Rava countered, "It is not so strange, for perhaps both were born under the same star." Rava added that the proof is this, that a great man makes a statement and then the same is reported in the name of R. 'Aqiva b. Joseph—a far greater man, so that being born under the same star does not matter.] R. Ashi said, "What is so strange in this? Perhaps in this matter he was born under the very same star [Lit.: He is a son of his star]..."

The "immunity from planetary influence" of which the editor of the anti-astrological pericope speaks in b. Shab. 156a-b must mean something other than that Israel is not in the slightest measure subjected to

the control of the stars.¹ It probably means that "Israel has no star" in precisely the *way* the nations do, because Israel's fate is shaped not only by the stars but also by ethical merits, divine intervention—which takes the form of altering the astrological patterns—and similar supernatural means. The point must be that Israel is not subjected *only* to natural laws, including astrological ones, but *also* to supernatural forces. Pagans acquire no merit, therefore are *wholly* subjected to planetary government.

Further evidence on the astrological beliefs of the sages includes the following:

[The serpent injected lust into Eve. Lustfulness departed from Israel at Mt. Sinai. Idolaters did not stand at Mount Sinai, and therefore their lustfulness did not depart.] R. Aḥa b. Rava asked R. Ashi, "What [is the situation] with respect to converts [to Judaism]?" He replied, "Even though they were not [present at Mount Sinai to have their lust removed], their stars were [present at Mount Sinai], as it is written, *Neither with you only do I make this covenant ... but with him that stands here with us this day before the Lord and also with him that is not here with us this day* (Deut. 29:14)."

(b. Shab. 146a)

Rabina said, "...if a man is frightened but sees nothing, [the reason is] that his star sees. What is the remedy? He should recite the *Shema*'... [But if he cannot say the *Shema*'], he should say this formula, 'The goat at the butcher's is fatter than I am.'"

(b. Meg. 3a)

Both R. Ashi and Rabina adhered to the widespread belief that not only nations but also individuals were assigned to specific stars. More striking still, R. Ashi interpreted Scripture in support of his belief: "He that is not here with us this day" nonetheless is represented by his star.

Since the rabbis generally accepted the accuracy of astrological predictions for Israel as a whole and for individual Jews, it is remarkable that after Samuel, nowhere do we find a claim that a rabbi possessed advanced astrological learning or the skill to cast a horoscope. On the contrary from the end of the third century onward not a single astrological saying is attributed to a major master. That fact is susceptible of several explanations. First of all, one might suppose that astrological sayings were suppressed by the school, or editor, which certainly held "Israel has no star." But the evidences examined here and earlier were not suppressed, and while some of them persisted despite the super-

¹ Vol. IV, pp. 333-4.

scription contrary to their content,¹ many of the astrological stories cannot possibly have been either misunderstood or ignored by such a school. So I think it unlikely that pertinent sayings have been suppressed, though obviously one can come only very tentatively to such an opinion. Second, it is possible that after Samuel, who boasted of his knowledge of the stars while (to be sure) leaving only a few neutral sayings to attest to that knowledge, the astrological traditions of Nehardea were lost. This is not implausible, for the school of Nehardea was destroyed by Odenathus in his raid in 363, and while some of the masters, and more important, the memorizers, survived, surely others did not. Third, and I think most likely, the schools probably possessed to begin with a very thin store of astrological information.² Whatever the state of popular and rabbinical belief about astrology, astrological sciences were pursued not in Jewish schools but chiefly in Babylonian ones. The rabbis had no special access to astrological traditions. The ancient condemnation of Jeremiah may have made a limited impression upon their assessment of astrology, but it probably inhibited serious study of the subject by rabbinical masters and disciples. It was a science, but a science best left in the hands of the gentile sages; not a black art and not entirely false, but also not really "Torah." This attitude, it seems to me, would best explain the fact that for the whole of the fourth and fifth centuries, we find not a single astrological saying, except for a few commonplaces,³ despite the considerable number of stories indicating belief in astrology. Astrologers, like doctors of medicine, were necessary for the state and for society. They did not, however, come from rabbinical schools, and, as I said, their knowledge was probably not a part of "Torah."

XI. MEDICAL TRADITIONS

The rabbis were not physicians.⁴ While holy men of other communities effected healings through either the power of their prayers or the wisdom of their medicine, the rabbis now did nothing of the sort. No

¹ As I argued earlier, see p. 192, n.1.

² For an astronomical comment of R. Ashi, see b. Ber. 58b.

³ I cannot regard the sayings about being born under Venus, Mars, and so on as revealing any profound knowledge of astrological science or as indicating that the rabbis did preserve accurate or sophisticated information on the subject. On astrology in Mesopotamian Christianity see C. H. Kraeling, *The Christian Building* (Locust Valley, 1967), pp. 125-6.

⁴ Vol. IV, pp. 363-370.

miraculous healing is attributed to a sage in the late fourth or fifth century rabbinical traditions. A profession of medicine existed within the Jewish community but by and large did not include rabbis. Rabbis did not receive fees for medical advice and did not regularly practice medicine. On the other hand their traditions included some attention to physiological and therapeutic matters. The sages required medical information in order to study important areas of law, for example, the laws pertaining to circumcision, length of pregnancy, and the like. They were moreover men of wide-ranging interests. It was quite natural for them to acquire¹ and transmit information on matters in which they neither required nor claimed special competence. They furthermore had a lively interest in questions of good health generally. Whatever they could find out about preserving health and avoiding sickness, particularly about matters of the bowels and proper cuisine, was carefully recorded.

We have a number of stories of rabbis' administering medical therapy, including the following:

R. Aḥa b. Joseph suffered from asthma, so he went to Mar 'Uqba, who advised him to drink three [gold denar] weights of *hiltit* on three days. He did so on Thursday and Friday...

(b. Shab. 140a)

Rabin of Nersh used [for the cure of the bellyache] of the daughter of R. Ashi one hundred fifty of grains [of long pepper], and it cured her.

(b. Giṭ. 69b)

These are perfectly naturalistic remedies, used to heal specific ailments by means of herbs.

Of a more magical character was the recitation of various Scriptures in the healing process:

[R. Yoḥanan had said, "For an inflammatory fever, let one take an iron knife, go where thorn-hedges are to be found, and tie a white twisted thread to (a hedge). On the first day, he must slightly notch it [the knife? the hedge?] and say, *And the angel of the Lord appeared unto him* (Ex. 3:2). On the following day, he makes a small notch and says, *And Moses said, I will turn aside now and see*. The next day he makes a small notch and says, *And when the Lord saw that he turned aside to see* (Ex. 3:4)."]
R. Aḥa b. Raba said to R. Ashi, "Then let him say, *Draw not nigh it*

(b. Shab. 67a)²

¹ In the mid-fourth century, many medical sayings came down from Tai tribesmen. Now we find few similar phenomena, probably in part because Shapur II had effectively sealed Babylonia off from the Tai incursions; but see R. Papa, b. A. Z. 29a.

² Trans. H. Freedman, *Sabbath* (London, 1948), p. 319.

A mad dog rubbed itself in the market-place against R. Huna b. R. Joshua. He stripped off his clothes and ran, saying, "I have fulfilled in myself, *Wisdom preserveth the life of him who has it* (Qoh. 7:12)."

(b. Yoma 84a)

We have already noted that R. Aḥa and R. Ashi discussed what a man should say when healing himself from a daily fever through casting his sickness upon an ant.¹ The sages also used ordinary remedies for their own ailments, preserving the record of having done so through discussions of the law, for instance, of whether it was permitted to use such remedies on the Sabbath. Thus Rabina visiting R. Ashi observed that the latter was soaking his foot in vinegar to reduce swelling caused by an ass's having trampled him. He asked whether it is permitted to do so on the Sabbath.²

What is striking in these stories is the absence of the attribution to rabbis themselves of supernatural powers of healing. While they knew popular medicine and applied it, they possessed little more knowledge than ordinary midwives or similar folk. They did know how to enlist the power of appropriate Scriptures, which they invoked as incantations. They also knew appropriate magical formulae, such as the one brought to bear upon the ant. But, as in the case of astrology, medical skills and traditions were not assiduously cultivated in the schools and scarcely constituted a vital element of "Torah," though they certainly were regarded as part of "Torah" largely for legal considerations. The advanced medical sciences of the day made little impact upon the schools. When we recall that the later Sasanians, particularly Kavad and Khusro, encouraged the founding of medical schools in their empire, we find the rabbis' commonplace knowledge primitive by contrast.

Measures to prevent injury and disease nonetheless were taken, and the corpus of rabbinical traditions included a few valuable, if not exceptional, pieces of advice. R. Papa, for example, advised that one should wear shoes in a house where a cat is found; the cat may kill a snake, and the bones may stick into the man's foot and endanger his life.³ He likewise counseled to eat more than normal when one is away from home.⁴ He would eat a piece of bread at every *parasang* in order to prevent digestive troubles. He taught that circumcision should not be performed on a south-wind-day. Citing Psalm 116:6, *The Lord*

¹ b. Shab. 66b, above, pp. 182-183.

² b. Shab. 109a.

³ b. Pes. 112b.

⁴ b. Ta'anit 11a.

preserves the simple, he explained that many people disregard this precaution and yet come to no harm. He also said one should not be bled on such a day.¹ Mar Zuṭra cited I Sam. 1 : 20, concerning the length of pregnancy, to prove that if a woman bears at seven months, she can give birth before the month is completed.² R. Papa insisted that the surgeon who performs a circumcision must also suck out the wound.³ R. Ashi defined the condition of dozing:

"A sleep which is no sleep; waking which is no waking. The man answers when he is called, but cannot recall an argument; if reminded, he remembers it."
(b. Ta'anit 12b)⁴

Advice on the properties of food required only ordinary, routine observation of everyday processes. R. Huna b. R. Joshua noted that wine opens the heart.⁵ R. Papa noted that the fourth hour is generally mealtime for most people.⁶ R. Papa, who was, as we saw, a brewer of beer, noted the healing qualities of Egyptian beer for the bowels.⁷ It serves as a laxative for the constipated, as a binder for him who has diarrhoea. If one is unable to obey a call of nature, R. Aḥa b. Raba said to R. Ashi, he should not think of other things but concentrate on this one necessity.⁸ Mar b. R. Ashi taught that one should not restrain his urine, as we noted earlier.⁹ Just as Abaye's foster-mother taught him numerous medical traditions which he later handed on in the schools, so R. Papa cited his wife's practice in neutralizing the evil effects of vegetables. She used eighty Persian twigs in cooking them.¹⁰

XII. THE MIND OF THE SCHOOLS (I): THEOLOGY

As we have already noticed, the corpus of sayings attributed to the final generations named¹¹ in the Babylonian Talmud proved insub-

¹ b. Yev. 72a.

² b. R.H. 11a.

³ b. Shab. 133b.

⁴ See also b. Meg. 18b.

⁵ b. B.B. 12b.

⁶ b. Pes. 12b.

⁷ b. Shab. 110a.

⁸ b. Shab. 82a. This is in precisely the same form as the medical traditions cited earlier in the names of R. Aḥa and R. Ashi. That is, a saying of an earlier generation is examined. R. Aḥa b. Raba then says to R. Ashi that there is a fault in the earlier tradition, which should be corrected thus and so. The fault is not one of transmission but of content or logic.

⁹ b. Bekh. 44b. See above, p. 150.

¹⁰ b. Ber. 44b.

¹¹ The Saboraic masters were generally anonymous, so far as the Babylonian

stantial. Teachings about God and closely related matters similarly are hardly numerous. We do not know whether anyone made an effort to systematize, even to organize, his theological thought. Since sayings germane to theological issues were edited in the conventional form of discrete comments, in the context of dialectical discussions, or as exegeses of Scriptures, we should hardly expect otherwise. Yet while in relationship to legal matters, we have a sufficient number of traditions of the several masters to attempt a formulation of legal philosophies on particular issues, the contrary is the case for metaphysical and theological subjects. All we have are a few bits and pieces.

Earlier it seemed clear that some of the rabbinical sayings were esoteric, others exoteric.¹ The following are obviously for public consumption:

R. Ashi said, "If a man considered doing a *mizyab* and perforce did not do it, Scripture credits it to him as if he had [actually] done it..." (b. Ber. 6a)

R. Papa said, "The reward of [attending] the house of mourning [comes on account of] silence." Mar Zutra said, "The reward for keeping a fast [comes on account of] the charity [one distributes in connection with the fast.]" R. Ashi said, "The reward of the house of banqueting [comes on account of] the words [spoken in praise of the bride and groom]." (b. Ber. 6b)

These sayings pertain to the concerns of ordinary folk. Nothing in them refers to secret doctrines of the divine nature. They all are edifying, for they encourage people to carry out the commandments. In the first instance, people are assured that even giving thought to doing a commandment merits reward. In the second are specified the actions which provoke heavenly reward for the doing of various duties.

Part of the rabbis' astral mysticism in the *Merkavah*-tradition concerned the layout and design of the heavens. The heavens were divided into seven parts, and God sits enthroned above the seventh or highest heaven. Concerning this mystery, we have only one saying:

R. Aha b. Jacob said, "There is still another heaven above the heads of the *hayyot* [living creatures], as it is written, *And over the heads of the hayyot there was a likeness of a firmament, like the color of the terrible ice, stretched forth over their heads above* (Ezek. 1:22)." (b. Hag. 13a)

Talmud is concerned. The Geonic traditions are our only source for information about them. At the same time, it is self-evident that the contribution of the Saboraic masters to the formation of the Babylonian Talmud was substantial.

¹ Vol. IV, pp. 315-324.

Sayings such as this one probably were kept secret by the sages.

Teachings on the personality and humanity of God may not have been private at all. We have no indication who would have heard the following:

R. Papa said, "There is no grief before [on the part of] the Holy One blessed be he, as Scripture says, *Honor and majesty are before him. Strength and beauty are in his sanctuary* (Ps. 96:6)."

(b. Hag. 5b)

R. Papa pointed out the following contradiction: "It is written, *God is angry every day* (Ps. 7:12) and it is also written, *Who could stand before his anger* (Nah. 1:6). But there is no contradiction. No individual can stand before his anger, but he is angry with men collectively [and the merits of some atone for the rest]."

(b. A.Z. 4a)

The exegesis of theological as legal scriptures was a strictly academic enterprise, a central mode of rabbinic thought. Yet the results of these exegeses have nothing to do with secret doctrines. The thought that God, like man, had emotions and that these emotions were approximately the same as those of human beings distressed no one. The rabbis were in no way disturbed by anthropomorphism, although certain anthropomorphic expressions in Scripture may have been found gross. On the contrary, as I said, they envisioned God in the image of rabbinical man. It was perfectly natural to speculate about what was written in the *tefillin* which God placed on his left arm; R. Aḥa b. Rava so speculated with R. Ashi.¹ In this connection, the sensible remarks of Professor R. J. Z. Werblowsky (in his *Prolegomenon* to A. Marmorstein's *Doctrine of Merits in Old Rabbinic Literature* [reprinted in N.Y., 1968], pp. xiv-xv) are particularly germane:

...Anthropomorphism i.e., the attribution of human, bodily as well as mental or psychological, qualities to the divine is a well-known phenomenon and problem in the history of religions. Anthropomorphism does not become less anthropomorphic by being reduced to mental or psychological expressions i.e., to anthropopathism (e.g. God loves, is wroth, has pity etc.). God may have no ears, or his ears may be said to be purely metaphorical, yet he is still said to "hear" prayers. Even if these mental and feeling qualities are pruned away by suitable allegorical exegesis, we are still left with a basic irreducible anthropomorphism: the conception of the Deity in "personalistic" terms, i.e. in analogy to the only type of "person" we really know—the human person...

¹ b. Ber. 6a-b.

Indeed, it appears as if non-pagan, monotheistic religion is caught on the horns of an uncomfortable dilemma: either advocate a "negative theology" in which God easily becomes a bloodless abstraction, First Cause, or cosmic principle, or else risk to speak of God in human, all-too-human terms as Father, Shepherd, King and Lover. The rabbis boldly chose the latter risk, on the assumption that only by means of anthropomorphic imagery could the full, actual, vital relevance of God to our lives be brought out. *The rabbis, it seems, could take this risk with equanimity since actual anthropomorphism was not considered a real danger by them.* They could, therefore, permit themselves considerable latitude of expression. In this respect too the rabbis simply continued the biblical tradition.

It seems to me the rabbis normally meant just what they said, however, and if they used anthropomorphic language, as they did, the reason was not that they were not afraid of the "danger" of anthropomorphism, but rather they were not aware that it was a danger to begin with, but found it quite natural and normal for their theological thought.

These few sayings of late fourth- and fifth-century masters directly pertinent to the nature and doings of God depend upon a long theological tradition. They however exhibit no development of earlier themes. We can best comprehend them as continuations, with little elaboration, of ancient models. Thus the belief that specific actions generate rewards constitutes an element in the classic view that God rewards good deeds and punishes sin. Men were supposed to serve God and submit to his will. The God whom they serve lives in the highest heaven, above all heavenly as well as earthly creatures, who in various forms exist to do his will. He is never grieved but sometimes angry. His anger is briefer than man's and generally is directed at the community, which could bear up under its weight, rather than at the individual, who could not. These random thoughts hardly exhausted the mind of the schools on so central a theological subject. The religious world-view of the rabbis included the workings of the evil creatures and demons whom they might master through Torah, as well as angels and other amiable supernatural creatures who would cooperate with pious sages. That world-view comprehended faith in revelation not only through Scripture and exegesis, but also through omens, dreams, and natural science (astrology). It affirmed that prayers and magical formulae such as incantations might affect the natural world and effect men's wishes. All of these constitute important components of rabbinical theology, which took account of a world populated above and below with beings responsible to carry out the divine will.

XIII. THE MIND OF THE SCHOOLS (II): LITURGY

Further insight into the religious ideas of the schools derives from prayers composed by the rabbis and rules promulgated on how to pray. It is clear, first of all, that the few sayings considered earlier cannot exhaust the range of theological ideas or provide a full description of the way in which the rabbis viewed the world and God's role in it. Further, we can hardly distinguish between the liturgical contribution of one generation and that of the next. The profound conservatism of the schools is clearly revealed in the scholastic prayers, often consisting of arrangements of scriptural passages, rarely expressing an idea one can associate with a particular individual or time. We now have only a few compositions:

When Mar b. Rabina would conclude his Prayer, he would say this [meditation]: "O my God, guard my tongue from evil and my lips from speaking lies. To those that curse me may my soul be dumb. May my soul be like dust to all. Open my heart with your Torah. May my soul pursue your commandments. Save me from an evil encounter, the evil impulse, an evil woman, and from all the evils that threaten to come into the world. Concerning all who think evil against me—quickly annul their intention and spoil their plans. *May the words of my mouth and the reasonings of my heart be pleasing before you, Lord, my rock and redeemer* (Ps. 19:15)."

(b. Ber. 17a)

When Mar Zuṭra would climb into bed, he would say, "I forgive all who have vexed me..."

(b. Meg. 28a)

Upon the basis of these prayers we can hardly characterize the religious situation of the schools. Yet we may discern a religious attitude corresponding to the humble and submissive personality described earlier as inculcated in the school, particularly through submission to the master. We notice, first of all, stress upon the virtue of submission itself, both to man and to God. The disciple is to be "like dust to all" on earth, as an exercise in being "like dust" to heaven as well. The Torah opens man's heart, whereupon the soul pursues the doing of commandments. Consequently one may ask God to save him from various evils, especially—in the charged intellectual atmosphere of the schools this would have been important—from all who devise evil thoughts against him. The need to forgive all who have irritated oneself reflects a day filled with conflict. It nonetheless would be far-fetched to assign these prayers to the situation of schoolhouse alone. They have persisted in

various settings long after this period, and the former is included in the prayer said three times daily by pious Jews. Yet in the first place they came from the schools and certainly pertained to the spiritual circumstance of sages.

Coming at the end of a long tradition of liturgical development, the sages now had to choose among several alternative compositions. Prizing each, R. Papa held that all should be preserved:

[What is the blessing said after reading the *Megillah* of Esther?] "Blessed are you O Lord ... who espoused our quarrel and vindicated our cause and ... Blessed are you O Lord who avenges Israel on all their enemies." Rava says, "[One concludes], 'The God who saves.'" R. Papa said, "Therefore let us say them all, 'Blessed are you O Lord who avenges Israel on all their enemies, the God who saves.'"

(b. Meg. 21b)

When the agent of the congregation [in repeating the Prayer] reaches the paragraph, 'We give thanks,' what does the congregation say? Rav replied, "We give thanks to you ... because we are able to give you thanks." Samuel said, "God of all flesh, seeing that we give you thanks." The men of Nehardea in the name of R. Simlai said, "Blessings and thanksgiving to your great name because you have kept us alive and preserved us, seeing that we give you thanks..." R. Papa said, "Therefore let us say them all."

(b. Sot. 40a)¹

Willingness to include the preferences of the several authorities and schools doubtless facilitated the promulgation of a single liturgy for Babylonia. If that was R. Papa's intention, one can understand his hesitation to exclude anyone's tradition. We have no evidence, however, that the local synagogues now followed a single pattern in every detail, though the main outline of the prayers had long ago been standardized.

Being lawyers, the sages paid as close attention to the forms and procedures of prayer as to those of litigation in court. They raised to the level of legal inquiry and precision the private devotions of ordinary folk as well as the public prayers of the congregation. They did so because they took seriously the obligation to pray, and because they believed that heaven expected proper prayer as well as true justice from the Jewish community. Thus if someone was freed of his obligation to recite the *Shema*,² this had to be spelled out. R. Papa discussed the circumstances in which one did not have to say the *Shema*.² Rabina

¹ See also b. Ta'anit 6b-7a.

² b. Ber. 11a, 16a.

taught that saying the *Shema*¹ mentally was equivalent to reciting it out loud.¹ Abaye and Rava had earlier debated whether one might recite the *Shema*² if manure is being carried by. When the dung is hard like potsherds, Amemar said it was forbidden, and Mar Zuṭra, it was permitted to say the *Shema*³ near by.² R. Papa held that the snout of a pig is like manure being carried past, even when the pig had just washed in the river.³ We have already observed that saying the *Shema*⁴ was believed to drive away demons. In these sayings, on the other hand, the apotropaic aspect of the *Shema*⁵ was ignored, its liturgical-rational side emphasized. In legal discussions the rabbis likewise silently passed over the magical value of the *mezuzah*, *tefillin*, and other holy objects, even though in other contexts they were not reticent about it.

The same legal precision pertained to saying the Prayer (Eighteen Benedictions). It had earlier been taught that if a man needs to consult nature he should not say the Prayer. This teaching was qualified, for if he can hold himself in, his prayer will be regarded as valid. R. Zevid taught that he should be able to do so long enough to walk a *parasang*.⁴ R. Ashi taught,⁵ "Guard your orifices at the time when you are standing in Prayer before me" as an interpretation of Qoh. 4: 17. The manner in which the leading authorities said the Prayer in special circumstances was carefully recorded.⁶

While blessings of food and grace after meals seemed mostly a private rabbinical rite, Sanctification of wine [*Qiddush*] for the Sabbath and festivals as well as for the conclusion of Sabbaths was entirely public and probably done by most Jews. In this matter the sage would demonstrate the right way by doing so for his disciples and others among whom he lived, or he might be given the honor of saying the Sanctification for the entire synagogue, as in the following stories:

R. Ashi said, "When we were at the house of R. Papa, he used to say the Sanctification for us [the students], and when the sharecroppers came from the fields, he used to say it again for them."

(b. R.H. 29b)

When R. Ashi visited Maḥoza, [the people] said to him, "Let the master recite the Great Sanctification [*Qiddush*] for us." He [not knowing what they meant] thought it over, "What is the Great Sanctification?"

¹ b. Ber. 20b.

² b. Ber. 25a, see also R. Papa, b. Yoma 30a.

³ b. Ber. 25b.

⁴ b. Ber. 23a.

⁵ *Ibid.*

⁶ b. Ber. 30a, Maremar, Mar Zuṭra, R. Ashi.

Let us see. For all blessings [of *Qiddush*] we first say, '...who creates the fruit of the vine.'" He said just that. He saw an old man bend [his head] and drink. Thereupon he applied to himself, *The wise man, his eyes are in his head* (Qoh. 2:14).

(b. Pes. 106a)

The younger and elder sons of R. Hisda said to R. Ashi, "Amemar once visited our town. We had no wine, so we brought him beer [for *Havdalab*] but he would not recite *Havdalab* [over it], so he passed the night in fasting (Dan. 6:19) [because one should not eat without reciting *Havdalab* at the end of the Sabbath or festival]. The next day, we got wine for him ... The following year he visited us again. We offered him beer. He said, 'If so, it is the wine of the country,' and he recited *Havdalab* over it and ate..."

(b. Pes. 107a)¹

The sage would be given particular respect and the privilege of praying in behalf of others. R. Ashi's visit to Maḥoza underlines the problem of local variations. He simply did not know what was meant in Maḥoza by "the Great *Qiddush*" and obviously would have been embarrassed had he been required to confess his ignorance. The need for rabbis to adjust themselves to local custom is illustrated in the third story. We may therefore distinguish between the provenance of laws about saying Grace and that of the laws on blessing wine in various other ritual circumstances. The blessings and Grace were essentially limited to the academic table, while the public, synagogal Sanctification of wine for other purposes was not. The master would therefore recite such liturgies for the entire community or synagogue, rather than for the school house only.

XIV. THE MIND OF THE SCHOOLS (III): EXEGESIS

As in other matters, so in exegesis, the legacy of these generations was not rich. Whatever the actual state of their contribution, we know very little of what the sages said about Scripture. In general we shall notice the continuation of earlier convictions, particularly the anachronistic assignment to Scriptural times and characters of the traits and values of the contemporary schools. Thus Rava or R. Ashi taught that Abraham "our father" had kept the entire Torah, meaning both the written and the oral parts of it.² R. Ashi taught that Manoah did

¹ Further sayings on *Havdalab* are in b. Pes. 8a, R. Papa, R. Zevid, and Rabina; b. Ber. 29, Mar Zuṭra on including *Havdalab* in the abbreviated version of the Prayer.

² b. Yoma 28b.

not even attend a school for Scripture (let alone an academy for study of Mishnah and other disciplines of the oral Torah) with reference to Gen. 24 : 61.¹ Wisdom, not age, produced the order of the generations of Shem, R. Zevid of Nehardea taught with reference to Gen. 10 : 21.² R. Papa said that Abraham had been exhorted by God not to marry an idolatress or a bondwoman so that his seed should not be ascribed to her.³

R. Ashi and R. Papa held that during the years in the wilderness, Moses dwelt in the camp of the Levites.⁴ Hence "bringing forth him that cursed" must mean that he was brought forth thence into the camp of the Israelites, where he would be stoned. R. Papa discussed the problem of Ex. 23 : 28, *And I will send the hornet before you*, which he interpreted to mean that the hornet stood on the Jordan river and squirted poison across to blind the Canaanites. He also discussed Amos 2 : 9, *Yet I destroyed the Amorite before them*. He held that there actually were two hornets, one in the time of Moses, which did not cross the Jordan, the other in the time of Joshua, which did.⁵ R. Papa interpreted *strong drink* of Num. 28 : 7 as an expression connecting drink, satiation, and plenty,⁶ and inferred from there that when a person has his fill of wine, it is because he drank in large gulps, rather than sipping his wine.

On the apparently pointless list of Palestinian towns in Josh. 15 : 22, we have the following exchange:

R. Huna b. Nathan asked R. Ashi, "What is the point of the verse *Qinab and Dimonah and Adadab*? He replied, "The text is enumerating the towns in the land of Israel." R. Huna replied, "Do I not know [that]? But I want to tell you that R. Geviah from [Be] Argiza learned a lesson from these names: 'Whoever has cause for indignation [*Qinab*] against his neighbor and yet holds his peace [*Domem*], He that abides for all eternity [*'ade'ad*] shall espouse his cause.'" R. Ashi replied, "If so, the verse *ziklag and Madmanah and Sansanah* (Joshua 15:31) should also convey a lesson." He replied, "If R. Geviah from [Be] Argiza were here, he would derive a lesson from it... [as follows]: 'If a man has just cause of complaint against his neighbor for taking away his livelihood [*z'a'akat legima*] and yet holds his peace [*domem*], he that abides in the bush [*shokni sneb*] will espouse his cause.'" (b. Git. 7a)⁷

¹ b. 'Eruv. 18b.

² b. Sanh. 69b.

³ b. Yev. 100b with reference to Gen. 17 : 7.

⁴ b. Sanh. 42b-43a. This is part of an exegesis of Lev. 24 : 14 with reference to the death of the blasphemer.

⁵ b. Sof. 36a.

⁶ b. Suk. 49b.

⁷ Trans. Maurice Simon, *Giffin* (London, 1948), pp. 22-3, with minor revisions.

It is striking that the stress upon humility, forbearance, and restraint in pressing one's own claims ("To those that curse me, may my soul be like dust") noted in liturgical compositions recurs here. One cannot say that the virtue of submissiveness was now urged to a greater degree than earlier, for I know of no way to prove such a thesis. At the same time it is striking that the earlier passivity¹ of rabbinical politics is now extended to personality-traits and ethical behavior.

R. Papa explained how one may both *go down to Timnah* (Judges 14:1) and *go up to Timnah* (Gen. 38:13), by comparison to Vardina, Be Bari, and the market of Nersh. Those coming from one direction descend, from another, they go up.²

R. Ashi held that King David studied Torah until midnight. Then he spent the rest of the night reciting psalms and praises of God.³ R. Papa held that Solomon never married, on the basis of I Kings 11:2. The liaison with Pharaoh's daughter was never regarded as a true marriage.⁴

Mar Zuṭra held that the earlier generations were better at exegesis than the later ones:

"Between *Azel* and *Azel* (I Chron. 8:38 and 9:44) they were laden with four hundred camel [loads] of [notes containing] interpretations."
(b. Pes. 62b)

On prophetic literature, exegesis of this time was similarly sparse, as if to illustrate Mar Zuṭra's judgment. R. Ashi commented on the old, native-Babylonian tradition that the word *WYHY* indicates "trouble" saying that sometimes it does, and sometimes it does not, but "it came to pass in the days of..." always means troubles, as in Is. 7:1 and Jer. 1:3.⁵ On II Chron. 32:1 and Is. 14:24, we have the following:

After these things and the truth thereof (II Chron. 32:1). Rabina said, "After the Holy One ... had anticipated [events] by an oath. For he reasoned thus, 'If I say to Hezekiah, 'I will bring Sennacherib and deliver him into your hands,' he will reply, 'I require neither [victory] nor the [antecedent] terror.' Therefore the Holy One ... forestalled him by swearing that he would bring him [as in Is. 14:24]."

(b. Sanh. 94b)⁶

¹ See my "Religious Uses of History," *History and Theory* 5, 1966, pp. 153-171.

² b. Sof. 10a.

³ b. Ber. 3b, with reference to Ps. 119:62 and Prov. 7:9.

⁴ b. Yev. 76a.

⁵ b. Meg. 10b. Compare Vol. I, 2nd rev. ed., p. 164.

⁶ Trans. Jacob Schachter and H. Freedman, *Sanhedrin* (London, 1948), pp. 636-7, with minor changes.

R. Ashi held that drunkards and those with long hair defile the temple service, and their punishment was decreed by Ezekiel 44: 9. Ezekiel had found a tradition and stated it as a law.¹ R. Papa interpreted Ezek. 14: 12 to mean that the bread referred to was baked out of human dung.² He said that the high priest Joshua was punished because his sons married wives unfit for the priesthood and he did not prohibit them from doing so, with reference to Zech. 3: 1.³

Skills in expositing Scripture were cultivated in some schools, where exegesis of non-legal texts was taken very seriously. Thus we find that R. Papa and R. Huna b. R. Joshua specialized in *aggadot*:

One of the rabbis asked R. Kahana about the meaning of Mount *Sinai*, and he could not give a satisfactory reply. He then said to the questioner, "Why do you not frequent [the school of] R. Papa and R. Huna b. R. Joshua, who make a study⁴ of *Aggadab*..."

(b. Shab. 89a)

"I can prove by logical argument [that a creeping thing] is clean. If a snake that kills and causes much [corpse] uncleanness is itself ritually clean, how much more should a creeping thing which does not kill [and cause corpse-uncleanness] be ritually clean..."

(b. 'Eruv. 13b)

We have now cursorily examined the exegetical legacy of several successive generations.⁵ My purpose was to see whether signs of development or change, examples of modification of traditions by later generations in response to contemporary needs or insights, or similar significations of the working of historical processes could be located. Our inquiry has been a complete failure. I have found practically no marks of historical development whatever. Nothing said now could not have been said two centuries earlier. The contrary also was the case. Individual sages may have produced a singular and original exegetical legacy, as I think is the case with Rav, R. Joseph, and a few others. My method of working by generations of sages however has precluded discovery of just what those individual legacies consisted of. I have not been impressed by the collections of sayings of individual masters produced by Bacher.⁶ Bacher does not sufficiently delve into the lives and situations of the several sages to provide persuasive

¹ b. Sanh. 22b.

² b. 'Eruv. 81a.

³ b. Sanh. 93b.

⁴ Lit.: "who look into..."

⁵ Vol. II, pp. 188-240, III, pp. 179-192, and IV, pp. 370-384.

⁶ *Die Agada der babylonischen Amoräer* (Frankfurt a/M, 1913).

explanations of characteristics peculiar to a given time, sage, or school. For historical inquiry, therefore, the task still lies before us. The conventional repertoire of rabbinical exegesis requires more careful and searching study into the literary-historical bases for its very conventionality. Until we have a clearer idea of who selected sayings for inclusion in authoritative collections, and of what was the basis for such selections, we shall be unable to proceed. For now what we can say for certain is simply that the preserved rabbinical exegesis of Scriptures reveals remarkably little sign of the working of the usual historical processes. That negative result presumably is evidence rather of the editorial work that produced the Talmud than of the original teaching behind it. If we supposed otherwise, it would indicate that no one's mind changed much for three hundred years. I cannot think of a more unlikely conclusion.

XV. SUMMARY AND CONCLUSIONS

It would be a gross error to overestimate the differences separating the ordinary people from the rabbinical estate.¹ I think Jewish Babylonia knew the distinction between lay and rabbinical ways of behavior. But I do not think that distinction was invariably critical. In general, merely conventional social manners or customs were deepened into spiritual conceptions² and magnified by deeply mythic ways of thinking. On the streets of the villages however the ordinary folk would have seen the rabbi as still another holy, therefore, exceptional man to be sure, but heart and soul at one in community with other Jews. The rabbinical ideal was anti-dualistic. No one conceived of two ways of living a holy life, two virtues, or two salvations, but of only one Torah to be studied and observed by all.

That conception did not erase the numerous distinctive characteristics of rabbinical dress, speech, behavior, and, especially, social relationships. But it probably did blunt the cutting edge of rabbinical separateness. The deep concern felt by rabbis for the conduct of ordinary folk moreover led them to teach, criticize, and try to control everyday affairs. That effort produced considerable impact upon daily

¹ Compare George P. Fedotov, *The Russian Religious Mind. Kievan Christianity, The Tenth to the Thirteenth Centuries* (N.Y., 1960), pp. 273-274. Fedotov's work is an exemplary study in the relationships between ordinary Christians, on the one hand, and scholars and saints on the other.

² See Fedotov, p. 211, for examples of a similar process.

life, as we shall see, and therefore tended to reduce the inevitable gap between holy man and layman. Nor was the only unifying force the rabbis' faith that "all Israel," not merely saints, prophets, and sages, stood at Sinai and bore common responsibilities.¹ When we review the primarily distinctive characteristics of the school, we see they could not have created unscalable walls of social or religious difference.

The sages spent a good part of their earlier years in the rabbinical schools, and ordinary folk obviously did not. Yet the schools were not monasteries in the sense that their denizens usually remained within them for the rest of their lives. Furthermore, disciples who left the schools and remained under their discipline did not engage in ascetic disciplines of an outlandish sort, calculated utterly to divide the sages' way of living from that of normal men. They married. They ate regularly and chose edible food, not wormwood or locusts or refuse. They lived in villages, not in the wilderness. They did not make their livelihood through holy vagrancy. Their clothes were not supposed to be tattered or in rags. These differences between encratites, anchorites, hermetics, stylites, and other specific kinds of holy men on the one hand and the rabbis on the other are obvious, therefore all the more important. The comparison between the rabbinical academy and the monastery is suggestive not only for the similarities but especially for the differences. The sages sought out the society of ordinary Jews, as I said, living in the villages, not in the countryside ("wilderness"). Not engaged in begging ("holy vagrancy"), they owned property and were glad of it. They occupied important and permanent positions in the administration of communal life, and so they came into constant and intimate contact with the lives of the common people. That contact was routine. Access to the rabbinical schools remained open to all, and the rabbis actively proselytized within the community to gain new candidates for their schools.² Advantages of birth were minimal. In no

¹ For an explanation of the salvific force of this conviction, see vol. VI, pp. 401-2.

² I am still unsure of the extent of rabbinical control of the primary schools. I assume that where the great academies were located, the primary schools which everyone attended would pretty much have reflected rabbinical ideas about education and that the curriculum would have been set according to the outlines of the "Oral Torah." But the situation outside of a few centers of rabbinical schooling remains obscure to me. If we suppose that people came from outside the centers in Sura, Pumbedita, and the like to study in them, then it seems reasonable to imagine they had been prepared to study at the advanced level of the schools. But systematic study of the forms and procedures of education is still at too primitive a state to come to any firm opinion.

way did the rabbis form a caste or a clan; marriage counted for little.

What, furthermore, did the peculiarities of the rabbinical way of living amount to? A rabbi could eat with any other Jew in Babylonia, within obvious limitations. The biblical taboos about food were widely observed. The differences between the rabbis' interpretation of the biblical food taboos and those put forward by others probably diminished, as in time the rabbis' growing domination made their unique exegeses seem more commonplace. If on the other hand, the conduct of the rabbinical meal, apart from its content, took a form probably characteristic of the circles of sages alone, the singular forms consisted of no hocus-pocus, but of intelligible blessings of food, in Hebrew to be sure,¹ and grace afterward. And the rabbis were willing in theory and practice to teach others just what these blessings and prayers meant. Nothing in the rabbinical ritual of eating was to be kept secret. A person showed himself "ignorant" if he violated the rituals. His remedy was to go to a sage to study and learn, and this is explicitly recommended.

As to language, the rabbis did have their own words for various objects,² and knowing these words was a sign of membership in the rabbinical estate. Yet the rabbis certainly spoke the language of the people, not only when among them but also in the schools. We have not got the slightest evidence that the language of the schools was Hebrew and not Aramaic, though fixed *forms* in Hebrew were creatively used, not merely transmitted from earlier times. In any event, apart from the usual difficulties of dialect and local custom, any rabbi could communicate with any outsider, and, what is more important, rabbis made no effort to formulate a secret or private language for themselves, only a distinctive language supposed appropriate to their scholastic needs and social status. They clearly regarded their speech as "more cultivated" or as evidence of better education, but this certainly did not render their language alien to the community at large.

¹ I do not know how much Hebrew would have been known to ordinary folk. I cannot think of a single popular saying attributed to the "people" by the sages which is formulated in other than Aramaic of the time and place, but that proves very little. Scriptures required commentary, and when that commentary is given in public contexts, it usually is in Aramaic, as in the sayings of R. Joseph. On the other hand, the simple words of blessings, which were formalized and easily learned, and the fixed liturgy of grace, like the synagogue prayers, I think everyone knew, and these could not have posed insuperable obstacles.

² Vol. III, pp. 65-7.

It merely signified one was part of the in-group, therefore had to be all the more comprehensible to outsiders. Eating, clothing, speech—these everyday commonplaces revealed both particularities and commonalities, but all together, the differences do not amount to much. Advice about health and various natural processes and functions diverges not at all from this pattern. Eating vegetables before the fourth hour might make anyone's breath smell bad. Restraining one's natural processes could lead to severe ill-health for everyone. Wine made anyone talk too much.

We therefore cannot locate in the petty everyday rituals of "being a rabbi" any really substantially differentiating characteristics but two. The rabbis' social life, first of all, followed forms wholly alien to those of outsiders. The disciple revered the master as a living Torah and humbled himself before him as before God. The outsider honored him as a learned man, fantasized about his magical powers, submitted to his judicial authority, and accepted his communal influence. These were simply not the same thing. On the one hand stood a living myth, on the other, the merely superficial effects of that myth. The disciple of the sages furthermore conformed to personality-traits and behavior patterns which would have been quite unnatural for ordinary folk. He forced himself into a posture of abject humility with implications far beyond what outsiders could have comprehended or accepted. His reverence for the master was little lower than his fear of the Lord. His imitation of the master's deeds and his preservation of the memory of those deeds shaped a religious discipline quite alien to the workaday life of common people. The humility shown to God and to the master supposedly extended to behavior with everyone else, as if the "soul like dust" to the curses of the streets would be better able humbly to serve the demands of heaven. The personality-traits appropriate to piety thus had to be extended from heaven to earth. Historical events and moral virtues not only corresponded to one another but came into contact in the formation of the sage's personality. The honor paid by a disciple to his master and close imitation of his actions consequently constituted the most striking distinction between the social life of the rabbi and that of the outsider. The service of the disciple of the sages to the master was required of the disciple but of no one else, and a particular disciple moreover served a particular master, not a whole coterie of authorities. It therefore became a highly exceptional relationship. One who had studied not only Scripture but also Mishnah remained a boor, learned but no different from a Magus, unless he had also "served" a

master through imitation of the master's *way*, subjecting himself to his discipline and that of the schools.

Study, second, separated rabbi from common folk. The reasons were not—quite obviously—that ordinary people did not understand the need for information, that they were entirely ignorant of the world and its way, or that they knew nothing of Jewish traditions. The people knew something of the Scriptures. They listened to the reading of the Torah in the synagogues. Prophetic writings and, for a long time, passages of wisdom literature were regularly read to them. The masses observed the Sabbath, the festivals, the holy days, food and sex taboos. All these observances required knowledge, and the constant exposure to Scripture and to the sages produced considerable knowledge. We therefore cannot speak of the “learning” of the rabbis in total contrast to the “ignorance” of the masses. Unless we accept the rabbis’ belief that included in the revelation at Sinai was the Oral Torah they alone possessed, we need not regard the people as “ignorant” at all. The main thing common folk ordinarily did not know which the rabbis always did know was the one thing that made a common man into a rabbi: “Torah” learned through discipleship. It therefore begs the question to speak of the *‘am ha’areẓ* as “ignorant of Judaism.” One does not have to exaggerate the educational attainments of the community as a whole to recognize that learning in the rabbinical traditions did not by itself separate the rabbi from other people. What was important was the rabbi’s attitude toward his *own* study. Extrinsic qualities deriving from the mythic context transformed the natural actions of learning facts or ideas or memorizing sayings, which anyone might have done, into the ritual actions unique to the rabbi.

Once in the schools and subject to the sages’ awesome influence, the ordinary Jew therefore became transformed, entering a new being. In time to come, most ordinary folk would participate in that new life, so that the *way* of the schools would become *law* for the community. For the present, however, the separateness of the rabbinical estate persisted. That separateness produced its own worldly effects. The rabbi was endowed both in his own mind and in the practical life of society with a glorious reward. Insight into the joy they felt in their lives can be derived from Rabina’s saying that the rabbis, “those who love God,” shall be “as the sun when he goes forth in his might.” Through Torah they did not overcome natural death, but they did find serenity and strength in the conviction that Torah and commandments shielded them in this world and promised the blessings of the world to come.

They moreover saw themselves as the intermediaries between heaven and earth, the new priests, able to offer sacrifices more pleasing to heaven than burnt-offerings. They believed they would be able through Torah in time to come to bring on the restoration of the ancient temple and the establishment of the Messianic kingdom of God. For such achievements the reward of a measure of worldly honor was little enough. The respect of ordinary folk for the rabbis, and of sages for one another, quite naturally corresponded to the sages' view of cosmic realities. The cedar, the Leviathan, the ever-flowing stream—these were appropriate similes for the great men of the schools. The glory of the world to come would prove commensurate, for the sage would feast in the splendor of the *Shekhinah*. Meanwhile, the political instrumentalities of Jewry, ever more dominated by rabbis, would be turned to the advantage of sages. Torah was its own reward, but among its by-products were various tax-exemptions, both real and merely sought-after, and some advantages in court as well.

Of greater consequence were the supernatural powers, including magical ones, supposed to have been exercised by sages. Heaven listened to the prayers of all men, but in meting out blessings, heaven would pay rabbis special heed because of their merits. Sages both decreed communal fasts for rain and also prayed for it, and if rain did not come, regarded it as a lapse in their own, as much as in the community's collective theurgical capacities. Heaven paid special attention to what was said in the schools. The spirits of the dead of ancient times oversaw scholastic discussions and would make an appearance in order to correct erroneous or dishonorable opinions. Everyone believed in witchcraft, sorcery, and other forms of magic. The rabbis claimed to have special powers in these matters, quite independent of the will of heaven, because of their mastery not only of the Torah but also of the Torah's own power. They could therefore issue a reliably effective curse, lay on the evil eye, and compel demons to their service. Joseph the demon served R. Papa, just as Abaye had compelled 'Igrath, queen of demons, to do his will. So stated the authoritative, normative traditions of the schools, compiled by the editors of the Babylonian Talmud.

In this regard, as I have emphasized, the rabbis differed not at all from other holy men of their time and place. Where they differed was in attributing their claim of reliably effective supernatural and magical power to their knowledge of "Torah": "Take heed of Nahmani and his Torah," 'Igrath had said. In this generation, Mar b. R. Ashi could

summon a demon to court, call him to account for his tort, excommunicate him, and demand an explanation for his failure to pay damages. R. Papa could likewise order his demon to go to fetch water for the convenience of his household. Rabbis were no different from others who believed that dreams not only conveyed important information, but also could affect the future. They differed *if* they supposed that sages uniquely held conversations with angels, received visions including divine messages, and talked with heavenly creatures.¹ They certainly supposed that singular to the traditions of "Torah" was accurate information both on the interpretation of signs, omens, and visions in dreams and on necessary measures to be taken on account of such visions. They further held that the affairs of the academies and their politics were predicted in dreams and that such predictions were dependable.

We must take special note of the skills normally common to savants in Babylonia and yet not claimed or exercised by rabbis. As we saw, while the sages generally accepted the scientific character of astrology and believed that astrological realities affected Israel's fate as much as the nations', no sage in this period, indeed none for almost two centuries, presented himself as particularly knowledgeable about the stars. No sage we know of cast a horoscope. None made predictions based upon the stars, though as we have seen, they prognosticated upon other bases. We also observed that rabbis never told stories about their miraculous attainments in healing arts. Unlike Christian monks, they practiced neither medicine nor faith-healing. We have not now got a single account of a rabbi's wonderful cure of a sick man. They did believe that reciting Scriptures might effect a cure or serve as a prophylactic. In earlier times, particularly in the third century, however, important authorities, especially Samuel, had claimed to have therapeutic skills and astrological knowledge.²

How can we account for what seems to be a remarkable change in the portrayal of the later rabbis? Samuel and presumably others of his generation were brought up in a community much influenced by Babylonian Hellenistic-Iranian culture, wholly open to its skills and values, deeply affected by its political life. The early Babylonian masters pursued studies characteristic of the Babylonian academic environment of the several Semitic, as well as Iranian and Hellenistic communi-

¹ But I am not clear on this point, since I have no evidence that the sages thought their supernatural skills in communication were unique.

² Vol. II, pp. 134-144, 147-150.

ties, including of course both medicine and astrology, foremost fields of Babylonian science. Samuel was reported to have had a number of conversations about astrology with 'Avlat, a Persian sage. The rabbinical schools of Samuel's day were relatively new, probably not a century old. Their final curriculum and forms were not yet established. Now, two centuries later, we see that the schools seem far more closed to the sciences of the milieu than earlier. I think the reason lies in a change in the cultural configuration both of the Jewish community and of the schools themselves. On the one hand, unlike Parthian times, the community was isolated from Sasanian politics and international affairs, and such isolation had continued for several hundred years. On the other hand, the schools were ever more engrossed in the traditional sciences. The Palestinian inheritance, on which these sciences were mostly based, included little attention to medicine and astrology, the latter of which was looked upon with little favor by important Palestinian masters.

I think it striking moreover that not a single story of a substantive friendship between a rabbi and a non-Jewish sage or king is told in the late fourth- and fifth-century strata. Samuel and 'Avlat (not to mention Shapur I¹), Rav Judah and Abidarna,² Rava and Bar Sheshakh as well as the mother of Shapur II,³ to mention four relationships—these have no substantial counterpart.⁴ Since the earlier stories were preserved, we may assume those authorities who told them did not look with disfavor on such exceptional relationships, though ordinary folk were supposed to keep their distance. And the converse is also the case. We noted the keen interest of Aphrahat, among other Babylonian Christians, in confronting the issues and ideas of Judaism.⁵ By contrast, the Seleucian consistories' records reveal no equivalent interest, only generalized and conventional references to "the Jews."⁶ In all, I find little evidence of sustained and productive interrelationships among different groups such as probably existed in the third century and into

¹ Vol. II, pp. 64-72.

² Vol. III, p. 30.

³ Vol. IV, pp. 35-39, 63-64.

⁴ Except for the single story about Yazdagird and the exilarch. From this story, we learn that the emperor could supposedly quote Scripture. We do not learn about conversations about mutual interests in politics, as with Shapur I, astrology, as with 'Avlat, piety, theology, and the world-to-come, as with Bar Sheshakh, or other supernatural matters, as with 'Ifra Hormizd.

⁵ Vol. IV, pp. 20-27.

⁶ Above, p. 121, n. 4.

the fourth. The first Shapur's policy of cultural openness had produced considerable exchange between Iranian and other civilizations in Babylonia. The equivalent policies of Khusro I probably did not, at least so far as Jewry was concerned. Part of the reason, as I said, was doubtless the schools' greater concentration on the inherited traditions, which were in process of redaction, and the consequent monopoly of the interests and themes of those traditions upon the mind of the sages.

Our consideration of the theology, liturgy, and biblical exegeses of the rabbis produced few satisfying results. I think the reason is only in part the paucity of information, for my dissatisfaction derived not only from the limited amount of material, but also from the one-dimensional and inadequate results produced by my study of it. I cannot point out a single idea, expressed through theology, prayer, or Scriptural commentary, which either was unique to this period or in some clear way even related to the particular contemporary interests or events of the schools, not to mention of the Jewish community as a whole. It seems unlikely that the severe conformity imposed by the schools on disciples stifled any sort of original contribution. The contrary is the case in the study of the law, even more so in the actual government of the Jewish community, and it is unreasonable to suppose that creative impulses could not or did not thrive in the ways approved by the rabbinical estate. The very existence of the Babylonian Talmud itself, the product of just this period, testifies to the contrary. I therefore suppose that a serious flaw in my method has impeded the effort to derive historically illuminating information. That flaw probably derives from concentration on the generation as a whole. I had assumed that particular concerns or interests provoked by historical events might be revealed in the concentration of a generation's sayings on one theme rather than another, in the formulation of prayers about a specific concern, or in obsession with a given biblical character and in what was said about him. It is now clear that a better way lies through the study of individual masters and groups of masters in particular schools, rather than through the isolation of sayings by whole generations. The reason in part is that the final editing obliterated whatever marks of change, development, and pertinence to daily events may have been found in the original materials. But if that is so, the other part of the reason may be that in the consideration of theological, liturgical, and exegetical questions the individual sages probably served chiefly as continuators, not at all as innovators. They thus left little possibility for articulated response to contemporary issues or discrete

problems. In any event, the question must stand over for further study.

The "Judaism" of the rabbis was now in no degree normative, and speaking descriptively, we of course have no right to call the schools "elite." Whatever their aspirations for the future and pretensions in the present, the rabbis, though powerful and influential, constituted a mere minority, seeking to exercise authority without much political support, to dominate without substantial means of coercion. What they wanted to accomplish however was the formation of the kingdom of priests and holy people demanded at Sinai, and to do so according to the revelation of Sinai as they alone possessed it. So admittedly a description of the rabbinical schools is hardly a portrait of the religious life of Babylonian Jewry. Yet, in my view, the rabbis did more and more set the standard, the golden measure, the royal way.¹

¹ As I said above (pp. xv-xvi), the literary achievements of this period, including the redaction of the Babylonian Talmud, require study in their own terms. I have here omitted all reference to the formation of the Babylonian Talmud because in the future I plan to devote myself to that problem.

CHAPTER SIX

OTHER JEWS, OTHER MAGICIANS

I. INTRODUCTION

Until now we have had to rely almost entirely upon the Babylonian Talmud for evidences of the religious, cultural, and political life of Babylonian Jewry. Both the advantages and the limitations of that single source have been carefully specified. Further information is to be derived from the magical bowls of ca. 300 to ca. 600 A.D.¹ Some of the bowls were prepared by Jewish practitioners for Jewish clients, others by Jews for non-Jews—Christians, Mandaeans, and Mazdeans. It is very difficult to determine which ones were for which clients. On this question Professor Cyrus H. Gordon writes:

There is no way of sharply distinguishing in detail Jewish from Christian from Mandaean magic. Magic is highly interconfessional. Clients go to a magician not because he belongs to the same denomination but because they have confidence in his professional skill. An element attributed to Rabbi Joshua, son of Peraḥia, is obviously Jewish. A reference to Jesus the Messiah, is obviously Christian. Invoking "the knowledge of light" is obviously Mandaean. But one cannot state that a given incantation belongs entirely to one religion. For this very reason the classification has, in practice, rested mainly on the script employed. Aramaic letters are called Jewish; Syriac letters, Christian; Mandaean letters, Mandaean. As for the rest, we have to evaluate each element point by point.²

I have followed the designations of Montgomery, Gordon, Epstein, and McCullough.

¹ See Franz Rosenthal, *Die aramaische Forschung seit Tb. Noldeke's Veröffentlichungen* (Leiden, 1964), pp. 218-223, 233ff.; J. A. Montgomery, *Aramaic Incantation Texts from Nippur* (Philadelphia, 1913); "A Magical Bowl-Text and the Original Script of the Manichaeans," *JAOS* 32, 1912, pp. 434-8. For a survey of dates, see Rosenthal, pp. 220-2. Rosenthal holds that ca. 600 is the upper limit, 300 the lower. Note also W. S. McCullough, *Jewish and Mandaean Incantation Bowls in the Royal Ontario Museum* (Toronto, 1967) cited below, and R. Stübe, *Jüdisch-babylonische Zaubertexte* (Halle, 1895).

² Personal letter, November 7, 1968.

II. MAGICAL BOWLS: SELECTED TEXTS

Just as we examined the Talmudic evidences and then speculated on their historical implications, so we shall first review the chief exempla of magical bowls apparently written by or for Jews (or both) and then consider their implications for the study of the history of Judaism. Until now the bowls have been studied mainly as a source for the history of the Aramaic language and its dialects, orthographical, philological, grammatical problems, and the like. Since our interest is in their religious significance, we shall entirely rely on the translations and comments of qualified Semitists.

Montgomery: The magical bowls published by Montgomery were found at Nippur in 1888 and 1889, generally upside down in the ruins of houses.¹ The locale of the discovery was assumed to be a Jewish settlement. In almost every house one or more bowls was found.² Some also were located in cemeteries. The languages were, first, a Syriac dialect, second Mandaean, third the "language with which we are familiar from the Babylonian Talmud." Montgomery calls the bowl "primarily a domestic phylactery, to be classed with the abundant forms of this species of magic, e.g., the Jewish *Mezuzoth*."³ Those in the cemetery were to lay ghosts at rest.

The exorcists were anonymous, practicing a profession commonly quite apart from personal charisma, if any. Great masters of sorcery were appealed to, as R. Joshua b. Peraḥia, but not contemporary practitioners. The clients were generally families seeking protection for houses and property, cattle and so on. Many appeals pertained to domestic sexual life, to unborn babies, and the like. Lilis and Liliths "which predominate in the categories of demons are personifications of sexual abnormalities."⁴ In the Jewish bowls the names are generally Aramaic or Persian, but a few are biblical or what we might assume were "typical Jewish" names.

The incantations frequently used such words as *annul*, *prohibit*, *be in taboo*, and *lay under ban*, as well as *sealing*—this last in the sense of sealing the demons with the magic word or device engraved on a seal, often with explicit mention of Solomon's Seal, as Montgomery points out.⁵

¹ Montgomery, p. 13.

² *op. cit.*, p. 43.

³ *op. cit.*, p. 49.

⁴ *op. cit.*, p. 53.

⁵ *op. cit.*, p. 56.

The chief aspect of the praxis was the incantation or the spell, which consisted of writing certain phrases, words, syllables, themselves possessing magical power to bind favorable powers and demons. Divine powers are not central. Simply repeating that the demons are "bound, sealed, countersealed, exorcised, hobbled, silenced" is sufficient.¹ Still, many angels and deities as well as YHWH are cited often enough. In the Jewish case we find angels, in the pagan ones, deities. In any event as many names as possible were included. Obscure names (*barbarica onomata*) occur with frequency.

When biblical passages are cited, the texts are not spelled in the Massoretic manner, and the quotations are not exact. Great spells from of old, such as "the spell of the sea and the spell of the monster Leviathan," or "the curse... which fell on Mt. Hermon, Leviathan, Sodom, and Gomorra" are invoked. Babylonian and Egyptian divinities, spells, exorcists, and the like all occur.

In general, the texts are monotonous. Their form is normally an invocation, followed by the name of the client(s), the categories of demons and ills to be purged, the names in which the spells are pronounced, and a conclusion. Demons are normally given epithets or generic forms, such as "the Killer, the Demon, the Satan." Lilith, however, appears constantly and is frequently exorcised, as we shall see. Lilith was the "ghostly paramour of men, and her realm is the sexual sphere." Women at critical times, maidens, and children were her prey. Liliths haunt houses, or lurk in dark spots, or, as we noted above, occupy beams, crevices, and cesspools. They produce offspring with human beings. They are well known by name and by their ancestors' names. The angels named in Jewish texts frequently include Michael, Gabriel, and Raphael.²

Montgomery specifically notes the difficulty in assigning specific bowls to Jews. "The presence of Jewish catchwords is not a sufficient criterion."³ Generally, the script is decisive.

The Nippur bowls were found above the Parthian layer. Small communities of Jews and Mandaeans resettled the deserted place, "drawn... by motives of religious community life." Montgomery holds that the latest dating is the seventh century, possibly somewhat earlier in the preceding century.⁴ Nippur was the center of a mixed

¹ *op. cit.*, pp. 96ff.

² *op. cit.*, p. 100.

³ *op. cit.*, p. 105.

⁴ *op. cit.*, pp. 158-9.

population, near the Khabur river in the north. The magic was eclectic, to say the least. Some of Montgomery's bowls follow:

In the name of the Lord of salvations.

Designated is this bowl for the sealing of the house of this Geyônâi bar Mâmâi, that there flee (2) from him the evil Lilith, in the name of 'YHWH El has scattered'; the Lilith, the male Lilis and the female Liliths, the Hag (ghost?) and the Ghul, (3) the three of you, the four of you and the five of you; [naked] are you sent forth, nor are you clad, with your hair dishevelled and let fly behind your backs. It is made known to you, (4) whose father is named Palḥas and whose mother Pelaḥdad: Hear and obey and come forth from the house and the dwelling of this Geyônâi b. M. and from Rāšnôî his wife (5) bath Mārath.

And again, you shall not appear to them in his (sic) house nor in their dwelling nor in their bedchamber, because it is announced to you, whose father is named Palḥas and whose mother (6) Pelaḥdad,—because it is announced to you that Rabbi Joshua bar Peraḥia has sent against you the ban. I adjure you [by the glory (= name)] of Palḥas your father (7) and by the name of Pelaḥdad your mother. A divorce-writ has come down to us from heaven and there is found written in it for your advisement and your terrification, in the name of Palsa-Peliṣa ('Divorcer-Divorced'), who renders to thee thy divorce and thy separation, your divorces (8) and your separations. Thou, Lilith, male Lili and female Lilith, Hag and Ghul, be in the ban... [of Rabbi] Joshua b. P.

And thus has spoken to us Rabbi Joshua b. P.: (9) A divorce writ has come for you (thee?) from across the sea, and there is found written in it [against you], whose father is named Palḥas and whose mother Pelaḥdad, ... they hear from the firmament (10)... Hear and obey and go from the house and from the dwelling of this Geyônâi b. M. and from Rašnôî his wife b. M.

And again, you shall not appear to them (11) either in dream by night nor in slumber by day, because you are sealed with the signet of El Shaddai and with the signet of the house of Joshua b. Peraḥia and by the Seven (?) which are before him. Thou Lilith, male Lili and female Lilith, Hag and Ghul, I adjure you by the Strong One of Abraham, by the Rock of Isaac, by the Shaddai of Jacob, by Yah (?) his name ... by Yah his memorial ... I adjure (13) you to turn away from this Rašnôî b. M. and from Geyônâi her husband b. M. Your divorce and writ (?) and letter of separation ... sent through holy Angels ... the Hosts of fire in the spheres, the Chariots of El-Panim before him standing, (14) the Beasts worshipping in the fire of his throne and in the water, the Legions of I-am-that-I-am, this his name... And by the adjuration of holy Angels, by ... el the great angel, and by 'Azriel the great angel, (15) and by Ḳabḳabḳiel the great angel, and by 'Aḳariel the great angel, I uproot the evil Necklace-spirits. Moreover you evil Liliths, evil Countercharms, ... and the letter of divorce (16). And again, do not return to them from this day and forever. Amen, Amen, Selah. Sealed upon him ... Gabriel (?).

Again (I adjure you), evil Lilith and evil Spirit ... (17) ... or kill ... depart from this Rašnôî b. M. And be they preserved for life! Amen, Amen, Selah, Halleluia.

(Montgomery, No. 8, pp. 155-6)

The bowl I deposit and sink down, and the work (2) I operate, and it is in [the fashion of] Rabbi Joshua (3) bar Peraĥia. I write for them divorces, for all the Liliths who appear to them, in this (house of ?) (4) Bâbanôš bar Qâyômâtâ and of Saradust bath Šîrin his wife, in dream by night and in slumber (5) by day; namely a writ of separation and divorce; in virtue of letter (abstracted) from letter, and letters from letters, (6) and of word from words, and of pronunciation from pronunciations; whereby are swallowed up heaven and earth, the mountains are uprooted, and by them the heights melt away.

(7) Oh, Demons, Arts and Devils and Laṭbê, perish by them from the world! Therefore (?) I have mounted up over them (you?) to the celestial height, and I have brought against you (8) a destroyer to destroy them (you) and to bring you forth from their house and their dwelling and their threshold and all ... place of the bedchamber of Bâbanôš b. K. (9) and of Saradust b. Š. his wife. And again, do not appear to them, neither in dream of night nor in sleep of day ... I dismiss you (10) ... letters of separation....

(11, exterior) In thy name have I wrought, YHWH, God, Sebaoth, Gabriel and Michael and Raphael. Thy seal is upon this besalment and upon this threshold. Amen, Amen.

(Montgomery No. 9, pp. 161-2)

Salvation from Heaven for Dâdbeh bar Asmandûch and for Šarqôî (2) bath Dâdâ his wife, and for their sons and daughters and their house (3) and their property, that they may have offspring and may live and be established and be preserved (4) from Demons and Devils and Plagues and Satans and Curses and Liliths and Tormentors, which may appear (5) to them. I adjure thee, the angel which descends from heaven—there being kneaded (something) in the shape of a horn, on which honey is poured—(6) the angel who does the will of his Lord and who walks upon the (throne) steps of his Lord *še'û*, and who is praised in the heavens (7) *še'û*, and his praise is in earth *semû*;—they are filled with glory, who endure and keep pure since the days of eternity, and their feet (8) are not seen in their dances by the whole world, and they sit and stand in their place, blowing like the blast, lightening like the lightning. (9) These will frustrate and ban all Familiars and Countercharms and Necklace-spirits and Curses and Invocations and Knockings and Rites and Words and Demons (10) and Devils and Plagues and Liliths and Idol-spirits and Tormentors and everything whatsoever evil, that they shall flee and depart from Dâdbeh b. A. and from Šarkôî (11) b. Dâdâ his wife and from Hônîk and Yasmin and Qûfithâi and Mehdûch and Abraham and Pannôî and Šîli the children of Šarkôî and from their house and from (12) their property and from their dwelling, wherein

they dwell, from this day and forever, in the name of YHWH Sebaoth. Amen, Amen, Selah. "YHWH keep thee from all evil, keep thy soul."
(Montgomery No. 12, pp. 174-5)

Closed are the mouths of all races, legions (2) and tongues from Bahmandûch bath Samâi. (3) And the angel Raḥmiel and the angel Ḥabbiel and the angel Ḥanniniel, (4) these angels, pity and love and compassionate and embrace Bahmandûch (5) b. S. Before all the sons of Adam whom he begat by Eve, we will enter in before them; from their clothing they will clothe her and from their garments they will garb her, the garment of the grace of God. (7) With her they will sit, on this side and on that, driving away (demons?), as is right. In the name of YHWH-in-Yah, El-El the great, (8) the awful, whose word is panacea, this mystery is confirmed, made fast and sure forever and ever.

Exterior

(9) Hark a voice in the mysteries! Hark the voice of ..., the voice of a woman, a virgin travailing and not bearing. Quickly be enamored. (10) be enamored and come Ephrâ bar Šabôrdûch to the marrow of his house and to the marrow of Bahmandûch b. S. (11) his wife; as (she was) a virgin (?) travailing and bearing not, so (may she be) fresh myrtle for crowns. Amen, Amen. (12) And made fast and sure is salvation from Heaven for Bahmandûch b. S. (13) A preparation (?) ... leaven, press it (?) ... Amen, Amen, Selah. Salvation and peace from Heaven, forever and ever and ever.

(Montgomery No. 13, pp. 178-9)

[This bowl] in thy name do I make, YHWH, the great God. May this bowl be for the sealing of Hormizdûch bath Mehdûch. I adjure thee ... (2) evil, in the name of holy Agrabis, in the name of MŞ MŞ, in the name of SP SP YHWK YHWK, who removed his chariot to (above?) the Red Sea ... (3) David, the Psalm of the Red Sea. Again I adjure you by him who lodged his Shekina in the temple of light and hail, and his ... (4) ... the exalted king. Halleluia, Halleluia. Oh avaunt, oh avaunt, avaunt! And in the name of Michael and Gabriel ... (5) in the name of Sariel, in the name of Seraphiel, Sûriel and Sarsamiel, Gadriel, Peniel, Nahriel. And all Blast-demons (6) and evil Injurers, whose names are recorded in this bowl and whose names are not recorded in this bowl,—oh, (7) oh, avaunt, sit down there! And ye shall be cast down, sitting within the glowing light and fiery flame (8). Amen, Amen, Selah.

(Montgomery, No. 14, p. 183)

Salvation from Heaven for Dâdbeh bar Asmandûch (2) and for Šarkôî bath Dâdâ his wife and for Hônîk and Yasmin (3) and Kufithâi and Mehdûch and Pannôî and Abraham and Šilâi the children of Šarkôî, (4) and for their house and their property, and that they may have children and may live long and be established, and that (5) no Injurer in the world may touch them.

And in his great name, whereby the holy God is called—wherein are

arts (?)—(6) which suppresses darkness under light, plague under healing, destruction under construction, injury (7) under ban, anger under repose: suppressed are all the sons of darkness under the throne of God in whose (?) name (8) are bound, suppressed Devils; gripped likewise are evil Spirits and impious Amulet-spirits and Names and Princes of (9) darkness and the Spirit (breath) of foulness and fatigue and the Tormentors of night and day and Curses and Necklace-charms and Words and Adjunctions (10) and Knockings and Rites, the Plague and the she-Plague and the voice of Invocation, and the Spell of poverty and Demons and Devils and Satans (11) and Idol-spirits and Liliths and Arts and mighty Works and the seven Tormentors of night and day. They are bound, suppressed and laid, (12) away from Dádbeh, etc. (as in 11. I ff.), (13) and from all their house and from their property and from all their abode, from this day forever. Amen, Amen, (14) Selah. "And YHWH said to Satan," etc.

(Montgomery No. 16, pp. 188-9)

This day above any day, years and generations of (2) the world, I Kômêš bath Maḥlaphta have divorced (3) separated, missed thee, thou Lilith, Lilith of the Desert, (4) Hag and Ghûl. The three of you, the four of you, the five of you, (5) naked are ye sent forth, nor are ye clad, with your hair dishevelled behind your backs. (6) It is announced to you, whose mother is Palḥan and whose father (Pe)laḥdad, ye Liliths: Hear and go forth and do not trouble (7) Kômêš b. M. in her house. Go ye forth altogether from her house and her dwelling and from Kallethâ and Artašria (8) her children. I have warded against you with the curse which Joshua bar Perôhiâ (*sic*) sent against you. I adjure you by the honor (name) of your father (9) and by the honor of your mother, and take your divorces and separations, thy divorce and thy separation, in the ban which is sent (10) against you by Joshua b. Peraḥia, for so has spoken to thee Joshua b. P.: A divorce has come to thee from across the sea. There is found written (in it), ye whose mother is (11) Palḥan and whose father Pelaḥdad, ye Liliths: And now flee and go forth and do not trouble Kômêš b. M. in her house and her dwelling.

I bind (12) and I seal with the seal of El Shaddai and with the seal of Joshua b. Peraḥia the healer, healing and release from Heaven for Abâ and Yazdid and Hônîk sons of Kômêš. Thwarted and frustrated are all Injurers, whom we have removed by the ban upon them. Amen, Amen, Selah.

(Montgomery, No. 17, pp. 190-1)

"Hear, Israel: YYYYY our God is one YYYYY." "According to the mouth of YYYYY they encamped, and according to the mouth of YYYYY they marched (2). The observance of YYYYY they observed according to the word of YHWH through Moses." "And YYYYY said to Satan: YYYYY rebuke (3) thee, Satan, YYYYY rebuke thee, who chose Jerusalem. Is not this a brand plucked from the fire?"

Again, bound and held art thou, (4) evil Spirit, and mighty Lilith, that thou appear not to Berik-Yahbêh bar Mâmê and this Ispandarmêd

bath H...dôrâ, (5) neither by day nor by night, nor at any evening or morning, nor at any time whatsoever, nor at any seasons whatsoever. But flee (6) from their presence and take thy divorce and thy separation and thy writ of dismissal. [I have divorced] thee, [even as demons write] divorces for their wives and return not (to them). (7, 8)

(Montgomery, No. 26, p. 209)

This bowl is designated for the sealing (2) of the house of this [Dâdbeh] bar Asmandûcht, (3) that from him and his house may remove the Tormentor, (4) and the Curse and the very evil Dreams. Charmed; fortified and confirmed, (5) corroborated, strengthened and sealed and guarded are these bowls for the sealing (6) of the house of this Dâhbeh b. A., that they may not lodge together (with them). In the name of Yâhîhû (7) NHRBTMW, S, MR'S, MRMR, 'oth Šasiboth, Astar, Mûtâ, YSHN'H, Ah, Ah, Ah, Ahah, (8) AAAAAAA, Amen, Amen, Selah, Hallulia.

Sealed and guarded shall be the house (9) and wife and sons of this Dâdbeh b. A., that there may remove from him and his house the Tormentor and the Curse and evil Dreams. Amen.

(Montgomery, No. 31, p. 223)

This bowl is designated for the sealing of the house and the wife (2) and the children of Dinôi bar Ispandarmêd, that there remove from him the Tormentor (3) and evil Dreams.

The bowl I deposit and sink down, a work which has been made (4) like that which Rab Jesus bar Parahia sat and wrote against them,—a ban-writ against all the Demons and Devils (5) and Satans and Liliths and Laṭbê which are in the house of Dinôi b. I. Again: he wrote against them a ban-writ which is for all time, (6) by the virtue of 'TMDG, Atâtôt Atôt, within T(?), Atôt Atôt the name, a writing within a writing. Through which (words) were subjected (7) heaven and earth and the mountains; and through which the heights were commanded; and through which were fettered Arts, Demons and Devils and Satans and Liliths and Laṭbê; (8) and through which he passed over from this world and climbed above you to the height (of heaven) and learned all counter-charms, a ruin to destruction, and ... to bring you forth (9) from the house of Dinôi b. I., and from all that is in his house, I have dismissed you by the ban-writ. And charmed and sealed and countersealed is it, even as ancient runes fail not, (10) and (like) ancient men who are not ... Again: charmed and sealed and countersealed is this ban-writ by the virtue of YHYHYHYHYH, YHYH, YHYH, A'. Amen, Amen, Selah.

(II) Sealed and protected are the house and dwelling of Dinôi b. I. from the Tormentor and Evil Dreams and the Curse. And sealed and protected be [his wife and son] (12) from the Tormentor and evil Dreams and Curse and Vows and ... Hallelu, Amen.

(Montgomery, No. 32, pp. 225-6)

This bowl is designated for the sealing of the house of Mihr-hormizd bar Mâmi (2) by power of the virtue of Jesus the healer, by the virtue

of my mighty relative. Charmed is the dwelling, and the abode (3) and the house and the wife and the sons and the daughters of Mihr-hormizd, who is surnamed b. M.; charmed and sealed (4) even as Moses commanded the Red Sea and they (the waters) stood up like a wall on both sides. Charmed and sealed, charmed and sealed, (5) by this word which God laid upon the earth and the trees which ... their tops; charmed and sealed with the seal of the mountains and heights; (6) charmed and sealed (with the spell which is) in the heavens and the earth, the sun and the moon, the stars and (zodiacal) signs, and by the word they are charmed and remain in ward. In the name of (7) Michael the healer and Rofiel the reliever, and Gabriel the servant of the Lord.

Charmed and sealed is all evil that is in the body of Mihrhormizd b. M. (8) and in his house (and) his wife and his sons and his daughters and his cattle and his property and in all his dwelling, by the signet of Ariôn son of Zand and by the seal of King Solomon son of David, (9) by which were sealed the Oppressors and the Laṭbê. And we have sealed with the seal of El Šaddai and Abraxas the mighty lord, and the great seal with which were sealed heaven and earth and all Demons (10) and foul Knots and Laṭbê, which contend against him. And a seal is this against Harm and Constraint (?), that they shall not at all enter in. And every *Damkar* and *Šaiṭ* and *Sara* are charmed by the spell of (11) fire and the enchainment of water until the dissolution of heaven and earth. Amen, Amen, Selah. Sealed and guarded be the house and wife and sons and property and body of Mihr-hormizd (12) b. M., and depart from him the Injurer and evil Dreams and the Curse and the Vow and Arts and the Tormentor and Damages and Losses and Failures and Poverty.

And sealed and protected be Bahrôî bath Bath-Sâhdê from the Tormentor and evil Dreams and the Curse and the Vow and Arts and Practices. And charmed be the Tormentor and Lilith and Ban-spirit, who thwarts her in her hand and foot, and may it not approach nor afflict this Bahrôî b. B.

(Montgomery, No. 34, pp. 231-2)

Appointed is this bowl for the sealing and guarding (2) of the house and sons and property and body of Mâidûcht (3) bath Kumbôî, that she may be guarded from Demons, Plagues and Devils and Satans (4) and Seducers and Diaboli, and from any Vows and Invocations and Rites of mankind; in the name of (5) *arši*, *ardî* and *mâri*; Michael and Nûriel and Šaltiel and Mantariel and Ĥithmiel. (6) And they were commissioned along with Moses to wardship, and they will guard this Mâidûcht b. b. (7) K. from all hostile Devils and affrighting Demons, and from every Curse and Vow of mankind, of men (8) and of women, and of Idol-spirits who (are known) and who are not (known) by name. And in the name of ..., Ĥamariel and Šariel (9) ... of Yah-Adon-Ķamyā; *nâyâ*, *ô*, *ô!* Commanded, commanded is it in the name of these angels and letters which will guard (10) and seal this Mâidûcht b. K. from everything evil, for the ages forever, Amen. Sealed and guarded is Mâidûcht b. K. from

(11) the Tormentor and evil Dreams and the Curse and the Vow; and charmed the Tormentor and Lilith and Ban-spirit who thwarts her in her hand and foot; and may it not approach Mäidücht (12) b. K.

And guarded be the house and wife and son and property of Dinöi son of Ispandarmêd from the Tormentor and evil Dreams and the Curse and the Vow. Amen.

(Montgomery, No. 35, pp. 236-7)

Shaddai

Sanui Sansanui Semnigraph Adam YHWH Kadmon Life Lilith
 In the name of Y" the God of Israel who besits the cherubs, whose name is living and enduring forever. Elija the prophet was walking in the road and he met the wicked Lilith and all her band. He said to her. Where art thou going, Foul one and Spirit of foulness, with all thy foul band walking along? And she answered and said to him: My lord Elija, I am going to the house of the woman in childbirth who is in pangs (?), of So-and-so daughter of Such-a-one, to give her the sleep of death and to take the child she is bearing to suck his blood and to suck the marrow of his bones and to devour his flesh. And said Elija the prophet—blessed his name!—With a ban from the Name—bless it!—shalt thou be restrained and like a stone shalt thou be! And she answered and said to him: For the sake of Y" postpone the ban and I will flee, and will swear to thee in the name of Y" God of Israel that I will let go this business in the case of this woman in childbirth and the child to be born to her and every inmate so as do no injury. And every time that they repeat or I see my names written, it will not be in the power of me or of all my band to do evil or harm. And these are my names: Lilith, Abitar (Abito?), Abikar (Abiko?), Amorpho, Hakaš, Odam, Kephido, Ailo, Matrota, Abnukta, Šatriha, Kali, Batzeh, Taltui, Kitša. And Elija answered and said to her: Lo, I adjure thee and all thy band, in the name of Y" God of Israel, by gematria 613, Abraham, Isaac and Jacob, and in the name of his holy Shekina, and in the name of the ten holy Seraphs, the Wheels and the holy Beasts and the Ten Books of the Law, and by the might of the God of Hosts, blessed is he—that thou come not, thou nor thy band to injure this woman or the child she is bearing, nor to drink his blood nor to suck the marrow of his bones nor to devour his flesh, nor to touch them neither in their 256 limbs nor in their 365 ligaments and veins, even as she is (= thou art?) not able to count the number of the stars of heaven nor to dry up the water of the sea. In the name of: 'Hasdiel Šamriel has rent Satan.'

(Montgomery, No. 42, pp. 259-260)

[A charm for Geniba against the evil spirits that they may not touch him] nor his house, wife, children and property, from now and forever and ever. Amen. Ya, Ya, [Ya], Ya, Ya, Ya, Ya!, seven [times?] Avaunt, avaunt to the [southern?] bolt (pole?) of the heights of the house (?) whose flames are the lightnings, lightning of fire, and the [northern?] bolt of the shades of darkness, and their chariots the chariots of the *laŕŕábé*. Exorcism upon you, Sun and Moon, condemnation upon you,

Astânâ and Ur ... ūthâ. And I make fast their bonds, links of brass and lead and iron, and they are sealed in the name of Šambhizâ, the lord Bagdânâ. Be there sealing and warding for Genibâ bar Dôdâi and for his house, wife, children, and cattle, and flee and depart all demons, devils, amulet-charms, idol-spirits (= gods), goddesses and liliths from Geniba bar Dodai, and from his house, wife, sons and cattle, that they transgress not nor do harm against this Geniba bar [Dodai].

(Montgomery, *JAO* 32, 1912, p. 435)

As to the writs of divorce, Montgomery comments, "The separation of the lilith from her victim is expressed in terms of a divorce-writ. This was the happy thought of the magicians, who thus applied the powers of binding and loosing claimed by the rabbis to the disgusting unions of demons and mortals. The logic of the procedure was very simple—if only the liliths were as submissive to divorce as their human sisters... I do not know of any case of the occurrence of this magical *Geṭ* outside of the bowls. The magical writ affects the same forms and formalism as that of the divorce court. In the parallel bowl, No. 17, a form of date is given... The names of both parties are exactly given, hence the parents of the liliths are here specifically named... It was necessary that the writs should be properly served on the divorcée, hence... 'take thy writ,' a sentence consummating the process, and then the divorced demon must betake herself from her victims' property, as commanded by the peremptory 'Hear obey and go forth.' But there is a difference; against spiritual powers divine authority was necessary. And so it is affected that the writ has come down from heaven, that is, it belongs to the category of writs from foreign countries, for which there were special forms... The commissioners and witnesses are the holy angels... A rabbi is also at hand to seal as notary the divine decree, none other than the famous master magician Joshua b. Perahia."¹

On No. 13, Montgomery states that the style contains numerous Hebraisms. "The incantation has a Jewish cast in its address to certain angels, whose names are expressive of love and in its use of biblical divine names."² No. 14 is another in the name of YHWH and the angels. No. 16 is a charm for the large family that appeared in No. 12. No. 17 is an abbreviation and often incorrect replica of No. 8.³ The special interest of No. 26 lies in its quotation of the *Shema*, which occurs in *Mezuzot* as well. The *Shema*, like *tefillin*, was believed by rabbis to

¹ *op. cit.*, p. 179.

² *op. cit.*, p. 191.

³ *op. cit.*, p. 227.

ward off demons. Montgomery further comments on the appearance of Joshua b. Peraḥia as *Jesus* in reference to Nos. 32-33. He wonders whether the magical reference to Jesus b. Peraḥia is a confusion with Jesus Christ.¹ (But see Epstein below.) He further comments, "We find then in these magical bowls an independent tradition concerning an early hero of the Law, who appears as endowed with magic powers, and who furthermore was able to make the ascent of the soul to heaven. He was accordingly one of the earliest to attain that spiritual privilege which was the claim of apocalyptists from the author of *Enoch* down... Joshua was possibly one of the good company of apocalyptists and our magic tradition may preserve a true reminiscence of his personality and claims."² No. 34 is presumably a Christian equivalent, and No. 35 is largely a replica. No. 42 is utterly different from the others. It and its legend are certainly Jewish, with Elijah and Lilith the chief figures. It recalls Abaye's encounter with 'Igrath.

Epstein on Montgomery: J. N. Epstein's long philological study of Montgomery's materials³ is of special interest here, because it contains Epstein's judgment on which of the bowls were Jewish. He specifies Nos. 9, 12, 16, 31, 32, 33, and 35 as bowls in which the clients certainly were Jewish, probably also No. 15. The writers of Nos. 31 and 12ff. were not necessarily the same, and the clients did not have to make use of the same scribe.⁴ The client of Nos. 12 and 16 probably used a different scribe from the one who wrote Nos. 31, 33, and 15 and 34.⁵ Further that Nos. 31-5 were of Jewish origin is indicated, Epstein says, by "the absence of any trace of Christianity." The reference to "Jesus the physician" is directed toward the Rabbi Joshua of Nos. 32-3, appearing also in Nos. 17 and elsewhere, as we have seen. The mention of Joshua b. Peraḥia as exorcisor of spirits is a sure sign of Jewish origin. Such a personality "could not be honorably named by a Nestorian," or called Rabbi. In any event Nos. 31-5 could not be pagan. The text published in *JAOS* was certainly Jewish, Epstein holds.

Gordon: Among the other major contributions were the several by Cyrus H. Gordon, of which I have selected three:⁶

¹ *op. cit.*, pp. 227-8.

² *op. cit.*, pp. 262-4.

³ J. N. Epstein, "Gloses Babylo-Araméennes," *REJ* 73, 1921, pp. 27-58, and 74, 1922, 40-72.

⁴ *REJ* 74, 1922, pp. 42-3.

⁵ *ArchOr.* 9, 1937, p. 84.

⁶ "Voici un acte de divorce au démon, aux esprits, à Satan, à Nirick, à Zariah, à Abtour-Toura, à Dan... et à Lilith. Puissent ils disparaître de la localité de Bahran,

In Thy name! Mazdewai, the daughter of Immā Salmā (and) Beryl, the son of Immā, her husband. (2) In Thy name do I act! Salvation from the heavens! Mazdewai, the daughter of Immā Salmā; Beryl, the son of Immā, her husband—that there may live and be preserved for her, sons and daughters (!) and that nothing bad whatsoever may injure them. In the name of the L[ord] and 'I Am That I Am'. For the binding of Bagdānā (!), (3) who is the king; (to wit,) the king of the demons and devil(s) and the great ruler of the liliths—I adjure thee, O Lilith Ḥablas, the granddaughter of Lilith Zarnai, who dwells on the threshold of this Mazdewai, the daughter of Immā Salmā, and of this Beryl, the son of Immā. Amen. (4) (O thou) who fillest the habitation (?), smitest, strikest and castest down and stranglest, and killest and castest down (?) both boy(s) and girl(s). WMLR MŠY WMR MYSYT'. I adjure thee that thou be smitten in the membrane of thy heart and with the lance of Qatros, the mighty. And mayest thou be uprooted. And again (5) mayest thou cease and be distant from this Mazdewai, the daughter of Immā Salmā, from this Beryl, the son of Imma, her husband—amen—from their sons and daughters, that they have or will have, and from their sons and daughters, that they have or will have, and from their house, from all their yard and from all their threshold. Lo I have written (a divorce) for thee, lo I have dismissed thee (6) and lo I have abandoned thee and lo I have banished thee with a bill of divorcement Amen? ? ?, as demons and devil(s) write and serve divorces on their wives and again they do not return to them in their residence(?); so, thou wicked lilith—(7) (be thou) male lili (or) female Lili(th)—and strangler and daughter (of demons) and ghost (?) and ? and profane one—take (thy) divorce and thy document of dismissal and thy letter of banishment and flee and take flight and go out and depart from this Mazdewai, the daughter of Immā Salmā (and) from her husband Beryl, (8) the the son of Immā—amen—from his sons and from his daughters and from all his yard. And appear to them neither in visions of the day nor in impure fancies of the night, in the shape of neither man nor woman, nor any ? ?. And

de celle de Bethunyan, du Bahr du désert, du Espandarmid, de toute la maison. Ô Eternel bon, brise le roi des démons et des Dew, la puissance grande de Lilith; je t'en conjure... Lilith, petite-fille de la belle Lilith, soit mâle, soit femelle, je te conjure... Qu'il se détourne, votre cœur, et par le sceptre de l'homme puissant qui domine sur les démons, sur Lilith, cette fille qui est dans les ténèbres. Ah! Ah! je vous annule (repousse) de là, de la maison de Bahran-localité, et de celle de Bethunian, ainsi que des alentours. Comme les démons écrivent des actes de divorce et les remettent à leurs femmes, et celles-ci ne reviennent plus auprès d'eux, ainsi, prenez votre acte de divorce, recevez votre douaire écrit, et sortez, fuyez, hâtez-vous, et quittez le maison du lieu de Bahran, du lieu Bethunian, au nom de Dieu l'Eternel... Allez aux ténèbres, devant l'homme puissant, scellé de son anneau, pour que l'on sache qu'ils n'y sont plus. Que ce soit là une bonne lumière. Amen, amen, amen, Sela."

(Schwab, *Proceedings of the Society of Biblical Archaeology* 12, 1889-90, p. 300).

do not approach them and do not molest (9) them and do not devour their sons(!) and their daughters, that they have or will have. Sealed with the great seal of the Holy One. It is sealed on thy divorce. The Holy One, YH, holy is He, Hosts is His name, YHYHYHYH, I Am That I Am, awful and holy. Amen. (10) amen, amen, selah. TL' KBL TL' in them TL'. 'Even as the mountains encircle Jerusalem, so the Lord encircles his people. From henceforth and forever. Beloved and cherished art thou(?), O Israel. Thy amulet(?)—also(?) I shall bring thee up into the ark. Meat with? I shall feed thee, and wine (11) with? I shall make thee drink.' Again (?), salvation from the heavens for this Mazdewai, the daughter of Immā Salmā. Healed? in the name of the L[ord]. I adjure thee, O Lilith Ḥablas, the grand-daughter of Lilith Zarnai, who smitest and strikest and killest—I adjure thee (that thou be smitten) in the membrane of thy heart (with) the lance of Qatros, the mighty. Lo, I have written (a divorce) for thee, lo I have dismissed thee as the demons write and serve divorces on their wives and again they do not return to them. Now, take thy divorce and receive thine adjuration and fly (12) and flee and get out of the house, out of the yard, out of the threshold, out of the four (walls), (out of) the midst of the house, out of the body of Mazdewai, the daughter of Immā. Amen, amen, selah.

(Gordon, *ArchOr* 6, 1934, pp. 470-1)

Dismissed and divorced are all ...; (2) bound by Zarḥiṣi'el the star ... (3); and upset be (4) all the bad sorceries and all the mighty practices that have been worked (5) and are being worked against the threshold of Bri(k)-Marya son (6) of Rišinduk; and let them be upset upon those that work them and those that send them. In the name of *faithful* 'El, (7) 'Uzzi'el and 'ŠR and 'Azri'el! Amen, amen, selah. (Let there be) health from the heavens for the threshold (8) of Brik-Marya son of Rišinduk so that there may be abolished from him all bad satans and bad sorceries and mighty practices (9) and devils and demons and idols, "no-good-ones," and roofspirits—(yea) from the house of Brik-Marya son of Rišinduk. In the name of YHYHYHYH-YHYHYH (10) YHYHYHYHYHYHYHYH YHYHYHYHYHYHYHYH. I have adjured you (pl. !), O thou (sg.) fleet son of roofs, the good prince, who has used the house (11) of Brik-Marya son of Rišinduk that he may be abolished from the house of Brik-Marya son of Rišinduk! [In the name of 'A]dani'el and *one of Kurmin* (12) of BWR 'DSWK and son *days*, the trusty, the trusty! Abolished are all the haters/sa(ta)ns and idols and devils demons (and?) all ba[d] practices [from] the threshold (13) of Brik-Marya son of Rišinduk in the name of 'Adani'el, *one of Kurmin*. Amen, amen, amen, selah.

(Gordon, *Text Five, Orientalia* 10, 1940, pp. 123-4)

And again blinded are all the idols, male and female, and sorceries and vows and curses and the evil spirit. (They are) bound and tied and sealed. Their mouth(s) are shut and their eyes are blinded and their ears are deafened so that they cannot hear (anything) against 'Amṭur daughter

of Šilta and against her seed and against her house and her property. (2) They are bound by their hand that they may not walk and tied by their foot that they may not... Vanquished, thrashed and trodden are all the idols and Istars, all hard ..., and sorceries and practices and vows and curses and the "column of the spine" and evil spirits so that they may not (3) sin against 'Amṭur daughter of Šilta and against her seed and against her house and against her property. Lo all of them are bound and sealed in the name of 'H'H'H'H amen, amen, selah. YHWH YHWH YHWH 'El Šadday 'El Šadday. In the name of "H "H "H! In the name of The Great Name are bound the heavens (4) and earth; and all of them are terrified so that weapons may not be released. YHYHYH WHWN. And with the rope of the great king, (yea) with the chain of iron and the bar! (5) In the name of 'Z' MP' at (the sole (palm)). By Kabši'el the angel, by Šuri'el the angel, by Gabriel the angel, by RDṬṬṬi'el the angel, by Barqi'el the angel, by Raḥmi'el, by 'Adani'el! (As for) you, all of you holy, chosen, pure and holy, glorious and pious angels; I adjure you (6) with the great oath and I make you swear the great promise that ye will depart and re(mo)ve and abolish all the sorceries and all the idols and Istars and vows and curses and "column of the spine" and every (7) flying and resting spirit, either sent or not sent, that they may cease from 'Amṭur daughter of Šilta and from her seed and from her house and her property and they may go (8) and be upset upon those that work them and upon those that send them from this day and for ever, amen, amen, selah.

(Gordon, Text Six, *Orientalia* 10, 1940, pp. 125-6)

On the bowl published in *ArchOr.* 6, 1934, pp. 468ff., Gordon comments that the praxis "of banishing a lilith by serving a bill of divorce-ment on her is already well known." The inscription "is of Jewish origin and probably dates from about the time of the Islamic Conquest in the seventh century A.D." In *ArchOr.* 9, 1937, he adds that the bowl-magic goes back to remote antiquity, that demons such as Lili, male demon of the night, and Lilith, female demon of the night, "are all frequently mentioned in Akkadian magical literature."¹ The bowls published by Gordon in *Orientalia* 10, 1941, may have been Jewish.² No. 6 also was published by Schwab. Gordon comments that Schwab "has garbled this... text... He failed to recognize seventy-three out of the hundred and ninety-three words in the inscription." Gordon elsewhere³ holds that the bowls were *not* turned upside down in order to trap the demon, who supposedly would be forced into the bowl by incantation and then buried therein. No one would want to trap a

¹ See vol. IV, p. 366.

² *The Living Past* (N.Y., 1941), pp. 198-217.

³ *op. cit.*, p. 29.

demon on his own property, but rather preferred to exorcise him. Hence it may be that the bowls are to be compared to skulls, found in the same place. Gordon explains that the reference to so-and-so son of such-and-such a mother was due to the greater exactitude of maternal than paternal ancestry. Magic must be exact. Demons may impersonate husbands and father children—this is the very point of some of the bowls—and therefore the use of the mother's name was wise.

McCullough: Among the incantation bowls in the Royal Ontario Museum are the following two which McCullough designates as Jewish:

(1) Girt are El-El, Dilri'iel, Sariel, and Shlishiel; be gone, ye five angels (2) who are afflicting the house of Babai, son of Mahlapta, with ghosts; and they will bind Qyymthd M'brzyn with a millstone; (3) the Jerusalemite, daughter of Mruduk, (is) under the protection (or "good luck") of Babai, son of Mahlapta, (and of) Qristia, mistress of Babai, son of Mahlapta; (4) this (lit. "which") is tied and sealed with the signet-ring of El Shadqai belonging to Babai, son of Mahlapta.

(McCullough, Bowl A, pp. 3-4)

(1) fenced in (or "whipped"), bound, sealed (2) they worked destruction against Jannai bar Zkut GYWYWYW (3) evil (or "his evil") and the powers of healing will deliver the house and the shed of bar Zkut. Razhel YY (4) HWTT' will clear out the evil Zgus which is in bar Jannai bar Zkut and despised, sealed, and crushed. (5) Jannai wrote ZBBYTYL he cut off YYYYHZHZY' desirable (6) protect Jannai Zkush whom YY and RWH and the demons of the outdoors it (or "you") shall frighten away of WWWWWW and (7) be uttered a charm 'WWW' you (pl.) shall pull out LYDH YWWWWW from verily protect (8) I will smite 'RHWHZ' WWWWW. Jannai placed ("constrained"?) the demons S'NSWT and YWWKNHWWWW 'HYN 'LN (or "god," or "our god") 'LN, the hateful ones; the formula W.WWW (9) all WWWN ZWWW ZWWWZWWH and 'WWW'YYYYN of the seal of Shaddai and the formula of the genii YYYYW.

(McCullough, Bowl B, p. 7)

The following bowl, of Mandaean origin, is of special interest, because, McCullough points out, most of those mentioned "appear to be Jewish angels. This fact, along with a limited number of other words familiar to us from Jewish sources, suggests that "the bowl-writer, if a Mandaean, was strongly influenced by Jewish ideas and Jewish magic."¹ It may be that the bowl was written by a Jewish magician

¹ *op. cit.*, p. xi.

who knew Mandaic. In any event since McCullough is certain the bowl served a Mandaean family because the language is Mandaic, it is important as an example of Jewish influence on Mandaean praxis:

(1) Let the spell and the healing and the sealing and the girding (2) and the great safeguard of soundness be to the house, the dwelling, (3) and the habitation and the building and the bread and the water, and to all the threshold of Buktuya, son of Kushai, (4) and to the spouse Zaduya, daughter of Shirin, and to all the people of the house; I adjure on your behalf the spells, all of them created beings (5) in the name of

El	Yh	Yh	Yh	Yh	Yh	Yh	Yh	Yh	Qadosh
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 the Kingdom, and in the name of (6) Metatron HLDH who serves before the Curtain and who has compassion upon the town and who has compassion upon the countryside; he conjures (7) the hundreds of fierce angels of Halahkin, who has sweetened meat for eating and wine for drinking. The sound of the weapon, and the shout and the shout and the command! The voice of the Master of (8) the evil demons and the good demons, the dumb and no-good devils, and the Liliths, and the Hurrian demons, and the Aramaean demons, and the Persian angels, and the Hozaites angels, and the male demons, (9) and the female demons. Cease (pl.) and frustrated go trembling from the house of Buktuya, son of Kushai, and from the spouse Zaduya, daughter of Shirin, and from all the people of the house. In the name of the angels Gabriel, (10) Michael and the angel Ziel; in the name of the angel Nadriel; in the name of the angel Yhadiel. You angels shall destroy whatsoever is hateful from the house of Buktuya, son of Kushai, and from the spouse Zaduya (11), daughter of Shirin, and from his dwelling and from the sons and from the daughters of Buktuya, son of Kushai, and of Zaduya, daughter of Shirin, and from the possessions and from all the flesh and blood that are in that house of Buktuya, son of Kushai, and of Zaduya, daughter of Shirin. (12) In the name of Adrbān Aruhun. Amen Moses of the myriads: I myself am Moses just as much as Hiel who is strength and Ziwiel who is splendour and Hadriel who is clothed with beauty and Hasdiel who is clothed with kindness. In the name of Adrbān, mighty Adrbān, (13) hasten, vanish, perish, and the great Qmiel Antun all upon the seven upper firmaments, and Priel Antun you (s.) and these angels who are inscribed in this bowl, let them destroy from (the person of) Buktuya, son of Kushai, and from (14) the spouse Zaduya, daughter of Shirin, and from the house of Buktuya, son of Kushai, and from Zaduya, daughter of Shirin, all evil satans male and female, from the house and from the threshold of Buktuya, son of Kushai, and from the spouse Zaduya, daughter of Shirin, and from (15) their sons and from their daughters. Amen Amen Selah. ##### LWWT ##### WZ' # ZWW'LLL' # Z'Z' # QQW'NWN ##### '##' ##### S'ZZ # ' ## W' SSL #####. Spells of all male and female spirits. Bound are these (16) male and female Liliths. I have bound and I have sealed with spells which are unbreakable. I conjure

you (s.) and I adjure you (s.) with the exorcisms: I am a kinsman and I will invoke a decree and it will guard the (household) vessels. And be (s.) upon Akmahin, the sickly Akmahin, and upon Cain (?) the leper. By these I conjure you (s.) (17) that you (pl.) may not be to Buktuya, son of Kushai, and to Zaduya, daughter of Shirin, comrades in the night and for companionship in the day. 'ZZZZZZZ#. Against the Strong One are there not injuries? Let the spell and the healing and the sealing and the girding and the safeguard of the names and of the angels of healings be (18) to the house, the dwelling, and the habitation, and the building, and to the sons and to the daughters and to all the threshold of Buktuya, son of Kushai, and of (lit. "from") the spouse Zaduya, daughter of Shirin, and to their male sons and to their female daughters, and to all the people of the house. Yea and Amen Amen Selah. Finished.
(McCullough, Bowl D, pp. 31-3)

McCullough holds that these bowls are to be dated at about the same time as Montgomery's. Text A and B date "roughly in the period which produced the Babylonian Talmud."¹ McCullough persuasively comments that the actual *use* of the bowls, particularly the reason the spell was written on a bowl in the first place, and inside it in the second, is by no means clear. We cannot account for the peculiar position in which the bowls were found. We assume they were phylacteries. It is difficult, though, to know the specific sources of the incantation bowls. McCullough specifically rejects Montgomery's view that bowl magic existed in ancient Babylonia. Divining vessels are familiar, but "the connection between them and our inscribed bowls is by no means obvious."

Obermann: Obermann's two texts² are in Judeo-Aramaic. The first text, to serve the family and possessions of Farrukh-Khosrau, is in the name of God, "the living and lasting," but contains no names of angels. All the names in the list are Iranian. The writer, however, "was in the habit of writing Hebrew as well as Aramaic."³ The imprecation-incantation on the second bowl likewise is written for Iranian-named clients. Seven planet-gods are mentioned. The passage includes reference to the great day of judgment, but this could be Iranian or Christian as well as Jewish. The language is "virtually identical with that of the Babylonian Talmud."⁴ But, Obermann adds, the term "Judeo-Aramaic" actually applies just as much to the bowls' ideology. Belief in the

¹ *op. cit.*, p. xiv.

² Julian Obermann, "Two Magic Bowls: New Incantation Texts from Mesopotamia," *American Journal of Semitic Languages and Literatures* 57, 1940, pp. 1-31.

³ *op. cit.*, p. 28.

⁴ *op. cit.*, p. 29.

"reality of spirits and in the validity of exorcism goes hand in hand with their inherited adherence to *God, the living and lasting, the Ruler and Creator*—although occasionally he may be referred to in terms more suitable to Ahura-Mazdah than to the God of Israel." Yet in the end Obermann does not explicitly express the view that these bowls were prepared for Jewish clients. I suppose, though, he means to imply they were written by Jewish magicians.

Zlotnik-Patai: R. Patai called attention to, and translated, the following bowl, published by J. L. Zlotnik, in which the female and male demons are given bills of divorce "in order thus to rid of them the house and its inhabitants":

This is the *gef* for a demon and spirits and Satan ... and Lilith in order to banish them from ... the entire house. Yah ... cut off the king of the demons ... the great ruler of the Liliths. I adjure you ... whether you are male or female. I adjure you ... Just as the demons write letters of divorce and give them to their wives and again do not return to them, so take your letter of divorce, accept your stipulated share [*ketubah* = marriage-contract funds] and go and leave and depart from the house ... Amen, Amen, Amen, Selah.¹

III. R. JOSHUA B. PERAḤIA IN BABYLONIA

To the Jews of sixth and seventh century A.D. Babylonia, the figure of R. Joshua b. Peraḥia clearly was associated with two anti-demonic prophylaxes, first, the ability to issue legal bills of divorce against female demons, second, the pronouncement of a ban against demons. The divorce and the ban seem confused. In Montgomery No. 8, the ban is announced, and then the proper formula for a divorce delivered from abroad is introduced, together with the necessary witnesses, signatures, and sealing, the last-named with the signet of God and of Joshua's house. In Nos. 9, 17, and 32, the divorce is more clearly explicated, again in proper legal language. The Lilith is adjured to receive the divorce, as is legally necessary.

R. Patai provides the following summary, based on Montgomery, of the figure of Lilith in the magical bowls:

Lilith was regarded as the ghostly paramour of men and constituted a special danger for women during many periods of their sexual life-cycle: before defloration, during menstruation, etc. A mother in the house of childbirth and her newborn babe were especially vulnerable

¹ Raphael Patai, *The Hebrew Goddess* (N.Y. 1967), p. 214, translated from J. L. Zlotnik, *Ma'aseh Yerushalmi* (Jerusalem, 1946), p. 33.

and had therefore to be protected from the Liliths. The home, arches, and thresholds were the favorite haunts where Liliths lurk, ready to pounce on anybody foolish enough to go unprotected. A rough drawing sketched on a Jewish bowl shows Lilith naked, with long, loose hair, pointed breasts, no wings, strongly-marked genitals, and chained ankles. At night, the female Liliths join men, and the male Liliths women, and generate demonic offspring. Once they succeed in attaching themselves to a human, they acquire rights of cohabitation, and therefore must be given a *gef*, letter of divorce, in order that they may be expelled. Jealous of the human mates of their bedfellows, they hate the children born of ordinary human wedlock, attack them, plague them, suck their blood, and strangle them. The Lilith also manage to prevent the birth of children by causing barrenness, miscarriages, or complications during childbirth...¹

Three questions require answer. First, is the procedure of issuing a bill of divorce against demons to be located elsewhere in the published bowls? And if so, what authorities are associated with the procedure? Of the forty-two exempla of Montgomery, the figure of divorce appears in eight. Of these, Joshua appears in all but three. Strikingly in the exempla where Joshua is *absent*, the language includes an *explanation* of the divorce procedure, which we do not find in the Joshua-bowls:

No. 11: Behold I have written for thee (i.e. a divorce), and behold I have separated thee ... [*like the demons*] who write divorces for their wives and do not return to them. Take thy divorce from ... [Italics supplied]

No. 26: Again, bound and held art thou, evil Spirit and mighty Lilith ... But flee from their presence and take thy divorce and thy separation and thy writ of dismissal.

Similar language occurs in No. 18, and in Gordon *ArchOr* 6. Montgomery comments, "The additional thought appears here (No. 11) that inasmuch as demons divorce their spouses, divorce-writs must be as effective on them as among human kind."²

Yamauchi³ provides instances of the appearances of the word GYT' in Mandaean texts—text 21, lines 10, 11:

...as the demons write a bill of divorce for their wives in truth, and may not return again ... Behold, take your bill of divorce and receive your oath...

Thus the Mandaean bowl explains the force of the *gef*. PTR appears in 21: 9; ŠBYQT occurs in the meanings of 'dismiss,' 'divorce,' 'forsake,' and 'leave' nineteen times, though not all usages signify the language

¹ R. Patai, *The Hebrew Goddess*, p. 212.

² *op. cit.*, p. 172.

³ Edwin M. Yamauchi, *Mandaic Incantation Texts* (New Haven, 1967).

of divorce-writs, so far as I am able to tell. Likewise, Gordon *ArchOr* 6, pp. 470-1, and Gordon, Text Five, *Orientalia* 10, pp. 123-4, contain not merely curses and bans but also writs of divorce. This brief survey shows, as we saw above, that the usage of divorce-magic was certainly not unique to the Jews who invoked the name, ban, sealing, and magic of R. Joshua b. Peraḥia. But it is equally clear that R. Joshua was associated with such a technique, appearing in the context of ban and divorce. I therefore find it a striking fact that the divorce-praxis is explained in the Mandaean setting and also wherever Joshua's name is omitted.

Second, do we ever find in rabbinical literature the use of a divorce, writ, or the language of a divorce, as an anti-demonic prophylaxis? I am not able to offer a definitive answer. I find no reference whatever to the use of a document of divorce as a means of protection from demons in Trachtenberg¹ or Ginzberg.² Since the Joshua-bowls refer consistently to Lilith, one might suppose that the use of a divorce to banish her was based upon her mating with Adam:

She remained with him only a short time because she insisted upon enjoying full equality with her husband. She derived her rights from their identical origin. With the help of the Ineffable Name, which she pronounced, Lilith flew away from Adam, and vanished in the air. Adam complained before God ... who sent three angels to capture her ... The only way to ward off evil [she does to babies] is to attach an amulet bearing the names of her three angel captors to the children...³

No reference to writing a bill of divorce is given by Ginzberg. While that fact cannot be offered as definitive, it is highly suggestive. Similarly, Kohut makes no mention of such a prophylaxis in connection with lilit.⁴ We do have some instances in which rabbis drove off 'Igrath (= Lilith)⁵ in particular b. Pes. 112b. In both instances there, heavenly respect for the rabbi's learning (Torah) led to her being forced to accept his commands. Abaye thereupon said, "I order you never to pass through settled regions." The magical bowls, by contrast, make

¹ Joshua Trachtenberg, *Jewish Magic and Superstition* (Philadelphia, 1961).

² Louis Ginzberg, *Legends of the Jews* (Philadelphia, 1946). Since Lilith occurs in the magical bowls, one might suppose that a similar bill of divorce of Lilith might be referred to in Talmudic literature. Ginzberg refers to no such phenomenon. He does note that she was warded off by an amulet, I, p. 66.

³ Ginzberg, I, pp. 66-67.

⁴ Alexander Kohut, "Über die Jüdische Angelologie und Dämonologie in ihrer Abhängigkeit vom Parsismus," *Abhandlungen der deutschen morgenländischen Gesellschaft*, IV, No. 3, pp. 86-89.

⁵ I here follow Kohut's identification of 'Igrath with Lilith, but it was in fact rejected by both Ginzberg and Blau, with good reason.

no mention of R. Joshua's "Torah." Finally, we may note that Ludwig Blau¹ and Gideon Brecher² make no reference whatever to divorcing Lilith. It is far easier to say what *is* in the Talmud and cognate rabbinical literature than what is *not* to be found there.³ I can only tentatively suggest that while rabbinical literature knows Lilith quite well, at no point does a rabbi refer to divorcing her in the manner described by the magical bowls or in any other way.

It may be that the general, universal view that demons divorce their wives produced the specific, Jewish practice, attributed to R. Joshua b. Peraḥia, of casting various spells, but especially, of issuing a legal bill of divorce against the demon. Quite to the contrary, however, the explanatory clause, "like the demons who write divorces for their wives and do not return to them," certainly is evidence that the exorcist supposed it to be an exceptional or strange practice, requiring an explanation (for the demon? for the client?). The absence of a similar explanation in the Joshua-bowls therefore must mean that the practice of divorcing demons was sufficiently well-known among Jews not to demand further comment. The absence—if it is absent—of attestation in Talmudic literature merely suggests that rabbis did not recognize, approve, or care to preserve evidence about such a practice. It does not tell us anything about the practice or knowledge of ordinary Jews. It seems to me likely, therefore, that the original source of the conception of divorcing Liliths was Jewish. In all instances the Jewish form of divorces was followed. It thus seems plausible that the legal fiction developed among the Jews, and then, because of the prestige of the Torah and its reputation for supernatural power, was taken over by their neighbors. The neighbors added the confirmatory arguments to back up the operation. The several texts cited as having been written by Jews for non-Jewish clients seem to me to confirm this supposition. It is in the group within which the social practice (e.g. divorces in just this form) was effective that the idea of adapting it for magical purposes would have arisen. The take-over by other groups is thus one more example of the widespread prestige of Jews as magicians. It is also likely that the mythological elements (such as demons divorcing each other) likewise originally developed in Judaism. The same may be

¹ *JE* VIII, pp. 87-88.

² Gideon Brecher, *Transcendentale, Magie, und magische Heilarten im Talmud* (Vienna, 1850), pp. 47, 50, 54.

³ Nor do I find anything relevant in M. Margalioth's *Sefer HaRazim* (Jerusalem, 1967). For Lilith in the Talmud, see the excellent summary of R. Patai, *The Hebrew Goddess*, pp. 200-211.

said of the ban, a Jewish form adopted by the neighbors. The confusion of the ban and divorce formulae, which are two entirely different matters, argues that the writers were not well informed about the law. The rabbinical ban was present in Babylonia from the second century A.D. at the very latest; hence the magic would be posterior to that date.

Third, what other traditions about R. Joshua b. Peraḥia existed in Palestinian and Babylonian rabbinical schools? First of all, it is obvious that no passage suggests R. Joshua b. Peraḥia or anyone else composed bills of divorce against demons. The extant traditions should be divided according to time and place. In the Tannaitic Midrashim, we find no reference whatever to R. Joshua. In the Mishnah, R. Joshua is cited twice, in Ḥag 2:2 on the ordination controversy, and in Avot 1:6, which contains his saying in the chain of tradition, that one should provide himself with a teacher and a fellow-disciple and judge people favorably. Nothing in the Mishnah of R. Judah the Prince suggests that R. Joshua was a magician. The Tosefta contains a saying on purity laws (Makhshirin 3:4). The references in the two Talmuds deal with only two matters. First, in b. Men. 109b, we find a *beraita* citing R. Joshua b. Peraḥia, that it is just as hard to accept high office as it is to leave it.

The other matter, however, is far more important. It occurs in b. Sanh. 109b, with a parallel in b. Soṭ. 47a. (The incident is further echoed in y. Ḥag. 2:2 and Sanh. 6:9, but there the rabbi in question is Judah b. Ṭabbai.) The *locus classicus*¹ is attached to a *beraita* that one should not too harshly repel potential converts to Judaism. R. Joshua b. Peraḥia's treatment of Jesus is cited. When Yannai the King killed the rabbis, Joshua and his disciple Jesus fled to Alexandria. Simeon b. Sheṭaḥ called them back when times proved more favorable. On route home, they found a certain inn, where R. Joshua praised the "hostess." Jesus disagreed, saying she had narrow eyes. Joshua then excommunicated him for looking too closely at the woman, saying, "Wretch, do you thus busy yourself?!" Jesus several times tried without success to repent. Finally being repulsed, Jesus went and hung up a tile and worshipped it. At that time, Joshua called on him to repent, without result. "So a teacher has said, 'Jesus the Nazarene practised magic and led astray and deceived Israel.'" In any case, we may be sure that the legend of Joshua as a visitor to Egypt was known in the schools of both Palestine and Babylonia.²

¹ R. Travers Herford, *Christianity in Talmud and Midrash* (Clifton, 1966), pp. 51ff.

² See also J. Z. Lauterbach, *JE* VII, p. 295, and A. Hyman, *Toledot Tannaim*

We must regard the Joshua of the bowls as an authentic portrait of what some people, presumably Jews, thought about the rabbi. In a word, they regarded him as both a lawyer and a magician. As a lawyer, he was expected both to know the precise formula for a bill of divorce and to be able to issue a ban. So we noted in No. 9, Joshua b. Peraḥia's divorces for all the Liliths who appear to the clients. In No. 17, both the ban spoken by Joshua and the divorce spoken (read) to Lilith by Joshua were in the appropriate legal language; No. 32, a ban-writ against the demons occurs.

Now what we should not find surprising is that rabbis, whose effective legal jurisdiction extended mostly to matters of exchanges of property and personal status, should be consulted on drawing up bills of divorce.¹ What is remarkable is that those legal documents were presumed in the magical bowls to be effective against demons. Here the second religious role of the rabbi becomes important, namely, his capacity, because of his mastery of Torah and his ability on that basis to exercise, independent of the wishes of heaven, the powers inherent in the Torah, to do works of magic against demons (among other miracles). We noted above that Abaye among others was believed to be able to overcome demons because "in heaven his Torah was highly regarded." We have seen considerable evidence that knowledge of Torah produced the capacity to do supernatural actions.² In the magical bowls, the two predominant roles of the rabbi are united in the figure of Joshua b. Peraḥia. The law is effective—against demons. The rabbi carries out the law—for supernatural purposes.

We find, however, little direct evidence that in the rabbinical schools of either Babylonia or Palestine such supernatural powers were attributed to R. Joshua. (One can hardly argue that rabbis believed everyone who went to Alexandria came home a magician, despite both the general reputation of the place and the particular story of what happened to Jesus there—he came back with magical spells tattooed on his body and these enabled him to do his miracles.) I therefore find it difficult to account for the attribution of so central a magical role to

ve Amoraim (London, 1910), II, pp. 647-48. Hyman notes that the Tosefta-saying has to do with the ritual purity of Alexandrian wheat (perhaps the kernel of the legend of his flight from Palestine?). No tradition concerning R. Joshua b. Peraḥia is found in Bereshit Rabbah. Note also J. N. Epstein, *REJ* 74, 1922, pp. 44-5.

¹ See Vol. II, pp. 251-287, Vol. III, pp. 195-338, Vol. IV, pp. 251-279, and below, pp. 320ff., for a review of the cases and evidence.

² For further discussion of the rabbi as a holy man, see Vol. II, pp. 126-150 and Vol. III, pp. 95-191, Vol. IV, pp. 279-402, and above, pp. 146-190.

R. Joshua b. Peraḥia, a minor figure in the rabbinical traditions. I may, with much hesitation, conjecture on why those who made the bowls selected R. Joshua above all other rabbis. Perhaps, as Montgomery suggests, his relationship to Jesus, believed by many Jews to be an expert sorcerer and magician, and by the rabbis to be R. Joshua's disciple, was sufficient to distinguish R. Joshua. If R. Joshua's disciple was so puissant, then should not the Jews, disciples of the rabbis and more and more under their effective control by the seventh century, turn to his rabbinical master to exorcise demons? But this conjecture takes as its basis the connection of Jesus with Joshua b. Peraḥia—and it is that connection which really requires explanation. One must begin with the *fact* that the story in b. Sanh. and parallels is utterly impossible on chronological grounds. Jesus was over half a century too late for a disciple of Joshua. So why was he made one? Presumably because Joshua was remembered, in material the editors of the Talmuds and Midrashim did not choose to preserve, as the great magician. Jesus therefore was attached to him as a pupil—he learned his magic from one of *our* masters, but then went astray because of dalliance with whores, and so came to a bad end. This explains his miracles nicely. So R. Joshua b. Peraḥia's primary magical reputation probably explained the connection of Jesus to him *as well as* the use of his name in the bowl magic.

IV. SUMMARY AND CONCLUSIONS

The R. Joshua of the magical bowls and the R. Joshua of the schools were not wholly unrelated, but they were also not closely correlated. The figure of the lawyer-magician is well-known to us. But in the Babylonian rabbinical schools R. Joshua b. Peraḥia was not singularly noted as such a type. On the other hand, the bowls contain one important view of R. Joshua, that of the ordinary people who used them, not to mention the élite-magicians who made them. Whether or not rabbis and those under their immediate influence and control also used magical bowls is not entirely clear, though I doubt that they did. We know, of course, that the rabbis had other means of driving away demons. But those other means did not necessarily exclude the use of the prophylaxes common among the various peoples of Babylonia, including other Jews. At any rate we do know precisely what traditions the rabbinical schools chose to preserve and to hand on as authentic and correct concerning R. Joshua. For the most part these

are inconsequential. The one striking tradition about the flight to Egypt brings us closest of all to the Joshua of the bowls and provides at least a hint on why Joshua was otherwise so neglected. As an early master he was to be sure included in the sayings of Avot, and in related sayings (the Mishnah Hagigah passage), but otherwise, he was almost wholly dropped. Only in the environment of the Amoraic schools in Babylonia was the polemical story of the trip to Egypt preserved, possibly for purposes of disputation in a time marked by conversions of significant numbers of Jews to Christianity,¹ and now made useful by the more hospitable reception of magic in the later schools.

If we take as assuredly both of Jewish origin and of Jewish use the bowls in which R. Joshua b. Peraḥia is mentioned, what do we learn about the Jewish clients? Geyonai bar Mamai was disturbed by liliths in his bedroom. Babanos bar Qayomta and his wife Saradust b. Shirin were bothered by liliths in their dreams at night. Dadbeh bar Asmanduch and his wife, sons and daughters, wished to be preserved from demons, devils, plagues, satans, curses, liliths and tormentors, seeking a generalized protection. Komesh daughter of Maḥlaphta divorced a lilith. Berik-Yahbeh bar Mame and Ispandarmed b. H...dora bound lilith not to come, using the words of the *Shema* as part of a charm. Dinoi bar Ispandarmed sealed his house, wife, and children from the influence of the Tormentor and from evil dreams. Jesus/Joshua the healer was called upon to seal the house of Mihr-hormizd bar Mami. Geniba bought a charm against evil spirits. Mazdewai daughter of Imma Salma and Beryl the son of Imma, her husband, used a bowl to preserve them in life and to prevent demons from doing them harm. Babai b. Maḥlaphta's house is afflicted with ghosts, and these must be exorcized. The evil Zgus is in Yannai b. Zekhut, and must be driven out or frightened away. In summary, we can find no peculiarly "Jewish" concerns. The things that bothered these Jews with Iranian and Syriac names equally afflicted their gentile neighbors. The means of healing these afflictions differed in no way from one group to the other. Gentiles and Jews alike wanted to be saved from demons and from illnesses, to exorcise ghosts, and, especially, to preserve the happiness of their marital life. Both groups believed demons had a particularly ill affect on these matters, and both looked forward to a salvation which consisted of good health, sexual satisfaction, and normal daily life un-

¹ See Vol. III, pp. 8-29.

marred by inexplicable accidents or bad luck. No one seems to have enjoyed an abundance of such blessings.

I think it clear that two systems of magic coexisted within the Jewish community, the rabbis' and the bowl-writers'. Our comprehension of the pattern of their relationships may be aided by the remarks of Melford E. Spiro on the coexistence within Burmese religion of a sophisticated form of Buddhism and *nat*-cultus, an animistic form of magic. Spiro states:

...although Buddhism may be used magically for the attainment of worldly goals, a practice which in itself constitutes a corruption of Buddhism, the *nat*-cultus is never used for the attainment of other-worldly goals.¹

It seems to me Spiro's judgment applies without substantial qualification to the magical bowls, the purpose of which, we have observed, was invariably to assure personal, this-worldly comfort and individual security. It is equally clear that rabbinical Judaism served this-worldly *but also* other-worldly goals, aiming at the salvation of Israel and the world to come, as much as at health, prosperity, and control of nature in this world. Spiro therefore distinguishes between *nat*-cultus with its magical means and its solely worldly ends and Buddhism with its religious means and its both this-worldly and other-worldly ends. The purpose of rabbinical Judaism cannot be limited to securing the world to come, and its means were in some details not different from those of the bowl-practitioners. But it is striking that the rabbis' chief concerns were communal and collective, just as their responsibilities were for the whole people. They undertook social and political tasks. The practitioners and clients of bowl-magic, by contrast, concentrated on the private life of ordinary folk, solving essentially personal and familial problems. Yet the very purpose for which the bowls were prepared, rather than an intrinsic difference in the focus of concern, may well account for this striking difference. It is difficult to see how the praxis of bowl-magic could have been applied to the larger questions of historical salvation and community-life which faced the rabbis.

¹ *Burmese Supernaturalism* (Englewood Cliffs, 1967), p. 269.

CHAPTER SEVEN

THE COURTS

I. INTRODUCTION

The rabbis carried out crucial community responsibilities as judges and administrators. They were not only holy men, charismatic figures upon whom the people fastened their fantasies about the supernatural world, but also bureaucrats and government officials, the embodiments of routine and order.¹ Pharisaism had long sought to harmonize within itself two antithetical principles, by claiming the inheritance both of the prophets and of the priests. As we have already noted, the rabbi saw himself as the new priest, but also regarded the ancient prophets as *rabbis* qualified by wisdom to speak as they did. Priestly order, prophetic spontaneity—these constituted the polarities of rabbinical life. The rabbis' view of themselves as earthly projections of heavenly values and their conviction that "Torah" above and below came together in their schools preserved the vitality of the rabbinical enterprise. No jot or tittle of the law ever completely lost its referent in supernatural reality, its salvific value. None was utterly disconnected from Sinai at the one side of time or the Messianic order at the other. But the rabbis were not chiefly magicians, miracle-workers, rain-makers, or religious virtuosi of the monastic sort. As I have made quite clear,² while stories about rabbinical supernaturalism and magic do occur, they occupy an unimportant part of the whole of the preserved literature of the schools. That they were preserved at all tells us such matters were important to the rabbis, believed by them, regarded as somehow paradigmatic. That the Babylonian Talmud is not chiefly a collection of lives and wonders of the saints (and martyrdoms) but rather a commentary upon a law-code, replete with careful, reasoned, and logical inquiries into legal principles and cases and with stories of legal actions tells us what was truly consequential to the schools, or at least to the fifth and sixth century editors.

¹ My *Life of Rabban Yohanan ben Zakkai* (Leiden, 1962) provides a study of the interplay of charisma and routine in the earlier Pharisaic movement, see in particular pp. 16-103.

² Vol. IV, pp. 391-401.

The courts constituted the institutions of Jewish government. They concerned themselves not only with torts, damages, and other narrow matters of litigation, but also with issues of personal status based upon exchanges of property. In executing their judgments on such issues, the rabbis' legitimacy rested upon that of the Iranian state. I doubt that they made the effort to incorporate into legal theory that predominating fact, but it was so. Since their judgments normally included the transfer of property from one party to another or the inflicting of other judicial penalties of a similar sort, the courts in no way were irregular, clandestine, or private. The regulation of land-ownership, for example, was a matter of acute concern to the state. If the rabbinical court could determine who owned a piece of property, the only possible basis for effectuating that determination was state support, either given *ad hoc*, or, far more likely, routinely extended to recognized state-functionaries. Litigation over torts and damages, disputed contracts, and other questions about moveable property might have been carried on surreptitiously, but not for long. As a matter of fact, had the losing party had the opportunity to appeal to the Iranian officials scattered throughout the countryside, to the local satrap, or to the high chanceries of Seleucia-Ctesiphon, he certainly would have done so. Yet in three centuries we find not a single instance in which the state routinely intervened in the normal, every-day working of the Jewish courts. The exceptional cases into which the state did make inquiries, sending *parastaks* to ask what was going on, involved either unauthorized capital punishment or tax-evasion. The practical sovereignty exercised by the rabbis as Jewish community judges depended upon Iranian appointment or authorization. As soon as that delegation of power was withdrawn, as probably happened at the time of troubles under Yazdagird II and Peroz, then the Jews simply ceased to live under their own law and were forced to pursue their litigations in Iranian courts.

The reason the Iranian government in a single moment deprived the Jewish courts of their jurisdiction over Jewry, rendering them into merely voluntary courts of arbitration at best, was primarily the disloyalty of the exilarch of that time, not only the disaffection of the rabbis. The rabbis never entered into direct relationship with the Iranian government, except (if the Talmudic tales are true, and I do not think they are) sporadically. The exilarch, long ago established to govern the Jewish *millet* in behalf of the Arsacids, later on able to negotiate a *modus vivendi* with the Sasanians, made use of the rabbis as lawyers and administrators in the government he established. The law

schools not only were supported by him but also lay quite within his control. Appointment to the headship of schools primarily rested in his hands, though this was subject to some dispute. The rabbis enjoyed routine and legitimate authority, including power of coercion to effect their decrees, because the exilarch gave it to them as his agents.

We have already devoted considerable attention to the consequent legal and theological tensions between exilarchs and rabbis.¹ To summarize briefly: the exilarch supposed that he both was the descendant of David and would be ancestor of the Messiah. Jewish politics in antiquity invariably turned upon the Davidic and messianic pretensions of various figures who only made such claims long after they enjoyed real, substantial power, obviously to justify or authenticate pre-existing authority. It was quite natural to do so. Even the Parthians and Herod found it convenient to assert they were descended, respectively, from the Achaemenids and the Davidic seed! So the exilarch's claim was both normal and necessary, normal in context and necessary for Jewish consumption. It depended upon the assumption that the sole true legitimation of Jewish political power lay in such ancestry. The rabbis entered a different sort of claim of legitimacy, one depending upon Sinaitic revelation of the "Torah" they now taught and enforced in the courts. God himself had determined both the law and the principles for applying the law and developing it. What they said and did God approved of, agreed with, and supported. The rabbis moreover held that when they will have succeeded in reshaping the life of Jewry to conform to the "Torah," then the Messiah would indeed come, brought nearer by a meritorious community wholly worthy to receive him. The basic claims of Jewish politics concerned redemption, reflecting a long-standing obsession with the political dislocation of Jewish life. Whatever the Iranians' intentions, therefore, neither the exilarch nor the rabbis looked to them for ultimate legitimacy, and the rabbis certainly did not think they depended upon Iran for sovereignty. But each party did rely upon Iranian willingness both to cultivate the development of Jewish self-government (or, at the very least, to let the Jews run their own affairs) and to support the actions of that government in normal circumstances.²

The rabbis furthermore enjoyed a different sort of power, deriving

¹ Vol. I, 2nd printing rev., pp. 103-121; vol. II, pp. 92-125, Vol. III, pp. 41-94; vol. IV, pp. 73-124.

² But of course the Jewish government could not decide cases involving non-Jews, certainly not Iranians, as we noted, vol. IV, p. 236.

from the charismatic qualities alluded to earlier. They were not merely bureaucrats and judges. They presented themselves as holy men, and as such could persuade where they could not actually control, influence when unable to compel. "Spiritual" power mattered precisely because it produced quite worldly results. People fearful of the rabbis' evil eye would not only pay them requisite respect but also obey them in matters supposedly subjects of supernatural concern. Thus while the *courts* could do little to regulate behavior in the homes of Jewish Babylonia, the *rabbis* could do a great deal both by teaching and exemplifying the law, and by cursing, banning, and otherwise discomfiting those who did not keep it. These were extra-legal powers from the perspective of both exilarch and Iranian authority. Little could be done to curb the exercise of influence based upon common fantasies. Indeed, in a measure the rabbis enjoyed an advantage over the exilarch, whom they depicted as chiefly a political figure, "ignorant of Torah" and irrelevant to the supernatural life of Israel. Much of "Torah" and therefore of rabbinical law pertained to just such supernatural matters. Narrowly legal questions such as disposition of contested property or determination of questions of personal status involving property were never settled by the evil eye or curses. Stories about contested property generally end with the court's decision. On the other hand, obedience to religious laws, such as food and sex taboos, or the observance of holy days and the Sabbath apparently was not subjected to court coercion.

That does not mean the rabbis could do nothing as community officials. They could first of all teach, preach, and otherwise impress upon ordinary folk the right way to do things. They could, second, carry out certain official, ritual functions as community authorities, such as establishing the Sabbath-limit and overseeing the ritual acceptability of food sold in the market-place, where in any case they enjoyed supervisory authority for reasons of public order. These actions did not depend upon popular acquiescence but upon administrative authority. Since the rabbi could put a disobedient butcher out of business, he did not have to bother to curse him. On his own he could likewise set up the Sabbath-limit, so he did not have to excommunicate someone who did it improperly. We have no case of public violation of the Sabbath through doing labor everyone agreed would be prohibited, and I doubt that many Jews loyal to the community disobeyed Sabbath laws explicit in Scriptures.

Within the range of the laws as expounded in the rabbinical schools

through learned exegesis, however, many violations must have taken place, not through ill-will or apostasy (though these also occurred), but through indifference, ignorance, and more often, the inertial force of habit in following old ways. The rabbinical courts did nothing about such violations. The rabbis did everything they could. The Sabbath simply exemplifies the larger context. I think the people normally kept laws they knew about from Scripture or the traditions of Babylonian Jewry itself. I suppose that by now many of the rabbis' distinctive interpretations of Scripture or peculiar additions to its laws had taken root in the lives of communities intimately subject to their influence, such as Sura, Pumbedita, and similar centers of rabbinical learning. It is probable that the rabbis' influence radiated outward through the disciples who returned to their native towns to live, such as the single student of Mishnah R. Papa found at Tav'akh. (But I wonder what made the old lady think the disciple uniquely "heaven-fearing.") So the range of rabbinical laws likely to have been obeyed by ordinary folk probably broadened in each generation, and the wider the range of rabbinical influence, the more extensive the field of rabbinical power. The process would have been augmented with each success. At first the rabbis found a community loyal to Scriptures and guided by traditional interpretations and applications of scriptural laws. Claiming to know the "whole Torah," both the written part the people knew, and the unwritten part revealed alongside, the rabbis had a fulcrum from which they in time moved the Jewish world.

II. RABBIS AND THE EXILARCH

We earlier considered the data on the exilarchs in the fourth and fifth centuries.¹ Here we return to consider the exilarchic question in the context of the exilarchic-rabbinical *relationship*, for it is the central issue in understanding the basis for rabbinical power in community affairs. As we noted, the holders of the exilarchic office are not frequently specified.² Our interest now is specifically in evidences of *how* the exilarchs and the rabbis worked together. We earlier supposed that the exilarchs of the second half of the fourth century drew closer to the rabbinical movement. They were able to do so because former difficulties with the schools had been resolved in favor of the exilarch, who, having successfully asserted complete domination of the rabbinical

¹ See above, pp. 45-69, 95-105, 124-127.

² Beer, *PAJR* 35, 1967, pp. 43-4, esp. p. 43, n. 1.

academies, now sent his heirs and presumably other relatives for a sound training in rabbinical law.

We shall begin by reviewing Geonic and medieval traditions about the exilarchate and then briefly reconsider Talmudic materials on the names designated by the Geonim as exilarchs. These will indicate something about the character of rabbinical-exilarchic relationships. In his second letter, Sherira provides the following:

The title *Mar* [Master may denote] Babylonian exilarchs ... such as Mar 'Uqba, Mar Yuhna, Mar Judah, and Mar Zuṭra.

(*Letter of R. Sherira Gaon*, ed. B. M. Lewin, p. 126, lines 13-14)

In addition, as we have already noted, R. Sherira referred to R. Ashi's superiority over the exilarchs of his day. As we saw the exilarchic festival was moved to Mata Meḥasia, where R. Ashi's school was located:

And Huna bar Nathan who was exilarch in these times, and Maremar and Mar Zuṭra who were after him, all were subjected to R. Ashi and celebrated their festivals in Mata Meḥasia.

(*ibid.*, p. 91, lines 1-5)

R. Sherira thereupon cites the following:

R. Aḥa b. Rava said, "We too may say that from the days of Rabbi [Judah the Prince] to the times of R. Ashi we do not find Torah and greatness in a single place [= person]." Yet there was Huna bar Nathan? He was subject to R. Ashi.

(*b. Giṭ. 59a*)

R. Sherira then reports that henceforward for the next hundred years, the festival of the exilarch remained in Mata Meḥasia.¹ The exilarch in the persecutions of ca. 460-480 was Huna Mar b. R. *Ashi*.² Immediately thereafter he refers to the death of Huna bar Mar *Zuṭra* the *Nasi* in Ṭevet of 470. Afterward, in 608, R. Huna the exilarch died.³ So from R. Sherira we directly derive the following names:

Ca. 375-425

Huna bar Nathan

Maremar

Mar Zuṭra

Ca. 465-475

Huna Mar b. R. Ashi / Huna b. Mar Zuṭra

¹ *Letter*, p. 92, lines 5-15.

² *Ibid.*, p. 96 line 16 to p. 97 line 1.

³ *Ibid.*, p. 98 line 14-15.

Ca. 600
R. Huna

Indirectly, we have in addition:

Mar 'Uqba
Mar Yuḥna
Mar Zuṭra
Mar Judah

These are entirely undated. We may assign Mar 'Uqba to the earlier period and presume that Mar Zuṭra of the second letter is the same person as the contemporary of R. Ashi.

Seder 'Olam Zuṭa, as we have seen, offers the following names from the time of Abaye and Rava:

<i>Exilarch</i>	<i>Sages</i>
Nathan	R. Aḥa and R. Ḥaviva
Mar Kahana his brother	R. Safra
R. Huna	R. Aḥi
Mar Zuṭra	R. Aḥi of Difti
Kahana	Rabina
R. Huna	R. Aḥa b. Nehilai
R. Huna b. R. Kahana	R. Ma'ri and R. Kahana

In the year 484, the world stood without a king.

There follows the story of the birth of Mar Zuṭra, his rebellion, the final martyrdom of the exilarch, and the exile of Mar Zuṭra son of Mar Zuṭra to Palestine.¹ What does the Talmud report about these men? What was their relationship to the rabbis?

Mar Yuḥna appears in b. Ḥul. 133a. He received a visit from Rava and R. Safra. In b. A.Z. 16b, Abaye was told of customs observed at the home of Mar Yuḥna. In the former passage, Mar Yuḥna prepared for them a calf; in the latter, Mar Judah told Abaye that at Mar Yuḥna's they employ wild asses to turn mills. I share Beer's view that neither passage tells us anything about exilarchs.²

Mar Judah appears in b. A.Z. 16b as above, also b. A.Z. 76b, Mar Judah and Ba'ṭi b. Ṭuvi were sitting with Shapur the King. Shapur respected the dietary practices of Mar Judah, by making the knife fit for Jewish use. In b. 'Eruv. 24a, Mar Judah visited R. Huna b. Judah's

¹ As above, pp. 45-69.

² *op. cit.*, pp. 45-6.

house and commented on the provision for the *'eruv*. In b. 'Eruv. 61b, Mar Judah came to people from Mabrakhta, who were depositing their *'eruv*s in the Be'Agobar synagogue, but was corrected by Rava and called contentious. In b. Qid. 58a, Mar Judah met R. Joseph and R. Samuel b. Rabbah b. b. Hana at the door of Rabbah's school. Mar Judah asked certain difficult questions, and Rabbah called him a controversialist. In b. Hul. 48a, Mar Judah quoted Abimi. That Mar Judah was informed about parts of the law is beyond question. His appearance before Shapur (II) in the rabbinical account does not by itself prove he was exilarch. The rabbis generally suppressed whatever information they had about exilarchic-royal relationships, but preserved only stories of their own dealings with the emperor. (The reference to Mar Judah's controversies calls to mind that Geniva received the same epithet, but I do not see what difference that makes.) In all, as Beer states,¹ it is impossible to infer from all these references that he was actually an exilarch. As I have shown, however, the systematic exclusion of the exilarchic title from stories about exilarchs of whom rabbis approved makes it very difficult to decide on the basis of Talmudic evidence who was and who was not exilarch. Beer takes as historical the story of the meeting with Shapur II, and "since only heads of schools or exilarchs were granted audiences with the Persian Kings," Mar Judah was probably an exilarch. I do not know the basis of Beer's supposition about whom the emperor received.

Mar Zuṭra has already occurred in many passages already cited. We shall rely on Beer's summary:

He was prominent and proficient in Halakha, his main discussions in this field being carried on chiefly with R. Ashi and also occasionally with Rabina. His frequent and fruitful contacts with R. Ashi resulted apparently in later generations' forgetting in many instances which of the two was the author of specific Halakhoth.... He would visit R. Ashi's home even though it is evident that R. Ashi was several years his junior. Mar Zuṭra would meet at times with Amemar and Maremar. Similarly we hear of him delivering public discourses on halakhic and aggadic topics and of a court order he issued. All these details imply that Mar Zuṭra was actively engaged in all communal, religious affairs normally the province of the Heads of the Academies.²

Beer asks why R. Sherira should have been so certain that Mar Zuṭra was exilarch, for, as we have seen, he explicitly numbers Huna b. Nathan, Maremar, and Mar Zuṭra as holders of that office under R.

¹ p. 47.

² pp. 50-51.

Ashi. Beer cites the story of b. Ket. 61 a-b, about R. Ashi's miracle at Yazdagird's palace-gate, which was observed by Amemar and Mar Zuṭra, as evidence that Mar Zuṭra actually was exilarch. Beer remarks that R. Sherira probably supposed Mar Zuṭra was both exilarch and a learned master of the law, thus being one of the "rabbis of the exilarchate."

Maremar agreed with Mar Zuṭra on many matters of law. Some of these may pertain specifically to the exilarch:

Maremar and Mar Zuṭra used to collect ten persons on the Sabbath before a festival [Beer says it was the Sabbath of the exilarch] and say the Prayer...

(b. Ber. 30a)

Maremar and Mar Zuṭra were carried on the shoulders by means of a sedan chair [following Beer's citation of the Munich manuscript] on the Sabbath before a festival...

(b. Bez. 25b)

Both instances, significantly, report what the two men did on the exilarchic festival; both say the two men were nervous because they were about to give a major address before a large crowd. Maremar, like Mar Zuṭra, was also a legal authority who decided laws and officiated as judge. "It follows from here... that he headed an Academy [probably] Sura, since we have evidence of him rendering several legal decisions for the inhabitants of that city."¹ "Maremar was head of some academy, apparently in Sura, about the time of R. Ashi, or a short while prior to R. Ashi's accession to the post of Head of the Academy."² He was not only head of a school but also exilarch, proof of which derives from the close association between Mar Zuṭra and Maremar, particularly in their common practices on the festival-Sabbaths of the exilarch and on public fast days. Maremar as exilarch may have headed a court.³

Huna b. Nathan is cited thirteen times in the Babylonian Talmud.⁴ A summary of the references given earlier is as follows:

- b. Ket. 7a-b: R. Naḥman quoted Huna b. Nathan's citation of a Tanna.
- b. Giṭ. 7a: R. Huna b. Nathan asked R. Ashi about Josh. 15:22.
- b. Giṭ. 19b: R. Ashi said, "R. Huna b. Nathan told me that Amemar ruled that a Persian document signed by Israelite witnesses is sufficient warrant for recovering even from mortgaged property."

¹ p. 56.

² p. 61.

³ p. 61.

⁴ Joseph 'Umanski, *Hokhmé HaTalmud* (Jerusalem, 1949), I, p. 65.

- b. Giṭ. 59a: R. Aḥa b. Rava said no one was supreme in both Torah and greatness from Rabbi Judah to R. Ashi. Was there not Huna b. Nathan? He deferred to R. Ashi.
- b. Qid. 72b: Amemar permitted R. Huna b. Nathan to take a wife from Khuzistan. R. Ashi asked his basis for his ruling.
- b. B.B. 55a: Rabbah cited three rules of 'Uqba b. Nehemiah the exilarch, including reference to the poll tax as applying to the person. R. Ashi said Huna b. Nathan told him Amemar found it difficult to accept the view that even barley in the jar may be seized for the poll tax.
- b. B.B. 74b: R. Ashi said R. Huna b. Nathan told him about finding a leg of meat in the desert, roasted it, and found the coals glowing a year later. Amemar told him why.
- b. Sanh. 36a: = b. Giṭ. 59a.
- b. Zev. 19a: R. Ashi reported Huna b. Nathan told him Yazdagird had adjusted his undergarments.
- b. Zev. 30a: R. Huna b. Nathan recited [the passage concerning a Mishnaic dispute about the cult] as did Rava.
- b. Bekh. 40a: R. Nahman b. Isaac or some say R. Huna b. Nathan [taught concerning a Mishnaic passage].
- b. Bekh. 54b: R. Huna b. Nathan demurred [from Rava's saying about Scriptures dealing with tithing-laws].

The weight of evidence points to two sound conclusions. Huna b. Nathan was certainly exilarch or exceptionally important within the exilarchic regime. He also was a learned rabbi, familiar with the teachings of the earlier generation, particularly with the traditions of Rava. It is true that in some ways Huna b. Nathan respectfully deferred to R. Ashi.¹ The assertion that Huna b. Nathan was Yazdagird's brother-in-law, on account of the marriage of his sister to the emperor, seems to me entirely based upon a gullible and uncritical harmonization of the several sources, Jewish and Iranian.² Beer regards it as plausible that R. Sherira understood b. Giṭ. 59a to mean Huna b. Nathan was exilarch, and I agree. He further comments that R. Ashi had moved the celebration of the exilarch's Sabbath to the school in Mata Meḥasia, and "thereby humiliated the Exilarch and the latter's family and glorified and enhanced his own influence as Head of the Academy instead."³

¹ Beer's treatment of this subject has little to recommend it. He says that it is self-evident that in matters of law, Huna was subordinate, and this "would need no specific mention. Hence the remark was taken to mean that Huna was restricted in his secular authority... and subject to the control of the Head of the Academy." I do not know what Beer means by "secular authority", but it hardly matters, since his excessively acute assumption as to what would and would not "need specific mention" is groundless.

² As above, pp. 8-12.

³ p. 68.

This seems to me unproven, and in any event is not reflected by any sources known to us.

The Exilarch and the Schools: We further have an important story about a fifth-century succession to the headship of the school of Sura-Mata Meḥasia, as follows:

Mar b. R. Ashi was standing in the manor [RSTQ'] of Maḥoza when he heard a certain maniac saying, "The Head of the Academy who is to rule in Mata Meḥasia signs his name Ṭavyomi." He said [to himself], "Who among the rabbis signs his name Ṭavyomi? I do. I infer that as for me the hour [S'T'] stands advantageously."

While he was coming, the rabbis voted to appoint R. Aḥa of Difti as the head. When they [the rabbis] heard that he [Mar] was coming, they sent a pair of rabbis to him to consult with him. He detained them. They sent another pair of rabbis to consult him. He detained them as well. So he did until the number reached ten. When there were ten present, he began to expound Tannaitic teachings and Scriptures. [He had waited until then] because one does not open [public discourse] in a group of less than ten. R. Aḥa applied to himself [the saying], "Whoever is ill-treated, he will not quickly be well-treated, and whoever is well-treated, he will not quickly be ill-treated."

(b. B.B. 12a)

This story clearly presumes that the exilarch played no role whatever in the selection of the head of the school at Mata Meḥasia, where Mar b. R. Ashi's father had presided. It quite explicitly states that Mar became aware of his opportunity at the school through an omen uttered by a lunatic and forthwith was able to stop the proceedings. I am not entirely sure what the narrator supposes actually happened. He says that the rabbis had already appointed R. Aḥa. How then did he think Mar b. R. Ashi was really able to reverse matters merely through a legal discourse? We do not know.

Apparently two accounts are joined together. In the first, Mar b. R. Ashi heard bad news. In the second, we learn one should not open a public discourse with less than ten qualified people present. The two stories scarcely relate to each other. R. Aḥa's saying about his bad fortune refers back to the first story, but we do not know what his ill-fortune consisted of. If something of a supernatural character happened, we cannot say what it was. As the passage stands, however, it gives no sign that the exilarch played any part at all. The rabbis were prepared to attribute their rise to power to having dreamed about sexual relations with a goose, but not to having had any connection with the exilarch at all.

The rabbis' relations to the exilarch seem to me consistently better than in earlier centuries. Having carefully reviewed all the data pertaining to later Sasanian times, we can come to no other conclusion. We have, first of all, substantial and credible evidence that the exilarchs were learned in the oral traditions of the schools. Important legal authorities also were exilarchs. The exilarchs of the last half of the fourth-century sent their sons and others in their service to the rabbinical schools.¹ The Geonic stories about the predominance of rabbis over the exilarch seem to me curious, *if* the learned Mar Zuṭra, Huna bar Nathan, and Maremar were exilarchs, for in fact exilarchs also were influential rabbis. While we cannot come to a firm conclusion about Mar Yuhna or Mar Judah, I think it is established as fact that both the Mar Zuṭra known to us in the Babylonian Talmud as R. Ashi's colleague and Maremar were exilarchs or officials in the exilarchate. Of Huna b. Nathan we need entertain no doubt. The exilarchs certainly took leading roles in the life of the schools.

We know how the rabbis represented the situation. R. Ashi had predominated and so had moved the exilarchs to his town for important ceremonial occasions. How would the exilarchs have described matters? Let us suppose, first of all, that they were sincere in their interest in the courts and schools and eager to learn the law. So after a time men like Huna b. Nathan, Mar Zuṭra, or Maremar could indeed have become considerable masters. They would have been eager to make that fact well-known, since it obviously brought credit to them within the rabbinical estate and perhaps beyond. The very frequent representations of R. Ashi with the several exilarchs of his day must be no accident. Indeed the form *Amemar, Mar Zuṭra, and R. Ashi were sitting and such-and-so happened*, or a question was raised—this form doubtless must be assigned to exilarchic tradents. It is strange that three men who were supposedly exilarchs are frequently represented together. I assume there was only one exilarch at a time. I do not know, therefore, why the three alleged exilarchs are thus portrayed. Perhaps Huna was exilarch, the other two his associates in the exilarchate, later on taking the office in turn. But this is only a guess. What the tradents had in mind is a mystery to me. The main consideration, furthermore, is that R. Ashi is contradicted, corrected, or otherwise treated *not* as final authority specifically in these stories. To review:

1. Amemar, Mar Zuṭra, and R. Ashi were once seated. Amemar and

¹ Above, pp. 59-60.

- R. Ashi ate vegetables, Mar Zuṭra did not, but could defend his action by reference to R. Isaac's teaching.¹
2. Amemar, Mar Zuṭra, and R. Ashi were served dates and pomegranates. R. Ashi criticized Mar Zuṭra for throwing the food at him. Mar Zuṭra provided a satisfactory explanation of his action.²
 3. Amemar, Mar Zuṭra, and R. Ashi blessed wine in different ways, and R. Aḥa asked why.³
 4. Amemar, Mar Zuṭra, and R. Ashi were once sitting together and reported interpretations of dreams.⁴

What is important is that none of these accounts even *hints* at the alleged subordination of the exilarchs to the rabbis, though, as I said, they may have paid R. Ashi a certain deference. In all of them the exilarch (Amemar? Mar Zuṭra?) figures as equal of R. Ashi in learning.

The move to Mata Meḥasia is represented by R. Sherira as a sign of subordination. Yet how would the exilarchs have viewed things? They could well have regarded their paying special respect to a leading rabbi of their day as perfectly natural and regular, without any implications for the actual power-relationships within the on-going administration of the Jewish government. R. Ashi after all was a considerable personality, enjoying great prestige. The exilarchs likewise were eager to demonstrate their participation in the rabbinical schools and courts and to show themselves worthy of the esteem of other rabbis. How better to do so than through the perfectly characteristic rabbinical practice of paying utmost formal deference to the leading sages? But obviously to the exilarchs it would have been a mere pleasant formality—if R. Sherira's report is accurate to begin with. But given the intense struggle of the Geonic rabbis with the exilarch of their own day, one may discount at least part of R. Sherira's account as pertinent to contemporary, but not historical, times. It would have been important to harp on the subordination of exilarchs in olden times—themselves learned rabbis—to the heads of the very schools in which the Geonim now did their work and carried on their fight with the (unlearned) exilarch of their day.

The appointment to the headship of schools is a far more important issue. As we have observed, no rabbinical account tells us that the exil-

¹ b. Ber. 44b.

² b. Ber. 50b.

³ b. Pes. 103b.

⁴ b. Ber. 55b, among other matters.

archs played any role whatever. What the stories do say is that either idiots' mouthings, omens, or random dreams were decisive. We may therefore reject as entirely incredible the rabbis' explanation of matters. We know that the exilarchs ran matters earlier. I see no reason to suppose things had now changed. On the contrary, learned masters of Torah who were also exilarchs obviously could continue as before to appoint the heads of the schools. The rabbis after all actually did elect R. Aḥa to head their academy, but Mar b. R. Ashi, son of the close associate of the exilarch, finally became head of Mata Meḥasia. What happened in-between is not stated. I should imagine that in the meanwhile the exilarch, with close ties to Mata Meḥasia from R. Ashi's day, would certainly not permit the rabbis to make their own appointment, let alone put this choice into effect. I suppose the contrary happened. The exilarch probably had no difficulty in controlling Mata Meḥasia, where he had made his presence felt for nearly a century. But this conclusion can appeal only to probabilities. The editors of the Talmud have preserved no evidence for or against it.

Hostile, Favorable, and Neutral Traditions: Earlier it seemed important to distinguish among rabbinical traditions pertinent to the exilarch, designating stories as on the whole hostile, neutral, and favorable.¹ The viewpoint of the schools obviously serves as the criterion. The results of former studies were hardly satisfactory, for many sayings seemed ambiguous, and few finally revealed a clearcut tendency. Yet it was abundantly evident that where it was possible to shape a tradition into venomous criticism of the exilarch, some circles of tradents gladly did so. Of greater consequence still was the veritable silence about the exilarch, for what we do *not* know far outweighs what we are told about him. The actual workings of the exilarchic institution are never clearly revealed in rabbinical sources. The Geonic traditions considered above² are of no consequence in this connection, simply because we do not know how they were shaped or whether they represent opinions actually held in the late fourth and fifth century schools.

Stories about an unnamed exilarch in former times were normally hostile. Now on the whole they seem neutral at worst, but generally favorable. Thus we noted that R. Ḥama instructed the exilarch's servants,³ as did R. Ashi, Rabina, and R. Aḥa b. R. Ashi.⁴ Lectures were

¹ See Vol. IV, pp. 102-119.

² Above, pp. 45-48, 135-146.

³ b. M.Q. 12a.

⁴ b. Hul. 97b, b. B.M. 91b.

given at the gate of the exilarch's palace.¹ The exilarch moreover was presumed to know traditions of R. Ashi and to understand rabbinical discussions of the law. He was further supposed to be tolerant of rabbinical excuses for apparent lapses of paying the respect due to him.² The only unambiguously hostile story concerns the murder of R. Zevid.³ That is, to be sure, no small matter, but compared to what repeatedly was said against the exilarchs of earlier times, it does not amount to much.

Exilarchs mentioned by name included Mar Samuel and Huna b. Nathan. Whether the latter was subordinated to R. Ashi or not is not consequential here. What is important is that all stories told about him reflect the sages' respect. He himself was a learned sage, careful to keep the law, and, of greatest significance, cited as a reliable authority and precedent, both when he quoted his teachers and in his own right. If men such as Maremar and Mar Zuṭra were really exilarchs, as everyone seems to suppose, then the body of traditions relating to the exilarch is not only far more substantial than in the past, but also amazingly affirmative. Mar Yuḥna and Mar Judah were not central figures; yet both generally appear as learned sages, though not important ones. Concerning none of these men do we have a single story we may call hostile.

But none is actually called exilarch either, and that conforms to our earlier observation: Mar 'Uqba was a pious man, but never called exilarch. The exilarch of Mar 'Uqba's day imprisoned Rav and demanded deference from Samuel, but he was never called by his rightful name (assuming it was Mar 'Uqba). In any event, whatever reasons may account for the persistence of this strange phenomenon, the fact remains, as we have already observed, that all the exilarchs, whether named or unnamed, beyond the time of R. Zevid's murder never served as the objects of rabbinical ridicule. No nasty stories were told about them. And some of them appear as the greatest rabbinical leaders of their, or any other, times.

Conclusion: The exilarchate and the rabbis were closely tied to one another by the turn of the fifth century. The fate of one determined that of the other. The rabbis long ago had been dependent upon the exilarch for whatever regular and routine power they exercised. A saying about Huna b. Nathan's subordination to R. Ashi is hardly enough to

¹ b. Bez. 23a.

² b. Yoma, 78a.

³ b. A.Z. 38b.

persuade us of the contrary, especially since few, if any, Talmudic stories show how he actually subjected himself to R. Ashi's authority. The saying simply represents matters as the academic rabbis had always maintained they should. The actual situation actually could not have changed much. What changed, as I said, were the relations between the two groups, which seem to me to have vastly improved because of the exilarch's more secure hold over the schools. The authority of the exilarch, however, proved decisive in the end. Further, when the exilarch suffered in the late fifth-century troubles, the schools did also. For the subsequent century and a half of Iranian rule our evidence is insufficient to justify any conclusions at all.

III. RABBIS AND THE COMMUNITY

The rabbis' relationship to the community at large was shaped by three factors: first, their reputation as holy men; second, their duties as judges and communal administrators; third, their constant effort to enforce the laws in the streets and homes as much as in the courts. As holy men they were revered. As judges they were obeyed. But in the homes and streets they sometimes must have been found meddlers and nuisances. Of this we may be certain from rabbinical sources. R. Papa for example condemned the inhabitants of Neresh, where he conducted his own academy, for not hearing the word of the Lord:

R. Papa said, "The ban [be imposed] upon Neresh, its fat, hide, and tail. [All without exception are wicked, including every part of the community.]" *O Land, land, hear the word of the Lord* (Jer. 22:29). R. Papa said, "The inhabitants of Neresh would not hear the word of the Lord."
(b. Hul. 127a)

Rabina reported:

"*Apikorsim* are common who vex the rabbis."

(b. Ned. 23a)

R. Ashi referred to apostate-Jews who worship in pagan cults, though the reference comes in connection with a theoretical discussion of law.¹ In the same context he also spoke of non-conforming Jews.² He clearly supposed that Jews existed who would participate in pagan cults. But such Jews would have been condemned not only by rabbis, but also by ordinary folk. They would not have caused much trouble for the rabbis as an estate, but rather for the community as a whole. We may suppose

¹ b. A.Z. 33a.

² b. Sanh. 61b.

that R. Papa's excommunication of the whole town of Nersh was based upon sound reason. When we realize, moreover, that he and his followers thereupon could no longer maintain social or other ordinary relations with the whole town in which they lived, we understand that R. Papa's action amounted to virtual self-ostracism.

Some places clearly were preferred to others, and we may suppose that the rabbis now as earlier encouraged their followers to remain in towns which were bastions of rabbinical influence:

R. Mesharsheya said to his sons, "...Better on the dung heap of Mata Mehasia than in the villas of Pumbedita..."

(b. Hor. 12a)

Formerly, Maḥoza was despised by its rabbinical leadership as a city of sin. Now Pumbedita, long the center of a great academy, was supposedly too luxurious for the rabbinical disciples' residence. Where rabbis were honored and respected, there they preferred to abide. R. Ashi's discussion of whether kings, princes, and others might ignore or forgive disrespect shown to themselves,¹ R. Papa's report that when a certain man made derogatory remarks about Mar Samuel, a log miraculously fell from the roof and cracked his head²—sayings and stories such as these tell us how deep was the sages' concern for "honor" shown not merely by disciples but also by townspeople. Hence they chose to live where glory was readily forthcoming.

One source of substantial tension probably lay in the rabbis' using their control of the courts and knowledge of the law to their own advantage. We noted earlier³ that Mar b. R. Ashi boasted that he was unfit to judge the suit of a rabbinical disciple "for he is as dear to me as myself." Rabbis felt they should not pay for the defense of towns. In rabbinical courts—and these were the only ones in some places—ordinary folk must have felt at a disadvantage, as in the following instance:

R. Yemar knew some testimony for Mar Zuṭra and came before Amemar. He told them all to sit [which was contrary to normal practice, for witnesses were required to stand. R. Ashi pointed this out to Amemar.] Amemar replied, "This is a positive precept [to stand, based on Deut. 19:17] and that is a positive precept [Deut. 10:20, *Thou shalt fear the Lord thy God*, which, the rabbis said, also includes respect for

¹ b. Qid. 32b, Sanh. 19b.

² b. Ber. 19a. I suppose this Mar Samuel was an exilarch, and not the third-century master.

³ Above, p. 172.

scholars], and the positive precept enjoining respect for the Torah [= the sages!] is greater.”

(b. Shev. 30b)¹

The rabbi deserved the honor given to the Torah, and he got it in court. A sage contesting a litigation with an ordinary person would thus enjoy very substantial psychological advantages. We moreover have a case in which R. Papa told both the rabbinical litigant and the outsider to sit down. The court-attendant however advised the outsider to stand up, and R. Papa did not instruct him to take his seat.² Rabbah b. R. Huna had earlier said that if a rabbinical disciple knows some testimony but finds it undignified to go to the judge “who is inferior to him,” he does not have to go. R. Ashi held that if a man was a rabbinical disciple, he could not be forced to swear an oath in a debt-collection case.³

Nor should it be thought that the rabbis' advantages were merely psychological. We have many cases from earlier times similar to the following:

R. Judah the Indian was a convert and had no heirs. When he was ill, Mar Zuṭra called on him. Seeing that R. Judah was dying, he [Mar Zuṭra] said to his [Judah's] slave, “Take off my shoes and carry them to my house.” [The slave would thus be engaged in a service to Mar Zuṭra when Judah died, so he would be acquired as Mar Zuṭra's possession by *ḥazaqab*.]... (b. Qid. 22b)

Rabbinical values did not regard Mar Zuṭra's action as reprehensible. We here have clear evidence of a rabbi's using knowledge of the law of acquisition and possession of property for his own advantage. One recalls Mar Zuṭra's and R. Ashi's explanation of why rabbis do not usually have sons who are rabbis:

...because they act high-handedly against the community ... because they call people asses....

(b. Ned. 81a)

In circumstances such as these it is hardly surprising that people would have proved hostile. Whatever the self-imposed limitations of conscience, the rabbis had to be warned against acting high-handedly, calling people asses, using the courts for their own benefit, and otherwise arousing popular hatred against themselves. It cannot be far-

¹ Trans. A. E. Silverstone, *Shebno'th* (London, 1948), p. 170. I have followed his commentary as well.

² b. Shev. 30b.

³ b. Shev. 41a.

fetched to suppose common folk responded in kind. If people so infuriated R. Papa in the town he "controlled" that he excommunicated the whole lot, if Rabina like earlier sages commented on how common were those who vexed the sages, and if, after a century of the Pumbeditan academy's "influence" in the town, it was still better for disciples to live elsewhere,—if such was the case, we need not doubt the true state of affairs. Considerable tension surely characterized day-to-day relations between rabbinical judges and ordinary folk.

IV. RABBIS AND THE SYNAGOGUE

While rabbis did not exercise substantial power over public worship in the synagogue, the generations of the late fourth and fifth century did exert greater control than was enjoyed by their predecessors. That power however was probably limited to the synagogues in the towns in which they lived. I see no way in which they could effectively have ordered synagogues outside of their immediate vicinity to conform to practices approved, or to desist from those disapproved, by the schools. The instrumentalities of government simply did not exist for such widespread social discipline, and even if they did, the exilarch would probably have prevented the sages from upsetting existing arrangements of so intimate and sensitive matter of local, autonomous tradition.

The rabbis certainly determined the disposition of synagogue buildings and property. They did so not as holy men, but because they were judges in community courts. They also composed or instituted certain prayers, and here the basis probably was their prestige as learned and pious men. But at the outset, the prayers must have been said chiefly in the school services. They further legislated about synagogue prayers and behavior in synagogue services, but I see no grounds to think that legislation immediately proved effective. They also lectured in the synagogue on appointed days.¹ We know that R. Ashi, Mar Zuṭra, and Maremar gave such public addresses on the Sabbath before the festival,² but

¹ I remain unclear about just when such lectures or sermons were given, who determined the speaker or the subject, and how the schools preserved the contents of such addresses. The *sitz im leben* of rabbinical midrash over the various periods and locations of several authorities remains to be investigated. At present, however, I find it impossible to assume that all, or even most, *aggadic* materials began as synagogue lectures.

² b. Ber. 30a.

we have no reason to suppose other sages, not heads of schools or exilarchs, did likewise in outlying localities.

Evidences of rabbinical control over synagogue property include the following:

[A synagogue should not be demolished before another has been built in its place.] Maremar and Mar Zuṭra destroyed and rebuilt a summer synagogue in winter and a winter one in summer.

(b. B.B. 3b)

[If cracks have appeared in the walls, one may pull down a synagogue even though another has not yet been built.] R. Ashi observed cracks in the synagogue of Mata Meḥasia. He had it pulled down. Then he put his bed there and did not take it out until [even] the gutters [of the new synagogue] had been finished.

(b. B.B. 3b)

[One may sell a synagogue to buy an ark only in a village, but in a larger town one may not do so since people come from various places to worship there, and the synagogue belongs to a wider public.] R. Ashi said, "Regarding the synagogue in Mata Meḥasia, even though people come from all parts to it, they come at my discretion [or, at my knowledge].¹ Therefore I can sell it if I like."

(b. Meg. 26a)

Rabina owned the ground of a dismantled synagogue and asked R. Ashi whether he could plant seeds there. He [R. Ashi] replied, "Go and buy it [symbolically] from the seven leaders [lit.: good men] of the village in the presence of the local council [M'MD 'NŠY H'YR], and you may then sow it."

(b. Meg. 26b)

Rami b. Abba in building a synagogue wanted to tear down the old one so as to use the bricks and beams for the new one. [He was concerned with the rule about not pulling down an old synagogue until building a new one], and he asked R. Papa, who forbade him, and R. Huna, who also forbade him.

(b. Meg. 26b)

These stories make it clear that local rabbis did have to be consulted about the disposition of synagogue property. R. Ashi's control over the synagogue at Mata Meḥasia however proved exceptional. Not many others of his time could claim that people came primarily with his knowledge and consent. Even more striking therefore is R. Ashi's instruction to Rabina to acquire the synagogue from the village authorities at a public ceremony. This can only mean that the village leaders

¹ So Maurice Simon, trans., *Megillah*, p. 156. The text is 'D'T' DYDY.

normally had the right to control the synagogue property, which was part of the public domain. At the same time the rabbis as judges would oversee the exercise of that property right so as to make certain the legal procedures were properly observed.

Control of the synagogue buildings thus implied nothing whatever about supervision of synagogue worship. The one was in the hands of the courts, the other was not. Evidence on what rabbis actually could say about synagogue practice derives from the following:

R. Papa was once in the synagogue in Abi Gobar [near Maḥoza]. The first person [called to the Torah] read four verses. R. Papa commended him.

(b. Meg. 21b)

Rabina said, "I visited Maremar at Sura. The reader went down and recited it [the Sanctification of the Wine] in the manner of the Elders of Pumbedita [’s liturgy]. Everyone tried to silence him, but he [Maremar] said, "Let him be. The law follows the elders of Pumbedita." They therefore did not silence him.

(b. Pes. 117b)

Amemar ordained at Nehardea ... [concerning the lections for the intermediate days of the festival].

(b. Suk. 55a)

We recall also that Amemar wanted to institute the reading of the Ten Commandments but was told not to do so on account of well-established rabbinical rule not to recite them.¹ The practices at Sura and Nehardea would have been readily subjected to rabbinical supervision. Abi Gobar was in a suburb of a major school-town. We know only that R. Papa approved a custom when he visited the place. We do not know what would have happened had he disapproved. Maremar clearly could decide the liturgy of Sura, and Amemar could do the same at Nehardea. The basis for this sort of authority is clear. Local celebrities, ruling the courts and heading the great schools, obviously would be listened to in the synagogues they regularly frequented. It is difficult to think otherwise. But as I have stressed, we can say nothing about what happened elsewhere.

Rabbinical rules about proper synagogue conduct therefore would have proved effective in the synagogues of places like Nehardea and Sura. Prayers said in the schools would surely have followed rabbinical procedures. We need not doubt that a man conforming to the ritual of "being a rabbi" would have observed the following rule:

¹ See above, p. 20.

R. Aḥa b. Rava asked R. Ashi, "If a person wants to call another out of the synagogue [during services], what should he do?" He [R. Ashi] replied, "If he is a rabbinical disciple, let him quote a law. If he is a Tanna, let him repeat a Mishnah. If he is [expert in] Scriptures, let him say a Scriptural verse. If he is none of these, let him say to a child, 'Tell me your verse [which you learned today].' Or else, let him stay a little while and then get up."

(b. Meg. 28b)

The rules for interrupting a person's worship were graded according to one's knowledge, or, more really, status. One who did not learn R. Ashi's instructions obviously would have called a person out not through the graceful or delicate measures R. Ashi proposed, but in a more ordinary fashion. The Palestinian authority R. Ammi had said that *And they that forsake the Lord shall be consumed* (Is. 1 : 28) referred to people who walk out of the synagogue during the lection. R. Papa now asked, "What of going out between one verse and the next?"¹ The rabbis' disciples must have proved more loyal to the sages' ideas on proper conduct at synagogue services than did ordinary folk.

V. THE COURTS AND THE PUBLIC WELFARE

In addition to supervising the observance of some religious laws and taboos and deciding litigation of property and personal status, the courts took responsibility for the poor, the water-supply, the repair of the walls of the towns, and similar matters. The rabbis thus functioned as the agency responsible for many matters of local welfare not connected with the law or with religious rites. They were able to do so partly because of their power through the courts to dispose of the private property of ordinary folk. On that basis they could levy taxes for local needs. R. Papa for example levied a tax on orphans when providing funds to dig a new well in his town.² But part of their power to govern local matters depended upon their reputation as learned men. For example, when R. Aḥa and Rabina supervised the teachers of children, it was not because of their power to coerce but rather their prestige as local sages:

R. Aḥa prohibited by a vow a certain teacher from teaching, because he mistreated the children. Rabina reinstated him because no one else taught so efficiently.

(b. Bekh. 46a = b. Giṭ. 36a)

¹ b. Ber. 8a.

² b. B.B. 8a.

They also concerned themselves with the ransom of Jews who had been taken captive. R. Ashi took the responsibility so seriously that he ruled money collected for a synagogue might be diverted for the redemption of captives, which was a still greater desideratum.¹ By contrast, the sages did little or nothing to improve the lot of Jews who had sold themselves into slavery in order to pay headtaxes. They regarded slaves as property, never condemned the institution of slavery, and did not use their control of public funds to purchase freedom for enslaved people.²

They collected and distributed charity, thus functioning as the social welfare agency within the community. Mar Zuṭra held that even a poor man should give to charity.³ In general the sages used their influence to encourage folk to contribute:

Rabina once came to Maḥoza. The women came and threw chains and bracelets to him, and he accepted them [for charity]...

(b. B.Q. 119a)

They had full control over the division of the proceeds. R. Papa held that one should not give charity to a beggar who goes from door to door.⁴ He may have refused a beggar who presented himself at his home:

As R. Papa was climbing a ladder his foot slipped. He almost fell. He commented, "If that had happened, my enemy [= I] should have been punished like [mere] Sabbath-profaners and idolators [who were punished by heaven-caused accidents]. Ḥiyya b. Rav of Difti said to him, "Perhaps a beggar appealed to you, and you did not assist him."

(b. B.B. 10a)

If a man is traveling, he should be given a bed and a pillow, and for the Sabbath, food for three meals, R. Papa held.⁵ R. Ashi had full power in this matter:

"I do not even need to stipulate [concerning the use of funds for local poor or outsiders], for whoever comes [to give me funds for charity] relies on my judgment and allows me to give to anyone I want."

(b. B.B. 9a)

Conditions of life were difficult even in the best days. R. Papa for instance cited a popular saying, "If you hear your neighbor died, you

¹ b. B.B. 3b.

² See below, pp. 304-305, Vol. III, pp. 24-29, and IV, pp. 244-247.

³ b. Git. 7b.

⁴ b. B.B. 9a.

⁵ b. B.B. 9a.

can believe it. If you hear he became wealthy, do not believe it."¹ In supplying the necessary funds for some unfortunate folk, the rabbis therefore acquired additional influence over the common life. One who was in disfavor or excommunicated could not readily rely upon them. It was best to avoid displeasing important town officials.

The practice of making vows and oaths continued in this time. The rabbis made possible the normalization of life for those who had taken vows they later regretted, for a sage could declare that the original conditions had not contemplated some relevant possibility, and the vow was therefore null and void from the beginning. We have a number of stories about rabbis' annulling vows of rabbis:

Rabina's wife was under a vow. He appeared before R. Ashi and asked whether the husband can be made agent for his wife's regret...
(b. Ned. 8b)

R. Aḥa of Huḏal had a vow in regard to his wife [not to derive benefit from her]. He came before R. Ashi...
(b. Ker. 13b)

Although sages thus had the authority to annul vows,² they discouraged people from taking them in the first place. R. Zevid said that vowing is a sin and cited Deut. 28:23 as his proof text.³ A disciple of R. Papa's school held that one may not annul vows on the Sabbath except when it is necessary for the observance of the Sabbath. He thus limited the possibilities of repairing the damage vows might bring.⁴ The basis for the rabbis' power over vows was partly their court jurisdiction, but as holy men they were presumed to know about matters between men and heaven. Still, we do not have much evidence that outsiders scrupulously consulted rabbis to obtain release from vows. Indeed, we do not know whether taking vows was at all characteristic of Jewish society outside of the schools.

VI. COURT PROCEDURES

The appointment of judges was in the hands not of the heads of the schools but of the exilarch. It is clear however that the schools did have

¹ b. Giṭ. 30b.

² For a vow in connection with offerings for the temple, see Rabina and R. Dimi b. R. Huna in b. Men. 81a.

³ b. Ned. 77b.

⁴ b. Shab. 157a.

their own forms of qualification, based upon ordination. R. Aḥa b. Rava asked R. Ashi whether ordination was effected by laying on of hands, and he replied,

"It is by laying on him with the name. He is called *Rabbi* and given the right to judge cases of fines."

(b. Sanh. 13b)

Mar Zuṭra said that the saying, "If the door to prosperity has been shut to an individual, it will not speedily be opened" refers to ordination.¹ Once one was called *Rabbi* and given the right to judge cases, he had received the approbation of the schools and theoretically possessed the right to take over a court. On the other hand, the schools' "appointment" to a judgeship certainly was not necessary. Judges were appointed who had not even attained their legal qualifications in rabbinical schools. This is clear from R. Simeon b. Laqish's saying that one who appoints an incompetent judge over the community is guilty as though he had planted an *'asherab*, citing Deut. 16: 18-19, and to this R. Ashi added:

"And if such an appointment is made where disciples of the sages are to be found, it is as though the *'asherab* were planted beside the holy altar [of the Temple]..."

(b. Sanh. 7b)

R. Ashi also taught concerning the Scripture, *You shall not make with me gods of silver or gold* as follows:

"This verse refers to judges appointed through the power of silver or gold."

(b. Sanh. 7b)

It therefore stands to reason that the exilarch continued to make appointments without regard to rabbinical approval, placing into positions of power judges who had not studied "Torah" even in preference to those who had, and also presumably paying some attention to the judge's material qualifications. It is curious that R. Ashi, to whom Huna b. Nathan had supposedly subordinated himself, made such complaints. Whatever the scholarly attainments of the exilarchs of R. Ashi's time, the exilarchs continued to do pretty much as they pleased with the community's court system, if, as seems likely, these sayings reflect complaints of the rabbis about contemporary conditions.

Whatever favoritism was shown to the disciples of the sages, the courts made a conscientious effort to mete out evenhanded justice to

¹ b. B.Q. 80b.

one and all. Rabina quoted a popular saying that if your sister's son is appointed constable [DYYL'], "do not walk before him in the street."¹ That would suggest one could rely on public officials to do their jobs without showing favoritism. R. Papa warned that one should not act as a judge for either a friend or an enemy, for

"No man can see the guilt of a person he loves or the merits of a person he hates."

(b. Ket. 105b)

In the tradition of earlier sages Amemar showed special care not to accept favors from litigants or even potential litigants:

Amemar was once engaged in a trial when a bird landed on his head. A man came up and took it off. Amemar asked him, "What brings you here?" The man replied, "I have a suit." Amemar replied, "I am disqualified from judging your case."

(b. Ket. 105b)

In general the court system therefore was probably honest and effective. Justice could not have been much delayed. Judges were on the whole not corrupted. Unless a disciple of the sages was involved in a case, ordinary folk could expect a high standard of justice. I imagine, too, that sayings about favoring disciples should be weighed against others such as R. Papa's above. Hence even sages and their disciples could not invariably have enjoyed a preponderant advantage, even though they clearly enjoyed psychological benefits accruing from their status.

The courts were run according to ancient and well-established procedures. Scriptures provided proof-texts to support contemporary customs. For example, R. Hama said that Qoh. 10:16f. proves that one judges up to the main meal of the day.² Ordinary court decisions were enforced by the threat of excommunication, which generally would have proved sufficient. For example, courts could issue and enforce a subpoena:

A woman was summoned to appear in Amemar's court in Nehardea. He in the meantime went to Maḥoza, but she did not follow him there. He wrote out a subpoena [under penalty of the ban] against her...

(b. R.H. 31b)³

The courts began with a *petiḥa*, which was both a warrant, enforced by anathema, and the opening of the court proceedings:

¹ b. Yoma 18a.

² b. Shab. 10a.

³ Note also b. B.Q. 112b, Rabina said that a summons might be conveyed

R. Ashi was at R. Kahana's court, and noticed that a certain woman had been summoned on the preceding evening. Since she had failed to appear, a *petiḥa* was already written against her on the following morning [and not for a Monday, Thursday, or Monday, as was usual. He asked the reason...]

(b. B.Q. 113a)

Court oaths were regularly administered:

A woman was liable to take an oath at the court of R. Bibi b. Abaye. Her opponent suggested to them, "Let her come and take the oath in our town, where she may be ashamed and confess." She countered, "Write out the verdict in my favor so that after I take the oath I may have it." R. Bibi b. Abaye instructed [the court officials] to write it out for her. R. Papa criticized him...

(b. Ket. 85a)

Court oaths, like writs of excommunication, were effective only because all parties believed God would exact penalties for false oaths, and the community would honor writs of excommunication. Both were essentially religious sentiments and lay beyond the exilarch's power of enforcement. But inflicting lashes in addition, as was not infrequent, was quite a different matter.

Amemar held that pleas may be altered before court proceedings begin.¹ Rules of evidence and giving testimony include the saying of Mar Zuṭra that a minor over thirteen and under twenty may give testimony concerning movables but not real estate.² R. Zevid disqualified his sharecroppers from acting as witnesses because one stole some barley, another some unripe dates.³ False witnesses were severely punished when found out.⁴ Witnesses were warned, R. Ashi reported in the name of Nathan b. Mar Zuṭra:

"False witnesses were despised [even] by their own employers, as it is written, *And set two men, base fellows, before him, and let them bear witness against him, saying, 'You did curse God and the King'* (I Kings 21:10)."

(b. Sanh. 29a)

R. Papa ruled in a case that 'Elai and Ṭobia, near relations of a surety to a loan, might testify concerning the loan since they were strangers

through the means of a woman or neighbors, if the party is not in town. If he is, then only the court bailiff may do so, since the man will assume that the summons, if legal, would be served by the bailiff. See b. Sanh. 31b about compelling a defendant to go to the place of the Assembly, in a dispute of litigants on the venue of a trial.

¹ b. B.B. 31a.

² b. B.B. 155b.

³ b. Sanh. 26a.

⁴ b. Mak. 7a.

both to the debtor and to the creditor. R. Huna b. R. Joshua pointed out to him that if the debtor proved unavailable, the creditor would have recourse to the surety, and hence the latter's relations should not testify. Testimony was accepted from ordinary people without distinction, R. Papa held.¹ Mar b. R. Ashi permitted a grandson to serve as witness for his grandfather.² Another case involving rules of testimony is the following:

Tobia sinned. Zigud alone came and testified against him before R. Papa. R. Papa had Zigud punished. Zigud exclaimed, "Tobia sinned, and Zigud is punished!" R. Papa replied, "Yes indeed, for it is written, *One witness shall not rise up against a man* (Deut. 19:5), but you have testified alone against him. You merely [serve to] bring him into ill-repute."
(b. Pes. 113b)³

This case bears the marks of an archetypal, conventional story, rather than of an actual event. The names are standard. In case-reports, indeed, the appearance of names is rare. Generally it is "a certain man." Further, the saying that "one sinned and the other is punished" is probably a popular aphorism. R. Papa, as we have noticed, frequently cited such popular aphorisms. In this "case" it may be that he actually replied to the supposed anomaly underlined by folk wisdom, saying that it was quite proper legal procedure to punish a single witness against an otherwise blameless defendant, rather than the accused man. A more likely story is as follows:

Certain gravediggers buried a corpse on the first day of the festival of Shavu'ot. R. Papa excommunicated them and disqualified them as witnesses [for they had violated the festival law for the sake of their own profit]. R. Huna b. R. Joshua annulled the ban. R. Papa protested, "But they are wicked!" He replied, "They might have thought they were doing a *mizvab*." R. Papa said, "But did I not excommunicate them?" R. Huna replied, "But they may have supposed that the rabbis thereby effected expiation for them."
(b. Sanh. 26b)

Since the rabbis controlled the courts and met no opposition whatever in effectuating their decisions, we have no grounds to doubt that every rabbinical rule about giving and evaluating testimony was actually enforced in court.

¹ b. Hag. 22a, R. Papa says this is in accordance with the view of the Tanna R. Yosi. See also B. M. Lewin, *Ozar HaGeonim*, IV B, p. 45.

² b. B.B. 128a.

³ Trans. H. Freedman, *Pesahim* (London, 1948), p. 583.

VII. COURT POWERS

It is clear that the courts enforced their orders through both social pressure and material fines or physical coercion. Their control over the property of Jewry naturally produced considerable power. First of all, they collected taxes and had it in their discretion to exempt someone, though the community as a whole would have to make up his share of the poll tax. R. Ashi held that an unemployed person had to contribute, but if the tax-collectors themselves exempted him, no further contribution would be exacted, and the man should thank Heaven for its kindness.¹ Since rabbis collected taxes as part of their community administration, they could apparently exercise a small measure of discretion in the matter. Indirect administrative pressures such as this could not have been reliable.

The rabbis enjoyed a far more effective means of enforcing the law by ordering fines or seizure of a person's property in adjudicating conflicting claims. R. Yemar said to R. Ashi that it was a regular practice to do so.² The courts certainly levied fines. R. Papa for example ordered the payment of "four-hundred זוז," that is, a large sum of money, in damages on account of causing embarrassment or shame.³ We cannot doubt that the courts would efficiently exact such fines. The courts also imposed corporal punishment in the form of lashing.⁴ On the penalty of lashing, we have the following exchange:

[Rava had said that flogging is considered a substitute for the death penalty.] R. Aḥa b. Rava said to R. Ashi, "If so, why do we need medical opinion on the amount of lashes a condemned person can take? Let him be beaten and if he dies, he dies." R. Ashi replied, "Scripture states, *Then your brother should be dishonored before your eyes* (Deut. 25:3), which means that when the lashes are applied, they must be on the back of a living person."

(b. Sanh. 10a)

It seems possible that the courts briefly imprisoned malefactors, though this probably was not the main form of punishment of criminals. R. Papa observed that at the gate of the shop there are many

¹ b. B.B. 55a. According to Buddhist records, each family was subjected to a tax of four pieces of silver per man, see S. Beal, trans., *Buddhist Records of the Western World, translated from the Chinese of Hsuan Tsiang* (A.D. 629) (London, 1895), vol. II, pp. 277ff.

² b. Ket. 95b.

³ b. B.Q. 84b.

⁴ b. Shev. 41a, Rabina.

friends, at the gate of ZYYN' none. The word may refer merely to loss but possibly to prison.¹ No references from this period indicate that criminals ever were sentenced to prison terms. The chief punishments available to the courts therefore do not seem to have included incarceration.²

The ban was by far the most common penalty, sometimes in combination with lashing, as in the following:

Rabina said, "We excommunicate him [for contempt of a court order] until the time comes for his punishment with lashes. [That is, if the man permits thirty days to pass without freeing himself of the ban through appropriate remedial action, he is lashed.] Then we lash him and leave him."

(b. Shev. 41a)

But the ban frequently was imposed by itself. We have noted its use in connection with violation of festival taboos. We have the following cases as well:

Rabina, once sitting before R. Ashi, observed that a certain person was tying his ass to a palm-tree on the Sabbath. He [Rabina] called out, but he [the man] took no notice. He called out, "Let this man be placed under the ban." He then asked [R. Ashi], "Does such an act as mine [done in your presence] appear as impertinence?" [R. Ashi replied], "*There is no wisdom, understanding, or counsel against the Lord* (Prov. 21:30)—That is, wherever the divine name is being profaned one shows no respect to one's master [but acts on one's own forthwith]."

(b. 'Eruv. 63a)

Rabina and Rabbah Tosfa'ah were once walking together when they saw a man drawing buckets of water during the intermediate days of the festival. Rabbah said to Rabina, "Shall we place him under a ban?"

(b. M.Q. 4b)

Having discussed the matter, Rabina and Rabbah recognized that the man was not subject to a ban and so refrained from punishing him.³ Amemar taught that a person excommunicated by three authorities must be released by three authorities.⁴ One recalls that the sages found the ban especially effective in maintaining discipline in the schools.⁵ This fact underlines the social nature of excommunication. An earlier discussion about why a certain man had not been excommunicated

¹ b. Shab. 32a, and see Jastrow s.v., who gives both meanings.

² See below, pp. 318-320, on punishments for thefts and damages, for example.

³ b. Sanh. 26b, R. Papa excommunicated grave-diggers for burying a corpse on Shavu'ot.

⁴ b. M.Q. 16a.

⁵ Above, pp. 165-166.

now raised the issue, "Was [he] a great or powerful man that they refrained from banning him?"¹ Clearly both the acquiescence and active support of the community were required to overcome important individuals' resistance to rabbinical decrees, including writs of excommunication. The rabbis could likewise permit people to abuse an evil-doer. R. Ashi said that it was quite proper to abuse a person of poor reputation.² The power which the rabbis claimed to suppress rumors may have been a significant, if little used, means of coercion; their power to *start* them was probably more effectual.

Court jurisdiction probably did not extend to capital cases. The Iranian government presumably reserved the right to try such cases. R. Ashi referred to the words opening a murder trial. He said one starts proceedings by saying, "If anyone knows anything in his favor, let him come forward and testify."³ Mar b. Rabina commented on the rules for accepting testimony in a capital case.⁴ It seems to me these were merely matters of legal theory.⁵

VIII. THE SACRED CALENDAR

Observance of the Sabbath and festivals by ordinary folk had earlier remained outside the strict control of the sages. Rabbis could only issue warnings and curses. In general, however, they had little more power than to tell people what to do and promise them heavenly rewards for obedience to "the Torah." The exceptional laws were those about the Sabbath limits. As communal officials, the rabbis could set up the *'eruv* according to the law, and none impeded them. We have similar stories now, such as the following:

Maremar partitioned off Sura [from the canal] by means of nets...
(b. 'Eruv. 8a)

We also have sayings on how various rabbis prepared the *'eruv-tavshilin*⁶ and on the rules pertaining to fruits carried beyond the Sabbath limit.⁷ In this regard the late fourth and fifth century stratum

¹ b. Pes. 53b.

² b. Meg. 25b. Note also the saying of R. Ashi on court confirmation or suppression of 'reports' in b. Git. 89b.

³ b. Sanh. 32b.

⁴ b. B.Q. 88a.

⁵ See Vol. IV, pp. 186-191.

⁶ b. Bez. 7a, R. Ashi.

⁷ b. 'Eruv. 41b, R. Papa.

is not much different from earlier ones. Where it strikingly differs is in stories about *enforcement* of other aspects of Sabbath-law, for which we have few, if any, earlier equivalents:

Amemar permitted sprinkling [the floors] in Maḥoza [on the Sabbath]...

(b. Shab. 95a)

Amemar permitted the drawing of water by means of a wheel at Maḥoza [on the Sabbath]...

(b. 'Eruv. 104a)

Amemar permitted a gentile to paint an eye [of a Jew] on the Sabbath [for medical purposes] ... Amemar permitted the painting of eyes on the second day of the New Year...

(b. Bez. 22a)

In addition, we noted that Rabina discussed with R. Ashi the excommunication of a man who tied his ass to a palm-tree on the Sabbath.¹ These stories suggest that the rabbis were now able to use the ban as a means of enforcing Sabbath-law. I assume that Amemar's decisions were of a practical sort.² In the past few such stories were told. If, as seems likely, the ban in Sabbath law-enforcement now proved more effective than earlier, the cause can only be that the public would honor the decree and understand the need to issue it. We therefore may very tentatively suppose that the enforcement of Sabbath-laws proved more feasible than earlier as a result of two and more centuries of rabbinical instruction and exemplification of the law.

Stories of how rabbis themselves observed the Sabbath laws include these:

R. Papa's household [on the Sabbath] poured wine slowly from one vessel to another...

(b. Shab. 139b)

Amemar, Mar Zuṭra and R. Ashi were sitting when *barda* [a spice] was brought before them. Amemar and R. Ashi washed their hands in it, but Mar Zuṭra refrained from doing so...

(b. Shab. 50b)

Mar b. R. Ashi said, "I once stood before my father when his plaster slipped off into his pillow and he replaced it..."

(b. 'Eruv. 102b)

¹ b. 'Eruv. 63a.

² Compare Vol. IV, pp. 168-9, on the practical significance of *ḥR'* as used by Rava.

The host of R. Papa ... had some eggs from the Sabbath [which he wished to prepare on the festival]. He came and asked whether he might eat them the next day...

(b. Bez. 4a)

A mouse once fell into a spice-box of R. Ashi. He ruled, "Take it out by the tail..."

(b. Bez. 36b)

These conventional stories are consistent with those told for several generations. The sages' own actions on the Sabbath set valid precedents, as much as did their teachings. Sayings on Sabbath-observance included discussions on the use of various kind of stoves,¹ spreading mats over bee-hives on the Sabbath,² wearing openwork bands on the Sabbath,³ girding oneself with a *kamara* on the Sabbath,⁴ the culpability for throwing objects on the Sabbath⁵ and for grinding, kneading, baking,⁶ and cooking on the Sabbath,⁷ and similar classical legal issues. Rabina held that the Sabbath was sanctified at creation.⁸

Festivals, fasts, and holy days generally exhibited the same pattern. The evidence suggests that the sages had greater success in enforcing the laws than earlier. I conjecture that ordinary folk now both expected them to do so and supported them when they did. The following stories pertain to rabbinical enforcement of laws pertaining to such days:

Certain gardeners once cut myrtles on the second day of the festival. Rabina allowed people to smell them in the evening immediately [afterward]...

(b. 'Eruv. 40a)

Maremar taught, "The bundles of Sura are valid as a Sukkah-covering..."

(b. Suk. 13b)

Amemar instituted in Nehardea [regarding the lections for the intermediate days of the festival].

(b. Suk. 55a)

The Surans followed the ruling of Maremar [regarding use of the Sukkah species]...

(b. Suk. 46b)

¹ b. Shab. 38b, R. Ashi.

² b. Shab. 43a-b, R. Ashi was asked by R. 'Uqba of Mesene about doing so in winter when there is no honey.

³ b. Shab. 57a, R. Huna b. R. Joshua.

⁴ b. Shab. 59b, Rabina asked R. Ashi.

⁵ b. Shab. 100b, R. Ashi.

⁶ b. Shab. 74b, R. Papa and R. Ashi.

⁷ b. Shab. 140a, Mar Zuṭra.

⁸ b. Bez. 17a.

Rabina and Rabbah Tosfa'ah saw a man drawing buckets of water during the festival week. [Rabbah proposed to excommunicate him...] (b. M.Q. 4b)

R. Ashi allowed the people of Mata Meḥasia to clear obstructions from the canal at Barnish on the festival week, holding that people needed the water for drinking, and it therefore was a public necessity... (b. M.Q. 4b)

Rabina had lent money ... and asked R. Ashi about going to collect it during the festival week... (b. M.Q. 10b)

Marion b. Rabina and Mar b. R. Aḥa b. Rava had a yoke of oxen in partnership. After a bereavement of Mar b. R. Aḥa b. Rava, he broke up the team [and did not contribute his animal during the festival week]. R. Ashi ruled... (b. M.Q. 11b)

R. Papa ordained a fast and no rain fell... (b. Ta'anit 24b)

R. Papa ordained a fast at Abi-Gobar... (b. Ta'anit 26a)

The bases for rabbinical actions on festivals were not always the same. Rabina's rule about using the myrtles depended in part on his supervision of the market, for he could prohibit their purchase. But if people could not make use of the myrtles, they would not purchase them to begin with. In larger measure, therefore, his ruling proved effective because people respected his knowledge of religious law. Maremar's teaching does not indicate what people actually did. I suppose that in his town they wanted to build their *Sukkot* in conformity with rabbinical rules. Amemar's ruling about synagogue festival-lections, like those noted above, is of not much greater consequence, for it merely indicates that the synagogues in school-towns would abide by rabbinical rulings.¹ The "Surans" mentioned here may well be the men of the academy, but even if everyone in town followed Maremar's rule—and social pressure probably made it certain most people would—we do not know what happened elsewhere. We earlier noted the willingness of major authorities to excommunicate those who profaned the festival week. R. Ashi's rulings at Mata Meḥasia therefore are of great significance in showing his influence in his own town; like the inquiry of the sons of Rabina and R. Aḥa, Rabina's consultation merely tells us that disciples consulted masters. In all, therefore, we can only imagine that

¹ See above, pp. 262-265.

rabbinical influence tended to increase. The evidence suggests, but does not prove it.

The rabbis also gave public lectures about festival observance. Maremar was asked about the use of glazed vessels on Passover and gave a lecture proving that it was permitted.¹ R. Geviah lectured at the exilarch's about cooking on the festival.² Stories about the rabbis' own festival observances included the following:

The mother of Mar b. Rabina stored grain for him in a trough [for use on Passover].

(b. Pes. 40a-b)

Minyamin servant of R. Ashi had his shirt soaked in water and spread it on the *Sukkah*. R. Ashi said to him, "Remove it, lest people think it is permissible to use as *Sukkah*-covering something which is susceptible of uncleanness."

(b. Suk. 10b)

R. Ashi found R. Kahana placing a *Sukkah*-covering ... [and asked about the law]...

(b. Suk. 19a)

Mar b. Amemar told R. Ashi, "My father used to pray holding a *lulav*..."

(b. Suk. 41b)

The wife of R. Ashi sifted flour on the top side of a table [on a festival]...

(b. Bez. 29b)

Rabina said to R. Ashi, "R. Aḥa of Huḏal told me that they pasted up an oven for you on a festival..."

(b. Bez. 32b)

R. Ashi had a wood ... and went to cut it during the festival week...

(b. M.Q. 12b)

R. Ashi's disciples wore shoes as usual on fast-days ... Maremar and Mar Zuṭra used to shift shoes from one foot to the other...

(b. Ta'anit 12b)³

Sayings on festival observance included discussions of chewing ginger on the Day of Atonement,⁴ feeding a sick person on that day,⁵ cooking

¹ b. Pes. 30b.

² b. Bez. 23a.

³ R. Ashi's view, like Samuel's, was that there was no public fast in Babylonia except the 9th of Av.

⁴ b. Ber. 37b, Rabina to Maremar.

⁵ b. Yoma 83a, Mar b. R. Ashi.

on the festivals,¹ watering a field on the intermediate days of the festival,² and the like.

I think it significant that R. Ashi assumed people would naturally follow his practice in covering the *Sukekab*. Likewise the possibility of making use of the ban must not be ignored, for the reasons stated earlier. The evidence concerning the Sabbath is more considerable, but the festivals were not much different in character. If the rabbis could now exert greater influence in Sabbath observance than earlier, they probably could do the same with regard to festivals. Keeping festivals and the Sabbath was not subject to court rulings. No one normally was lashed or fined for breaking the festival and Sabbath taboos. The administrative and judicial role of the rabbinate made little difference in enforcing these laws. As holy men, on the other hand, rabbis possessed wide influence over just such matters, and as we have seen, they did not hesitate to use it to enforce the law.

IX. FOOD LAWS

Rabbinical control of the markets naturally included the right to supervise the ritual fitness of food and other products sold there, as we have seen in the ruling about the purchase and use of myrtle after a festival. Food laws produced two kinds of material, first, sayings and stories about the ritual acceptability of various sorts of food and about ways of preparing and storing food. These sayings and stories are rarely, if ever, accompanied by stories of how rabbis instructed others to behave, how ordinary folk had been punished for ignoring rabbinical rulings, or of what Rabbi So-and-so ruled in his court when a "certain woman" prepared something contrary to law. It is important to stress this fact, because the second sort of material is composed of just such stories, most of them in a setting of market-supervision. In fact, the rabbis' control of the markets produced whatever power they had actually to enforce the food laws. That enforcement pertained almost exclusively to the ritual slaughter of animals for Jewish use, the examination of their entrails for marks of disease, the sharpness of the slaughterers' knives, and related matters.

Some of the food laws pertained to hygiene. One should not leave liquids uncovered, for example. R. Papa or R. Huna b. R. Joshua

¹ b. Bez. 32b, Rabina and R. Ashi.

² b. M.Q. 4a, R. Papa and R. Ashi.

would use brine to dilute other liquids that had been left uncovered.¹ R. Ashi and Rabina discussed the rule concerning a mouse's falling into vinegar.² Concerning laws on the separation of milk and meat R. Papa taught the dough may not be kneaded with milk.³ We have numerous stories illustrating how rabbis had behaved in their own homes. Some do not specify the setting at all, as the following:

An olive's bulk of [forbidden] fat fell into some meat. R. Ashi intended to include in measuring [the meat] absorbed in the pot. The rabbis said to him....

(b. Hul. 98a)

A half of an olive's bulk of fat once fell into a pot of meat. Mar. b. R. Ashi intended to measure it by the standard of thirty-fold, but his father said to him, "Have I not told you not to treat lightly the standard measures [even in prohibitions by] rabbinical ruling..."

(b. Hul. 98a)

We simply do not know who, if anyone, consulted R. Ashi and Mar. b. R. Ashi in these incidents. It may have been other sages or possibly an ordinary housewife. On the other hand, in the following the practices of the rabbis themselves are preserved for precedent:

R. Isaac b. R. Mesharsheya once visited R. Ashi. He was served cheese, which he ate, and then meat, which he also ate, but without first washing his hands....

(b. Hul. 104b)

R. Ashi once visited the house of Rami b. Abba his father-in-law, when he saw his brother-in-law putting liver on the spit on top of meat, "How presumptuous is this disciple of the rabbis," he said, "for the rabbis permitted it after the fact but not to begin with..."

(b. Hul. 111a-b)

Immediately preceding is the story of Maremar's public exposition that the liver and udder may be cooked on top of the meat only after the fact, but people should not be encouraged to do so.⁴ We may be certain that the public exposition was heard and obeyed by sages. We cannot say for sure what its impact would have been upon outsiders.

Sayings pertaining to the slaughter of animals do not differ in form from the others. We find a dispute about how to clean a knife used in slaughtering an animal found to be unacceptable,⁵ a rule that one should

¹ b. Hul. 49b.

² b. A.Z. 69a.

³ b. B.M. 91a.

⁴ b. Hul. 111a.

⁵ b. Hul. 8b, R. Aḥa and Rabina.

not place the loins on top of the meat for fear that the fat will run and be absorbed by the meat,¹ a test for telling whether the animal's bronchial tubes are intact,² a rule on examining an animal which has been injured in a fall³ or which has been clawed,⁴ and many other matters. In this connection we have a story:

A duck belonging to R. Ashi went among the reeds and came out with its neck smeared with blood. R. Ashi ruled [on the clawing]...
(b. Hul. 53b)

The laws concerning ritual slaughter of animals however are accompanied by a number of remarkable cases illustrating points of law. These cases invariably occur in court-settings. They leave no doubt whatever that rabbis effectively decided whether animals had been properly slaughtered and their meat satisfactorily prepared for the Jewish market. R. Ashi would consult the ritual-slaughterers of Mata Meḥasia:

When a possibly unfit animal was submitted to R. Ashi for inspection, he would call [to consult] all the butchers of Mata Meḥasia in order that "each of them may carry a chip from the beam."
(b. Sanh. 7b = b. Hor. 3b)

This story is told following one about R. Huna, who would gather ten *disciples* to judge cases "so that each may carry..." It is significant that the butchers of R. Ashi's town were believed by him to be sufficiently informed about the law so that their opinion could be solicited and relied upon. Strikingly, the earlier generation produced no such stories.

Further stories illustrating the court enforcement of law or sayings which clearly presuppose practical settings include the following:

R. Aḥa b. Rava told R. Ashi that R. Kahana required an examination of the slaughter-knife after each animal was slaughtered...
(b. Hul. 10b)

Rabina and R. Aḥa b. Rava were sitting before R. Ashi when a knife was brought to R. Ashi for examination. He asked R. Aḥa to examine it...
(b. Hul. 17b)

In a certain case, a slaughterer did not present his knife for examination by Rava b. Ḥinena. Rava put him under the ban, removed him, and announced publicly that all his meat was unfit. Mar Zuṭra and

¹ b. Hul. 8b.

² b. Hul. 47b, R. Ashi.

³ b. Hul. 5a, Mar Zuṭra.

⁴ b. Hul. 53b, Amemar.

R. Ashi came by to call on Rava b. Hinena. He asked them to look into the case, as there are small children dependent on him. R. Ashi examined the knife, found it satisfactory, and declared him fit again. Mar Zuṭra said, "But are you not concerned about overruling this sage?" R. Ashi replied, "We are only carrying out his instructions."

(b. Ḥul. 18a)

Rabina told R. Ashi, "R. Shaman of Sikara told me Mar Zuṭra once came to our town and ruled that if the knife cut through the arytenoid cartilages ... the slaughtering is valid..."

(b. Ḥul. 18b)

A pair of lungs with an additional lobe was once brought before Maremar. R. Aḥa who was sitting at the gate asked the [butcher] what Maremar had ruled. He replied, "He permitted it." "Then go, take it to him again," said R. Aḥa. Maremar then said, "Go tell him who sits at the gate that the law is not in accordance with Rava..."

(b. Ḥul. 47a)

A pair of lungs with an interjacent lobe was once brought before R. Ashi, who was about to declare it unfit when R. Huna Mar b. Avia said to him...

(b. Ḥul. 47a)

A needle was once found in a portion of the liver. Mar b. R. Joseph was about to declare it unfit, when R. Ashi said to him...

(b. Ḥul. 48b)

A needle was once found in the portal vein of the liver. Huna Mar b. R. Idi declared the animal unfit, and R. Ada b. Manyomi declared it fit. The case came to Rabina who said, "Take away the [rabbinical] cloaks of those who declare it unfit."

(b. Ḥul. 49a)

A date stone was found in the glass-bladder. R. Ashi said, "When we were at the school of R. Kahana, he told us that in such a case..."

(b. Ḥul. 49a)

A goat belonging to Rabina was on the roof and saw through the skylight some peeled barley. It jumped from the roof to the ground. Rabina came to R. Ashi and asked...

(b. Ḥul. 51a)

A ewe belonging to R. Habiba was seen dragging its hind legs. R. Yemar said, "It is suffering from a hip disease." Rabina demurred...

(b. Ḥul. 51a)

R. Ashi said, "When we were at the school of R. Kahana a lung was brought to us. When it was laid down it was firm, but when it was lifted up, it decomposed and fell to pieces. We declared it unfit..."

(b. Ḥul. 53b)

R. Yemar used to examine [the membrane of the brain] with water.
R. Aḥa b. Jacob did so with a straw of wheat.

(b. Ḥul. 56a-b)

An animal having two inner rumens was brought before Rabina,
who declared it unfit...

(b. Ḥul. 58b)

A tube running from the reticulum to the omasum was once found in
an animal. R. Ashi was about to declare it unfit when R. Huna Mar b.
Ḥiyya said to him, "But all animals that feed in the open fields have this
tube." A tube running from the reticulum to the rumen was once found
in an animal. R. Ashi was about to declare it permitted when R. Oshaia
said to him...

(b. Ḥul. 58b)

Adda b. Ḥabu had an animal that had been extracted [by caesarean
section]. It was attacked by a wolf. He came to R. Ashi who advised
him to slaughter it immediately...

(b. Ḥul. 75b)

Mar b. R. Ashi said, "I was once standing before my father when a
bird was brought to him which he examined. He found only fifteen
tendons..."

(b. Ḥul. 76b)

In the house of the exilarch, sides of meat were once salted with the
sciatic nerve inside. Rabina forbade them, but R. Aḥa b. Rava declared
them permitted. When the case came to Mar b. R. Ashi, he said...

(b. Ḥul. 97b)¹

Of the three stories about examining the butchers' slaughter-knives,
the third is most striking. We see that Rava b. Ḥinena exercised what
amounted to absolute control over the butcher. He could not only
excommunicate, but also deprive the butcher of the right to practice
his livelihood. He had to take care how he exercised that power, so he
consulted other sages. The basis for rabbinical enforcement of food-
laws therefore is entirely clear. We moreover have no doubt as to its
effectiveness. The ruling of Mar Zuṭra at Sikara and similar decrees
certainly were enforced.

Cases in which doubtful matters were brought to rabbis for in-
spection generally must have been based upon actual events in the
courts. Senior authorities, such as Rabina in the case of the needle
found in a liver-vein, evidently could overrule the decisions of local
officials. Cases such as those reported by R. Ashi from his early years at

¹ All translations in this section are from Eli Cashdan, *Hullin* (London, 1948),
with minor revisions.

school must have taken place when the master was consulted by a butcher or some other outsider. In deciding the case the master shared the issue with his disciples. We see that sages consulted one another, as was natural.

If, as is clear, the sages enforced all laws dealing with ritual slaughter and sale of animals for Jewish consumption, they could do so because they controlled the markets, but of even greater importance, because they had the power to dispose of the property of Jewry. Animals represented substantial capital; declaring one unsuited for Jewish consumption considerably lowered its value. Even more significant, closing the market to a butcher forthwith deprived him of his livelihood, as we have seen. Under such circumstances the butchers certainly had little choice but to cooperate in every detail with rabbinical instructions. By contrast, not a single rule, custom, or taboo pertaining to food prepared in homes produced an equivalent story or case. I do not think the rabbis enforced or otherwise effectuated any food-laws other than those of ritual slaughter. That is not to suggest people did not keep those laws and taboos. We simply do not know what they did.

X. SEXUAL TABOOS. CIRCUMCISION

The biblical laws about refraining from sexual relations during a woman's menstrual period were understood to apply to ordinary folk, not merely priests, and in everyday life, not only in the Temple. Since the common folk believed themselves obligated to keep the laws of the Scriptures revealed at Sinai, they kept the biblical taboo. The rabbis normally and regularly were consulted about doubtful cases. Their reputation as experts in distinguishing the causes and evidences of various kinds of excretions was considerable.¹ Hence the laws, voluntarily kept by most people, did not have to be enforced through either coercive means or the social force of rabbinical influence. The role of the sages depended upon their reputation as sages and holy men, rather than upon their communal position.

Evidence concerning the opinions and practices of the later generations is limited. We have the following:

R. Kahana stated, "I inquired of the women of the house of R. Papa and of R. Huna b. R. Joshua, 'Do the rabbis coming home from the school-house require you to undergo an examination?' They said no."

¹ Vol. IV, p. 275. See also vol. III, pp. 240-243 and IV, pp. 158-159.

And why did he not ask the sages themselves? Because they might have imposed additional restrictions on themselves. [The meaning is that the rabbis might have given a lenient ruling applying to everyone, rather than a strict ruling applying to themselves alone. The women would be able to tell the practice of the sages themselves.]

(b. Nid. 12b)

The implication of the later editorial comment is that the rabbis did issue decrees applying to everyone and sterner ones applying to themselves, and we may suppose that they assumed the laws were widely kept. The sages studied the laws of inspecting blood:

Amemar, Mar Zuṭra, and R. Ashi once sat before a cupper. When the first cupping-horn was taken off Amemar, he saw it and observed, "This is the *red* about which we have studied." When the second was removed he said, "This is a different shade." R. Ashi commented, "One like myself who does not know the differences between bloods must not act as an examiner of blood."

(b. Nid. 20a)

We however have no cases in which rabbis were consulted about blood. Stories cited earlier leave no doubt that sages influenced popular behavior, and we have no reason to suppose their influence later on diminished.

As to other sexual matters, R. Papa taught that it was forbidden to wear trousers in the Iranian manner, for these might cause sexual excitement by contact with the male organ. He held that the breeches referred to in Scriptures (Ex. 28 : 42) were designed to hang loosely, so as to engender no heat in the male sexual organs.

Regarding the rite of circumcision, everyone agreed that the membrum had to be trimmed. The issue was, Who is responsible to do so? R. Kahana held that the surgeon must trim, while R. Papa said that any adult was responsible to do so. R. Ashi agreed with R. Kahana. Similarly, R. Papa said that the surgeon must suck out the wound.¹ We have a case in which rabbis ruled upon the results of circumcision. The cut took the shape of a gutter, and R. Ashi arranged for the corona to be cut into the shape of a reed pen and declared the man fit.² I assume the case involved the conversion of an adult male to Judaism.

XI. HOLY OBJECTS

When the sages legislated concerning holy objects, such as the scroll of the Torah, the *mezuzah*, *tefillin*, and the like, their intention was both

¹ b. Shab. 133b.

² b. Yev. 75b.

to legitimize and to preserve the sanctity of these objects from commonplace defilements. For example, they held that one should not keep a Torah-scroll in a place where people slept. Mar Zuṭra visiting R. Ashi noticed that where Mar b. R. Ashi slept, a scroll of the Torah was kept behind a partition ten handbreaths high. He asked about the legal basis for these arrangements.¹ Similarly with reference to the *mezuzah*:

R. Papa once visited Mar Samuel and saw a door which had only one doorpost, on the left side, to which a *mezuzah* was attached. [He commented on the legal reason for this situation.]

(b. Men. 34a)

Amemar said that a door in the corner requires a *mezuzah*.² We find no legislation, by contrast, dealing with the magical bowls, which were apparently used, like the *mezuzah*, to ward off demons. Since the rabbis probably disapproved of that form of magic, they passed over it in silence. The provision of legislation thus was their mode of indicating approval for particular forms of theurgy.

Tefillin (phylacteries) were characteristically worn by sages and distinguished the sage from outsiders. It was regarded as exceptionally pious to wear *tefillin* all day long. Yet it is possible that ordinary people wore them as well:

R. Aḥa b. R. Joseph asked R. Ashi, "May one sew [the strap of *tefillin*] together, turning the seam on the inside?" He replied, "Go, see what the people do."

(b. Men. 35b)

The meaning may be that ordinary folk also make use of *tefillin*, so we may conform to popular practice. But "people" may denote the men of the school. We can come to no firm conclusion. It is clear that rabbinical practices were preserved as precedents:

When R. Ashi was once sitting before Mar Zuṭra the strap of his *tefillin* twisted around, and Mar Zuṭra [asked him about it]...

(b. Men. 35b)

Rabina said, "I was once sitting before R. Ashi when darkness had fallen, and he put on his *tefillin*. I asked him whether his intention was to guard them. He replied, 'Yes.'"

(b. Men. 36b)

R. Ashi was once sitting before Amemar. Amemar had an injury on his arm and his *tefillin* was exposed [since his cloak had been removed]. R. Ashi said to him, "Does not the master hold 'it shall be a sign to him, but *not* to others'?"...

(b. Men. 37b)

¹ b. Ber. 26a.

² b. Men. 34a.

Mar Zuṭra reported that R. Papi had said a blessing whenever he put on his *tefillin*. The disciples of R. Ashi said a blessing whenever they touched their *tefillin*.¹

Similar stories were told concerning fringes (*zizit*). For instance:

Rabina was once walking behind Mar b. R. Ashi on a Sabbath preceding the festival, when the corner of [Mar's] garment with its fringe was torn away. Rabina told him nothing about it. When they reached home, he [Rabina] informed him [Mar]. He replied, "Had you said so I would forthwith have thrown it off [for it was not properly provided with fringes.]..."

(b. Men. 37b-38a)

Similarly, Rabina and R. Sama were in R. Ashi's presence, and R. Sama noted that Rabina's fringes were not in accordance with the law. Further:

R. Aḥa b. Jacob used to take four threads, double them over, insert them through the garment, and then make them into a loop. He held there must be eight threads in the hole of the garment...

(b. Men. 42a)

Knot-tying was a skill characteristic of magicians. The rabbis were certainly expert at it. Yet at no point in their discussion of the laws about fringes do we find reference to their magical value.

The rabbis were not scribes. Professional scribes were employed to copy scrolls of the Torah for synagogue use. R. Ashi reported that he had observed scribes at their work.² Scrolls which did not conform to the rabbinical rules would have been rejected in the schools. Scribes employed by courts to prepare documents conformed in every detail to rabbinical law, as we shall see.³

XII. MOURNING RITES

Well-established mourning rites must have proved among the most difficult practices to modify in accordance with the sages' rules. Yet while earlier, expensive shrouds contrary to rabbinical law had been used,⁴ now R. Papa said that it was common practice to employ rough cloth shrouds worth only a *zuz*.⁵ This saying would imply widespread conformity to the rabbis' sumptuary laws. As we have noted, R. Papa

¹ b. Suk. 46a.

² b. Men. 29b.

³ Below, pp. 314-315.

⁴ Vol. IV, pp. 156-157.

⁵ b. Ket. 8b.

excommunicated men who dug a grave on a festival.¹ The power of excommunication of such men was significant, for perhaps ordinary folk responsive to rabbinical opinion would not then use the diggers' services for their own deceased. On the other hand while butchers made their living at their work, grave-digging required no skill and probably did not constitute a lucrative profession, so not much loss of income could have been incurred.

R. Ashi held that mourning rites commence when the grave is closed with the grave-stone.² Another mourning rite now discussed was whether remission by the advent of a festival of the requirement to overturn a couch is effective even though the overturning was first done only very shortly before the festival.³ Rafram b. Papa cited a teaching that one must not have sexual relations during the seven-day mourning period. He reported that one who did so died.⁴ R. Avia expounded that one day of mourning before the New Year and the New Year's day accounted for fourteen of the required thirty days of mourning. Rabina added that by the same reasoning one day of mourning before *Sukkot* plus the festival together accounted for twenty-one days of mourning.⁵ R. Papa cited a teaching that a person in mourning should not play with an infant, for the child may amuse him.⁶ As to rabbinical practice we have the following stories:

Amemar's son's son died, and he rent [his clothes]. When his son came, he did so again in the son's presence. He remembered he had done it sitting down, so he stood up and did it a third time, [this time] standing. R. Ashi said, "How do we know that tearing is to be done standing? From *Then Job rose and tore his cloak* (Job 1:20)."

(b. M.Q. 20b)

R. Ashi visited R. Kahana. A child of R. Kahana died within thirty days of birth. R. Kahana sat and mourned for it. R. Ashi [asked why, since the law was that if the child did not live thirty days, it was not viable and hence is not to be mourned.] He replied, "I know for certain that the months of pregnancy were completed."

(b. Shab. 136a)

We see that the rites of mourning were carefully defined by rabbinical law. It is difficult to assess the extent of compliance by outsiders to rules such as the one about standing up to tear one's cloak or refraining

¹ b. Sanh. 26b.

² b. Sanh. 47b.

³ b. M.Q. 20a, Rabina.

⁴ b. M.Q. 24a.

⁵ b. M.Q. 24b.

⁶ b. M.Q. 26b.

from mourning non-viable children. On the other hand practices done publicly must now have reflected greater conformity to rabbinical views than in earlier times. Furthermore if people believed that acting contrary to rabbinical teaching would be punished by heaven, as allegedly happened, they supposed, to the man who had sexual relations during a bereavement, they would certainly keep the law as the rabbis expounded it. But we really do not know much about popular belief or practice. The use of cheap shrouds suggests, but does not prove, growing conformity to rabbinical law.

XIII. FAMILY LIFE

The nature of rabbinical authority and influence is most clearly delineated in the various laws and sayings pertinent to family life. Among the many sayings about proper conduct of parents with children and husbands with wives, we find not a single instance in which a sage was able to enforce the law through coercion. On the other hand, contracting marriage and dissolving it were strictly supervised by the sages, who had complete control of the preparation and enforcement of marriage-contracts and writs of divorce. The reason for their effective control was two-fold. First of all, exchanges of property invariably accompanied both marriage and divorce, and rabbis ruled on all disputed property-exchanges. Second, the courts could determine the legal status of children. If a woman married before being properly divorced from her first husband, her children from the second marriage would be regarded by Jewish law as *mamzerim*, that is, of tainted lineage and unable to contract marriage with legitimate Jews. The whole future of families depended upon rabbinical approval of divorce and consequent remarriage. On the other hand the status of the *mamzer* was not conferred upon the product of a marriage improperly contracted between people actually free to marry—let alone of an unmarried couple—so rabbinical influence over marriage-ceremonies generally was limited to the provision of a marriage-contract. Nonetheless in this period that influence probably extended to aspects of marital relations not formerly subjected to rabbinical rulings.

Children were naturally expected to show deference to their parents, who were to be given the respect that disciples paid their masters. Mar b. R. Ashi cited his father, for example, as "My father, my teacher, my rabbi," while his *meturgeman*, or public speaker, cited Mar's father as

"R. Ashi."¹ Mar. b. Rabina would not permit his son to lance a pimple on himself, fearing he would thereby incur heaven's wrath upon "the disrespectful child."² Nowhere do we find a court's requiring sages to cite their fathers in the manner of Mar. b. R. Ashi, but we may assume that all sages did so, since the schools would have naturally expected compliance to the law. On the other hand, if an outsider's son lanced his father's pimple, the courts probably would not have punished him. Rabina taught that the child of a Jew's daughter and a gentile would be considered a Jew, and this obviously would produce important legal consequences.³ The child could inherit his family's property and otherwise enjoy the rights of Jewish progeny. These three sayings typify teachings about family life. The first pertained strictly to the inner circle of the sages. The second applied to anyone, but probably was not on that account enforced in the courts. But the third was most definitely a matter of practical, public law.

Still a fourth kind of saying was R. Papa's and R. Ashi's on the importance of marriage to women:

R. Papa said, "Though her husband be [merely] a *NPZ*' [=carder? flax-beater?], she calls him to the threshold and sits down [with him.]"
R. Ashi said, "If her husband is merely dull [*QWLS*'] she still requires no lentils in her pot."

(b. Yev. 118b = Qid. 75a)

Sages may have approved of marriages but could not impose them. They may have disapproved of such marriages as these, but they could not force the husbands to divorce their wives. These observations therefore theoretically pertained to everyone but actually affected no one.

By contrast Amemar's saying on foundlings would have had important practical consequences:

Amemar said, "[If a baby was found] in a pit of datestones, he is considered a foundling; in the swift current of a river, he is not. If found in shallow water, he is a foundling. In the side passages off public thoroughfares, he is not, but in a public thoroughfare, he is."

(b. Qid. 73b)

The result for the child was life-long. If he was a foundling he would have great difficulty finding a mate or living a normal life within the Jewish community. Practical rulings on the legitimacy of children include the following:

¹ b. Qid. 31b.

² b. Sanh. 84b.

³ b. Yev. 23a.

Rabina said, "R. Gaza told me, 'R. Yosi b. Abin was at our town when an incident [of a birth from a union between a slave and a free Jewish woman] took place with an unmarried woman, and he declared the child legitimate. When it happened with a married woman, he declared the child illegitimate.'"

R. Aḥa b. Rava said to Rabina, "Amemar was once at our town [when a similar case arose], and he declared the child legitimate in the case of a married as well as of an unmarried woman."

(b. Yev. 45b)

[In a practical case] Rabbah Tosfa'ah decided that a woman [who had given birth after her] husband had gone abroad and remained for a full year [had produced] a legitimate child...

(b. Yev. 80b)

In the last case, the reason was the sages had learned from their traditions that a birth may be delayed beyond the nine month period. Legitimacy-decisions were effective, as I said, mainly because of consequent court power over the child's future marriage and rights of inheritance. R. Papa and R. Huna b. R. Joshua were asked whether women of priestly status could marry men of tainted birth. They said that there was no prohibition.¹ Consequently such marriages would be regarded as legal and the progeny as legitimate. We furthermore know that the rabbis ruled on consanguineous marriages. Amemar supposedly permitted marriage to one's father's father's brother and one's father's father's sister.² They also ruled in a practical case on the remarriage of a nursing mother:

R. Papa and R. Huna b. R. Joshua intended to give a practical decision [in accordance with the rule that if a nursing mother gave her child to a wet nurse or weaned him, or if the child died, she may immediately remarry]. An aged woman, however, said to them, "I was in such a position, and R. Nahman forbade me [to remarry]."

(b. Ket. 60b)

We must distinguish among the many kinds of sayings pertinent to married life and determine which both might produce legal action and actually did so.

Customs observed at marriage ceremonies generally were supposed to conform to rabbinical rituals, but the courts did little to enforce such laws among the common folk. Earlier the weaving of garlands was prohibited, the prohibition being a sign of mourning for the Jerusalem temple. Now we have the following:

¹ b. Yev. 8a.

² b. Yev. 21b, 40b, Amemar.

Mar b. R. Ashi was found by Rabina to be weaving a garland for his daughter. He said, "Do you not agree with the interpretation of *Remove the mitre and take off the crown* (Ezek. 21:31) [as a sign of mourning]?" He replied, "The men follow the example of the high priest, but the women do not do so."

(b. Git. 7a)

This hymeneal rite obviously would not be prohibited among the ordinary people. R. Papa reported that in his town, Neresh, the newly-weds would first have sexual relations and then the bride would be placed upon the bridal chair.¹ The rabbis had to take account of common practice; they did nothing to change it.

Some particularly characteristic rabbinical practices were based upon the sages' special interpretation of the law. Thus they held that if a son was married in his father's house, the father would have somehow to signify it was not his intention for the son to acquire ownership of what was in the house:

Mar Zuṭra married off his son and hung up for himself a sandal. R. Ashi married off his son and hung up for himself a jug of oil.

(b. B.B. 144a)

These rabbinical rites would have been carried out where people knew rabbinical refinements of the law and wished to avoid complications. Elsewhere hanging up a jug of oil may have been a sign of prosperity or fecundity. We cannot however regard hanging up a jug of oil or a sandal as part of the ritual of "being a rabbi" but merely as a sign one was a rabbi, a demonstration of one's knowledge of the law of acquisition of property. There are no cases of a father's neglecting such an observance and the son's acquiring property as a result.

Stories of practical rabbinical influence over aspects of marriage not connected with property exchanges indicate a kind of authority not earlier present. They are not numerous, but that is not important. What is striking is that earlier, stories were rarely told about rabbis' ruling on matters such as these:

What is to be understood by a rebellious woman [whose divorce is delayed, and who pays from her own marriage-contract for her current expenses]? Amemar said, "One who states, 'I like him but want to bother him.' If she claims that he is repulsive to her, she is not pressured." Mar Zuṭra held that she is pressured [to change her ways.] One such case occurred and Mar Zuṭra pressured the woman [and the couple was reconciled.] R. Ḥanina of Sura was born of the reunion...

(b. Ket. 63b)

¹ b. Yev. 110a.

R. Zevid's daughter-in-law rebelled and took possession of her silk. Amemar, Mar Zuṭra, and R. Ashi were sitting together and R. Gamda was with them, and they ruled, "If a wife rebels she forfeits her worn-out clothing..."

(b. Ket. 63b)

[Rav had taught that one administers lashes on account of a couple's being alone together, but one does not excommunicate the couple.] R. Ashi said, "This applied only to privacy with an unmarried woman but not with a married woman, lest a stigma be cast upon her children."

Mar Zuṭra punished but proclaimed [that the woman had not committed adultery]. R. Nahman of Parahetia said to R. Ashi, "Why do you not punish and proclaim?" He replied, "Some may hear of the one but not of the other [and future children will be thought to be illegitimate.]"

(b. Qid. 8a)

These were exceptional cases. Earlier sages, in particular, did not bring pressure on wives to resume their marital duties. Mar Zuṭra's having done so was regarded as outside of the law, and it was to Providence that R. Ḥanina's birth was attributed. R. Zevid's daughter-in-law's case was a more commonplace situation, producing litigation over property but no effort to reconcile the couple. Similarly Mar Zuṭra's action in going beyond earlier precedents on punishing married women found alone with men who were not their husbands revealed the limits of rabbinical power. R. Ashi feared that the reason for rabbinical rulings would be widely known but misunderstood, which suggests that the rabbis had to take care not to give grounds for false deductions from their actions. This further suggests that people were now attentive to the rabbis' decisions here as in the matters of building *Sukkot* and sexual taboos. Cases more commonplace in earlier times included the following:

R. Zevid permitted [a married couple] to have the first intercourse on the Sabbath [despite the fact that piercing was prohibited as destruction]. Some say that R. Zevid himself had the first intercourse on the Sabbath.

(b. Ket. 7a)

Huna Mar b. Rava of Paraziqa said to R. Ashi, "Shall we also apply a test to the cloth [on which the first intercourse takes place, when the husband claims that he found no blood]?" R. Ashi replied, "Our laundry work is like their washing. [The Palestinians produced finer results and so could rely upon them, while we cannot be certain of ours]. And if you say, let us do laundry work, the smoothing stone will remove [signs of the blood, so the test in any case could not be decisive.]"

(b. Ket. 10a-b)

On this basis, R. Ashi declined to continue the Palestinian practice of seeking to find marks of virginity. Sages could tell people when to conduct the formalities of signing a marriage-contract, but they had no way of preventing newlyweds from engaging in sexual relations when the couple wanted to.

The rabbis thus had some influence over everyday marital life, though we cannot regard it as substantial. They could attempt to reconcile wives to their husbands, but it was easier and therefore more usual to punish wives by fines against their property, in the form of deductions from the marriage-settlements, than to pressure women to change their ways. R. Ashi seemed hesitant about both punishing a woman who spent time alone with another man and testing the sheets for signs of blood. R. Zevid's ruling could hardly have come to court and applied mostly to the faithful few rather than to the larger community. These stories present a striking contrast with the numerous and important rabbinical actions on betrothals, marriage-contracts, and divorces. When the rabbis had no opportunity to work through the courts, their power was severely limited.

XIV. MARRIAGE

Two exchanges of property were effected in connection with marriage, through, first, the token of betrothal, second, the marriage-contract (*ketuvah*) and dowry. Because of the courts' direct control of these matters, related details similarly were under their supervision. Amemar, for example, permitted betrothal on the ninetieth day after divorce or death of the first husband.¹ In the present form of the saying we do not know whether he actually did so in a court case or whether it was his opinion that one *may* do so, but it hardly matters, since in either circumstance he had every possibility of issuing a practical ruling. A more theoretical issue was discussed by R. Ashi and Mar Zuṭra, namely, whether a woman could give the token of betrothal to a man and thereby become engaged.² Social conditions would have militated against it. Similarly, R. Papa and R. Ashi raised the question of whether, if a man says, "Your daughter and your cow be mine for a *peruṭah* [penny]," the language means that the daughter comes for a half and the cow for a half, and they similarly wondered about a case in which the language could be used of a daughter and a piece of

¹ b. Yev. 43a.

² b. Qid. 7a.

immovable property.¹ Such an issue could not often have arisen in the courts.

Actual reports of court cases on betrothals included the following:

A man was throwing down dates from a palmtree. A woman came and said to him, "Throw me down a couple." He replied, "If I do, will you become betrothed to me?" She answered, "Oh, do throw them down!" R. Zevid ruled, "Every expression [like] 'Oh indeed do throw them down!' means absolutely nothing."

(b. Qid. 9a)

Two men were drinking wine under mats in Babylonia. One took a cup of wine, gave it to the other, and said, "Let your daughter be betrothed to my son." Rabina ruled, "Even on the view that the father may have consented, we do not hold that the son might." [That is, parents cannot betrothe their children.]

(b. Qid. 45a-b)

A man betrothed a minor with a bunch of vegetables in the marketplace. Rabina ruled...

(b. Qid. 45b)

A certain woman was said to have become betrothed to a minor who looked like an adult. R. Mordecai said to R. Ashi...

(b. Git. 89b)

A certain man said [in his will], "Give four hundred *zuz* to so-and-so, and let him marry my daughter." R. Papa ruled, "So-and-so receives the money, but as to the daughter, if he wants to, he may marry her, but if he does not, he need not marry her."

(b. Bez. 20a)

The rabbis further concerned themselves with reports or rumors of betrothals. R. Ashi said that a rumor which a court has not confirmed is no rumor, and if rumors are spread after marriage, they are ignored.² Deeds of betrothal were supervised by the court. If one was written for a woman without her knowledge, Rava and Rabina held she was nonetheless betrothed. R. Papa denied it.³ The ancient laws had long since become rooted in everyday life, so that the rabbis' reported decisions concerned exceptional situations. The case of a casual betrothal, for instance, could not have been commonplace. The reports of disputes over more ordinary issues would have produced no legal points of interest, and they therefore were not preserved in our literature. Obviously fathers could not legally betrothe their sons, but it was

¹ b. Qid. 7b.

² b. Git. 89b.

³ b. Qid. 9b.

important to note that the consent of the father did not necessitate taking account of the *possible* consent of the son, a point of theoretical interest.

Disputes over dowries and marriage-contracts had, strictly speaking, little to do with ordinary marriages. A woman could be married on a standard marriage-contract without much additional dowry, and she could routinely collect it upon the death of her husband or on her divorce. In fact, dowries for the bride generally constituted their inheritance from their father's (future) estate and so became a touchy matter. R. Papa's arrangements for his son to marry into the house of Abba of Sura, for instance, involved difficult negotiations and writing a substantial sum into the *ketuvab*.¹ Collections of the marriage-contract had to be done in court when contrary property-claims intervened, such as those of the orphans:

A daughter-in-law of the house of Bar Eliashiv was claiming her marriage-contract from orphans. When she called them to court and they [shrewdly] said, "It is degrading for us that you come with us in such [poor] clothes," she went home and dressed in all her garments. When they came before Rabina, he ruled ... [concerning assessing the clothes of the widow in connection with the payment of her *ketuvab*.]
(b. Ket. 54a)

A man once paid money [in advance] for his father-in-law's dowry [as agent of the father-in-law]. The dowry fell in price. They came to R. Papa [who said to the purchaser], "If you have contracted for the lowest price, you may take at the present prices, but if not, you must pay the original one..."
(b. B.M. 74b)

Rabina was writing a large amount for the dowry of his daughter [which was more money than he was actually giving]. They said, "Then let us take possession from you." He replied, "If it is to be by formal possession, then there can be no doubling of the figure, and if there is a doubling of the figure, there can be no formal possession..."
(b. B.M. 104b)

A certain man once said, "Give my daughter four hundred $\aleph\aleph$ as her marriage-settlement [*ketuvab*]. R. Aha b. R. Avia asked R. Ashi, "Does it mean four hundred $\aleph\aleph$, hence eight hundred [to be written down], or four hundred $\aleph\aleph$ [as the written sum], and hence [only] two hundred $\aleph\aleph$ is the real dowry?" R. Ashi replied...
(b. B.M. 104b)

A certain man sold all his possessions and [then] divorced his wife. R. Joseph b. Rava sent her to R. Papa...
(b. 'Arakh. 23b)

¹ b. Ket. 54b-53a.

Rabina was engaged in preparing for the marriage of his son at R. Hanina's [or Haviva's]. R. Hanina said to him, "Do you intend writing the *ketuvab* four days hence?" He said, "Yes," but when the fourth day came, he waited another four days, and so the matter was delayed for seven days after the day in question...

(b. Nid. 66b)

He did so to accord with the teaching of Rava that one has to allow seven clean [= non-menstrual] days to pass between a proposal of marriage and its fulfillment.

Marriage-contracts thus presented a difficult matter, for while chiefly concerned with property, they involved personal status as well. The collection of marriage-contracts not infrequently required court action, including assessment of what the woman received beside actual cash or land. Use of the dowry in trade obviously would produce litigation over agreements, contracts, and the like. On the other hand, the human tendency to exaggerate the size of gifts such as dowries produced a convention to write twice the actual sum to be paid, and as we noted, this could likewise produce complications. Marriage-contracts thus involved both property and peculiar ritual considerations. One drew up the document in legal forms, but in doing so had to pay close attention to questions of rite and of personal status not related to property at all.

We have seen that the rabbis' control over marriages was based primarily upon their judicial authority over property and personal status. That authority was substantial, yet did not allow sages to enforce obedience to rules of personal behavior, moral principles, and matters of mere custom outside of the narrow jurisdiction of the courts. People could do pretty much as they pleased, except in writing up marriage-contracts and in arranging the formalities of betrothal. Even in such matters, moreover, rabbinical intervention inevitably followed only when gross irregularities were committed. Under normal circumstances people could betrothe and marry without rabbinical supervision. The possibility of rabbinical intervention, however, would have encouraged ordinary folk to conform to the law to begin with, and so would the desire to be "proper" and respectable.

XV. DISSOLUTION OF MARRIAGE

Just as ordinary people could marry without rabbinical intervention, so they normally could end their marriages on their own. Marriage

terminated with death or divorce. The biblical rule about levirate marriage, moreover, generally was carried out through the ceremony of *halizab*, rather than through actual consummation of a new marital connection. Here rabbinical supervision was commonplace. But when a spouse died, sages would intervene only in order to confirm the right to remarriage when death was not readily attested. Similarly, they would involve themselves in a divorce-document (*get*) in the exceptional event of its being improperly written or delivered. The cases recorded thus relate to unusual circumstances. Yet as with marriage and its accompanying legal procedures, the possibility of rabbinical intervention encouraged ordinary folk to avoid necessitating it by scrupulously keeping the law.

The rabbis certainly supervised the ceremony of *halizab*. They did not do so because they had to force the people to go through with the ceremony. The biblical laws about the childless widow's either marrying her deceased husband's brother or ceremonially declaring that he refused her, were clearcut, well-known, and widely kept. But the ceremony of *halizab* was supposed to take place "at the gate before the elders" (Deut. 25: 7). The "elders of the city" were not everywhere necessarily sages, but cases of *halizab* law would have come to the sages as the most likely "elders" available. Where rabbis were located, there they probably witnessed most, if not all, *halizab* ceremonies. Elsewhere, I imagine, people went to the elders of their synagogues. In any event the rabbis' power over *halizab* derived only in part from their court authority. The main basis for their influence over the ceremony was their reputation as learned, holy men, equivalent to the "elders" of biblical times. We have the following cases:

R. Papa and R. Huna b. R. Joshua arranged a *halizab* in the presence of five [witnesses] ... in order to give the matter due publicity.

(b. Yev. 101b)

R. Ashi happened to be at R. Kahana's when R. Kahana said, "You have come [conveniently] to complete a quorum of five..."

(b. Yev. 101b)

Amemar said, "When a levir submits to *halizab* he must press his foot down to the ground..."

(b. Yev. 103a)

R. Ashi found R. Kahana trying to read out for a woman [without taking a breath] *He will not perform the duty of a husband's brother to me* (Deut. 25:7). R. Ashi asked...

(b. Yev. 106b)

Mar Zuṭra ruled [the paper for a *ḥaliṣah* certificate] and copied the full text...

(b. Yev. 106b)

R. Mordecai told R. Ashi, "There was an actual case of this kind [where a *geṭ* was improperly delivered, so a woman was not divorced, and the husband died childless], and she was compelled to give *ḥaliṣah*."

(b. Giṭ. 78b)

Ḥaliṣah was a routine ceremony, which the rabbis could easily require to be performed in an appropriate manner. The practical details of providing sufficient number of witnesses, determining how the ceremony would be performed, preparing the certificate to testify that it had taken place, and the like, all testify to the rabbinical control over the everyday performance of the rite.

Bills of divorce did not have to be drawn up by rabbis or court-scribes, but to be enforceable in court they did have to conform to rabbinical rule. R. Papa held that the witnesses to a *geṭ* must sign in one another's presence.¹ He held that a writ of divorce may be prepared even with spittle, and he showed Papa the cattle-dealer how it was done.² R. Kahana, R. Papi, and R. Ashi all acted on the principle that the *geṭ* is valid from the time it is written. R. Papa and R. Huna b. R. Joshua held that it was valid once it was delivered, and they so acted.³ Mar b. R. Ashi reported that his father held that if the husband died, the agents in charge of delivering the *geṭ* lose their right of agency.⁴ An exemplary case is as follows:

A certain dying man wrote a *geṭ* for his wife. He groaned and sighed. His wife said to him, "Why sigh? If you recover, I am [still] yours." R. Zevid ruled, "These were mere words of consolation [and the writ of divorce is issued unconditionally and—therefore is valid]."

(b. B.M. 66a)

I know of no other reports of actual divorce-cases deriving from this period. The reason cannot be that problems of law did not arise. I do not know why we should have so little evidence of court-actions in matters of divorce. On the other hand there is no basis to suppose the rabbis' power had diminished in the slightest degree.

¹ b. Giṭ. 10b.

² b. Giṭ. 19a.

³ b. Giṭ. 18a.

⁴ b. Giṭ. 29b.

XVI. FARM AND MARKETPLACE

While the rabbinical courts controlled all real estate transactions among Jews,¹ their power also extended to some aspects of land use as well. These were mostly ritual matters, especially taboos originating in Scriptures. To be sure, R. Papa advised that one should raise one's own crops rather than purchase food in the market even if the cost was the same.² But in general, we have no rabbinical sayings on the conduct of agricultural life, such as the planting of crops, the way to improve yields, and similar matters. We do have one case of the issuance of a *prosbul*, preventing the cancellation of a debt in the sabbatical year, which suggests that people thought the sabbatical rules applied to debts outside of Palestine:

R. Ashi would transfer to the debtor the trunk of a date tree and then write a *prosbul* for the creditor. The rabbis of his school used to transfer their debts to one another.

(b. Git. 37a)

Theoretical rulings about inapplicable laws on farming were issued. R. Ashi said that if one trained a vine over a fig-tree, the wine is unfit for libations.³ Jews could nonetheless drink such wine; libations obviously were offered only in the sacrificial service, which no longer existed.

It is clear that some biblical agricultural taboos observed in Palestine were believed to apply in Babylonia as well. For instance R. Papa and R. Huna b. R. Joshua used to eat new wheat on the night of the sixteenth day of Nisan, holding the view that the prohibition of the new wheat outside of Palestine is rabbinical in origin.⁴ The laws against using or sowing mixed species produced a few contemporary sayings. R. Ashi said that neither money-purses nor seed-bags are subject to the prohibition of 'mixing' because it is not the usual practice to warm oneself with these.⁵ R. Huna b. R. Joshua said that the coarse felt-mattresses of Neresh are permitted; R. Papa said the law of 'mixing' does not apply to slippers.⁶ I know of no sayings on 'mixing' pertinent to actual planting of mixed seeds in gardens.

¹ See below, pp. 306-311.

² b. Yev. 63a.

³ b. Bekh. 17a. For a rule on grafting, see also Rabina in b. Hul. 60a-b.

⁴ b. Men. 68b.

⁵ b. Bez. 15a.

⁶ *Ibid.* See also b. Shab. 27a, R. Papa.

The prohibition of *'orlab*, fruits in the first three years after planting, on the other hand, was certainly observed by sages:

Rabina once found Mar b. R. Ashi throwing away caparberries [of *'orlab*] and eating the buds. He asked, "What is your view...?"
(b. Ber. 36a)

Mar b. R. Ashi found Rabina rubbing his daughter with underdeveloped olives of *'orlab*. He said to him, "Granted that the sages ruled [that it was permitted to use these for a remedy] in time of danger, was it so ruled when there is no danger...?"
(b. Pes. 25b)

Mar b. Rabina further held that a gentile may enter an orchard and gather doubtful *'orlab*, but a Jew may not do so.¹ The courts ruled on the use of *'orlab*-fruits:

A barrel of [stolen] wine was once found in an *'orlab*-vineyard, and Rabina permitted the wine to be used
(b. B.B. 24a)

I think it clear that the *'orlab*-taboo was taken seriously in rabbinical circles. Earlier evidence suggested that ordinary folk kept these laws, having learned them in Scriptures,² and the rabbis surely did likewise.

The priestly gifts derived from agricultural produce doubtless were collected by those sages who were also priests. R. Kahana and R. Papa ate priestly gifts on account of their wives, who were daughters of priests. It thus was supposed that the husband of a priest's daughter might receive and consume these gifts.³ Mar b. Rabina would consume heave-offerings. We may assume people presented heave-offerings.⁴

The most considerable gifts to priests were the first-born of the flocks and herds. These were of value, and priests gladly accepted firstlings if they could get them. But the firstborn had to be perfect, and if it was not, the priest had no claim on it. We have the following stories about rabbinical rulings on first-born animals:

Rafram of Pumbedita had a firstling without a blemish which he gave to a priest. The latter had it blemished...
(b. Bekh. 36b)

A case of an animal with an abnormally small eye and an abnormally large one came before R. Ashi, [who ruled it was blemished...]
(b. Bekh. 36b)

¹ b. Qid. 39a.

² See Vol. II, pp. 260-262, III, pp. 296-296, and IV, pp. 143-149.

³ b. Hul. 132a. See also b. Hul. 131a, R. Papa on gifts for the poor.

⁴ b. Ber. 39b. See above, p. 169.

Mar Zuṭra once visited R. Ashi, and was told, "Let the master eat something." They set meat before him and told him, "...it is healthy, for it comes from a firstling." Mar Zuṭra asked, "How did you get this [firstling, since you are not priests]?" They said, "A certain priest sold it to us with its blemish." He replied... (b. Tem. 8b)

I see no reason to doubt that the laws pertaining to firstlings were carried out in rabbinical circles; the sages probably enforced the property-aspects of the law in the courts when possible. The claim to firstlings represented a considerable property-right for the priest; as such it was bound to produce court-action.

Our survey of agricultural laws shows that rabbis had two sorts of power over the farms. First, they could teach about, and try to enforce, some of the taboos. Ordinary folk would have expected sages to do so because of the taboos' biblical origin. Second, when property-rights accrued to priests or others, the rabbis could take court action to support them. But the normal conduct of farm life could not have been much affected by rabbinical influence. Rabbis did not bear any special responsibilities for farming. While they were supposed to oversee fair pricing and fair trading in the markets and therefore regularly visited and patrolled them, they had no such routine obligation nor right to oversee the farms.

Since the rabbis frequented the markets, as was their duty, they therefore learned the practices of trade. R. Papa quoted a popular saying that if it rains in the morning, "lay down your sack, ass-driver, and sleep," because rain will continue to fall, harvests will be abundant, and it will be unnecessary to transport produce from one area to another.¹ R. Papa further advised, concerning business practice, to take nothing for granted, for every bill requires collecting, but one should not be certain of the money until it is in hand; every sale on credit is dubious; even when a bill is paid, it may well be paid in bad money.² Sayings such as these show routine familiarity with the insecure conditions of trade. They indicate far wider range of relevant experience than do the agricultural teachings, all of which were bound to narrow issues of law and not one of which reflected much interest in the actual practice of farming.

The rabbis' supervision of the market could be made more effective if ordinary folk believed heaven above, not merely rabbis near at hand, would oversee their practices and punish false-dealing:

¹ b. Ta'anit 6b.

² b. Pes. 113b.

Rabina happened to be in Sura on the Euphrates. R. Ḥanina of Sura said to him, "Why did Scripture couple the Exodus from Egypt with the prohibition of reptiles (Lev. 11:44-5)?" Rabina replied, "The Holy One blessed be he said, 'I who distinguished between the first-born and others [in Egypt],—I will also mete out punishment to him who mingles the guts of unclean fish with those of clean fish and sells them to a Jew...'"
(b. B.M. 61b)

Rabbis could not be everywhere. Although they could severely punish the butcher who did not in all details carry out their instructions, they could hardly know what was put over behind their backs in the market-place, particularly when they would not ordinarily have cause to make inspections. Hence it would be God who would bring down the punishment upon those whose misdeeds were missed by rabbinical inspectors.

Cases of rabbinical practices and of actual market supervision include the following:¹

R. Papa and R. Huna b. R. Joshua gave a judgment in an action about coins [in which a debt was to be paid] in accordance with the information supplied by a Ṭai [= Arab] market-commissioner...
(b. B.Q. 98a)

Amemar paid for [earthenware which he had ordered] when the potter [had merely] supplied himself with [the necessary] earth [for the clay]...
(b. B.M. 74a)

Certain basket-sellers brought baskets to Babylonia. The villagers prevented them [from selling]. They appealed to Rabina. He ruled, "They have come from outside and may sell to outsiders..."
(b. B.B. 22a)

We have already noted cases of rabbinical supervision of the sale of wine in the Jewish market² and Rabina's ruling that stolen wine found in an *'orlab*-vineyard might be drunk, therefore sold for Jewish consumption.³ The rabbis' control of market-place activities thus produced important ramifications for the enforcement of laws not strictly pertinent to commercial transactions.

Sages further ruled on disputes among partners. For example:

Two *Kutim* [Samaritans? Jewish-Christians?] entered into a share-partnership [one invested the money, the other traded with it]. One divided the money without his partner's knowledge. R. Papa ruled in

¹ Note also b. 'Eruv 40a, Rabina ruled on purchasing myrtles cut on the second day of the festival, cited above.

² Above, pp. 24-25.

³ b. B.B. 24a, above, p. 301.

favor of the defendant. The next year they shared wine. The other arose and divided it without his partner's knowledge. R. Papa ruled....

(b. B.M. 69a)¹

Rulings on business relationships of all kinds either arose directly out of market-place activities or produced important implications for the market. Many of the transactions we are about to consider further reflect rabbinical power over the Jewish economy.

XVII. WORKERS AND SLAVES

While Scriptural and rabbinical law legislated about the protection of workers' salaries, we have no cases to show how the rabbis enforced or protected the rights of workers. The only story about rabbis and workers is as follows:

Judah b. Maremar used to instruct his attendant, "Go and hire workers for me and say to them, 'Your employer is responsible for your wages.'" Maremar and Mar Zuṭra used to engage workers for one another.

(b. B.M. 11a)

They did so in order for each one to be free of the commandment against keeping the worker's wages all night, for the man who engaged the workers was so obligated, but not necessarily the one for whom the work was actually done. It therefore was a subterfuge to permit them to pay the workers at their own convenience.

Slaves were regarded as property. Rabbinical law related to them only as such.² No instance of a rabbi's doing anything to alleviate the plight of slaves or to undermine the institution of slavery occurs in sources of this period. The relevant cases are as follows:

A certain settlement of slaves was sold [by Jews] to pagans. When the second owners died, the slaves appealed to Rabina [to permit them to marry Jewish women]. He said to them, "Go and find the sons of your first owners to write out [proper] deeds of emancipation." The rabbis criticized Rabina, saying, "Did not Amemar rule that if a man declares his slave common property and dies, nothing [whatever] can be done for the slave?..."

(b. Git. 40a)

¹ See also Amemar on dissolving partnerships, b. B.B. 13b. I do not know why the *Kutim* came to the rabbinical court. I can find no other examples of non-Jews' resorting to the Jewish judiciary. I find this story difficult.

² See above, p. 266.

A certain slave was owned by two men. One emancipated his half. The other thought, "If the rabbis hear, they will force me to give him up [to allow the man to purchase the other half of himself]." He went and transferred the slave to his son who was a minor. R. Joseph b. Rava submitted the case to R. Papa... (b. Git. 40a)

Minyamin, slave of R. Ashi, was to be baptized [as initiation to be the slave of a Jew] and was entrusted to Rabina and R. Aḥa son of Rava. "Note that I shall claim him from you," R. Ashi said to them. They put a halter around his neck, loosened it, and tightened it, the former so that nothing might interpose between the water and the flesh, the latter so that he might not forestall them and declare, "I perform the ritual bath in order to procure the status of a free man." While he was raising his head from the water, they put a bucket of clay on it and told him, "Go, carry it home to your master [as a sign that he was legally possessed as R. Ashi's slave]." (b. Yev. 46a)

The rabbis could generally find legal grounds to do what they really wanted to. Consequently their inability to do something for a slave in an anomalous situation tells us that they wanted to do nothing whatsoever. Technicalities of property-law and not considerations of humanitarianism governed their actions. The fact that the rabbis would force a man to allow his slave to purchase the unfree part of himself tells us merely that the rabbis disliked an anomalous situation, not that on principle they made the effort to help the slave to free himself. The behavior of Rabina and R. Aḥa further shows that the sages not only owned slaves but saw nothing wrong in it. They moreover were careful to carry out all the technical requirements of the law so as to keep the man enslaved. (But it also is striking that the slave himself supposedly knew enough of Jewish law to be able to make the required declaration at just the right moment if he got the chance. The rabbis made sure he did not.) No cases testify to the state of affairs outside of rabbinical circles. The appeal to Rabina was based upon the courts' power to approve or disapprove marriages; the rabbis could further determine property-litigations; slaves as property must have come before the courts. So we may assume that the rabbis exercised considerable influence over the fate of slaves. I do not know how effectively they legislated on working conditions or the rights of the free workers, since there is no evidence that they legislated on these subjects at all.

XVIII. SALE AND TRANSFER OF MOVABLES

While we may be certain rabbis could rule on all aspects of the transfer of ownership of a property from one man to another, evidence

in this period is sparse. We have only one example of court action in a dispute over the sale of movable property

A man once sold an ass [or, wine] to his neighbor. One $\zeta\mu\zeta$ was unpaid. The seller repeatedly asked for it. R. Ashi considered whether the purchaser had acquired [the item] or not...

(b. B.M. 77b)

The particular rule of law here involved could not have become problem at "just this time," for such problems of unpaid debts must have occurred for many centuries. The real issue concerned the interpretation of a teaching of Rav and other former masters. It was otherwise a routine case.

The disposition of cases involving bailments and disputes over their ownership is illustrated in the following:

A certain man deposited hops with his neighbor, who himself had a pile of hops. The brewer took the wrong ones ... Yet what loss did the depositor suffer [that it should have been a case in court]? R. Sama b. Rava said, "The beer turned into vinegar." R. Ashi said, "The case involved thorns [inferior hops] and he must pay the value of the thorns [which had benefited the beer]."

(b. B.M. 42b-43a)

R. Papa's own action in acquiring his own far-distant property by symbolic acquisition was also cited.¹ He and R. Huna b. R. Joshua debated on how to set a price by negotiation.² The courts further ruled on cases involving the restoration of lost property to a claimant.³ Other cases involving movables will be considered in connection with gifts, loans, and thefts.

XIX. REAL ESTATE AND IMMOVABLES

The right to decide litigations over the disposition of land and immovable property constituted the court's most important single source of power. Appeal was impossible. The Iranian government firmly stood behind the rabbinical courts' actions. Although on most other subjects the sayings and stories attributed to these last generations have proved sparse and thin, the materials pertinent to real estate transactions of this time are relatively abundant.

Disputes over the conditions of sale of land produced the following cases:

¹ b. B.Q. 104b, b. B.M. 46a, b. B.B. 77b, 150b.

² b. A.Z. 72a.

³ b. B.M. 28b, the claimant was R. Papa's father.

A man once sold an estate to his neighbor without surety. The purchaser was upset, so the seller asked, "Why are you upset? Should it be seized from you [for a debt of mine] I will repay you out of the best of my estate [even] for your improvements and crops." Amemar ruled, "These are merely words of good cheer [and of no legal value.]"

(b. B.M. 65b-66a)

A man once sold land to his neighbor with security. The purchaser asked, "If it should be seized from me, will you repay me out of your very best land?" He replied, "Not of the very best, but of other *excellent* land I own." The land was seized. The very best land moreover was flooded. R. Papa ruled...

(b. B.M. 66b)

In these cases the issue was the binding value of a sales-talk. In both instances the seller had effusively reassured the purchaser, so the courts later on had to determine the extent of the seller's consequent liability. A guarantee issued at the time of sale produced a parallel case:

A certain man sold a field, guaranteeing against any accident that might happen to it. The government turned a river through the land. The seller consulted Rabina, who ruled that he had to go and clear it for the buyer, since he had guaranteed against any accident which might happen to the land...

(b. Giṭ. 73a)

Further disputes over the sale of property included the following:

A certain man said, "I will sell you the land of Ḥiyya's." There were two pieces of land so called. R. Ashi ruled, "He sold him one but not two."

(b. B.B. 61b)

A certain insane man sold property. Two witnesses testified he was sane when he sold it, and two, that he was insane. R. Ashi ruled...

(b. Ket. 20a)

Retraction of sale was at issue in two further cases:

A certain man sold a plot of land to R. Papa because he needed the money to buy oxen, but eventually he did not need the money. R. Papa returned the land to him... [proving that one may retract in this circumstance]. But R. Papa may have acted beyond the measure of the law.

(b. Ket. 97a)

A certain man sold his property [expressly] intending to emigrate to Palestine, but in the end he did not go. R. Ashi ruled...

(b. Qid. 50a)

In all these cases concerning the sale of real estate, conditions of sale,

the right of retraction, and the like, we may readily understand how a case came to trial. Further disputes centered upon conflicting rights to the use of a property, in the often bitter relationship among neighbors, for example:

Two men were sharing a house. One held the upper room, the other, the lower one. The lower room began to sink, so the owner said to the upstairs neighbor, "Let us rebuild the house." The other declined, saying he was quite comfortable. The lower one asked permission to tear down and rebuild the house, and the upper one countered that he would have no place to live. The former offered to hire a place for the meanwhile. The upper one said it is too much trouble. The lower one said, "I cannot live in my place." The upper one said, "You can get in and out by crawling on your belly." R. Ḥama ruled, "He had a full right to stop him [from rebuilding]..."

(b. B.B. 6b-7a)

A certain man began to build a wall facing his neighbor's windows. The latter claimed, "You are shutting out my light." The former offered to close up the windows and make new ones above the level of the wall. The latter said, "You will damage my wall." "Then let me take down your wall as far as the place of the windows and then rebuild it with windows in the part above my wall." The latter said, "The lower part will be old and the upper new, and the wall will not be firm." "Then let me take it all down and build it up from the ground with new windows." The latter said, "A single new wall in an old house will not be firm." "Then," the former said, "Let me put up a whole new building." "Meanwhile I will have no place to live." "I shall hire a room for you." "I do not want to be bothered." R. Ḥama said, "He had a perfect right to stop him."

(b. B.B. 7a)

Similarly, the obligation not to damage a neighbor's property or impair his rights was at issue in the following cases:

Papi Yona'ah was a poor man who made some money. He built a country house. Sesame oil makers nearby would make his house shake when they crushed sesame seeds. He appealed to R. Ashi, who ruled...

(b. B.B. 25b)

When the workers in the house of Bar Marion b. Rabin would beat flax, the dust used to fly and annoy the neighbors, who appealed to Rabina. Rabina ruled... The case was stated before Maremar, who said...

(b. B.B. 26a)

A case between rabbis was as follows:

R. Papa had some date trees near the field of R. Huna b. R. Joshua. He found him [R. Huna] digging up and cutting away the roots, and asked the reason [legal justification]...

(b. B.B. 26a)

It is not necessary to assume this case came to court. The discussion presupposes that it did not. R. Papa adduced adequate legal grounds to prevent R. Huna from doing damage to his trees and went away satisfied that no more damage would be done.

A partnership in property did not require rabbinical approval except in the case of litigation:

Mar Zuṭra and R. Adda the elder, sons of R. Mari b. Issur, divided their property among themselves. They asked R. Ashi [whether witnesses are required so as to prevent a retraction, or perhaps to give legal force to the transaction.] He replied, "Witnesses were created only against liars."

(b. Qid. 65b)

Thus when a transaction was disputed, just then but not otherwise did it come before rabbinical courts. As we have seen, only when it involved a particularly interesting point of law would the transaction find its way into the court records or into theoretical discussion as contained in the Babylonian Talmud. Hence for each Talmudic story we must suppose there were many thousands of normal, undisputed transactions in every generation, and hundreds of litigations which were settled along conventional lines.

Litigations over the disposition of rented property included the following¹:

A certain man once leased a field for sesame [on the basis of sharing the crop]. He sowed wheat instead, but the wheat appreciated to the value of sesame. R. Kahana thought to rule...

(b. B.M. 104b)

A certain man once leased a field for sesame, sowed wheat, but the wheat subsequently exceeded the sesame in value. Rabina thought to rule...

(b. B.M. 104b)

A man leased a field to grow fodder for [several] *kors* of barley. When the fodder was grown [in thirty days], he ploughed and resowed barley, which then was blighted. R. Ḥaviva of Sura on the Euphrates sent to Rabina...

(b. B.M. 106b)

A certain man once leased his mill to another for [an exchange of the services of the second in] grinding [his wheat.] Eventually he became rich and bought another mill and an ass and said, "Until now I have had

¹ See also b. B.M. 109a, a case involving a lease of R. Papa.

my grinding done at your place, but now, pay me rent [instead]." The other replied, "I shall [continue only] to grind for you." Rabina ruled... (b. Ket. 103a)

The sages not only collected taxes but also had to make rulings in court taking into account the existence of strict tax-collections. It was important to pay on time, for one could lose his land for even a modest delinquency. Hence rented property had to be carefully accounted for. Even the land of orphans might be sold in order to facilitate tax-payments without going through the usual procedures:

Giddal b. Re'ilai rented a field from the owners of a certain property on condition that he would pay the taxes. He paid in advance for three years [of taxes]. The first owners came back and said that while he had paid the tax for the first year and enjoyed the usufruct, now the owner himself will pay and enjoy the usufruct. They appealed to R. Papa... (b. Giṭ. 58b)

R. Ashi said, "R. Kahana and I signed as witnesses to the deed of sale of the mother of the orphan Ze'ira who sold some land in order to pay the poll tax and did so without giving public notice [of thirty days for the sale of the property]..."

(b. Giṭ. 52b)

Both the wide variety of cases and the content of the specific case-reports leave no doubt about the rabbis' effective control over property transactions of all kinds. Sages' courts decided disputes on the sale of land under various conditions, the use of land to the detriment of neighbors' rights, partnerships in real estate and other properties, rental of real estate, and collection of land-taxes. In sum, not a single aspect of the use of land by Jews for beneficial purposes escaped rabbinical supervision.

I wonder however about the real range of effective rabbinical jurisdiction. Non-Jews did not have to come to rabbinical courts, and we have no evidence, apart from the Kutim, that they often, if ever, did so. Where Jews instituted real estate suits against other Jews, obviously rabbis (or other Jewish officials) decided the case. But the provenance of such suits would have to be territories inhabited almost entirely by Jews. We have considerable reason to suppose that in the larger cities, even in villages round about, Jews lived side by side with gentiles. Who then decided commercial and real estate cases which must have arisen between Jews and gentiles? It was not Jewish judges, for they had no authority. If so, the rabbis' control of the Jewish populations through their *unlimited* power over real estate transactions must indeed

have been limited to begin with by the narrow clientele for litigation before their courts. In assessing the *quality* of the courts' power, we must not exaggerate in our own minds what must have been the severely circumscribed range of their jurisdiction, even so far as much of Jewry was concerned.¹

XX. TESTAMENTS, GIFTS, AND ORPHANS' PROPERTY

Special situations in the transfer of property, both movable and real, were presented by donations through inheritances and other gifts and by ownership of property by minor orphans and other incompetents.

Testaments given in contemplation of death² produced the following cases:

A certain dying man said [to the executors], "A third of my estate to a daughter, a third to the other daughter, and a third to my wife." One of the daughters died. R. Papi intended to rule...

(b. B.B. 132b)

A certain dying man divided his estate between his wife and son, leaving over a palm-tree. Rabina intended to decide that the wife could have only the one palm-tree. R. Yemar said to him...

(b. B.B. 133a)

A dying man instructed [his executors] to give a palm tree to his daughter. When he died, it was found he left two halves of a palm tree. R. Ashi wondered, "Do people call two halves of palm tree 'a palm-tree' or not?..."

(b. Ket. 109b)

As earlier, the chief legal issues concerned the special rules applying to testaments made to various heirs, on the one hand, and the peculiarities of the language used in wills, on the other. We have several instances in which the payment of shares in an estate was supervised by the courts:

R. Minyomi b. R. Reḥumi said, "I was once standing before Amemar, when a woman who claimed [her] tenth of [her deceased father's] estate appeared in his court. He held that if [her brothers] wished to settle with her through a money payment, he would have agreed to the settlement. He heard the brothers say to her, 'If we had the money to settle with you by a cash payment, we would do so,' and he remained silent and said nothing to the contrary."

(b. Ket. 69a)

¹ See below, pp. 320 ff.

² See Vol. III, pp. 288-290 for an account of the contribution of R. Naḥman b. Jacob to the laws of gifts in contemplation of death.

R. Ashi said, "When we were at the academy of R. Kahana, we authorized the collection [of a daughter's tenth of the estate] from the rent of houses also."

(b. Ket. 69a)

Rabina allowed the daughter of R. Ashi to collect [her tenth] from Mar b. R. Ashi out of his medium-quality land without an oath, but from the son of R. Sama the son of R. Ashi out of his worst land *with* an oath.

(b. Ket. 69a)

Mar Zuṭra of Darishba divided a basket of pepper with his brothers equally. When he came before R. Ashi, R. Ashi told him, "Since you have renounced [your rights in] part [of the estate, namely the pepper], you [are presumed to] have renounced in all of the property."

(b. B.B. 126b)

The means by which secondary claimants (not sons) were to be paid—such as in cash or various sorts of land—would have presented commonplace problems to the courts. Disputes over transfer of property through gifts included these:

A woman owned a palm-tree on ground belonging to R. Bibi b. Abaye. Whenever she went to cut from the tree, he objected. She made it over to him for life [with the understanding that it would revert to her or her heirs afterward]. But he went and gave it to his little son. R. Huna b. R. Joshua ruled...

(b. B.B. 137b)

A certain man gave instructions, "Give to so-and-so a room holding one hundred barrels." The room in question would hold one hundred twenty. Mar Zuṭra ruled, "He gave him [space for] a hundred barrels and no more." R. Ashi said to him...

(b. B.B. 71a)

The mother of R. Zuṭra b. Ṭobia gave her property in writing to R. Zuṭra b. Ṭobia, for she was intending to marry R. Zevid [and wished to dispose of her property beforehand]. She married R. Zevid but was [later] divorced by him. She appeared before R. Bibi b. Abaye [to seek return of her property]. He ruled...

(b. B.B. 151a)

The first case, I suppose, involved an effort to keep property secure from the claim of possession through usufruct; the third, to protect it from the claims of a husband. In the second, the issue was the liberal intent of the donor.

Business affairs of the deceased would naturally pose problems to his heirs. The courts had to assure the rights of legitimate creditors and

also to protect the estate from swindlers.¹ The courts certainly carried out their responsibilities, as in the following:

A man died and left a guarantor. [One had lent money to another, and a third became surety for the debt. The borrower died, rendering the lender liable to take an oath, then the lender died, and the heirs claimed the funds from the surety.] R. Papa thought of ruling...
(b. Shev. 48b)

Examples of court supervision are as follows:

Rabina had some wine belonging to the orphan Rabina the younger, his sister's son. He also had some wine of his own, which he was about to take up to Sikara. When he came to R. Ashi, he asked, "May I carry [orphan's wine] with my own." R. Ashi told him, "You may, for it is not better than your own [wine]."
(b. Ket. 100b)

R. Ashi gave a practical decision in reference to an orphan's [mortgage] as though they were adults...
(b. B.M. 67a-b)

A certain guarantor of orphans' [property] once paid the creditor before the orphans were sued [and sought compensation from the orphans]. R. Papa said, "Repayment [of a verbal loan] to a creditor is a commandment, but orphans are not subject to the performance of the commandments [so the guarantor, *now* their creditor, cannot exact payment.]"
(b. B.B. 174a)

A certain guarantor to a gentile once paid the gentile before he sued orphans. R. Mordecai said to R. Ashi...
(b. B.B. 174b)

The jurisdiction of the courts extended to these special circumstances quite obviously because of their more general control of property transactions. The rabbis did not set themselves up as protectors of orphans because of any humanitarian sentiments. Their courts simply exercised their powers in these matters as part of their broader responsibilities. But once their right of jurisdiction in these questions was established, their interpretation of the law was clearly intended to work out in practical details the general principles—that orphans are to be protected, but that justice is not to be perverted for the sake of protecting them—which had been laid down in the Bible and perpetuated in earlier rabbinical legislation.

¹ See b. B.B. 5b for the practice of R. Papa and R. Huna b. R. Joshua with reference to the collection of debts from orphans' property; and b. B.B. 70b, Mar Zutra.

XXI. LEGAL DOCUMENTS

Court decisions on property transactions were given effect through legal documents, which were drawn up under close rabbinical supervision by scribes well-trained in the law. The execution of such documents rarely, if ever, depended upon curses, imprecations, or other threats of supernatural intervention. They were regular, routine, and commonplace matters; the courts possessed full powers to do as they liked. The contrast between reports on court documents and those on the preparation of a Torah-scroll is striking. The writing of Torah-scrolls and other theurgical parchments produced no significant examples of popular acquiescence to court decrees, consultations with sages, or other evidences of widespread conformity to rabbinical law. The sages as holy men could urge people to prepare Torah-scrolls and similar documents according to their instructions, but they could do little to invalidate or correct documents they did not approve of. We have on the other hand many examples of effective court action in connection with business and other legal documents.¹

We know that court decisions were generally accompanied by validating documents. Rava, for example, instructed R. Papa and R. Huna b. R. Joshua on how to deal with his legal documents after his death:

"When a legal decision of mine comes to you, and you see objections to it, do not tear it up before you have seen me.... After my death do not tear it up but do not infer any law from it either."

(b. B.B. 130b)

Examples of court actions on legal documents include the following, which reveal the required terminology and procedures:

A certain deed of acknowledgment contained the phrase, "A memorial of the words of so-and-so" [instead of "a memorial of testimony by witnesses"] and was entirely worded like a court document, but did not include the [phrase], "We were in a session of three judges, one of whom absented himself." Rabina thought to rule...

(b. Sanh. 29b-30a)

A certain document [was brought to court] bearing the signatures of two witnesses, one of whom had died. The brother of the one who was still alive came with another witness to testify to the signature of the deceased. Rabina considered ruling...

(b. B.B. 57a)

¹ Not to mention divorce-documents, marriage-contracts, and other legal instruments.

Rabina considered validating a document drawn up in an [informal] gathering of Aramaeans. Rafram said to him...

(b. Giṭ. 11a)

When R. Papa had to deal with a Persian document drawn up in a pagan registry, he would give it to two pagans to read not in one another's presence and without telling them what it was for. [If they agreed] he would recover even from mortgaged property. R. Ashi said that Huna b. Nathan told him that Amemar ruled that a Persian document signed by Jewish witnesses is sufficient warrant for recovering even from mortgaged property...

(b. Giṭ. 19b)

Amemar once validated a deed on the signature of one witness and the oral evidence of another. R. Ashi said to him...

(b. B.B. 165a)

No court system could operate without official documents to carry out its orders. The Jewish courts were unable to ignore the documents issued by the state, and R. Papa and Amemar showed that they had little choice but to execute Pahlavi documents without too close an investigation of their contents or the circumstances in which they were drawn up. The least plausible reason was sufficient to warrant accepting them. But other documents readily could be dismissed. The language of Jewish documents was carefully examined. The signatures of witnesses were investigated, and rules of validating signatures were studied.

Commercial paper, including bonds of indebtedness, was executed in rabbinical courts. R. Papa held that when one sells a note, he must write in the conveyance, "Acquire it together with its obligations."¹ R. Papi reported that Rabina made a practical decision on the collection of a mortgage.² Mar b. Amemar reported his father's actions with reference to the collection of bonds.³

XXII. LOANS AND USURY

Among various kinds of court documents, the ones most frequently subject to litigation were bonds of indebtedness, mortgages, and other testimonies to the existence of loans. The rabbis strongly disapproved of outright usury, which they understood to be any form of "payment for waiting" for one's money. But they accepted various practices

¹ b. Qid. 47b, b. B.B. 76b.

² b. B.M. 67a.

³ b. B.M. 68a.

which made possible the conduct of a reasonably sophisticated business life.¹

The courts' supervision of the collection of debts is illustrated in the following cases:

Rabina waited in the case of Mar Aḥa [to issue an *'adrakhta*, an order to trace the debtors property in order to have it seized and handed over to the creditor to settle a delinquent debt] for twelve months, until a caravan was able to go to Khuzistan and back...²

(b. B.Q. 112b)

Rav b. Shava owed money to R. Kahana. "If I do not pay by a certain date, you may exact your debt out of this wine," he stated. R. Papa thought to argue [concerning this come-on...]

(b. B.M. 66b)

The rabbis commented to R. Ashi that Rabina fulfills all of the rabbinical rules. R. Ashi sent word to him, "Please lend me ten *zuz*, as I have a chance to buy a small parcel of land."

Rabina replied, "Bring witnesses and we will draw up a bond." "Even for me too!" "You, in particular, being busy in your studies, may forget and bring a curse upon me."

(b. B.M. 75b)³

A certain man said to his neighbor, "I believe you as [I would] two [witnesses] whenever you say, 'I have not paid you [what I owe you].'" He went and paid before three [witnesses, and the lender denied having received the money]. R. Papa ruled, "As two he believed him, but not as three..."

(b. Shev. 42a)

Rabina said, "Mata Meḥasia is a place where one goes out collecting payments due..."

(b. Yoma 86a)

[Regarding transfer of a debt from one creditor to a new one] R. Ashi said that for the sake of the benefit which the borrower derives from the difference [in time of payment, for he has more time] between the old debt and the new one, he willingly pledges himself to the new creditor [even if the creditor had not been born at the time of the loan]. Huna Mar b. R. Nehemiah said to R. Ashi, "If so, what of people like those of the house of Bar Eliashiv, who force their debtors to pay at once? Do they not acquire possession in such a case as this? And if you say they do, then you apply different standards to different people..."

(b. Giṭ. 14a)

¹ See Vol. IV, pp. 225-228.

² It normally took a few weeks.

³ Note also b. B.B. 5b, the actions in debt-collections of R. Papa and R. Huna b. R. Joshua.

It is clear from the first story that the rabbis had considerable power to issue an order to assess, seize, and pay out property of a delinquent debtor. They therefore provided the economy with a stable and secure foundation, making certain people could collect money they had lent or invested. The other stories are of less consequence. The details of paying out debts, drawing up necessary bonds, and so on were illustrated by deeds of the sages rather than by court-reports. I do not suppose on that account that the sages were alone in following their laws. The final story is significant, for it shows that Huna Mar b. R. Nehemiah (who was possibly of the exilarchic house)¹ thought it improper for the rabbis to apply different standards to different people, one of the parties in this case being a powerful merchant-house. If the rabbis did not have to take account of the relative strength of contestants in their courts, the reason was that they could force any Jew, however powerful, to obey the law.

Cases involving the loan of movable objects include these:

A man borrowed a bucket from his neighbor and it broke. R. Papa told him, "Bring witnesses that you did not put it to unusual use, and you will be free of liability [to repay]."

(b. B.M. 97a)

A man borrowed a cat from his neighbor. The mice got together and killed it. R. Ashi considered the problem...

(b. B.M. 97a)

The operative principle in both cases was that an object borrowed and then put to ordinary use did not have to be replaced if it was broken.

Sayings and stories on usury are as follows:

[Regarding the bonds of the Maḥozans, in which the estimated profit is added to the principal and recorded in a bond, a practice Rava said was not permissible], Mar b. Amemar said to R. Ashi, "My father does so, but when his agents come and declare they have earned no profit, he believes them [and deducts the amount]." He replied, "That is well while he is alive. But what if he dies and the notes are transferred to his heirs [who see the debt recorded and attempt to collect it]?" (This was like an *unwitting order issued by the ruler* [Qoh. 10:5], and Amemar died.)

(b. B.M. 68a)

R. Hama used to hire out a *zuz* for a *pesbisa* per day [and did not call it a loan, but a fee for hiring out the money]. As a result his money evaporated [as a penalty for usury inflicted by heaven.] He argued, "How does it differ from a spade?" But a spade is returned exactly as

¹ See above, p. 249 and Vol. IV, p. 83. The exilarchic lineage included a Nehemiah followed by a Huna Mar.

it was loaned, and its depreciation is to be assessed. But the self-same coins are not returned and one cannot estimate their depreciation.

(b. B.M. 69b)

Abba Mar b. R. Papa used to take balls of wax from the waxdealers and persuade his father to lend them money. The rabbis protested to R. Papa, "Your son takes usury." He replied, "Such interest we may enjoy, for the Torah forbade only interest coming directly from the borrower to the lender, but here he receives a fee for talking, and this is permitted."

(b. B.M. 69b)

Rabina gave money [for the purchase of wine] to the residents of 'Aqra deShanvata, who supplied him with an additional jug. He asked R. Ashi whether this was permitted [or whether it was usury]?

(b. B.M. 73b)

It is clear that the sages were troubled by the biblical rules against usury and attempted to use their knowledge of the law to overcome the narrow limitations imposed by scriptural law. R. Hama's supposed impoverishment was attributed to his taking usury. But R. Papa provided a rationalization for a not dissimilar action. The legal technicality was accepted. We know little of what ordinary businessmen were doing, but we may surmise that if the sages sought a way out of the old prohibitions, ordinary folk, less scrupulous to begin with, found their own solution.

XXIII. THEFTS, TORTS, AND OTHER DAMAGES

The Jewish courts represented in our sources had no jurisdiction over murder cases. It may be that the exilarch reserved for himself the right to try them.¹ Aspects of other criminal actions, however, were tried in rabbinical courts, particularly those involving injury to persons or damage to property, a fact consistent with our earlier observations about the range of rabbinical court power over property and small claims of various kinds. The following exemplify trials for theft:

Abimi b. Nazi, father-in-law of Rabina, was owed four *zuz*. The debtor stole a garment and brought it as a pledge and borrowed on it four more *zuz*. He was then caught. The case came to Rabina who ruled, "As to the first four *zuz*, it is a case of a thief's stealing and paying a debt. The plaintiff has to pay nothing at all. In the case of the latter four *zuz* you may demand your money and return the garment..."

(b. B.Q. 115a)

A certain man was forced by pagans to show the wine of Mari b. R.

¹ See Vol. IV, pp. 186-191.

Pinhas b. R. Hisda. The pagans then said, "Carry the wine and bring it along with us." He did so. When he was brought before R. Ashi, he was exempted [from having to pay a fine or damages]....

(b. B.Q. 117a)

One of R. Zevid's farm-laborers stole a *kav* of barley, and another a cluster of unripe dates. He disqualified them [as witnesses]...

(b. Sanh. 26b)

None of these case-stories specifies how the culprits were caught or what punishment was inflicted upon them for having stolen. The issue consistently was the disposition of the property or the settlement of claims arising from the theft. We do not know from these stories who caught thieves or whether they were punished by imprisonment, fines, or other penalties. It is possible that the rabbis simply did not rule on such questions, and that is the likeliest conclusion. If so, we must suppose that either the exilarch or the Iranians oversaw the protection of persons and property, and I imagine it was the former, for the exilarch was expected to keep the peace in the Jewish community. Since the rabbis probably had little to do with the maintenance of public order through the use of police, they did not record events in connection with the apprehension and punishment of thieves or other felons, except in connection with the results for property-decision. If this surmise is correct, then their role within the Jewish government must have been a modest one.

Negligence cases are as follows:

A company of dealers in perfume divided the baking [of daily bread]. One baked for all each day. One day they said to one of their number, "Go and bake for us." He replied, "Then guard my robe." It was stolen through their negligence. R. Papa held them responsible...

(b. B.M. 81a)

Bar Adda the carrier was leading beasts across the bridge of Nersh when one beast pushed another into the water. R. Papa held Bar Adda responsible...

These were not cases of criminal negligence, so the courts could readily dispose of the minor property issues at hand. As before, we do not know who stole the cloak, how he was caught—if he was—or what happened to him.

Torts done to persons or property were compensated by financial redress. There was no other form of punishment, even when damage was maliciously caused through aggravated assault. All the pertinent cases concern the assessment of compensation, as in the following:

R. Papa and R. Huna b. R. Joshua in an actual case [of damages done by a human being with his body] ... valued in conjunction with sixty...
(b. B.Q. 59a)

A certain man kicked another's money box into the river. The owner came and said, "I had so-and-so much money in the box." R. Ashi was sitting and considering the matter.

(b. B.Q. 6a)

Rafram compelled R. Ashi [to pay damages for destroying the bond of a creditor]...

(b. B.Q. 98b = Ket. 86a)

A certain man tied his neighbor's animal in the sun and it died. Rabina held him liable. R. Aḥa b. Rav held he was free [of obligation to pay compensation.]

(b. Sanh. 76b)

The sole issue before the rabbinical courts thus was whether and how to assess monetary damages.

XXIV. SUMMARY AND CONCLUSIONS

The stories and cases we have cursorily considered are summarized in the following tables. While patterns revealed in data of earlier strata do recur, we have observed important variations, and these appear, if slightly, in the statistical summaries. First of all, we have repeatedly noted new *kinds* of cases, formerly rare or entirely absent. These pertain, for example, to enforcement of Sabbath, festival, and other ritual laws. Sprinkling floors on the Sabbath, moving a corpse on that day, allowing the drawing of water, banning Sabbath violators, consulting butchers in matters of law—such stories earlier did not regularly occur. What is equally striking is that while in the earlier materials, Sabbath laws which actually were enforced mainly concerned the Sabbath limits, set up by the rabbis pretty much as they pleased without popular compliance or interference, now the enforcement of Sabbath laws extended to matters of private, not merely public, interest. Thus we have earlier seen many parallels to Maremar's partitioning of Sura by nets, but only a few to the items listed above. Our summary table bears this out. Earlier, *eruv*-laws constituted the majority of the evidence concerning Sabbath and festival observance, fourteen out of nineteen instances in the period from 220 to 310 A.D., for example; most of the other instances concerned enforcement of the laws about publicly working on the intermediate days of the festival. Now only two of the

ten instances of the enforcement of Sabbath and festival law pertained to the *'eruv*.

Otherwise we see fairly consistent patterns. The proportion of cases pertaining to the enforcement of civil law in all its many forms remains constant after the period of Rav and Samuel, 52.1%, 51.1%, and 49.6%, for the years 265-310, 310-350, and 350-450, respectively. The stories and cases concerning decisions on personal status consistently remain approximately 20% of the whole number of cases. Cases on food and sex taboos, particularly those on the enforcement of the laws of ritual slaughter, which constitute almost the entire evidence pertinent to such matters, produced approximately the same percentages for each period. Since those instances of enforcement of food laws depended upon the sages' control of the markets, they reenforce our earlier conclusion that the sages did not have much power over the dietary habits or private lives of the people. We have little reason to suppose that in this period rabbinical power or influence otherwise increased. The synagogues, as I noted, remained quite outside of their authority. Although the dispositions of cases exemplifying enforcement of other sorts of law were in former times inconsequential, in this period we have none at all.

As to the absolute number of cases, the figure 68 for 220-265 A.D., 163 for 265-310 A.D., 218 for 310-350 A.D., and 131 for 350-450 A.D., must be regarded as partially subjective. I have, as earlier, not counted as an exemplification of law-enforcement a general saying or story which would lead to the conclusion that law was widely carried out. Only specific stories were counted as single units. The variation in the actual numbers of stories probably is a purely literary phenomenon, depending upon the power and effective influence of a head of a school or of a particular school in the formation of the traditions as we now have them. The approximate percentages and proportions perhaps are significant, but the exact numbers of exemplifications must be regarded as very rough estimates at best.

What is more important is the probability that for every case or story we have, thousands of cases must have been tried but not recorded, because they contained only routine and uninteresting points of law. Still more thousands of transactions of civil law and personal status in particular must have been carried out in conformity to rabbinical law, but never have come to the courts. The Babylonian Talmud was no Geniza, in which all sorts of materials were deposited. Alongside trash, the Cairo *geniza* preserved kinds of materials we must have if we are to

come to any exact ideas about social, economic, or religious life. On the contrary, the Babylonian Talmud was carefully edited, serving mainly as a commentary on the Mishnah of R. Judah the Prince. Only those cases were actually recorded which revealed important points of law decided by influential sages in those schools the traditions of which were preserved by those responsible for the editing of the Talmud. These are few enough, as we have seen. By consequence we can in no way replicate the precise, exceptionally varied, and rich portrait offered in Goitein's Geniza studies.¹ Even though the issues of this part of our inquiry are much the same, the results, alas, in no way can be compared to Goitein's.

The ability of the courts to enforce the law doubtless produced widespread conformity. Normal commercial life and determinations of, or changes in, personal status followed the lines of rabbinical law without recourse to the courts or even to the schools. On the other hand the utter absence of indications that ritual laws were enforced among the people outside of the marketplace must be regarded as significant. If the courts gave no evidence of being able to carry out the law, the probable reason is that they could not do so. If that was the case, then ordinary folk would have continued along the lines of ancient observance. The rabbinical distinction between laws revealed by Moses at Sinai and laws decreed by the rabbis would have been important for Babylonia. In matters not susceptible to court intervention, the latter must have had little impact upon common people whenever the old traditions of Babylonia were in contradiction or merely silent. Thus R. Joseph remarked that the paragraph in the Grace after Meals concerning God's goodness, ending "...who is good and does good," must not be Scriptural in origin, *for working people omit it.*² The converse is that if it were of Scriptural origin, working people presumably would include it. Actually we cannot prove much from a single saying, for whether ordinary folk said the Grace after Meals in a manner similar to the rabbinical formulation, or indeed whether they recited any grace at all, is hardly settled. (I rather doubt that they did.) What is important is R. Joseph's supposition that working people ordinarily would know and carry out biblical ordinances but *not* rabbinical ones. If his supposition was sound, and I see no basis for any other, then the reason must have been the perseverance of patterns of religious life from olden times, long before the arrival in Babylonia of the first

¹ See S. D. Goitein, *A Mediterranean Society* (Berkeley and Los Angeles, 1967).

² b. Ber. 46a.

Pharisaic masters and the foundation of rabbinical schools in the second century. Before the coming of rabbinical Judaism, Babylonian Jewry must have developed a rich cultural and religious life based upon reverence for the Scriptures, for the Jerusalem Temple and Yahweh, and upon *ad hoc* interpretations of Scripture and legal decisions of local elders. With their claim that they possessed Mosaic traditions unavailable elsewhere, the rabbis had the basis for reforming Jewish community life. But that theoretical, theological basis by itself could have supported no substantial enterprise. Without the legal authority available through the exilarch from the Iranian government, the rabbis could have changed little if anything. This much is clear from the following summary tables, which indicate, as the earlier ones did, that chiefly those laws which could be enforced through coercive court decisions concerning disposition of property were actually carried out by the rabbis. But by now, after more than three centuries of teaching and exemplifying the laws, the rabbis proved able to enforce some matters which did not depend upon actual court decisions or coercion. This would suggest, as I said, that the rabbis did succeed in widening the range of their influence to include questions other than the enforcement of civil law and the determination of personal status.

It was through the courts that the sages exercised their most direct and effective power over ordinary Jews. Yet, as we have clearly seen, the courts' authority was severely circumscribed. Apart from enforcing civil laws concerning property and making decisions on personal status, many of which also depended upon exchanges of property, the courts could only sporadically coerce obedience to "Torah." Even though "Torah" comprehended a wide range of teachings about the proper conduct of everyday life, the sages through the courts apparently affected only a small part of daily affairs. As we noticed, for example, while the sages' traditions on family life included stress on early marriage and various other extralegal values, the courts could hardly have done much, except episodically, to shape the lives of most families outside of rabbinical circles.

The reason for the rabbis' limited use of their court powers for enforcement of the whole "Torah" is clear. The Iranian government, first of all, did not leave in the hands of the *millet*-communities an unlimited range of power. The rabbinical courts' powers were further circumscribed, second, by the probability that *other* courts exercised jurisdiction over Jews. I conjecture that these competing authorities were likely to have been of three sorts. First, towns mainly inhabited

by Jews but not the center of rabbinical schools were probably governed by non-rabbinical authorities, composed of officials such as the "ignorant judges" about whom the rabbis complained. It stands to reason that such judges were also subject to the authority of the exilarch. But they obviously were not educated in rabbinical schools or governed by the discipline of the rabbinical estate. Second, it seems doubtful that the rabbis decided cases involving substantial sums of money, capital punishment, or other weighty matters.¹ Hence either the exilarch or the Iranian government, acting through local satraps, took over the jurisdiction over many sorts of important legal and administrative matters affecting ordinary Jews. The exilarch presided over the only murder trial mentioned in Babylonian rabbinical records. On that basis, we can hardly come to a firm opinion, but it seems likely that the exilarch decided cases involving crimes against persons and thefts. This would account for the concentration of the rabbis' attention on the disposition of stolen goods, with no mention at all of what happened to the thief; references to the "servants" of the exilarch were likely to mean his gendarmes. Third and most important, cases involving Jews and gentiles rarely, if ever, seem to have come before rabbinical courts.² Since large numbers of Jews lived in Seleucia-Ctesiphon (Maḥoza) and other places where they were likely to come into contact with gentiles, enter into business-partnerships, and otherwise produce litigation, I can only suppose that the state made provision for disputes among its mixed populations. Hence even though it seems clear that the rabbis made some sorts of decisions, we ought not on that account to exaggerate the extent of their control over the lives of ordinary Jews.

The cases before the rabbinical courts were the exceptional ones in which people deprived others of their property or rights, failed to keep their word, or otherwise lapsed from accepted norms. In normal circumstances the courts played no role whatever, though conversely, the *law* obviously played a great role indeed. But if "*apikorsim* are common who vex the rabbis," and if the men of Neresh "would not hear the word of the Lord," then we may suppose the sages' power also was limited by the difficulties of coercing independent-minded folk to conform at all. People normally kept the law, but they did pretty much as they liked, I imagine, unless they came into direct conflict either with another person's rights or property or with a rabbinical

¹ Vol. IV, pp. 251-253.

² Compare Vol. IV, pp. 279-283.

authority actually engaged in the exercise of his duties, as in the marketplace, for example. These two factors need, therefore, to be kept in balance. It would have required far more efficient government than existed in late antiquity, combined with a vast and inquisitive police force, to impose "the whole Torah" upon all of Babylonian Jewry. What could readily be imposed was, as I have stressed, a rather small segment of the law. That segment of the law could come to bear mostly when ordinary folk brought one another to court in a litigation. So even judgments of civil law and determinations of personal status by rabbis in the end generally depended upon the compliance of outsiders.

It is therefore remarkable that ordinary folk did not apparently comply with the demands of the holy men-judges about synagogue life, though they probably accepted their decisions about synagogue property. We cannot be certain that common people, if they actually took vows, came before sages to seek absolution. While courts could administer corporal punishment, issue bans of excommunication, and impose fines, only the most "spiritual" of these penalties, the decree of excommunication, applied in matters we should today regard as "religious," such as the violation of holy days, but even here apparently seldom. The Sabbath laws about not working and observing similar taboos were doubtless widely kept because people believed God had commanded them, as Scriptures said. The statutes about the proper arrangement of Sabbath-limits were earlier enforced by rabbis as communal authorities. We now find a few stories in which other rabbinical rules were enforced, and, as I said earlier, not the number but the character of some such stories, which is quite novel, seems to be significant. If Amemar's several rulings represented practical judgments, and I think they do, it would mean that rabbis now enjoyed greater authority than earlier over Sabbath observance by ordinary folk. Definition of permissible work during the festival week-days was earlier well within rabbinical jurisdiction. Control of the markets produced another sort of power, namely the determination of what might be sold, therefore used, in connection with festival observance.

More consequential for our study is R. Ashi's assumption that people would ordinarily copy his observances. Of course we cannot be sure that by "people" he meant merely "rabbinical disciples, masters, and others adhering to our viewpoint." "Men" standing by itself is highly ambiguous. Questions posed by the "men" of such and such a town or instructions to see what "people are doing" both seemed related to rabbinical circles, for in the former case the questions were

based upon considerable knowledge of law, and in the latter, upon observance of characteristically rabbinical customs. But R. Ashi supposed people would see how he covered his *Sukkah* and do likewise. Rabbis did not live in isolated neighborhoods, so the people who would see and thereupon copy his practice probably would not have been only rabbinical disciples. I therefore assume that R. Ashi's concern does reflect a tendency of ordinary folk to regard the rabbi as a paradigmatic figure. That would not be surprising in earlier years, for the rabbi was viewed as a holy man. But what now is new is the assumption that *if* people saw how a rabbi carried out in a new way a routine and traditional function—for people had built *Sukkot* for many centuries in some customary fashion—they would change their ways. This is not much evidence, to be sure, but it is a sort of evidence we have not earlier observed.

Enforcement of food laws was quite another matter, and effective power, seen earlier, remained wholly undiminished. If a slaughterer did not present his knife, he could be banned, driven out of business, and deprived of substantial capital. It is doubtful that any Jews outside of rabbinical circles were more completely subjected to rabbinical rules about the conduct of their business affairs than were the butchers. This meant that ordinary folk would not usually purchase other than *kosher* meat in Jewish markets. But it does not mean that in their homes the common people followed rabbinical rulings about preparation of food on ordinary days or Sabbaths, separation of meat from dairy products, and the like.

We have no Talmudic evidence about magical practices of the masses. We do not know what outsiders did with reference to the scroll of the Torah, the *mezuzah*, *tefillin*, and other holy objects. We do know that rabbinical magical objects, amulets, and charms were carefully defined. The rabbis clearly omitted all reference to magical bowls, and presumably to other forms of magic they did not approve of, as well as to practitioners of such magic, not to mention their Jewish and pagan clients. Magical bowls produced by Jews included references to an ancient rabbi who played a minor role in rabbinical traditions available in the Babylonian Talmud. But upon that basis we can hardly come to any firm conclusion except one: the schools out of which the Talmud emerged set their seal of approval upon some forms of theurgy and rejected others. But it is equally obvious that the practices of common folk and perhaps also of schools entirely unknown to us are simply not reflected in the Talmud. Holy buildings, holy objects, holy

days, holy or unholy food—to these matters on the whole rabbinical power was peripheral, never very consequential.

Central to the concern and certainly subject to the authority of sages were many kinds and patterns of human relationships, as we have repeatedly observed. We may anachronistically note that while the rabbis had little influence over "religion," they had a great deal of influence over "ethics." But no one then made such a distinction. Behavior in the market-place as much as in the synagogue constituted a matter of "Torah." Indeed the prophets had said "religion" concerned everyday life rather than ritual, and the rabbis rightly saw themselves as heirs of the teachings of the prophets, their best interpreters and true continuators. They therefore devoted themselves to commonplace justice, doing what they could, to be sure, about the sancta and taboos as well. Effecting a reconciliation between husband and wife, preserving the sanctity of marital ties, properly carrying out betrothals, marriages, and, where called for, divorces, protecting the rights of women by providing for their maintenance—these represented human relationships potentially subject to rabbinical control, and therefore, to rabbinical judgments or values. Likewise, the Holy One who knew the difference between the first-born and others in Egypt would also know the difference between honest and dishonest traders. The rabbis would remind marketmen of that fact, forcibly so when they could make effective rulings over what was done in bailments and contracts, exchanges of commerce, trade, movables, transactions over land, settlement of estates, and similar matters. That does not mean their ideas about human rights invariably coincide with those of our own time. It is difficult to share rabbinical views of slavery, for one thing. But in general when it came to property disputes, theirs was a fair standard of justice, and, more important, it was also quick and effective.

The fact that the rabbinical estate could accomplish, not so little, but so much must strike us as astonishing. When the first rabbis came to Babylonia shortly after the Bar Kokhba War, they had no basis for affecting, even interfering in, local affairs. They constituted an outgrowth of a Palestinian party, then several centuries old. I doubt that they earlier had any significant following in Babylonia. Like the Essenes and other Jewish sects, they claimed Moses had founded their group and revealed its peculiar laws and doctrines. But unlike others, they both actively and successfully sought the power to make their claims effective in the everyday life of ordinary Jews. In so doing, they

worked to change all Jews into Pharisaic rabbis and to reshape the community according to the model of their sect. At the outset in Babylonia they enjoyed the support of the exilarch, a relatively new authority set in charge of Babylonian Jewry about a half-century earlier. He had sent his son and other relatives to represent him in the Palestinian government, then in the hands of the Pharisaic-rabbinical party. In consequence, the first refugee-rabbis in Babylonia were not an unknown quantity, but perhaps were encouraged to settle permanently in the ancient community. They possessed substantial legal traditions and were men of considerable education. Because of their internal discipline they could be used for the effective administration of a group of far-flung communities. Because of their claim to be holy men, to possess "the whole Torah," and to be the teachers of God's will for Israel, and because of the ability of some rabbis to authenticate these claims through "miracles," they could exercise influence based upon spiritual, not merely physical, coercion. Understanding this, the exilarch probably allied himself with the rabbinate in attempting to overcome the power of local strong-men, antecedent, traditional authorities of the old Babylonian Jewish communities.

It was in the end an uneven contest. The local powers were known and habitually obeyed, to be sure, but the force of inertial obedience in a short time was overcome by the well-organized and well-disciplined sages with the backing of the exilarch and, through him, of the Parthian and (after a time) the Sasanian regimes. The unification of political power within Jewry corresponded to the effort of both Iranian dynasties to organize a single central effective government subject to the control of Ctesiphon. Against the combined force of the imperial government, the central Jewish authority, and the lawyer-magicians who were court judges and administrators backed by both, the pre-existing local authorities could hardly prevail.

The rabbis quickly established their characteristic institution, the school, which over generations transformed ordinary folk not merely into good lawyers and administrators, but rather into rabbis imbued with the convictions, adhering to the singular customs, and educated in the traditions, of the rabbinical estate. The schools certainly proved substantial local influences, quite apart from the court-system, where they were located and, in time, wherever their graduates lived. The schools thus constituted the second major force, besides the courts, for the expansion of rabbinical power. In many ways they were the more important of the two. Through the third and fourth centuries, the

schools increased in strength. Local academies related to the great schools known to us in the Babylonian Talmud must have multiplied. The "men" of this town and that, that is, most likely the adherents of rabbinical estate and presumably teachers at lower levels in their own right, constituted local cells of rabbinical disciples. But outside of a few larger centers where the major academies were located, the rabbinical disciples could not have constituted a majority in any one place, as the situation of the single disciple in Tav'akh suggests. In all, the leading authorities and local disciples could by no means have formed a majority of Babylonian Jewry even by the end of Sasanian times. But, as I said, that the handful of masters of ca. 140 A.D. had become by 640 A.D. so powerful a force as to affect all Babylonian Jewry and to dominate a substantial and important part of its everyday affairs remains an extraordinary fact.

If in addition to the Babylonian Talmud we had a considerable body of information about the life of Babylonian Jewry, deriving, for instance, from business documents, exilarchic archives, local chronicles, biographies, martyrologies, poetry, synagogue ruins, liturgies, and records, papyri and ostraca, coins, and other artifacts, Iranian government papers and the like—if we had a Geniza—our view of the history of Babylonian Jewry to be sure would be far broader and certainly deeper, but it could not be much different. The focus of interest would still have to be the relationships between a small group of rabbis and a large mass of people, the creative symbiosis of the organized, active, patient, disciplined few and the inchoate, stubborn, passive, preoccupied many. This is not a new theme in the history of religions or of societies, but I think it is played out in an exceptional, perhaps in a unique, way in the history of Babylonian Judaism and of Babylonian Jewry in Iranian times.

I. b. Berakbot

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]
Court Cases Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedi- ence to, Law Outside of the Academy		*[<i>1. b. Ber. 12a. Amemar thought of instituting Ten Commandments at Nehardea.</i>]

* Not counted—ambiguous.

II. *b. Shabbat*

<p>Court Cases</p> <p>Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy</p>	<p><i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]</p>	<p><i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]</p>
	<p>1. <i>b. Shab. 94b</i>, <i>R. Nahman b. Isaac</i> allowed a corpse to be moved in Derokert on Sabbath.</p>	<p>1. <i>b. Shab. 95a</i>, <i>Amemar</i> permitted sprinkling floors in Maḥoza on Sabbath.</p>

III. *b. 'Eruvin*

<p>Court Cases</p> <p>Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy</p>	<p><i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]</p>	<p><i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]</p>
		<p>1. <i>b. 'Eruv. 8a</i>, <i>Maremar</i> partitioned Sura by nets.</p> <p>2. <i>b. 'Eruv. 40a</i>, <i>Rabina</i> permitted people to smell odor of myrtles cut on Second Day of Festival.</p> <p>3. <i>b. 'Eruv. 61b</i>, <i>Mar Judah</i> told people how to place <i>'eruv</i>.</p> <p>4. <i>b. 'Eruv. 63a</i>, <i>Rabina</i> banned Sabbath-violator.</p> <p>5. <i>b. 'Eruv. 104a</i>, <i>Amemar</i> allowed drawing water on Sabbath in Maḥoza.</p>

IV. *b. Pesahim*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

V. *b. Yoma, Sukkah, Bezah*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. B. 20a, R. Papa ruled on betrothal.	1. b. S. 55a, Amemar instituted in Nehardea <i>re</i> lectures. 2. b. B. 22a, Amemar permitted eye to be painted by pagan on Sabbath. 3. b. B. 22a, Amemar permitted eye to be painted on Second Day of New Year.
Questions from Outside of the Academy		
Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy	1. b. B. 4a, R. Papa was asked about egg laid on Sabbath.	

VI. *b. Rosh HaShanah, Ta'anit*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases		*[1. b. R.H. 31b, Amemar issued court-summons.]
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

* Not counted—court procedure.

VII. *b. Megillah, Mo'ed Qatan, Hagigah*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. Meg. 26b, R. Papa and R. Huna b. R. Joshua <i>re</i> property.	1. b. M.Q. 11b, R. Ashi ruled <i>re</i> partnership.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		1. b. M.Q. 4b, Rabina considered banning man for drawing water during festival week. 2. b. M.Q. 4b, R. Ashi allowed people of Mata Mehasia to clean canal during festival week.

* Not counted — general rule.

VIII. *b. Yevamot*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. <i>b. Yev. 91b, R. Papa re remarriage.</i> 2. <i>b. Yev. 101b, R. Papa and R. Huna b. R. Joshua re halizab.</i> 3. <i>b. Yev. 101b, R. Kahana re halizab.</i> 4. <i>b. Yev. 106b, R. Kahana re halizab.</i>	1. <i>b. Yev. 21b [= 40b], Amemar permitted marriage.</i> 2. <i>b. Yev. 37a, Rafram did not ban a man who betrothed a woman and fled. He did not require a divorce.</i> 3. <i>b. Yev. 43a, Amemar permitted betrothal on the ninetieth day [after the first husband's death].</i> 4. <i>b. Yev. 45b, Amemar declared a child legitimate.</i> 5. <i>b. Yev. 75b, R. Ashi supervised circumcision and declared a man fit.</i> 6. <i>b. Yev. 76a, R. Bibi b. Abaye supervised circumcision and declared man fit.</i>
Questions from Outside of the Academy		1. <i>b. Yev. 80b, Rabbah Tosfa'ah re legitimacy.</i> *[2. <i>b. Yev. 101b, Mar Zutra wrote halizab certificate.</i>]
Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

* Not counted—general rule.

IX. *b. Ketuvot*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	<ol style="list-style-type: none"> 1. b. Ket. 7a, R. Zevid permitted first intercourse on the Sabbath. 2. b. Ket. 60b, R. Papa and R. Huna b. R. Joshua <i>re</i> remarriage. 	<ol style="list-style-type: none"> 1. b. Ket. 20a, R. Ashi <i>re</i> sale of land. 2. b. Ket. 54a, Rabina <i>re ketuvab</i>-settlement. 3. b. Ket. 63b, Mar Zuṭra reconciled quarreling couple. 4. b. Ket. 69a, Amemar <i>re</i> settlement of estate. 5. b. Ket. 82a, Mar b. R. Ashi <i>re</i> levirate marriage. 6. b. Ket. 86a, R. Ashi ordered collection of damages. 7. b. Ket. 103a, Rabina <i>re</i> contract for services. 8. b. Ket. 109b, R. Ashi <i>re</i> settlement of estate.
...		
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

X. *b. Nedarim, Nazir, Soṭah*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases		
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XI. *b. Gifin*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. Giṭ. 40a, <i>R. Papa re</i> emancipation of slaves. 2. b. Giṭ. 58a, <i>R. Papa re</i> land taxes.	*[1. b. Giṭ. 18a, <i>R. Kahana, R. Papi, and R. Ashi</i> acted on principle that <i>gef</i> is valid from time of writing.] *[2. b. Giṭ. 19b, <i>R. Papa re</i> Persian documents.] 3. b. Giṭ. 40a, <i>Rabina re</i> emancipation of slaves. 4. b. Giṭ. 73a, <i>Rabina re</i> guarantee of sale of field. 5. b. Giṭ. 78b, <i>R. Ashi re halizab.</i> 6. b. Giṭ. 89b, <i>R. Ashi re</i> betrothal.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

* Not counted, general rule.

XII. *b. Qiddushin*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. Qid. 9a, <i>R. Hama re</i> betrothal. (2) 2. b. Qid. 9a, <i>R. Zevid re</i> betrothal.	1. b. Qid. 45a-b, <i>Rabina re</i> betrothal. (2) 2. b. Qid. 50a, <i>R. Ashi re</i> sale of land. 3. b. Qid. 81a, <i>Mar Zuṭra</i> punished privacy with an unmarried woman. 4. b. Qid. 89b, <i>R. Ashi re</i> betrothal.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XII. *b. Bava' Qamma'*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. B.Q. 59a, R. Papa and R. Huna b. R. Joshua <i>re</i> damages.	1. b. B.Q. 62a, R. Ashi <i>re</i> damages. 2. b. B.Q. 115a, Rabina <i>re</i> theft. 3. b. B.Q. 112b, Rabina <i>re</i> collection of debt. 4. b. B.Q. 117a, R. Ashi <i>re</i> showing wine to gentile thieves.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XIV. *b. Bava' Mezi'a'*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. B.M. 66a, R. Zevid <i>re</i> divorce. 2. b. B.M. 66b, R. Papa <i>re</i> sale of land. 3. b. B.M. 77b, R. Papa <i>re</i> sale of land. 4. b. B.M. 69a, R. Papa <i>re</i> partnership. 5. b. B.M. 74b, R. Papa <i>re</i> purchase. 6. b. B.M. 81a, R. Papa <i>re</i> bailment. 7. b. B.M. 83b, R. Papa <i>re</i> negligence. 8. b. B.M. 93b, R. Papa <i>re</i> damages. 9. b. B.M. 97a, R. Papa <i>re</i> bailment. 10. b. B.M. 104, R. Kahana <i>re</i> lease of field. 11. b. B.M. 106b, R. Nahman b. Isaac <i>re</i> lease of vineyard.	1. b. B.M. 65b-66a, Amemar <i>re</i> sale of land. 2. b. B.M. 67a, Rabina <i>re</i> mortgage. 3. b. B.M. 76a-76b, R. Ashi <i>re</i> collection of debt. 4. b. B.M. 73, R. Ashi <i>re</i> interest. 5. b. B.M. 77b, R. Ashi <i>re</i> sale of ass. 6. b. B.M. 97a, R. Ashi <i>re</i> death of cat. 7. b. B.M. 104b, R. Ashi <i>re</i> <i>kettwab</i> . 8. b. B.M. 104, Rabina <i>re</i> lease of field. 9. b. B.M. 106b, Rabina <i>re</i> lease of field.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XV. *b. Bava' Batra'*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. b. B.B. 7a, R. Hama <i>re</i> conflict of neighbors (3). 2. b. B.B. 7b, R. Hama <i>re</i> bond. 3. b. B.B. 22a, R. Kahana <i>re</i> market-supervision. 4. b. B.B. 33b, R. Zevid <i>re</i> <i>hazaqab</i> . 5. b. B.B. 67a, R. Kahana used to collect estate-claims from rent of houses. 6. b. B.B. 132b, R. Papi <i>re</i> estate. 7. b. B.B. 151b, R. Huna b. R. Joshua <i>re</i> gift. 8. b. B.B. 174a, R. Papa <i>re</i> orphans' property.	1. b. B.B. 3b, Maremar and Mar Zuṭra <i>re</i> synagogue property. 2. b. B.B. 22a, Rabina <i>re</i> market-supervision. 3. b. B.B. 24a, Rabina, <i>re</i> use of wine. 4. b. B.B. 25b, R. Ashi <i>re</i> inconvenience to homeowner. 5. b. B.B. 26a, Rabina <i>re</i> inconvenience to homeowner. 6. b. B.B. 57a, Rabina <i>re</i> court document. 7. b. B.B. 61b, R. Ashi <i>re</i> sale of land. 8. b. B.B. 11a, Mar Zuṭra <i>re</i> gift. 9. b. B.B. 88a, R. Yemar <i>re</i> theft. 10. b. B.B. 126b, R. Ashi <i>re</i> settlement of estate. 11. b. B.B. 133a, Rabina <i>re</i> estate. 12. b. B.B. 143b, Mar b. R. Ashi <i>re</i> estate. 13. b. B.B. 165a-b, Amemar validates deed. 14. b. B.B. 174b, R. Ashi <i>re</i> orphans' property.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XVI. *b. Sanhedrin*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]
Court Cases	1. <i>b. Sanh. 26b, R. Papa</i> banned grave-diggers for burying corpse on first day of festival of Shavu'ot.	*[1. <i>b. Sanh. 7b, R. Ashi</i> judged fitness of meat.] 2. <i>b. B.M. 76b, Rabina re</i> damages to animal.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

* General rule, not counted.

XVII. *b. 'Avodah Zarab*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]
Court Cases	1. <i>b. A.Z. 60a, R. Papa re</i> wine. 2. <i>b. A.Z. 72a, R. Kahana re</i> sale of land.	1. <i>b. A.Z. 59b, R. Ashi, re</i> wine (2). 2. <i>b. A.Z. 60b, R. Ashi re</i> wine.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XVIII. *b. Horayot, Shevu'ot, Makkot*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Asbi and his contemporaries</i>]
Court Cases	1. <i>b. Shev. 42a, R. Papa re</i> collection of debt. 2. <i>b. Shev. 48b, R. Papa re</i> collection of debt from estate. 3. <i>b. Mak. 7a, R. Papa</i> ruled on surety-bond.	[1. <i>b. Hor. 3b = b. Sanh. 7b, R. Ashi</i> ruled on fitness of animals.]
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XIX. *b. Zevahim, Menahot, Hullin*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. <i>b. Hul. 49a</i> , R. Ashi reports on R. Kahana's ruling <i>re</i> date-stone in gall-bladder. 2. <i>b. Hul. 53b</i> , R. Kahana <i>re</i> lung.	1. <i>b. Hul. 17b</i> , R. Ashi examined butcher's knife. 2. <i>b. Hul. 18a</i> , Rava b. Hinena banned butcher for not presenting his knife for examination. 3. <i>b. Hul. 18b</i> , Mar Zutra ruled on knife. 4. <i>b. Hul. 47a</i> , Maremar examined lungs. 5. <i>b. Hul. 47a</i> , R. Ashi examined lungs. 6. <i>b. Hul. 48b</i> , Mar b. R. Joseph ruled on needle in liver. 7. <i>b. Hul. 49a</i> , Rabina ruled on needle in liver. 8. <i>b. Hul. 51a</i> , R. Ashi ruled on injured goat. 9. <i>b. Hul. 51a</i> , Rabina and R. Yemar <i>re</i> injured ewe. *[10. <i>b. Hul. 56a</i> , R. Yemar examined membrane.] 11. <i>b. Hul. 58b</i> , Rabina <i>re</i> rumens. 12. <i>b. Hul. 58b</i> , R. Ashi <i>re</i> tube from reticulum. 13. <i>b. Hul. 75b</i> , R. Ashi <i>re</i> animal attacked by wolf. 14. <i>b. Hul. 76b</i> , R. Ashi <i>re</i> animal's tendons. 15. <i>b. Hul. 98a</i> , Mar b. R. Ashi ruled on forbidden fat in pot of meat. 16. <i>b. Hul. 105b</i> , Mar b. R. Ashi tried demon for damaging property.
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

* Not counted—general rule, not a case.

XX. *b. Bekhorot, 'Arakhin, Temurah, Keritot, Me'ilah, Tamid*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases	1. <i>b. 'Arakh. 23b, R. Papa re divorce.</i>	1. <i>b. Bekh. 36b, R. Ashi re firstling.</i>
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XXI. *b. Niddah*

	<i>Ca. 350-380</i> [<i>R. Papa, R. Huna b. R. Joshua, etc.</i>]	<i>Ca. 380-450</i> [<i>R. Ashi and his contemporaries</i>]
Court Cases		1. <i>b. Nid. 67b, R. Aha b. Jacob decreed immersion may be performed on the eighth day in Paphnia on account of thieves.</i>
Questions from Outside of the Academy Stories and Sayings about Enforcement of, or Obedience to, Law Outside of the Academy		

XXII. Summary

	<i>Ca.</i> 350-380	<i>Ca.</i> 380-450	<i>Total</i>	<i>Approximate</i> <i>Percentage</i> <i>of Total</i>
<i>Civil Law</i> (including commercial and real estate, settlement of estates, gifts to charity, maintenance of widows and orphans, collection of debts, marriage contracts, damages and liabilities).	29	36	65	49.6%
<i>Personal Status</i> (including marriage, divorce, <i>halizab</i> , etc. excommunication for moving from place to place, adultery).	12	16	28	21.3%
<i>Food and Sex Taboos</i> (including slaughter and ritual fitness of wine).	3	21	24	18.3%
<i>Fasts, Holidays, Sabbath.</i>	3	10 (2 <i>re</i> Sabbath limits)	13	9.9%
<i>Synagogue Liturgy</i> (including blessings).	—	1	1	0.7%
<i>Punishment for Disrespect to Scholars.</i>	—	—	—	—
<i>Vows and Dedications.</i> ¹	—	—	—	—
<i>Agricultural Rules.</i> ¹	—	—	—	—
<i>Capital Crimes.</i>	—	—	—	—
Total	47	84	131	99.8%

¹ Examples of rabbinical behavior are not counted.

XXIII. Cumulative Comparisons

	Ca. 220-265		Ca. 265-310		Ca. 310-350		Ca. 350-450	
	Num- ber	%	Num- ber	%	Num- ber	%	Num- ber	%
<i>Civil Law</i> (including commercial and real estate, settlement of estates, gifts to charity, maintenance of widows and orphans, collection of debts, marriage contracts, damages and liabilities).	23	33.8%	85	52.1%	116	51.1%	65	49.6%
<i>Personal Status</i> (including marriage, divorce, <i>halizah</i> , excommunication for moving from place to place, adultery).	16	23.5%	24	14.1%	35	15.0%	28	21.3%
<i>Food and Sex Taboos</i> (including slaughter and ritual fitness of wine).	15	22.0%	21	12.9%	31	13.7%	24	18.3%
<i>Fasts, Holidays, and Sabbath.</i>	10	14.7%	19	11.6%	16	7.1%	13	9.9%
<i>Synagogue Liturgy</i> (including blessings).	3	4%	2	1.2%	6	2.6%	1	0.7%
<i>Punishment for Disrespect to Scholars.</i>	—	—	2	1.2%	4	1.7%	—	—
<i>Vows and Dedications.</i>	—	—	7	4.2%	2	0.8%	—	—
<i>Agricultural Rules</i>	1	1%	3	1.8%	6	2.6%	—	—
<i>Capital Crimes.</i>	—	—	—	—	2	0.8%	—	—
Total by Periods	68	99.0%	163	99.1%	218	95.4%	131	99.8%

APPENDIX

THE LANGUAGE OF THE MAGICAL BOWLS

Baruch A. Levine, New York University

The notes and comments to follow are appended to Chapter Six.* In Vol. IV, pp. 110-113, Neusner stressed the role of magic in the life of Babylonian Jewry during parts of the Talmudic period, especially as reflected in the image of the Talmudic sage as one possessed of magical knowledge, and even magical powers. Neusner's discussion of a selected group of Aramaic magical bowl inscriptions adds to his earlier insights in this area.¹

For purposes of this study there is no need to enter into the question of establishing Jewish provenience for each and every magical text. In this respect, Neusner's assignment is probably conservative. In his glosses to Montgomery's collection of texts J. N. Epstein tended to assign more texts to Jewish authorship than was normally thought to be the case. It is clear, in any event, that Jewish and non-Jewish inscriptions of this type do not represent separate phenomena, but rather variations on the same theme; and, at that, not far reaching variations. Jewish stereotypes were employed by Mandeans, and Jews might well have used the Mandaean script and dialect on occasion, and invoked Christian and pagan divine powers as well. What we have is a common idiom and mentality, and little typological distinctiveness. Jewish influence on Babylonian magic of the period in question should not be understated.

The magical bowl inscriptions, written primarily in Aramaic, Syriac, and Mandaic have been uncovered in what was ancient Babylonia, many in the ruins of ancient Nippur. They bear clear linguistic and cultural affinities to the Babylonian Talmud, to Rabbinic literature in general, and to ancient Jewish mystical literature. Whatever questions remain as to the exact dating of these texts, there is no doubt that they reflect, as a corpus, a type of magical praxis extant among Jews in Talmudic times. The cuneiform Aramaic incantation should allay any doubts as to the extended currency enjoyed by Aramaic incantations in Babylonia.²

Generically, the bowl inscriptions belong to a large body of literature produced in late antiquity and in the Medieval period dealing with the acquisition of mystical knowledge and its utilization either in theurgic or mystical activities. This literature drew from diverse sources. Our primary concern here is to examine contemporary Jewish sources relevant to the Babylonian magical bowls. We take our cue from a treatise by Gershom Scholem, *Jewish Gnosticism, Merkabah Mysticism, and Talmudic Tradition* (Jewish Theological Seminary, 1960) in which Scholem inquired into the

¹ Also see J. Neusner, *Numen* 16, 1969, 1-20

² C. H. Gordon, *AJO* 12, 1937-39, 115-117, B. Landsberger, *Ibid.* 247-257, and C. H. Gordon, *Orientalia* 9, 1940, 29-38.

relationship of the Talmudic and mystical literatures. In an appendix to that volume (D, 118-126), Professor Saul Lieberman demonstrated the extensive dissemination of mystical literature within the community of Talmudic sages. Though Scholem was concerned primarily with the history of religious thought, he devoted considerable attention to theurgy and to its interactions with mystical experience. He presents a valuable edition of an Aramaic incantation, and examines the halakhic character of mystical literature, indicating to what extent the noted Talmudic sages were involved in mystical speculation.

Scholem's methodology is valuable in studying theurgy. We must, for the moment, refrain from treating the more mystical aspects of the magical bowls—the angelology, divine nomenclature in general, and the cosmorama projected in the texts, though these be matters of great significance in themselves. Here we will concentrate on comparative philology, attempting to assess, from the specific to the more general, the extent of affinity borne by these texts to other sources on Jewish theurgy and religio-legal practice in Talmudic times. This study hardly pretends to be comprehensive, and is intended only to be representative. Philologically speaking, our guide is J. N. Epstein, who brought to bear on some of these texts his incisive knowledge of the Aramaic dialects, and of the whole of Talmudic literature. J. A. Montgomery, C. H. Gordon, J. Obermann, and W. C. McCullough have provided us with most of the primary material.¹ The recent monograph on the Mandaic magical texts by E. M. Yamauchi (*AOS* 49) renders the examination of the comparative material easier, and we owe him no small debt.

In 1966 the late Mordecai Margalioth pieced together the hitherto lost treatise on ancient Jewish theurgy, *Seffer Ha-Razim* "The Book of Mysteries" (Hebrew) (henceforth *SbR*). This Hebrew compilation presents a systematic manual of magical praxis. It was written in Palestine sometime between the first and fourth centuries, with the linguistic criteria favoring a date nearer the beginning of that period. In *SbR* we have a type of "Ritualtafel", to borrow a term used to classify Mesopotamian magical texts.² The *Ritualtafel* prescribed the order of magical rites, and indicated at which points invocations and incantations should be recited. These, in turn, were presented separately, and constituted the large bulk of the magical series. The magical bowl inscriptions are the recitational texts, but we cannot ascertain from them, except by oblique reference, the exact procedures which constituted the coherent praxis of magic. *SbR* includes both the recitational material and the praxis, in more or less operational sequence. In terms of its own composition it differs, therefore, from the Mesopotamian pattern; but with respect to the magical bowl inscriptions it serves as a kind of *Ritualtafel*. We shall, therefore, exploit the rich material of *SbR* in an attempt to clarify what the incantations meant in magical terms.

Our plan is to present philological notes to a selected number of magical texts which we found particularly inviting for comparative study. The notes

¹ See in the list of bibliographical abbreviations pp. 374-5, and miscellaneous notes, a, for publications.

² Cf. as an example E. Reiner, *Šurpu*, in *AfO*, Beiheft 11, Graz, 1958.

will be followed by comments on central themes related to the corpus of bowl inscriptions as a whole.

I. PHILOLOGICAL NOTES

1. McCullough, A.

This is the brief text of a spell for the expulsion of evil spirits who have been afflicting a household. Our translation of the text differs from that of McCullough in several instances.

Consonantal transcription:¹

1. *hlzy' 'ly'l dylry'y'l sry'l wšlyšy'l 'zšwn 'twn hmšb ml'ky'n*
2. *dy mmryn 'l byth db'by br mhlpt' 'wbyn wykššwn yt qyymthd m'brzyn brhy'*
3. *yrušylm'y bt mruwdk tht rygylb db'by br mhlpt' qrysty' rbt db'by br mhlpt'*
4. *dšyr whtm b'zqth d'l šdy db'by br mhlpt'*

Translation:

1. Girded are El-el, Sariel, and Slisiel. You begone, oh five angels
2. who are acting defiantly against the house of Babai, son of Mahlapta; spirits of the dead! Let them (i.e. the four angels named above) grind QYYMTHD M'BRZYN with millstones!
3. Yersuhalmi, daughter of Mruduch, is under the power of Babai, son of Mahlapta, and of Qristia, the lady of Babai, son of Mahlapta.
4. This is tied and sealed with the signet ring of El-Shaddai, belonging to Babai, son of Mahlapta.

Notes:

Line 1: The four angels are girded to do battle against evil forces. Aramaic *hlz* is a variant of *hlš*. In the sense of "to gird" *hlš/z* I should be differentiated from *hlš* II "to press, squeeze out," hence: "extract, remove" (Lev 14: 40, 43, Deut. 25: 9-10, Isaiah 20: 2, Thr. 4: 3, and cf. Talmudic *hālšāb* "the removal of the shoe" in Levy II, 64, s.v.). By extension, this verb appropriates the sense of deliverance from danger (*HuAL*, 308-309, s.v. *hlš*), and this root is cognate to Akkadian *halāšu* (*CADH*, 40, s.v. *halāšu*, and adj. *halšu*, *ibid.* 51-52) which was originally applied to pressing out oil from seeds and fruits, for which compare Talmudic usage of this verb in Levy II, 63, s.v. *hlš*.

Biblical Hebrew *hālš*, as a military term for an advanced unit, represents a different root, and derives, apparently, from the noun *halāšatm* "loins", probably cognate to Akkadian *hanšātu* (*CADH* 81, s.v.). It means: "one whose loins are girded." A relationship to Akkadian *halšu*, "fortress" etc. is

¹ Notes on our method of transcription in this study:

d = the Mandaic ligature *adu* (*AOS* 49, 68, and 70, no. 2.4).

b = *Heb*. In the Aramaic script of the Babylonian magical bowls there is no difference in written form between *Heb* and *Het* (*AIT* 29). With some exceptions, unattested in this study, the same is true in the script of the Mandaic bowls (*AOS* 49, 68, and 70, no. 2.3). Therefore:

b = *Heb* and *Het* in all actual textual transcriptions from Babylonian Aramaic and Mandaic magical bowls.

h = *Het* in transcriptions from Syriac and other Semitic scripts which differentiate between *Heb* and *Het*, and in all transcriptions of any language presented for purposes of linguistic analysis, vocalization, etc. (Also note the phoneme *h* in transcriptions of Akkadian).

possible, but problematic (*CADH*, 51). Despite the contrast of *ḥālūs* and *me'asēp* "rear guard" in Joshua 6:9, 13, which suggests that the *ḥālūs* was a unit detached in advance of the main army, and thus "extracted" (a connotation fitting *ḥlš* II), the distinction between the two roots must be maintained. The sense of "gird" is logically extended to mean "strengthen", as in Isaiah 58:111: "YHWH will continually lead you, and sate your throat when it is dry with thirst, and add strength to your bones" (Hebrew: *yaḥallīs*, and cf. Talmudic *ḥillūs 'ašāmōt* "strengthening of bones" in *TB Berākōt* 13b). The sense of "strength" is also attested in Syriac (*LS* 237, s.v. *ḥālīsā* and *ḥālīsūtā*). This is also the sense we have in McCullough C:20: *ḥlyš' dblyy'* "the strongest of the strong."

The biblical *ḥālūs* was so called because of his state of preparation for battle, his equipment, etc., and not because he was part of a unit that was detached from the main body. In our magical inscriptions the verb *ḥlš|z* is often joined to 'sr and *zrz*, and other verbs expressing preparedness for battle, and the related trapping of magical agents ('sr). In *AIT* 19: 13, we have the following combination:

'twn 'sry wḥlyt wzryz y 'l kl ldy wstny byt

"You are bound, girded, and belted against all demons, daevas, and evil devils."

The verb *zrz* (which may be a variant of 'zr) has as its most concrete sense "gird, arm", witness the Aramaic noun *zarzā* in Levy I, 552-553, s.v. *zarzā*. In effect, we have a description of magical agents portrayed as warriors prepared to do battle, after having been bound ('sr) and pressed into the service of the person seeking magical assistance. Also cf. *AIT* 2: 1-3, and see the comments.

All of the four angels named here are attested from other sources. *SbR* has three of them: 'pl (variant: 'ly'l), *dlr'l* (variant: *dlyry'y'l*, as here) and *sry'l*. All three are placed in the sixth firmament (*SbR* VI: 14, 19, 23), and are related to the magical objective of gaining victory in battle.

Line 2: *dy mmryn 'l byth d-*. In Talmudic usage, *hamrēb + 'al* has the sense of defying juridical authority (Levy III, 251, s.v. *mry*). Demons defy the authority of God. Cf. *AIT* 1: 9: *wymrdwn w'bryn 'l gzyrt' dmrybwn*. "They rebel, and transgress against the decree of their master." Perhaps the raging of demons, associated with defiance, is also implied here.

'wbyn. Hebrew 'ōb. In Isaiah 19: 3 'ōbōt and 'iffim are used in the parallel sense of spirits conjured up by necromancy (*CADE* 397, s.v. *efemmu*). Akkadian *efemmu* occurs frequently as a cause of affliction in Mesopotamian magical incantations, and perhaps 'wbyn in the Aramaic texts is a translation of *efemmu*.

wykbšwn yt X. brby'. Forms of the verb *kbš* are used frequently in the magical bowls to describe the action of God and his servants on inimical forces, or upon the natural world (Cf. note on *AIT* 16: 6). The Pi'el of *kbš* is used with respect to millstones in *TB Mō'ed Qāṭān* 10a, in the sense of denting stones so as to have them grind the flour more finely. It is also said of placing heavy stones on an object, as in pressing down the ashes at the bottom of an oven (*TB Bēṣāb* 32b).

Line 3: *tbt rygylb d*— Assuming that Yerushalmi was a member of the afflicted household, or perhaps the one more particularly afflicted, McCullough is essentially correct in rendering the phrase: “under the protection of —.” A more precise nuance would be afforded by: “under the power of —”, which is the sense of *taḥat raglê*-in biblical usage (II Kings 5: 17, Malachi 3: 21, Psalms 8: 7, 47: 4, Thr 3: 34). The intent here is that this person is one of Babai’s household and is consequently under his jurisdiction, or legal authority. Such a person thereby enjoys the protection of the master of the household, who is responsible for him.

Line 4: *šyr wbtm* (= *štr weḥātīm*). Cf. Isaiah 8: 16). *štr* is the Pe’il of either *šwr* or *šrr*, with little appreciable difference in meaning, and some probable confusion of roots. In *TB Hullin* 105b the phrase *štr weḥātīm* is applied to the condition of a lost article, which may allow us to presume that it was owned by someone prior to being lost. *štr weḥātīm* is here a legal formula, in the sense of: “signed, sealed, and delivered.” As a result of the inscribing of the magical bowl and its disposition, the magical spell is completely binding. It is doubtful that the actual sealing up or closing of the bowl is intended, but of that we can not be certain.

2. *AIT*, no. 8

This is an exorcism. It contains reference to the *gēf*, the Jewish writ of divorce, and is consequently of great significance for comparative study.

Line 3: Read, with Epstein: *’rtyl šlyhytyn w’ lbyhtyn* “You are disrobed naked, and not clad.” Epstein cites sources showing that *šlh* has the sense of loosening clothing, disrobing. Cf. *ArOr* 9, 1937, 92, K: 3. Also cf. in Mandaic, *AOS* 49, 359-360, s.v. *šlh*, and A. Sperber, *The Bible in Aramaic*, Leiden, 1959, 62, Targum Onkelos to Genesis 37: 23 where Hebrew *wayyapšitū* is translated into Aramaic *wa’asleḥū*. Also see our note to *AIT* 13:16. In Nuzi Akkadian the verb *mašāru* “to send” is applied to the loosening of clothing. Thus: *qannašū imtašar* “He loosened his belt/sash” (*AHW* 624, s.v. *mašāru*). Also see Levy IV, 558, s.v. *šelah* for additional sources. Perhaps the biblical Hebrew usage of the Pi’el in the phrase: *šallēah pera’* “let the hair grow loose/long” (Ezekiel 44: 20) is related to this connotation of the root *šlh*. On the form of consonantal *šlyhytyn* see Rossell, 51, 7: 16, where it is explained that the masc. part. pl. is occasionally used for the feminine. Here we have *šeliḥtn* (masc. passive part, pl) + *tēn* (fem. pl. 2nd person pronominal element) which shifts to *šellḥittēn* with the assimilation of the final Nun of the part. Similarly: *lebišittēn* (line 11) and *ḥatimittē(n)*, in the same line.

wstyr s’rykyn wrny ’bwr ghykyn. “And your hair is dishevelled, and cast behind your back.” See our note to *AIT* 13: 7, and cf. *ArOr* 9, 1937, 92, K: 3, and note, 93, to lines 3-4. Also cf. in a Mandaic incantation recently published by E. M. Yamauchi in *Berytus* 17, 1967, 52-54, line 10, and note, s.v. *lagdlia* “do not plait the hair.” Cf. *TB Yebāmôt* 116b: *setrē mašyatk* “your locks are dishevelled.”

Line 6: Read, with Epstein: *’wmyty ’lykyn bryq’* (= *byqr’*) *d’bwkwn*, etc. “I adjure you by the honor of your father and by the honor of your mother.” We have in the magical bowls several forms of the verb *wlym’*, which are related to the noun *mōmātā* “ban” (in our text, line 14). See Levy III, 50,

s.v. *mômātā*; which, in the Mishnah, *Nedārim* I:2 is corrupted to *môtā*. In a similar sense we have *šammēt* "to place a ban", a denominative of *šammātā* (Levy IV, 583). Aramaic *mômātā* is cognate to Akkadian *māmītu* (AFHw 599, s.v.). In line 12 we have: *mšb'n* 'lykyn "I forswear you," the usual Hebrew formulary. Cf. *ShR* I, 74, *et passim*, and S. Lieberman, *Greek in Jewish Palestine*, New York, 1942, 121, and note 53.

In the Aramaic bowls we have the following forms: a) *'wmyty* (*'ômīttī*) "I have adjured," the Ap'el perfect, 1st sing. Cf. the older Aramaic *hwmytk* (= *bômītkā*) "I have adjured you", Hip'il perf. 1st sing. + 2nd pronoun, in the Aramaic inscription from Daskyleion, dated ca. 400 BCE (F. M. Cross Jr., *BASOR* 184, Dec. 1964, 9, and note 19; further R. S. Hanson, *ibid.* 192, Dec. 1968, 3, and notes 1-3). Also see *AIT* 3:3. Read with Epstein: *'wmyty mwmyn lk wšbw'y mšb'n lk* (= *'ômō'ē mōminā lāk wa'āšbō'ē mašba'nā*) *'alāk* "I surely adjure you, and I surely forswear you." Also cf. *AIT* 14:3 and in Syriac, *Orientalia* 18, 1949, 338-339, line 7.

The demons were adjured in the name of their father and mother, whose names are specified. Cf. *AIT* 17: 8-9, f. This feature of the exorcistic oath has an interesting background. In the Mishnah, *Nedārim* IX: 1, we read:

Rabbi Eliezer said: We may seek a way out (Hebrew: *petah*) of vows on behalf of a person by invoking the honor of his father and his mother (*keḥōd 'ābīw w'eimmō*).

This is taken to mean that one seeking release from a regrettable vow would be asked if he would have so committed himself had he realized, at the time, that the fulfillment of such a vow would reflect dishonor or disgrace on his parents. The Palestinian Talmud, *ad loc.* clarifies the legal presumptions involved. If we are to presume that one would perjure himself to spare his parents, then we dare not allow for such "openings". The majority of sages disputed Rabbi Eliezer's view, stated above.

By naming the parents of Lilith at the time of the exorcistic oath the practitioner was eliminating subsequent appeal to the legal principle expressed in the Mishnah, should the demons attempt to effect release from the ban to which they had acceded under potent pressure. Joshua, son of Perahiah, as a legitimate sage, would have had to take such an appeal into account, and so it is eliminated at the very outset. Though the parents of demons would have undoubtedly been put to shame by the acceptance of such bans by their children, the ban would remain in force. It should also be noted that according to Mosaic law there were situations in which the father held jurisdiction over his daughter's vows (Numbers 30: 4f.).

dšlb 'lykyn *šmta*. "For he has dispatched to you (or: against you) a ban." In some Aramaic usages, *šlb* has the technical sense of dispatching a written communication. In *AIT* 32: 4 we have: "as when R. Joshua s. Perahiah was in court session and wrote a restraining ban," etc. There, *keṯab* is in place of *šelaḥ*. A propos the banishment of demons cf. *TB Šabbāt* 67a: *liṯ tebir ūmešammāt* "cursed, broken, and placed under a ban." Also cf. *ArOr* 6, 1934, 322, A: 2, *ibid.* 9, 1937, 100, N: 8, and parallel. For the legal force of the ban known as *šammātā* see Mishnah, *Nedārim* I: 1, and *TB ibid.* 7a-b.

Line 7: On the formulary of the Jewish *gēf* see Epstein 37, and *AIT* 159.

Cf. *AIT* 9: 5f., 10; 11: 8, 17: 9f., 18: 8-9f., and *ArOr* 6, 1934, 469, G: 5-6, 7, 9; *AASOR* xiv, 1934, 141, lines 5-7, *AOS* 49, 21: 10-11.

In line 16 of our text we have still another part of the formulary of the *gēf*: *mn ywm' dnn wl'lm* "from this day forward and forever." Cf. *Orientalia* 10, 1941, 117, 1: 4: *mn ywm' dnn wš't' db wl'lm* "from this day and from this hour forward and forever." See C. Albeck, *The Six Orders of the Mishnah, The Order Nāšim* (Hebrew), Jerusalem, 1954, 267-268 for the Aramaic text of the *gēf*. Also cf. *ArOr* 6, 1934, 326, C: 8, and our note to lines 15-16, below.

wlhyrwdykyn. Montgomery renders: "for your terrification." Perhaps read: *wltyrwdykyn* (= *šletirradékēn*) "for driving you out." In Talmudic Aramaic we have *trd* with a Tau, as a variant of *frd*, as evidenced in the nominal form *tardā'* "an unsettled person", a variant of *šarōdā'* (Levy IV, 669 and II 186, respectively). On the various meanings of *frd* see J. Greenfield, *HUCA* 29, 1958, 210-212.

Line 8: *wšlyt' whšpyt'*. The latter term for a type of female demon clearly drives from *štp*, and means something like: "the rapacious one." Aramaic *šāpšā'* is the translation of Hebrew *šāpšā'* "falcon" in the Targum to Lev. 11: 16 and Deut. 14: 15. The verb *štp* elsewhere serves as the translation of *šāpšā'* "violence" (Targum to Jeremiah 51: 46), which is taken to be the etymology of the name of the bird of prey. See Levy II, 40, s.v. *šāpšā'* and Levy, *TW* 251, s.v. *šāpšā'* and *LS* 227 s.v. *šāpšā'*. Demons are portrayed as birds of prey, especially female demons. As for *šlyt'* we propose to take it from the root *šlbly* "to draw out," which, in Talmudic usage is said of fishing; as when the fisherman pulls out fish from the water (Levy IV, 557 s.v. *šlbly*). We therefore suggest: *šallānītā'*, a Pi'el nominalized formation with the characterizing *-ān* and the fem. gentilic: "the snatcher."

Lines 9-10: See P.S. in Epstein, 42.

Line 11: On the signet ring, see the comments.

Lines 15-16: *'p 'nty lylyt' byšt' qbwly gyf p[šw]ryky w'grt šybwaqey mn bdyn X. br Y, wmn Z. 'ytyb bt A. wtwb l' tybdryn šybn mn ywm' dnn wl'lm*. "Moreover, you, evil Lilith, receive the writ of your dismissal and the document of your abandonment from one, X. son of Y., and from Z. his wife, daughter of A., and never again return to them from this day forward and forever."

The sense is that once banished, divorced, so to speak, the female demons, principally Lilith herself, were adjured never to return to the household. This is consonant with the legal theory of the *gēf* according to which the husband dismisses his wife (*pšr*), and expels her (*trk*) from his domicile, and leaves her outside of it, forbidden to return (*šbg*). In Talmudic terminology, it is always the woman who is spoken of as returning to the man, or not returning. Thus, one who remarries his divorced wife is termed: *hammahazir gerušātō* "one who brings back, restores his divorced wife" (Mishnah, *Yebāmōt* IV: 12, etc.). The definition of a woman mentally incompetent and therefore unable to receive a *gēf* is: *šemegārešāb wehī hōzeret* "for he divorces her, but she keeps coming back" (*TB Yebāmōt* 113b). This is also the notion of the graphics of divorce in those magical texts wherein we have reference to the formulary of the *gēf* (see note to line 7). The demons are divorced in legalistic terms, and warned not to return. This is also the basic notion of divorce in Mosaic legislation:

A man takes a wife and possesses her. She fails to please him because he finds something obnoxious about her, and he writes her a bill of divorcement, hands it to her, and sends her away (Hebrew: *šlḅ*, Pi'el) from his house; she leaves his household," etc. (Deuteronomy 24: 1-2a).

It is therefore puzzling that a statement concerning the practice of demons in divorcing their wives would seem to project a situation wherein the husband, once having divorced his wife, does not return to her!

Thus, we read in *AIT* 11: 7-8:

km' dktbyn ldyd gytyn wyhbyn lnyzybn wtwb l' hdryn 'lybyn

"As demons write and issue writs of divorce to their wives, and do not again return to them" (fem. pl.).

Epstein 47-48, notes to *AIT* 32; lines 9-10, discusses this clause in another connection, and concludes that *hḏr* + 'l = *hḏr* + *b*, a Talmudic idiom meaning: "to retract, reverse one's view, or action." The resulting interpretation would then be that the demons, once having divorced their wives, never change their mind; which apparently does happen in the case of humans! The verb *hḏr* would refer to one's decisions and to his views, and not to the motion of returning.

This clause occurs a number of times in these inscriptions (*AIT* 18: 8-9, 26: 6, *AASOR* XIV, 1934, 141, line 6, *Orientalia* 10, 1941, 331, no. 11113, and also *ArOr* 6, 1934, 469, L5: 6, and *AOS* 49, 21: 10-11). Some of the occurrences cannot help us determine the referent of the returning, since they have abbreviated versions of the clause without the preposition 'al + suffix.

We cannot accept Epstein's ingenious suggestion, because of several considerations: a) the Pi'el *haddēr* + 'al clearly has the sense of returning to some place or person in *AIT* 8: 16, 11: 7-8. It is possible, of course, that the Qal has a different sense. On the other hand the sense of retraction occurs only in the Qal, whereas the root *hḏr* + 'al occurs in both stems. b) Judging from Talmudic Hebrew, it is clear that *hāzar* + *b* - "to retract" is distinct from both *hāzar* + 'al and *hizẓēr* + 'al, both of which relate to the sense of motion (Levy II, 32-33. Levy cites one instance, (*TP* 'Abōdāb Zārāb I, 39a), in which the idiom *hāzar* + *b* seems to have the sense of motion, but we doubt if the reverse is true, i.e. that *hāzar* + 'al could mean: "to retract")

We must, therefore, seek another solution to the meaning of the clause. In *ArOr* 6, 1934, text G, we have two occurrences of this clause, one in line 6, and the other in line 11. In line 6 the clause is written normally, as far as the orthography of the part. of *hḏr* is concerned: *wtwbw(l) l' hdryn 'lybyn*. In line 11, however, it is written: *hḏrn*, without a Yod. See plate xxv for verification. Gordon inserted a Yod in parentheses (= *hḏr-y-n*) to make the clause conform to other occurrences.

Actually, it is perhaps this orthography which reflects the original clause! When we bear in mind that Waw and Yod are often indistinguishable in this orthography (Rossell, 14, 2: 3), we see that 'lybyn could just as well be read 'lybwm (= 'alēbwn), the masc. pl. 3rd person preposition, instead of the feminine. We would then have, in this instance, the following reading in line 11: *welā' hādrān* (fem. part. pl.) 'alēhōn "They (= the divorced wives) do not return to them (= the former husbands)." A perusal of the copy of

AIT 11: 8 (plate xii) shows that there the scribe at first wrote *bdm* and then inserted a Yod above the line, producing *bdryn*.

It is our proposal that the original clause was as we have interpreted *ArOr* 6, 1934, line 11, i.e. that the wives do not return to their former husbands once divorced, but that the precise sense of this was misunderstood or confused. Scribes saw other masc. pl. participles in the clause, such as *kātebîn*, *yāhabîn*, and erroneously wrote *bdryn* (= *bāderîn*). Along came moderns scholars, and logically read 'lybyn ('alēbēn), the fem. pl. instead of 'lybwn. The scribes who wrote these inscriptions were much less than scholars!

3. AIT, no. 13

This is an incantation against barrenness. The principals are the same as in AIT, no. 1, and if our text is considered Jewish, so must no. 1. We have prepared a revised translation, incorporating Epstein's corrections.

Interior

1. Closed be the mouths of all the peoples, armies,
2. and tongues, from before B. d. S.
3. The angel Rahmiel, the angel Habbiel, and the angel Hananiel-
4. They, the angels shall love and hold dear and embrace B.
5. d. S. Before all of the sons of Adam whom he begat by Eve, let us enter into their presence.
6. With their garment they will clothe her, and with their covering they will cover her; with the robe of God's kindness.
7. They sit with her. They pleat her hair as is fitting. In the name of YHWH, in-YH(?), El-El, the great
8. and the terrifying one, whose word is all healing. This incantation is true and legally binding forever. (Hark! the sound of-).

Exterior

9. Hark! The sound of a woman. The sound of a woman who travails but does not give birth. Hush! Quietly,
10. let E. s. S enter into his house (= wife), and into the body of B. d. S.,
11. his wife. For she is a woman closed up, travailing but not giving birth. May she be like fresh myrtle for crowns. Amen. Amen.
12. True and binding. Healing from heaven for B d. S. May mighty Afarof (= Hermes), trampling and repulsing (?)... Amen. Amen. Selah. Healing and wellbeing from heaven, forever and ever.

Notes:

Line 1: With Montgomery vocalize: *sektre pāmēbōn*. Cf. C. H. Gordon, *Orientalia* 10, 1940, 125-126, text G: 1f.

Line 4: Read with Epstein: *yrbmwn wybbwn wybbqwn*, removing the word mistakenly added by Montgomery (*wybnwn*). It seems that the angels are portrayed as impregnating the woman, or at least as arousing her passions by bodily contact.

Line 5: "the sons of Adam whom he begat by Eve." Cf. *SbR* II: 22: "of the sons of Adam and Eve." This specification was undoubtedly necessitated

by the fact that certain would-be humans are actually the offspring of one human and one demonic parent. According to Jewish legend, Eve was impregnated by the reptilian Satan, from which union the fratricide, Cain, was born. In reverse, Lilith acted as Adam's succubus, from which unions demons were born (*Legends*, I, 105, 118, and notes). Also note *AIT* 1: 8-9; "I adjure you, all sorts of Liliths, in the name of your seed, who bear Lilis and Liliths. They seduce the sons of light (*benê nûrâ*).” See our note to *AIT* 16: 7.

Line 6: "The robe of God's kindness." Cf. in the cuneiform Aramaic incantation, lines 30-31 (*AfO* 12, 1937-39, 107f.): *âš-lâh-te-e šâ-am-lat r[u]-ga-ç[a]-(a)-a- 'i-[i] [a]l-bi-iš-te-e šâ-am-laš š[a]l-ma-a-a- 'i-[i]* "I stripped him of the garb of his ragings and I clothed him with the garb of his wellbeing." Also cf. lines 20, 22-23. Zechariah 3: 1-5 projects some of the same imagery.

Line 7: Read with Epstein: *myzyb (myzy) myzyyhyn*. The word in parentheses is a dittography. On *mazyābā* "her hair" cf. Talmudic *mazyā* in Levy III, 62 s.v.). Epstein suggests that *myzyyhyn* is Syriac *zḥ* "to arrange-hair" (*LS* 192, s.v.). He calls attention to the Talmudic legend which tells that God pleated Eve's hair before presenting her to Adam (*TB Berākōt* 61a, and see *Genesis Rabbah*, ed. Mirkin, Tel-Aviv, 1956, par. 18, 127f., to Gen. 2: 22. Cf. Levy, I, 220, s.v. *bintā* II, and vol. IV, 316, s.v. *qel'āb*).

Line 8: "whose word is all healing." Cf. in the Mandaic bowls, *ArOr* 9, 1937, Text M: 16-17: "Who heals all illnesses with the word. Heal with the word -", and in *AOS* 49, no. 9:19, and see glossary, 309, s.v. 's'. Also cf. *SbR* II: 180-181: "Their tongue is healing, their speaking binds the wound, and wherever their names are mentioned you will find success."

qlql. Coming at the end of the interior section, this anticipates the beginning of the next section, beginning with our line 9. Cf. in *AIT* 1, end of line 11, in anticipation of line 12. This is a frequent scribal practice in Jewish texts.

Line 9: *qāl' qālā' d-*. Cf. in Mandaic (*AOS* 49, glossary, 350, s.v. *q'p*), and Epstein, 46).

Line 10: Our translation follows Epstein who takes *byth* as connoting wife, in line with Talmudic notions (*TB Sabbath* 118b: "I refer to my wife as 'my house'"). The text in line 10 reads: *lgwb byth*, an error for *lgw* "inside", as noted by Epstein.

Line 11: Montgomery read: *'blyty*, but was at a loss to explain the word. Epstein reads: *'dlyty*, which is probably correct. He noted Mandaic usage of *'lydl* methathetically for *'lyld* "to give birth". We thus have: "a woman lying in." Another possibility would be to take *'dlyty* from Akkadian *edēlu* "to lock", and related forms (*CADE* 25-26, s.v. *edēlu*, and *ibid.* 33, s.v. *edlu*, adj.). Our form *'edlitt* would a feminine adj., meaning "the locked one," a traditional way of describing a barren woman as one whose womb is closed up (Gen. 20: 18, I Sam 1: 5-6). In omen texts, Akkadian *edēlu* is applied to physical conditions wherein limbs and organs are closed (*CADE* 26, s.v. *edēlu* a, 4, and b, 4).

Line 12: *'prprp*, rather than Montgomery's incorrect reading *'prprt*. See Epstein's note, *ad loc.*, 46.

'*ey qwby*. (As corrected by Epstein). The former word, a verbal form, occurs in *AIT* 1: 11, in a series of words meaning "to inflict damage, trample." See Levy I, 6, s.v. 'fā' II "to injure, trample." The latter word might be the verb *qbbly*, which in the Pi'el means: "to push away, cast off." (Cf. Levy IV, 256, s.v. *qibbāb*). The question is what forms of the verbal roots are represented here. The former could be a Qal part., but the latter could not be a Pi'el part, and so this problem remains. The sense seems clearly to be that Hermes is beseeched to expel the evil forces. Cf. *AIT*, no. 2, where the robe of Hermes is donned by one coming to destroy the forces of evil.

4. *AIT*, no. 16

This is an incantation for the healing of a family. It provides what amounts to a catalogue of evil forces. We present a revised translation, as in no. 13.

Translation:

1. Healing from heaven for D. s. A.
2. and for S. d. D., his wife, and for and for H. and Y.
3. and K. and M. and P. and A. and S., the children of S.,
4. and for their houses and property; that they may have children, and that they may live and endure, and that
5. no "injurer" who exists in the world may plague them. And in the great name of the holy one, the holy God, whose name is one
6. who subdues darkness under light, disease under healing, wrecking
7. under construction, violence under order, disturbance under tranquility. Subdued are all the sons of darkness under the throne of God, whose name is one.
8. Bound and subdued are the daevas. Refuge is taken away from evil spirits and malicious pebble-spirits and bans, and the rulers
9. of darkness, and the evil spirit and Na'alāh demon, and the demons who chain, of the night and the day; and the curses, and the necklace charms and counter-charms; and spells (lit: words) and bans,
10. and demons who rap, and those who deliver to evil forces; male and female forces of misfortune, and the mysterious voice that cries out; and the prince of poverty, and demons and daevas and devils
11. and idol-spirits, and Liliths, and workers of black magic, and potent magicians, and the seven demons who chain, of the night and the day. They are bound, subdued and pressed down,
12. away from D. s. A. (names of members of his family)
13. and from their entire household, and from their possessions, and from their entire courtyard, from this day and forever. Amen.
14. Amen. Selah. "God said to Satan: God is enraged at you, Satan! God is enraged at you; (enraged is) He who has chosen Jerusalem. Is this not a coal plucked from the fire?" (Zach. 3: 2).

Notes:

Line 5: *mzyq*. For Talmudic usage see Levy III, 66-67, s.v. *maxzīq* (2). Read with Epstein: *wbyšmyb rbb dgy(!) 'lb' qdyš' dbd šmyb*. The word *qdy* is simply an error for *qdyš'*.

Line 6: *dkbyš* (= *dekābēš*, part.). On the Pa'el of this verb see note to McCullough A: 2. The root *kbs* actually has several distinct connotations in these bowls:

1. The verb *kbs* in its usual sense of "to press down, subdue, and technically": "to pave a road." (See no. 2).
2. The noun *kibšā* (variant: *kebš*) "paved road." Cf. *kebeš* "a ramp."
3. The noun *kibšā*, variant: *kbyš*, "esoteric knowledge," hence: "spell." Literally: "that which is covered, hidden."
4. The denominative verb *kbs*, from *kibšā*: "to cast a spell."

Each connotation requires some explanation:

1. For the normal verbal usage see Epstein, 38-39, note to *AIT* 9: 6-7. He observes that Aramaic *kn'* used here is equivalent to Mandaic *kbs* in the parallel imagery of *AIT* 32: 6-7. Also see Epstein's note to line 11 of our text, where we have metahtetical *mškn* for *mkbšn*. Also cf. *AIT* 6: 7, 9(?).

2. The term *kibšā* "paved road" occurs in *AIT* 28: 2 *kybšy 'lm' l' ytkbyšw 'yl' 'l* "The eternal roads were not paved except by means of [this spell](?)" This phrase is probably an Aramaic rendering of the biblical phrase *netibōt 'ōlām* in Jeremiah 6: 16. These paths are understandably hidden. Cf. Levy II, 292, s.v. *kebeš* and 293, s.v. *kibšā*.

3. The noun *kibšā* "esoteric knowledge" occurs in the Talmud (*TB Berākōt* 10a): *babadē kibšē derahamānā' lemā' lāk?* "What business have you with the Allmerciful's mysteries?" Cf. Levy II, 293, s.v. *kibšā* 4 and *kibšōn*. Hebrew mystical literature uses the term *kebūšm*. Thus, the frequent noun *kibšā* does not mean "press" or the like, and does not refer primarily to the subjugation of the demons as such, or of the natural world, but to the covered and hidden quality of the spell. It is synonymous with *rāzā'*, and other similar terms.

4. The denominative verb *kbs* (Pa'el), from *kibšā* means: "to cast a spell", just as *'šp*, from *'šp'* means: "to conjure." (Cf. *AIT* 2: 3-4, *ArOr* 6, 1934, 378, D: 14-15).

We have a variance of usage which can be confusing. Often several connotations are employed in the same passage, alongside one another. For example, *AIT* 6: 7: *wkbyš' bdy' kbyšn' lhw' bšwm bdy' šb' mylyn dy šmy' w'r'h kbyšyn bhwn* "And this spell (no. 3) I cast (no. 4) for them in the name of the seven magic spells (lit.: words) by which heaven and earth were subdued (no. 1)" Cf. *Orientalia* 10, 1951, 307, 6-8.

All of the four connotations are clearly derivative from the same root, but must be differentiated in the process of interpretation.

bbt' thwt šwy'. This is Epstein's correction of Montgomery's reading: *šmt'*, which does not at all fit the context. The word *šewitā'* means: "equilibrium, accord, tranquility." The semantics are as follows: What is equal (the root *šwy*) is balanced and in accord. It is also worth something, with which it is equal. Thus, it is dignified (Syriac usage, cf. *LS* 760-761, s.v. *šewā'*, and the adj. *šewē'*, and related forms). This is a logical contrast to *habbaltā'* which characterizes a condition of disorder. This may be the sense of *šāweh* in the Talmudic designation *bēt dtn šāweh* "a unanimous court," i.e. one in accord (*TP Qiddušin* III, hal. 4, and cf. J. Neusner, *A History of the Jews in Babylonia* I, Leiden, 1965, 152-153, and note 5). In the light of the sense of *šewitā'* in this

incantation, we must question Scholem's reading of the opening formula of an Aramaic incantation (Scholem, 85, and note, 87). See our note to Scholem, Incantation, line 1.

Line 7: "Subdued are all the sons of darkness under God's throne." The Aramaic is: *bené ḥašōkā*. Cf. *bené ḥōšek* in the *Manual of Discipline* I: 10-11 in J. Licht, *The Rule Scroll*, (Hebrew) Jerusalem, 1965, 61: "to love all the sons of light (*bené 'ōr*)... and to despise all the sons of darkness." This pair of terms is quite frequent in the Dead Sea literature. The occurrence of *bené ḥašōkā* in our text makes us question Epstein's reading in *AIT* 1: 9, where he reads: *lbn̄y nyr' s̄fyn* "They entice the bearers of the yoke (= the devout)." The word *nyr'* could just as well be read *nur'*, and, in fact, *bar nīrā'* does not mean one who bears the yoke of God's commandments, but rather "slave, slavery" (Levy III, 392, s.v. *nīr* IV, 2). Demons continually attempt to seduce the chosen sons of light, and many of them, we are told, fall away from the sect. This is a notion endemic to the Dead Sea literature, and suits us here as well. Cf. *br nbwr'* "son of light" in *Orientalia* 10, 1941, 345, Fitzwilliam, line 35, as an epithet.

It would seem, therefore, that we have reference in the magical bowl inscriptions to the two contrasting categories so prominent in the Dead Sea literature. This terminology is, of course, related to the notion that light envelopes the righteous and darkness engulfs the wicked (I Enoch I: 8, 64: 11, 108: 11-15). This originally meant that the righteous would reside near God in the upper firmaments where there is brilliant light, and the wicked in the netherworld where darkness reigns. The terminology is quite specialized, however, and it is interesting to find it in the magical bowls.

Line 8: *nqytn kdn' rwby byšt'*. Epstein notes Syriac *keḏan* "refuge, protection" (*LS* 318, s.v.), which is cognate to Akkadian *kidinnu* and related forms (*AHW* 472-473, s.v. *kidiennu(m)*, *kidinnu* I, and *kidinnūtu*).

šwmbt' "names". Cf. *AIT* 8: 9-10, according to Epstein's reading: *ml'kyn šwmyn byštyn* "angels, evil names."

wrbry ḏbšwk' "the rulers of darkness". Cf. *Orientalia* 10, 1941, 356, Princeton, line 15, 21: *wrb'rt' ḏlyšwk'*, and *AOS* 49, 1: 11, *et passim*. In the Dead Sea literature we have the term *mal'ak ḥōšek*. See in the *Manual of Discipline*, III: 2022, in J. Licht, *op. cit.*, 92; in the *Thanksgiving Scroll*, XII: 5-6, in J. Licht, *The Thanksgiving Scroll* (Hebrew), Jerusalem, 1957; *memšelet ḥōšek* "the jurisdiction of darkness." Also cf. in the war scroll, I: 15, XIII: 12.

In Talmudic legend "the ruler of darkness" (*sar šel ḥōšek*) was banished by God before creation (*Legends*, I, 13, V, 16, notes 41-42).

Line 9: *wn'ly*. See Levy III, 332, s.v. *na'alāb*. Cf. *ArOr* 6, 1934, A: 3. *wmbklt' ḏlylyb wdyym'* "and the demons who chain, of the night and the day." Cf. in line 11: *wšb' mbklt' ḏlylyb wdyym'* "and the seven demons who chain," etc. Also cf. *ArOr* 6, 1934, 322, A: 2; 9, 1937, 92, K: 2, *Orientalia* 10, 1941, 120, 3: 2. Take *mbklt'* as metathetical for *mkblt'* an Ap'el part, from *kbl*. See Levy II, 288, s.v. *kablā'* for the Talmudic curse: *'ar'ā' dimekabbēlā' wēlā' 'ābdā' pērē* "a chained land which does not produce fruit." Also see S. Lieberman, *Greek in Jewish Palestine*, N.Y., 1942, 119-120 for Talmudic usages of *kbl. qybly'* "counter-charms". See Levy IV, 238 s.v. *qēbal*.

wmlt' "imprecations." This is an Aramaic fem. pl. Cf. *AIT* 6: 9. On the

term *millāb* in the sense of "magical spell" see D. Sperber, *REJ* 125, 1966, 385-389, who cites pertinent Talmudic and post-Talmudic Jewish sources, and comments on the magical bowl edited by C. H. Gordon, *Orientalia* 10, 1941, 339-340 wherein the term *millāb/miltā'* has this sense. Also cf. *ibid.* 345, Fitzwilliam, line 43, and *AIT* 34: 6. See *AIT* 293, s.v. *ml'*. In the cuneiform Aramaic inscription we have the idiom: *ma-li-e mi-il-li-ni* "full of words," i.e. spells. Sperber also refers to Scholem, 85, line 14: *lrqy'ḥ mlyh slqḥ bstr krsyḥ d'lh rbb*, etc. "The spells ascended to heaven, at the side of the throne of the great God," etc. The point is that the evil magical spells were summoned up to God's throne and there subdued and reversed so that their targets would no longer be afflicted by them. In line 7 it is said that the sons of darkness are subdued under God's throne. See our note to Scholem, Incantation.

Line 10: *w'yštqwp't'* "demons who rap". Cf. variant *lyqwp't'* (*AIT* 86, and note 114, and *ArOr* 6, 1934, 324, B: 6, and *ibid.* 9, 1937, 93, K: 3. Cf. *AOS* 49, 28, and note 62.

btql' dqrḥ "a mysterious voice that cries out." S. Lieberman, *Hellenism in Jewish Palestine*, N.Y., 1942, 194-199 points out that very often what was meant by *bat qōl'* was an unusual or unexpected sound or voice, perhaps the coincidental recitation of a biblical verse by a school child that had particular bearing on one's own situation and could therefore be seen as an omen. It was not necessarily a heavenly voice, or divine in any sense. This term occurs in Syriac incantations. See J. Teixidor, *Sumer* 18, 1962, 52, no. 59098, line 6, and variant: *bytql'*, 54, no. 44107, line 3. Teixidor apparently misunderstands the provenience of this term, which he renders in one instance: "the word pronounced." He considers it a type of invocation, which it can hardly be!

w'šlm' "deliverance spell/spirit", i.e. that which delivers one into the hands of evil. Cf. *Orientalia*, 10, 1941, 117, 1: 1; 127, 7: 9. This is the usual sense of the Ap'el of *šlm* in Syriac and Mandaic (*LS* 783, s.v. *šelm*, Af., and *AOS* 49, 360, in the glossary, s.v. *šlm*). Montgomery (*AIT* 85-86, and notes 109-111) rejects this interpretation, probably because he misunderstood the cultic evidence. Hebrew *šelāmim* was understood, at times, to derive from the sense of "complete, perfect", and it was rendered *τελείαι* in some versions of the Septuagint. Similarly, we have Mandaic *šlm'n'*. On this basis, the Targum used *'ašlēm* denominatively in the sense of offering a sacrifice (Cf. *Orientalia* 10, 1941, 121, 4: 3-5; and *ibid.* 117, 1: 3). On the various Septuagint renderings of *šelāmim* see S. Daniel, *Le Vocabulaire du Culte dans le Septante*, Paris, 1966, 287f. Montgomery's reasons for rejecting the rendering "deliverance spell/spirit" were, therefore, incorrect.

w'srb' dmyskynwt' "the prince of poverty." The term *'isārāb|'* is a variant of *sārāb|'*. See Scholem, 48, and note 17. Cf. *ArOr* 9, 1937, 94, L: 12-14: *wbyšmyḥ dmtḥrwy(1) iysr' rbb dklḥb 'lm' wbyšmyḥ drp'l' ysr' d'swt'* "In the name of Metatron, prince of the entire world, and in the name of Raphael, prince of healing." Also cf. *ArOr* 6, 1934, 328, D: 11; *Orientalia* 10, 1941, 280, line 10: *'ysr' rb'* "the great prince," and *Orientalia* 20, 1951, 307, line 5: *sr' rb'* (all epithets of Metatron). Also cf. *Orientalia* 10, 1941, 123, 5: 10: *'ysr' ḥb'* "the good prince", an epithet of some magical agent. For similar epithets, cf.

ArOr 6, 1934, 331-332, texts E, F, and Hyvernat. See *AIT* 79, note 70, and 86, note 112 for Montgomery's misunderstanding of this term.

Line 14: Cf. *Orientalia* 10, 1941, 127, 7: 10-11, and Levy, I, 351, s.v. *g'r*.

5. *Miscellaneous Notes*

a) Obermann, text II (*AJSL* 57, 1940, 15-28, and plate, 31)

This incantation is unusual in our corpus because it has as its purpose inflicting pain on someone, and can be considered black magic, rather than prophylactic magic; which is normally the case in these Aramaic inscriptions.

Lines 1-2: *wl' lytybwn lb lnyt' l'nyb wl' lytybwn lb nwm' bpgrb* "Let them not restore sleep to her eyes, and let them not restore slumber in her body." Obermann noted the biblical overtones of the pair: "sleep-slumber", for which see Psalms 132: 4. The Jewish liturgy expresses the same imagery, in the blessings of the morning service (*birkôt haššahar*), which were current in Talmudic times. The final blessing reads, in part: *hamma'btr (heblê) šenāb mē'ēnai ūtenūmāb mē'ap'apai* "who removes (the bonds of) slumber from my eyes, and drowsing from my eyeballs." In Talmudic usage, Hebrew and Aramaic, the verb *nwm* often connotes a state less than complete sleep. For the text of the blessing see *TB Berākôt* 60b, and *Talmudic Encyclopedia* (Hebrew), Jerusalem, 1952, IV, 363f., and especially 370.

Of particular interest is the use of the term *peger* here and in some Mandaic magical inscriptions to designate a living body. Here it is said of the body of a sleeping or recumbent person. Jewish liturgy may add to our appreciation of the magical factors involved in the sleeping state. In the morning service there is a prayer of gratitude for the re-awakening to life on a new day. It speaks of the soul, of its purity and divine origin, and of its destiny. It will be taken away from man at death, and restored to him at the resurrection. The prayer concludes with the words: "I give thanks before you my God, and God of my fathers," *ribbōn kol hamma'sim, 'adōn kol hannesāmōt, ... hamma-hazir nešāmōt lipegarim mētm* "Ruler of all created beings, master of all souls, ... who restores souls to dead bodies." Traditional interpretation has seen two dimensions in this conclusion of the prayer, i.e. the future resurrection, and also the sense that being awakened through God's kindness every morning is a kind of resurrection, since while asleep the person is without his breath of life (*nešāmāb*) and has a foretaste of death. One may sleep the sleep of death (Psalms 13: 4) if God does not restore his soul to him. Since the purpose of the magical incantation we are examining was to disturb sleep, appeal was made to the power which controls sleep, i.e. to God, in his image as "the great judge the souls of the dead" *dyn' rb' dnyšmt' dmytyn* (line 15). In a reverse reflex, we see that the liturgical blessing appeals to God in the same dimension. In other words, the power sovereign over sleep, whether to disturb it, or awaken the slumberer, is the power sovereign over the soul and over life itself, because sleep is a kind of death or expiration.

Obermann was at a loss to know the identity of the antecedent of the 3rd pl. verb *lytybwn* "let them restore." In *SbR* we have what may have been the type of praxis associated with the recitation of an incantation such as this one:

"If you seek to cause your enemy to be disturbed in sleep, take the head of a black dog who has never seen light as long as he has lived; and take a slice

of a water-pipe and write on it the names of these angels (i.e. those mentioned above in line 61, 'who keep sleep away from men') and recite as follows: 'I submit to you, angels of disturbance (*mal'akê rôgez*), who stand on the fourth rung, the life and soul and breath (*'et napšô we'et nišmâtô we'et rûbô*) of X. son of Y., that you may bind him with chains of iron and tie him to posts of bronze. Do not give his eyeballs sleep, or drowsing, or deep slumber. May he cry out and scream like a woman in childbirth. Allow no one to release him.' Write this, and place the slice of metal into the mouth of the dog, and place wax over its mouth, and seal it with a signet ring which bears a lion on it. Hide the dog's head behind his house, or in a place where he comes and goes."

There then follows the procedure for the release of the spell. We propose that demonic beings something like "the angels of disturbance" are the likely antecedent for the verb: *lytybwn* "let them (not) restore". This suggestion also relates to the apparitions which are supposed to trouble the sleep of the woman to be afflicted: *bhlym' wbyzwnb dmyhw ngy'wn lh* "In her dreams and her apparitions may their forms awaken her" (Line 3). See my comments on the word *hzw* in *JAO* 84, 1964, 19, note 4. Cf. Epstein, 35, to *AIT* 7: 14, on the verb *dmy*, and *AIT* 1: 12-13, *ArOr* 6, 1934, 49, G: 8, *Orientalia* 10, 1941, 119, 2: 3, 8: *hyzwnyn snyyn* "hateful apparitions." Also see *Orientalia* 20, 1951, 306, lines 3-4: *lylyt' byšt' dmt'y' lyb' dny 'ynš' wmytbzy' bhlym' dlyly' wmytbzy' bbyzwn' dymm'* "Evil Liliths who lead the hearts of men astray, and who appear in nocturnal dreams and daytime apparitions." Also cf. Mandaic usage in *AOS* 49, 24: 9-10, *et passim*. The imagery of these incantations is strongly reminiscent of the descriptions of troubled sleep in the book of Daniel.

Thus it is that the black magic of the incantation and of *ShR*, on the one hand, and the grateful prayers of the morning ritual, on the other, represent contrasting reflexes of the same intrinsic conceptions.

Line 9: *d'bdr 'l* "Concerning this curse which X. has caused to encircle Y." Cf. *AIT* 4: 6: *wšwr' rb' dnšš' 'bdryt 'lyb* "I encircled him with a large wall of bronze." In that text, the purpose was to protect the person encircled. Also cf. *AIT* 34: 4.

Lines 11-12: *wl' tybwy lb lX. bt Y. tqnt' l'lm wl' pšrt' l'lm* "And may there never be for X. daughter of Y. a remedy or solution." On Talmudic usages of *taqqantā* see Levy IV, 664, s.v., and s.v. Hebrew *taqqānāb*. On *pešartā* see Levy IV, 152, s.v. *pešar*, 2, as relevant to the unraveling of the meanings of dreams, etc., and cf. *AIT*, glossary, 299, s.v. *pišrā*, and Mandaic forms in *AOS* 49, glossary, s.v. *pšr*.

Line 14: *why' llytn' wbryn'* "And the living one (= God), the ruler and creator." The sense of *hyyā* as an epithet of God is well known in Jewish mystical literature. On the epithet *haš hā'ōlāmim* "the one who lives eternally" see Scholem, 110, no. 16, and *Major Trends in Jewish Mysticism*, New York, 1946, 58-59, and note 65. Also see *ShR* VI: 39, and *AIT* 38: 7: *br'zywn wp'qtwn d'lb' hy'* "By the mysteries and ordinance of the living God."

b) McCullough, D.

Lines 5-6: *wbšwm' dmttrwn hlāb dhw mš' myš qdym brgdw'* "And in the name

of Metatron *blbh*, who ministers in front of the curtain." Here, *brgwā'* = *pargōdā'* of Talmudic and mystical provenience (Levy IV, 98-99, s.v.) i.e. the curtain hanging at the entrance to God's heavenly abode. In Jewish mystical literature, one of Metatron's titles is: *šammāšā' rešīmā'* "the beloved attendant" (Scholem, 50, and note 23). He is also known as *sar happāntm* "prince of the countenance" (Scholem, 52) because of his station in the presence of God.

The word *blbh* is problematic. Since Metatron is also known by the title *sar šel 'ōlām* "prince of the world" (Scholem, 48), and in an Aramaic magical bowl inscription as *'isārāb rabbā' dekulēb 'ālemā'* "the great prince of all the world" (see note to AIT 16: 10), it may not be incorrect to suggest that *blbh* is biblical *beled* "eternity," hence: "the world" (*HuAL* 303, s.v. *bl* I). The final Heh is problematic, because determination (if that's what it's supposed to represent), is expressed by Aleph in this text. The conclusion of the description of Metatron is difficult, and we are not convinced by McCullough's interpretation, though we have nothing definitive to suggest, either. The clause reads: *whw rhym 'l m'd' whw rhym 'l b'ry'*. In *Orientalia* 20, 1951, 307, line 5 we read: *bbwrmtyb dmyttrwn sr' rb' dmytqry 'syb rb' drbmy* "By the talisman of Metatron, the great prince, who is called the great healer of mercy." Now *b'ry'* can mean: "the healthy ones," (Levy I, 264, s.v. *bārī'*), 1), and so we would expect that *m'd'* would yield a meaning for disease, in contrast. The closest we can come is Hebrew *madwīb*, Aramaic-Syriac *madwā'* "weakness, sickness" (Levy, III, 28, s.v., and *LS* 143, s.v. *medawā'*, 2) "one afflicted," from *dwy*).

Line 9: *'n'twn šbtyn* (McCullough: *šbtwn*, imperative, pl.) *wmbšlyn* McCullough renders: "Cease, and frustrated go trembling," etc. Despite the absence of the Yod, it would be preferable to take *šbtyn* as a Pe'il form: *šebttin*, and render: "You are void and annulled." Cf. in *ArOr* 6, 1934, 328. D:10: *kwlbnw šbtyn wšbtyn* "They are all void and annulled." Also cf. *Orientalia* 10, 1941, 341, 91751: 9: *mšpr (= mštr) yt nydry 'dm wgrz dyn šl m' 'l bw' ybtyl yt nydry 'ylyn* "He who cancels the vows of man, and the decree of heaven, may be annul all of these vows", and *ibid.* 123, 5: 1.

This phraseology is known from an Aramaic post-Talmudic composition, the Kol Nidre, traditionally recited on the eve of Yom Kippur (See *Talmudic Encyclopedia* (Hebrew) II, 390, s.v. *battārāt nedārīm*, 16). This liturgical text is formulated legally out of the intent either to annul vows made during the prior year, or to seek forgiveness in anticipation for those probable in the year to come. The terms *'issar*, *hērem*, *šebū'āh*, etc. occur in it. Most relevant is the following passage: *kolbōn yehōn šeriyin; šebiqin, šebittin, bejēlin ūmebaššellin* "All of them (i.e. the vows, etc.) are released; they are abandoned, inoperative, null and nullified." All of the terms used in this clause are attested in the Aramaic magical bowl inscriptions as part of a legalistic vocabulary transposed into a magical key. It is therefore preferable to retain the phrase *šebittin ūmebaššellin* (Pa'el, passive part. masc. pl.) in our text, in the very sense it has in the Kol Nidre, but in a magical context. Also cf. the force of *bšl* in Mandaic incantations (*AOS* 49, 22: 229-231, and glossary, 313, s.v. *bšl*). This is also the sense of the Pa'el *tybšlwn (= tibbaššellin)* in line 10 of our text.

c) Scholem, Incantation

Scholem (84f.) presents a new interpretation of an Aramaic amulet incantation originally published by A. Dupont-Sommer (*Jahrbuch für Kleinasiatische Forschung* I, 1951, 201-215, Lamelle A), together with a second amulet text (B) of which only fragments of several lines remain. In the opening formula (line 1) Dupont-Sommer had read: *šwy wrhmyñ mn šmyb*, but he didn't understand the sense of *šwy* here, knowing only the sense of price and value. Scholem saw traces of a Lamed in the opening formula of amulet B published by Dupont-Sommer, and consequently separated the words differently, and read: *šyy| rħmyn mn šmyb* "Begging mercy from heaven." It is probable, however, that *šwy wrhmyñ* should be retained. The *Waw* of *wrhmyñ* differs appreciably from the apparent *Lamed* at the beginning of B. Furthermore, the formula of B is different from that of A. There is also the fact that the Aramaic idiom for begging mercy is *be'āb|' raħamīn* (Hebrew: *biqqēš raħamīm*) and not with the verb *šl|šyy|* which means rather: "to inquire about-." Actually *šwy* constitutes the indetermined counterpart to *šwy|* in *AIT* 16: 6, and see our note to that passage for the semantics involved. Thus: *šwy wrhmyñ mn šmyb* is to be rendered: "Accord and mercy/love from heaven." On the indetermined state of fem. nouns ending in *-f* see F. Rosenthal, *A Grammar of Biblical Aramaic*, Weisbaden, 1963, 29, no. 57. Note that both *šwy* and *rħmyn* are indetermined here. (Whereas I had made the identification of *šwy* with already attested *šwy|*, it was Prof. H. L. Ginsberg who pointed out to me relevant grammatical data, for which I am grateful).

The text continues to speak of Metatron at the side of God's throne, and contains a passage that is clear in its simple sense, yet rather puzzling in terms of its meaning within the magical context of the incantation. The passage portrays a scene in which three female demons are questioned concerning their needs for food, drink and sleep:

*bmwn ilthyn hdb kpnb w|' klb hdb šhyb w|' štyb wdbb nymb w|' dmkb 'mrt lkpn|
lmt kpnb w|' klb lšhybb lmt šhyb w|' štyb lw'mt lmt nymb w|' dmkb hz y ilthyn w'mr
nd'n* (lines 16-22).

"The three of them—One is hungry but does not eat. One drowzes but does not slumber. One is thirsty but does not drink. You say to the hungry one: 'Why do you hunger and yet don't eat?' To the thirsty one: 'Why do you thirst and yet don't drink?' To the one who drowzes: 'Why do you just drowse and not slumber?' He views the three of them and says: 'Get out!'"

The graphics of this scene can be better perceived by citing a passage from another Aramaic incantation, apparently unnoticed by Scholem, who states that "no exact equivalent to the present formula is yet known." We refer to the text published by C. H. Gordon, *Orientalia*, 10, 1941, 349 (Iraq Museum, no. 9731: 8-10).

*šlyqt l'ygr' blylyb w'mryt lbwn 'm kpnwtwn 'ytw 'yklw w'm šhtwn 'ytw 'yšt w'm
brhytwn 'ytw 'ydbnw w'm l' kpnwtwn w|' šhtwn w|' brhytwn bdrw w'z ylw b'wrb'
d'itwn bb w'wlv lhyt' dnpqtwn mynb w'wlv b'pwm' dnpqtwn mynb*

"I ascended to the roof at night and said to them (i.e. the demons): 'If you are hungry, come, eat! And if you are thirsty come, drink! And if you are dried up, come, be oiled! But, if you aren't hungry, or thirsty, or dried up, go

back by the way you came! Enter the house from which you departed, and the mouth from which you emitted!"

Disregarding much that is intrinsic to this passage, such as the significance of the roof, etc. we immediately realize that providing hospitality for demons was a duty that could not be overlooked. Like many hosts, the exorcist is saying, in effect, that unless there is more coming to the demons in the way of official hospitality, they had better be on their way! Their presence is no longer desired. In other words: "Is there something else I can get you, demons?" (Cf. in Syriac, *Orientalia* 18, 1949, 338-339, line 3).

In Scholem's incantation, it is undoubtedly Metatron addressing the demons, who ascended to the side of God's throne (line 12f.) Metatron is addressed in line 8. In an Aramaic magical bowl he is called: *wmyfrrwn 'ysr' rb' dkwrsyb* "And Metatron, the great prince of His throne" (*ArOr* 6, 1934, 328,D:11).

The verbal form *'mrt* in line 19 could be taken as the *krasis* of the imperative + 2nd person pronoun (= *'emar + att*) or more probably as the participle masc. sing. + the pronoun (= *'ameret/'āmerat*). See J. N. Epstein, *Grammar*, 62, 64, respectively). We prefer the latter, and similarly have taken *hzy* in line 22 as a participle, masc. sing., and not an imperative. Thus *hzy* = *hāzē* and not *hazī* (Epstein, *Grammar*, 97, 96, respectively). Cf. the indicative in the parallel clauses of Gordon's text.

In interpreting this text, line 14 is crucial. We have already discussed the sense of the term *millāh/miltā*, and related forms in our note to *AIT* 16: 9, observing that its sense is not simply "word" but "spell, imprecation, curse," etc. Thus, *lrgy' mlyb slqb*, translated by Scholem as: "The words ascended to heaven," would better be rendered: "The spells ascended to heaven." The spells or curses ascended with the demons who bore them, or who authored them to start with. In sending the demons packing, Metatron is acting to nullify the spells which the demons brought. Most probably they were summoned on high to be subdued and commanded to return whence they had come.

II. CENTRAL THEMES IN THE MAGICAL BOWL INSCRIPTIONS

1. *Magical Warriors*

We have seen that magical agents, principally angels, are girded and armed for battle against the forces of evil, according to the mentality operative in the magical bowl inscriptions. This was expressed in McCullough A, where we noted the sense of the verb *hls/z* "to gird" in this connection, calling attention as well to other ways of expressing the same notion.

In *AIT* 2: 1-3 (cf. *Orientalia* 10, 1941, 773-774, text II) we have a first person description of the engagement of the enemy by a sorcerer who portrays himself in imagery characteristic of propitious angels:

twb 'zln' 'nb X. br Y. bbyly dnply bqwmty qsy' dprzl' qraqpty dprzl' qwmt dnwr' dky' wlyhyn' lws' d'rms' dky' wmmll' wbyln' bmn dbr' imy' w'r'h 'zlyt wpg'yt bbwn bny byly etc.

"Again I come, I, X. son of Y., with my own might. On my body are arms (or: hands) of iron, a head of iron, a body of pure fire. I don the pure-white

and simmering robe of Hermes. My might is from Him who created heaven and earth. I have come to strike against the evil enemies," etc.

We have followed Epstein in reading this passage (30-31, and cf. his notes to *AIT* 27: 5, 55). Montgomery misread this passage, reading *dby'* for *dkey'* "pure, white," thus missing the point about the description of Hermes' robe. Cf. *Orientalia* 10, 1941, 125, G: 8: *ml'kyn bhyryn dkeyn wqdyfyn* "Bright, pure, and holy angels." The word *wmmll'* (= *umemallelā'*) is also descriptive of the robe. It is said of the hissing of coals (Levy III, 134, s.v. *melel*, II). This obviates Montgomery's questionable speculations on the Logos (supposedly associated with the verb *mll* "to speak") and the connections between Hermes and the Logos (*AIT* 95f., 123-124). Also contrast Montgomery's interpretation of *AIT* 19: 7 with that of Epstein, 49, *ad loc.* The description of the bellicose image of the sorcerer is continued in 2: 4-5. (Cf. *AOS* 49, 22: 178-181):

by qit' gbyn' lekwn why ytr' psyn' lekwn

"I bend the bow against you, and I stretch the bow-string against you."

Such descriptions of propitious magical agents have their roots in early antiquity, and Yamauchi's discussion, though somewhat superficial, has the benefit of stressing the Mesopotamian background of Babylonian magic in the early Christian centuries (*AOS* 49, 62f., and in the bibliography). For an understanding of the role of such imagery in Jewish magic, *SbR* is an enlightening source. The garments and the aspects of angels are subjects we cannot treat properly in this study, but some discussion of the bellicose image of these angels can be attempted here (See *SbR* I: 46f.). The "pure-white and simmering robe of Hermes" is paralleled by similar garments described in *SbR*. Thus, *SbR* II: 92: "their garments (Hebrew: *lebūš*, = Aramaic *lebūšā'* in *AIT* 2: 2) are garments of white, like light." Also, *SbR* II: 14-15:

"They stand dreadful, wrapped in wrath, girded with awesomeness, surrounded by trembling. Their covering (Hebrew: *kesūt*) is like the pattern of fire (*ketabūt 'ēs*), their countenance like the appearance of lightning."

"And in it (i.e. the third firmament) are three archangels seated on their thrones. Both they and their clothing (*lebūš*) have the form of fire (*bidemūt 'ēs*)... and, as for them, their valor is like fire" (*SbR* III: 3-4).

As one ascends the seven firmaments, the environment becomes more purified. Thus, in the seventh and highest firmament we have the following description:

"They (i.e. the "beasts" and "wheels" of the Merkabah) stand in front of Him, group by group, and immerse themselves in rivers of purity, and wrap themselves with a covering (*kesūt*) of white fire" (VII: 16-17).

In Jewish mystical literature, the garment of God (variously *lebūš* and *hālūq*) is similarly described (Scholem, 56-64). Ultimately, Jewish utilization of this motif derives from the book of Daniel, 7: 9f.

Lightning is connected with fire in these descriptions. It is both a weapon and the epitome of the speed of the angels:

"These are the ones whose station is on the fourth rung. They are girded (*azjrtm*) with the whirlwind, and the sound of their marching is like the

clash of bronze. They fly from the East, and turn from the West to the gate. They are as swift as lightning, and fire is around them" (II: 59-61, and cf. III: 1-2. Also cf. *SbR* VII: 4, 36).

This description from *SbR* brings us back to the Aramaic magical bowls, to *AIT* 12: 6-9, especially 7f.:

dqymyn wmtbryn mn ywmy 'lm' wnygybwn l' mytbzyn brqdybwn lyb l'im' kwlyb wtybyn wqymyn b'rbwn nšpyn ky zyg' brqym ky brq' ymwn ybšlwn wrymtwn kl gysy etc.

"They stand (Aramaic *q'm* = Hebrew *'md*, frequent in *SbR*) and purify themselves, from days of yore. Their feet are invisible to the entire world when they dance about. They are seated, and then stand up in their places. They blow like the storm; they flash like lightning. They are the ones who will nullify and place a ban over all spirits," etc.

Perhaps the best way of summarizing the bellicose image of the propitious angels is by reference to their deployment in the various firmaments, usually portrayed in military terminology:

"In charge of them are seven *šōferim* (the chief angels of each firmament), and they (i.e. the angles) surround them in camps upon camps (Hebrew: *maḥanōt*), from both sides" (I: 2-3).

"For in it are angels without number, arrayed in armies (*'ašyīm šebā'ōt šebā'ōt*)" (II: 3).

"And they are stationed by units (*ḥayyālōt ḥayyālōt*)" (V: 2).

"And armies and camps (*šebā'ōt šebā'ōt*) stand in dread... Army regiments march in its midst (i.e. in the midst of the sixth firmament) ... and preceding the units of the spirits (*ḥayyālōt bārūḥōt*) are myriads of angels, fashioned from the tongue of flame; burning like fire, their body like embers of fire! They are stationed on embers of fire', etc. (VI: 2f.).

The role of the bellicose angels is epitomized in the following invocation:

"That you may come and stand near me to help me in this time, wherever I may go, and may you be seen alongside me, a great army (*ḥall gādōl*) in all of your valor, and with the might of your lances. May those who behold me, from near and far, and all who come to do battle against me and to seize me, be shattered before me by the great fear of your dreadfulness; and may they be unable to do me harm," etc. (VI: 41-45).

Particularly reminiscent of the magical bowls is the following description of warrior angels in *SbR* (II: 130-133):

"These are the ones whose station is on the ninth rung. They are armed with might (Hebrew: *zōrtzīm beḥall*). They fly through the air. Their valor is strength, and the form of swords is in their hand. They are prepared for battle(s), grasping the bow, holding the javelin. They dance about like tongues of flame (*meqappesīm m'pēš*). They have horses of fire, and the harness of their chariots is fire. They terrify wherever they turn!."

"These are the ones whose station is on the fifth rung. They bear shield and lance. A bronze helmet is on their head, and scaled armor is their garb" (II: 75-76).

These descriptions undoubtedly have their origin in myth and epic, but they have found their way into magical incantations as a result of the par-

ticular role assigned to certain of the gods in magical praxis. The clearest example is the weaving of the Ea-Marduk mythology into the Neo-Assyrian magical texts (B. Levine, *Eretz Israel* IX, 1969, 92, and note 33, and *AOS* 49, 62f.). Since gods were entreated for assistance in combating demons, their images of valor and might carried over into the magical literature. In a monotheistic setting, gods become angels, and the pantheon is converted into a court ruled over by God and replete with angel-gods who do his bidding. This often necessitates the use of weapons, cosmic and metallic. The magical bowls reflect a mentality wherein some gods continued to be operative, (at least by reference to their characteristics), but with the main tasks assigned to angels.

Before leaving the subject of magical warriors, a word is in order about the utilization of magical figurines, portrayed as warriors and so fashioned. Reference to such magical tools is extremely rare in the Aramaic bowls. One possible reference to a sculptured figurine occurs in *AIT* 12: 5-6, which we take to be the description of an amulet rather than an actual figurine.

The use of figurines did, however, have its place in Jewish magic and again *SbR* may fill in what is not told of the praxis in the bowl inscriptions:

"If you seek to expel from the city any sort of wild beast, whether lion, bear, or tiger; or to restrain a river or body of water that is rising and threatening to flood the houses of the city, fashion a figurine of bronze in the form of one of them (i.e. a lion, etc.). Prepare a thin sheet (Hebrew: *tar*) of iron and inscribe on it, inside and out, the names of the angels (i.e. those previously enumerated), and gird it onto (*baḥgēr*) the figurine. Bury the figurine at the entrance to the city, and let it be facing North.

If it is a river or body of water upon which you seek to cast a spell, so that it will not inundate the city, fashion a figurine of stone and inscribe on it the names of these same angels, on two thin sheets of bronze, and place the thin sheets under the heels of the figurine. Fashion a rod of marble and place it on its shoulder. Let its right hand hold the rod, and its left hand be open. Let the figurine be facing toward the water" (II: 110-117).

Here, again, the Mesopotamian prototype glares through the later usage, and we have further documentation of the warlike image of the propitious magical agent (See B. Levine, *op. cit.*, 94f.).

2. *The Signet-ring ('izgetā')* and its Uses

In the Aramaic magical bowls the signet ring is often employed in affixing a seal to a writ of divorce being issued against Lilith and her cohorts (*AIT* 8: 11, 11: 8-9, // Ellis I and in Mandaic, Lidzbarski V, = *AOS* 49, text 21, 17: 12, 18: 11, and in Syriac 34: 8.) Also cf. *AIT* 9: 11, and *ArOr* 6, 1934, 469-470, G: 9 where *ḥtm'* is used in this function instead of '*izgetā*'. In McCullough A the writ of divorce is not included, but the objective was the expulsion of demons from a household.

In a few instances we have a more basically magical utilization of the signet ring, i.e. the placing of a magical seal on demons, or on the chains that bind them, to prevent their escape. In *AIT* 15: 7 this notion is expressed, although probably merely as imagery:

'sryt ytkwn b'ysury nbf' wprzj' whtmyt ytkwn b'surt 'yzqt' dnwr'

"I have bound you (i.e. the demons) with bonds of bronze and iron, and sealed you with the form of a signet ring of fire."

This application is more clearly expressed in a Mandaic text (*AOS* 49, 24: 10-11) where the actual seal of the signet ring is affixed to the demons themselves. A signet ring may also be used to affix a seal to a house, its threshold, etc. that are to be protected. Thus, in the Syriac of *AIT* 21(//22, 23):

dyptym bytlth 'zq yn wnhm b'bb' b'btmyn

"Which (i.e. the house, etc.) is stamped with three signet rings and sealed with seven seals." (Cf. *Orientalia* 10, 1941, 120, 3: 3).

Similar passages occur in other texts, where, at times, prodigious numbers of differing seals are used. Cf. *ArOr* 6, 1934, 321, A: 1-2; 324, B: 4-5, 331-332, texts E, F, and Hyvernāt; *Orientalia* 10, 1941, 279, 1932, 619: 14, 1932, 620: 13-14.

The signet rings are variously described. Thus, we have those inscribed: 'āl šaddai (McCullough A: 4, *AIT* 8: 11, 17: 12, *ArOr* 6, 1934, 324, B: 4. There are also those inscribed with the "specific" name of God, šēm (*ham*) mepōrās (*AIT* 11: 8-9// Ellis I, and Lidzbarski 5 = *AOS* 49, 21: 20; *AIT* 18: 11, and 34: 8, a Syriac text. *AIT* 11 and its parallels require some clarification, because they have often been misunderstood.

The Aramaic in *AIT* 11: 8-9 reads:

b'yzqtb d'yr wglyp 'lb šm mprš mn ywmy 'lm' ymy šst ymy br'šyt

"With the signet ring upon which is drawn and imprinted the 'specific' name from the days of yore, from the days of the six days of creation."

The Aramaic parallel, Ellis I, has:

wb'yzqt' dšlymwn d'lwbi šm mprš rbb-

"And with the signet ring of Solomon upon which is the great 'specific' name."

The Mandaic parallel, Lidzbarski 5 (= *AOS* 49, 21) has an amplified, and somewhat corrupt rendering (21: 20-21):

b'yzqt' dšlymwn mlk' br d'wyd d'yr glyp 'lb'(!, corruption of Aramaic 'lb "upon it") šwm' rb' wyqyr' glyp 'lb' (again, a corruption of 'lb) šym' mprš' mš'šyt šyt ywm' bryšyt

"With the signet ring of Solomon, the king, son of David, upon which is drawn and imprinted the great and honored name; imprinted on it is the 'specific' name from the beginning, from the six days of creation."

A similar corruption of the formula occurs in line 17 of the text:

b'yzqt' d'yr glyp 'l'w' (corruption of 'lwby) bšwmyk' m't'm'

"With the signet ring which is drawn and imprinted with your name, oh X."

Yamauchi lists *šyr glyp* in his glossary of "Angels, Gods, and Demons." (*AOS* 49, 367), thinking that it was a proper name of some sort. There is no evidence of such a divine being! What happened was that the scribe misunderstood his Aramaic models, confusing 'lb with 'lb' because they are

homophonic, though not homographic, and because in Mandaic 'Ayin often shifts to 'Aleph. On Aramaic *šyr* "to draw" see Levy IV, 180, s.v. *šwr*, 2, and *ibid.* 187, s.v. *šyr*. Despite the almost parallel idiom *šyr whim* "tied and sealed" (see note to McCullough A: 4), we prefer to take *šyr* in this clause to mean "draw" rather than "tie", because reference is not to the affixing of the seal, which may involve tying, but rather to what is imprinted on the signet ring itself, and tying seems not to belong in this context. On Aramaic *glp* see Levy I, 337, s.v. *glp*, and note usage of this verb pertaining to the imprinting of God's name on the diadem of the High Priest. Also see the review of *AOS* 49 by M. Smith, *AJA* 73, 1969, 95f. who notes the same misunderstanding of *šyr glyp* on Yamauchi's part.

The signet ring of Solomon, mentioned above, is referred to frequently in these texts. Cf. *AOS* 49, 24: 10, *ArOr* 6, 1934, 331-332, *Orientalia* 10, 1941, 279, no. 1932, 619: 14, 1932, 620: 13-14. Also cf. *Orientalia* 10, 1941, 324, 11: 17-18, and especially *ArOr* 6, 1934, A: 1-2:

bd' by' 'zqt' dšlmb br dwdy d'nyš (= d'ynš) l' mšy mšylyb l'tm (= lbtm) w'ynš qdmb l' q'ym

"This is the signet ring of Solomon, son of David, to which no one can go, and before which no one can stand."

b'zqt' d'šdy bryk bw' wb'zqt' dšlmwb mlk' br dwdy d'byd 'wbwdt' bšdy dykry wbylyt' nwgbt'

"With the signet ring of El-Saddai, blessed be he, and with the signet ring of Solomon, the king, son of David, who performed acts of magic against male devils and female Lilitis."

In addition to Solomon of old, signet rings are mentioned as being in the possession of other personages, such as Rabbi Joshua son of Perhahiah (*AIT* 8: 11, 17: 12), and a certain *byt bnwn* (See *AIT* 19: 17, and 47f.). In McCullough A: 4 we have reference to a signet ring in the possession of the master of the household, undoubtedly supplied him by the magical practitioner. Texts E.F. and Hyvernat in *ArOr* 6, 1934, 331-332 speak of many signet rings, among them those of Michael, Gabriel, Kasdiel, etc. Two other names mentioned are: Yokabar-Ziwa, son of Rabbé, and Aspanadas-Déwa, the jinnee of king Solomon. We cannot be certain of the identity of the personages and spirits involved.

The signet ring of Rabbi Joshua son of Perahiah, in particular, was employed in affixing the seal to writs of divorce; and this derived from Joshua's reputation, in his time, as a wonder-worker and a sage. In the latter role, he issued bans, and held court to banish demons, and consequently it was his signet ring that became proverbial in this regard.

Both the Asmodeus legend of the Talmud and *SbR* have much to tell us about the utilization of signet rings in magical praxis. The use of such rings to seal documents requires no explanation. It is their use to hold down demons that invites inquiry here.

The Asmodeus legend, in its Talmudic version, relates how Solomon sought to obtain secret information known only to Asmodeus, king of the demons, concerning the whereabouts of *šāmīr waššait*, miraculous worms that could cut through stone. Solomon dispatched one of his trusted officers, Benayahu, to wrest this valuable information from Asmodeus. By means of a

ruse, Benayahu succeeded in putting Asmodeus to sleep, and while the archdemon lay unconscious, he bound him with chains upon which was engraved "the name", and with the signet ring of Solomon bearing the same engraving on it.

Along with the chains and the signet ring, Benayahu also employs shearings of wool and flasks of wine. When Asmodeus awakens, Benayahu casts a spell on him, by saying: "The name of your master is upon you," which he repeats. This renders it impossible for Asmodeus to break the chains, ordinarily no difficult task for one so mighty!

In the continuation of the account, Asmodeus tricked Solomon into handing him the signet ring, which he instantly swallowed, thus preventing its further use against him.

Our primary interest in this legend is the function of the signet ring. In the Talmudic story it was employed to subdue a demon so as to coerce him to divulge magical information. One who possesses the ring can incarcerate and coerce magical agents. Of particular value is an understanding of the practice of inserting such rings into one's mouth. Whereas it is clear that Asmodeus wanted to prevent further use of the ring and therefore swallowed it as a way of rendering it inaccessible to anyone else, it is also clear that this particular method of holding on to the ring had still another meaning. In fact, it was a means of releasing spells. This becomes quite clear from several passages in *SbR*.

Thus, one who seeks to return home safely from war, or to avoid conscription initially, fashions a ring of iron, and a flower of pure gold upon which are written the names of the appropriate angels. On the third of the month he inserts the flower into the ring and then engraves on the outside of the ring, at the place where the flower rests, the images of a man and a lion. The text then continues:

"And when you seek to depart from the place whence you were to leave for the war, and you observe that men are coming after you to seize you, take the ring and place it in your month, and lift your eyes to heaven, etc.... and pronounce the names of the guardian angels" (*SbR* VI: 29-34f.).

The person then entreats the angels, after which he is supposed to observe smoke and thick darkness in front of him. At this point he removes the ring from his mouth, and replaces it on his finger. Subsequently, when he arrives at his home safely and can reasonably assume that the angels whom he had pressed into his service are no longer needed, he releases them by again placing the ring into his mouth and pronouncing the following formula of release:

"I have released you. Go on your way." (*SbR* VI: 51).

He may then replace the ring on his finger.

Asmodeus had done precisely what one is instructed to do according to the "Book of Mysteries." Placing a ring in one's mouth was a way of releasing a spell, perhaps because it could be swallowed and kept from anyone else. It was not so disposed of, however, when further use was anticipated. Asmodeus releases Solomon's spell by swallowing the ring, and the follower

of the Book of Mysteries similarly releases the spell he had cast over propitious angels by the same method he uses to prevent his enemies from seizing him. In other words, the spell is released much in the same way that it is cast. (Also cf. *SbR* V:19-42).

3. *The Reversing and Releasing of Spells*

The reversing of spells, usually connoted by a form of the verb *ḥpk*, Aramaic *b/ḥpk*, Mandaic *ḥpk*, is integrally related to the releasing of spells. As we will attempt to show, reversal was often a prerequisite step toward final release. The Mandaic bowls provide the best starting point for a discussion of these two related dimensions of theurgic praxis.

In his review of Yamauchi's monograph (*AOS* 49) Prof. Morton Smith corrects Yamauchi's rendering of the verb *ḥpk* from "repulse" to: "turn backwards" (M. Smith, *op. cit.*). In the same vein, Smith further discusses Yamauchi's interpretation of a formulary relevant to the disposition of spells. With variations, it reads as follows:

'mryryn gbr' tqyp' ḥry' lwft' ḥlryn bšwm'ybwn ḥblyn ml'ky etc.

Yamauchi renders:

"We say: 'O mighty being who dissolves the curses which we have cursed in the name of these angels,'" etc. (*AOS* 49, 5: 14-15, 17-18, cf. *ibid.* 6: 14f.).

The crucial word is *ḥry'*. Yamauchi takes it as an active part. masc. sing. (= *šarē'*), the antecedent being the mighty one who is addressed. Smith took this word as a passive part. fem. pl. (*šareyā'*) with *lwft'* "curses" as the antecedent. The passage would then be rendered:

"We say: 'O mighty one! Released are the curses which we have pronounced,'" etc.

The preceding lines set the scene for the dialogue. A powerful sorcerer has brought tribulation on those who had cast the spells and curses. It is clear that *gabrā' teqīpā'* designates the sorcerer (and not some divine being), by analogy to *me'abedā' teqīpā'*, "powerful practitioner of magic" which is so frequent in these bowls.

The situation in this text is duplicated in a number of others (See *AOS* 49, 361, in the glossary, s.v. *šr'*). On the heels of the tribulations, the authors of the curses inquire of the sorcerer what has caused their misfortune. He replies that if they recant and retract their curses, all will be well:

"Release that which you have cursed, and remove that you have which spat" (lines 13-14).

The authors then make a legal statement (the formulary we are discussing presently), addressing the sorcerer. Smith contends that since the sorcerer clearly commands the authors to retract, their reply to him should convey their acquiescence, i.e. that they had retracted their curses. To render the word *ḥry'* as referring to the action of the sorcerer would contradict the terms of the encounter, making it seem as though he, and not the authors of the curses, could dissolve them. Logically, Smith is correct. There are, however, counter indications.

In *Orientalia* 10, 1941, 117, 1:2-3 we have a formulary which definitely assigns the dissolution of spells to an angel in much the same terms as were employed in the Mandaic text, with equivalent Aramaic usage:

bšwm bpkyl ml'kw' dšpyk lwt' w'slmt' etc.... *d'bdw lyb* etc.

"In the name of Hapkiel (= the divine reverser), the angel who reverses curses and deliverance spells, etc. that are performed against him," etc.

And further, in line 4:

'twn 'brw dyn' wltwt' wlyqwt' myn X. br Y. etc.

"You, remove the evil sentence, and the curse, and rapping spirit from X. son of Y." etc.

It is therefore preferable to allow for a degree of inconsistency in the Mandaic texts. On the one hand, the authors of spells must release them, and the sorcerer uses his powers to get them to do so. On the other hand, the sorcerer, or in other instances the angel, is one whose potent magic has given him the reputation of being able to bring about the desired result, and he is subsequently called the one who reverses or releases spells. He is so called in terms of the results he produces, though technically the authors are the ones who retract their spells under his pressure. Perhaps this is one of the reasons why spells must be "brought back" to their authors, or reversed. It is so that their authors may retract them, thus liberating those who suffer from them. It is thus that we have the dialogue between the sorcerer working on behalf of the afflicted and the authors of the spell.

In *ArOr* 6, 1934, 326, C: 7-8 we have the following description of the process of reversal:

wyt'qrwn kl bršyn byšyn mn hdyn X. br Y. (= his mother),... *wytpkwn l'bwrybwn wybdwn wy'zšwn 'l 'bdybn w'l mirdnybwn* etc.

"May all the evil magical acts be removed from one, X. son of Y.... May they be turned backwards, and return, and go to those who performed them and to those who sent them forth, etc." (Cf. *Orientalia* 10, 1941, 123, 5: 5, *ibid.* 125, 6: 8 and E. Yamauchi, *JAOs*, 85, 1965, 515, line 17).

The preposition *'al* is here the crucial factor. Does it mean: "against" (so Smith, *op. cit.*), or is it directional? In other words: What is here the force of the reversal of spells? Is it to bring down upon the authors of spells that which they sought to bring upon their targets? Perhaps! A good case can be made, however, for concluding that the spells are returned to their authors primarily so that they would renounce them. The authors are punished not by the bommeranging curses, but by the actions of the propitious magician who uses his skills to bring about the renunciation of the spell by its author. Cf. *AASOR* XIV, 1934, 141, line 1.

The magical texts contain frequent references to the reversal of spells. See *AIT* 23, *AOS* 49, 348, s.v. *pk*, and *Orientalia* 10, 1941, 117, 1: 1; 339, no. 19745: 1f.; 348, no. 9726: 1-3; 350, no. 9736: 8-10.

These observations apply as well to the evidence of *SbR*, for there we have several good illustrations of how spells were released by those who had cast them initially. The orientation is different, in some cases, from what we have observed in the magical bowls. Most often, in *SbR*, we are dealing with

one who had pressed a propitious magical agent into service on his behalf, and then released him when his work was completed. The dynamics are the same as those projected in many of the magical bowls, even if there we are viewing the situation from the position of the one afflicted, and not from the corner of the afflicter, as in *SbR*.

We have already discussed the use of the signet ring in releasing spells. Now we turn to a more precise analysis of what happened, magically speaking, when a spell was released. In *SbR* I: 176-186 we are instructed on how to communicate with the departed. One stations himself opposite a grave, pronounces the names of the appropriate angels, while carrying with him a mixture of oil and honey in a new glass jar. He then offers these materials to the spirit of Hermes with the entreaty that he bring a certain person to him from the dead, so that he might speak with him in mutual freedom from fear:

"Let him speak with me without fear and tell me the truth without fear, and may I not fear him. And let him tell me my request, that which I require of him..."

"When the dead person comes out, place the glass jar before him and speak your piece. Hold a staff of myrtle in your hand. If subsequently you seek to release him (i.e. the dead person who was summoned), strike him three times with the myrtle staff, pour out the oil and honey, break the jar, and cast the myrtle from your hand. Return to your home by a different route."

In our notes to Obermann II we discussed *SbR* II: 59f., the magical objective of disturbing someone's sleep. The release involves undoing, essentially, what had been done to cast the spell. The "angels of disturbance" are released by exhuming the dog's head which had been buried, removing the wax seal from its mouth, removing the message that had been placed in it, and casting it into the fire (*SbR* 62-72).

At times, releasing a spell necessitates the recitation of a release formula in addition to the performance of magical acts like those just described. Thus, a person desiring to divine what someone else is planning or dreaming up concerning him invokes the particular guardian angel in charge of such matters, to the accompaniment of magical acts. He then forswears the angel in mythological terms to reveal to him what is in the heart of the other person. This procedure is repeated on three successive nights. If all goes well, one will behold "a column of fire and cloud, upon which there is the form of a man." At that point, the angel will divulge to him what he seeks to know.

Subsequently, when one seeks to release the guardian angel he throws water heavenward. (He was standing all the while near a body of water.) He then mutters:

"Oh lord Bo'el (cf. line 209), the invisible! He is a refuge for us, the perfect shield-bearer. I have released! I have released! Sink down and return to your way!"

This is to be repeated seven times, after which success is assured (*SbR* I: 234-235. On the invocation itself see *SbR*, p. 80 *ad loc.* Another release formula occurs in IV: 71-72.

There are instances where releasing a spell involves changing the orders originally issued to the propitious angels and the detailed repetition of procedures employed in casting the spell (III: 16-31). In III: 47-56 release was effected primarily by the repetition of the original adjuration, with the addition of a release formula. The same is the case in IV: 25-40, release: 40-42.

In *SbR* the verb *hattēr*, used as an antonym of 'sr, is parallel to Talmudic *ḥry* (Levy IV, 610-611, s.v. *ḥry* II), also employed in the magical bowl inscriptions. Thus, in *AIT* 19: 4-5 we have the phrase: *bḥyb' 'ysryn dyl' mylstryw wbtmnyb btmyw dyl' mylstryw* "With seven bonds that cannot be released, and with eight seals that cannot be broken." Further, in line 14, we have: *d'yns myw 'yswryb l' npyq wmw thwt ydwhy l' swr* (with Epstein) "That no man from its bond may depart, or from under its hands be freed." Also see *ArOr* 6, 1934, 332, text E (and parallels): 5, 8:

wbhtm' rb' dmry 'lm' dl' qytryb mylstry wl' btmyb mylstr

"And with the seal of the master of the universe, whose 'knot' cannot be loosed, nor his seal broken."

In a similar vein, Obermann II: 11-12 reads:

"And may there never be for X, daughter of Y, a remedy or solution."
(See our note to Obermann II: 11-12).

4. The Mythological Substratum in Magical Incantations

We have already noted, in several connections, that mythological motifs are woven into magical praxis. This is primarily a result of the fact that the divine beings who are the protagonists of myth are often the very same powers to whom humans turn when they are in need of help in fighting evil forces (See our comment "Magical Warriors", and our note to *AIT* 16: 6).

Mythological motifs enter into theurgy in yet another way. The binding power of the spell may be epitomized by identifying it with the creation of the world, the bringing of order out of chaos, and the continuing maintenance of an orderly universe. Momentous feats of divine power on earth may also serve the same purpose. For the practitioner of theurgy, these motifs had a primarily magical character, and, indeed, there is an inherently magical dimension to myth. As for Jewish magic, the biblical account of creation, and the Genesis record of primeval history strongly suggested magical interpretations, stressing as they do the power of God's spoken word in the creational sequence. Whereas normative Jewish tradition tended to interpret the acts of creation and the features of divine rule as expressions of God's will more than as magical cause and effect, as the casting of spells and the like, the interpretations of the theurgist were not in direct opposition to the "mythological" traditions of the Bible. These interpretations are an understandable variation on the theme of divine power utilized to bind the forces of nature, as well as to effect proper control over the destiny of man, and over his works.

Scholem (82-83) presents a text from an as yet unpublished manuscript of the Lesser Hekhaloth (MS Oxford 1531, fol. 42b) which describes the binding force of a spell (*'ysr' whytm'*) in cosmic and natural terms. Almost every one of the attributes there ascribed to the spell can be documented

from similar characteristics associated with spells in the Babylonian magical bowl inscriptions.

AIT 34 is a Syriac incantation whose composition and content are most unusual within the corpus of these texts. Epstein (49-53) affords a clear reading and interpretation of the text, leaving very few difficulties in the wake of his ingenious notes and corrections. We shall not present a transcription of the entire text, but only a schematic representation of it, eliminating certain detailed listings of demons, etc. unnecessary for our purposes here.

The composition of the text reflects a definite format, as will be seen. There are four successive passages, each beginning with the formula: 'āsīr weḥātim "bound and sealed." This sequence is followed in turn by two passages, the former beginning with the formula: weḥātimā' beḥitmā' d- "And we seal with the seal of-", and the latter with the formula: 'it(?)asar be'issūr "bound with the bond."

'syr wh̄tym 'yk d'mr mws' lym' dswp wqmw 'yk swr' dmn trwybwngysn, 'syr wh̄tym
'syr wh̄tym bhd' mlt' d'kbb (= d'kbb) 'lh' l'r'h w'l'yn' etc.
'syr wh̄tym b'swr swr' d'm't'
'syr wh̄tym bgw šmy' w'r' šmš' wšbr' kwkb' wnzl' wbmli' 'sryn wbpqd' qymyn bšwm etc.
'syr' wh̄tym' kwlb byšwt' d'yt (ditto. d'yt) bpgrb dX. etc. bḥtmb d X. etc. w'b'zqtib dšlymwn br dwyd dbb ḥtymym (list of various demons).
wh̄tymn' bḥtm' d'yllšy w'brkss mry' tqyp' wh̄tm' rb' dḥtymyn bb šmy' w'r' wkl šyd' etc.
'syr b'swr nwr' wḥyšln my' 'dm' lmyš' šmy' w'r' 'myn 'myn (lines 3-11, with deletions)

Translation:

Bound and sealed; just as Moses spoke to the Red Sea and the waters rose like a wall on both sides. (So is it) bound and sealed.

Bound and sealed; with that spell by which God subdued the earth and the trees etc.

Bound and sealed; with the bond of the high mountains.

Bound and sealed; like heaven and earth, sun, moon, stars and constellations. For they are bound by the spell, and stationed by the ordinance. In the name of etc.

Bound and sealed is all of the demonic evil that exists in the body of X. etc. —by the seal of X. etc. and by the signet ring of Solomon, son of David, by which are sealed (list of various demons).

For we seal with the seal of El-Shaddai and Abracas, the powerful lord, and with the great seal by which are sealed heaven and earth, and all the demons etc.

Bound by the bond of fire and by the ferrets of water until such time as heaven and earth will be released! Amen. Amen.

Scholem's text begins with the formula:

dyn hw' 'yr' wh̄tym' d'sryn byb 'r' w'sryn byb šmy'
"This is the 'bond' and the seal by which the earth is bound and by which the heavens are bound."

This is more poetic than what we have in *AIT* 34, but the terms are much the same.

Scholem's text continues on the cosmic theme:

w'r^o nyd' mnyb|wtbl mtr'f' mqdmwhy

"And the earth moves away from before it, and the universe is upset at its approach."

Cf. *AIT* 7: 12:

dmn qdmwhy z' ym' wmn btrwhy zy'yn twryn

"At whose approach the sea moves, and in whose aftermath the mountains quake."

(We have not come across the word *tebel* in any of the Babylonian magical bowl inscriptions, to designate the natural world.)

The remainder of the text reads:

pth pwm ym' wstm my rgy^o

pth imy' wmrwvy ltbl 'qr 'r^o wmr'rb ltbl

"It opens up the mouth of the sea, and closes up the waters of the firmament. It opens the heavens and waters the earth. It heaves the earth and confounds the universe."

Cf. *AIT* 9: 6:

dybbwn 'ytken'w imy' w'r'rb twry' 'yt'qrw wrmt' bbwm 'ytmr'h

"By means of which heaven and earth were humiliated, the mountains heaved about, and by means of which the heights were brought low." (See Epstein 38-39).

The mystical text would appear to be referring to the primeval flood; the beginning and the end of it, to be more precise. It could also be referring to the contrast of divine beneficence in providing water for the earth and divine punishment in withholding rain, as an ongoing feature of the natural world.

The mystical compilation is patterned after magical incantations, with the introduction of religious themes absent in the magical texts. The theme which here expresses itself is divine beneficence. Whereas magical texts refer to the mythological dimension in terms of potency over evil forces, of victory over that which is inimical, the mystical literature carries the logic of divine power several steps further, and speaks of God's blessings in more religious terms.

Other expressions of similar mythological motifs are to be found in *AIT* 2: 3, (*Orientalia* 10, 1941, 273, text 11), 4: 3 (with Epstein's corrections), 6: 4-5, 7: 12, 9: 6 // 32: 6-7, 33: 7-8; 10: 3-5, 19: 15, *AASOR* xiv, 1934, 141, line 8, *Orientalia* 10, 1941, 125, 6: 3-4, 343, and 347, h: 23-28; *ibid.* 18, 1949, 339, 1-7f., *ibid.* 20, 1951, 307, line 8. These allusions really warrant a more comprehensive treatment than we are giving them here. Similarly, *AIT* 14 contains important parallels to the other text from Lesser Hekhaloth presented by Scholem (82).

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- AASOR *Annual of the American Schools of Oriental Research*
 AfO *Archiv für Orientforschung*
 AHW W. von Soden, *Akkadisches Handwörterbuch*, Wiesbaden, 1965.
 AIT J. A. Montgomery, *Aramaic Incantation Texts from Nippur*, Philadelphia, 1913.
 AJA *American Journal of Archaeology*
 AJSL *American Journal of Semitic Languages and Literatures*
 AOS 49 E. M. Yamauchi, *Mandaic Incantation Texts, American Oriental Series*, vol. 49, New Haven, 1967.
 ArOr *Archiv Orientalni*
 CAD *The Assyrian Dictionary*, University of Chicago, by lettered volumes; CADA, etc.
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 bal. *ballakab*, a section of a chapter in the Palestinian Talmud
 HuAL W. Baumgartner, *Hebräisches und Aramäisches Lexikon*, Leiden, 1967.
 HUCA *Hebrew Union College Annual*
 JAOS *Journal of the American Oriental Society*
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 LS K. Brockelmann, *Lexicon Syriacum*, Hildesheim, 1966.
 McCullough W. S. McCullough, *Jewish and Mandaean Incantation Texts in the Royal Ontario Museum*, Toronto, 1967 (Texts are designated A-E).
 par. *parāšab*, a section in the Midrash.
 REJ *Revue des Études Juives*
 Rossell W. H. Rossell, *A Handbook of Aramaic Magical Texts, Shelton Semitic Series II*, Ringwood Borough, NJ, 1953.
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 SbR M. Margalioth, *Sepher Ha-Razim, A Newly Recovered Book of Magic from the Talmudic Period*, (Hebrew), Jerusalem, 1966.
 TB *Talmud, Babylonian*, standard editions, Wilno
 TP *Talmud, Palestinian*, standard editions, Krotoschin

* Note: The following publications by C. H. Gordon will be referred to only by source, without the name of the author:

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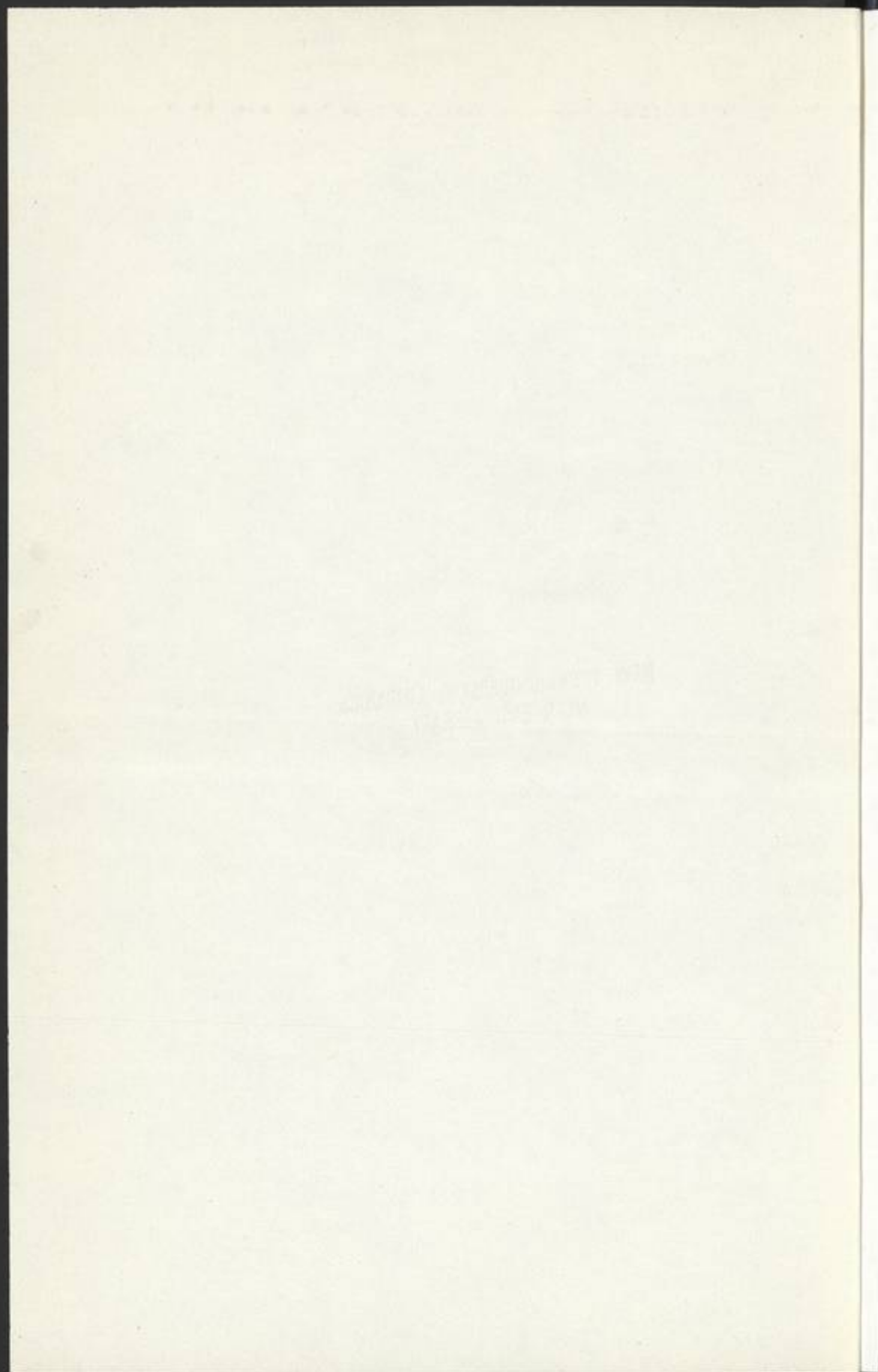
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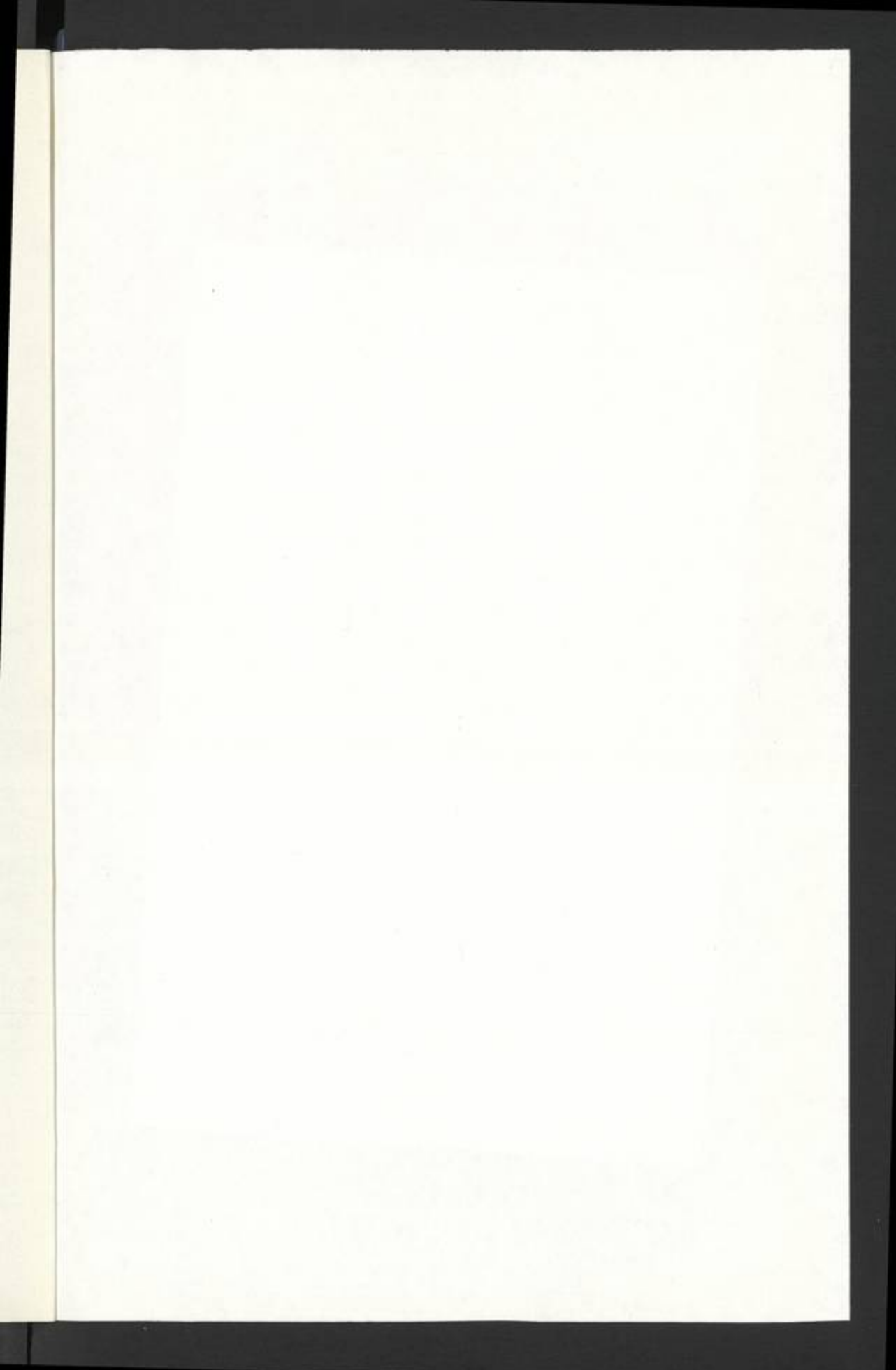
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