



The Ziegler School
of Rabbinic Studies

Walking with History

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דרכיה דרכי נעם

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UNIT 3: THE RABBINIC PERIOD

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INTRODUCTION

The identification of a “period” in history – when it starts and ends, what its representative events and institutions are, what gives it its identity– is a fraught and subjective process. Before speaking to the history of the “Rabbinic Period”, therefore, I note that to designate this period as “rabbinic” is to suggest that its most salient feature is the rabbinic movement, known to us primarily through the rabbis’ literary production. This raises the question of whether the boundaries of the period are (or should be) set based on the first stirrings and final redaction of the materials contained in rabbinic texts – from the time of the earliest sages cited in the Mishnah to the redaction of the Babylonian Talmud – or perhaps the boundaries should be based on significant events and/or political moments that affected the majority of the Jewish population, such as from the Destruction of the Second Temple to the Muslim conquest. In addition, it suggests that the rabbinic movement provided the dominant social, cultural, and/or political leadership of the time, an image that the rabbis themselves may have wished to promote, but one that is not necessarily borne out by a careful reading of the evidence. Privileging the rabbis and their Judaism limits our vision of what else might have constituted being Jewish or practicing Judaism at the time. Along the same lines, rabbinic literature was primarily produced in two locations, the Land of Israel under the Roman Empire, and Babylonia under the Sassanian Empire. To speak of the history of the “rabbinic period” is to place those two communities at the center of our investigation. But while they may have been the largest and most enduring Jewish communities of late antiquity, a variety of other Jewish communities within the Roman Empire and elsewhere waxed and waned and participated in significant events, and should not be overlooked. I proceed with these concerns in mind.

AFTER THE DESTRUCTION

The destruction of their central shrine and a Jewish life bereft of sacrificial rites were not entirely new to the Jews of 70 CE; they knew that the Temple had been destroyed once before (586 BCE), and had been rebuilt 70 years later. Jews of the 1st century could understand events of their time through the biblical-prophetic model of sin and punishment, and say that just as the First Temple was destroyed because of the people’s faithlessness, but God did not abandon his people, so too this second destruction should lead to atonement for the sin(s) that had brought about the catastrophe. The prior restoration may have given Jews a source of hope that the Temple might be rebuilt and the sacrificial cult restored. Violent Jewish resistance to Roman hegemony flared up at least twice after the Destruction, suggesting that the defeat of 70 was not accepted as conclusive, at least by some significant portion of Jews.

The political state of the land changed dramatically immediately after the Roman defeat of the uprising. Renamed Provincia Judea, the land of Israel became an imperial province administered by a governor appointed by Rome. The Roman army was a fixed presence.

An important consequence of the Destruction appears to be that the sectarianism of the late Second Temple period largely disappears from the available historical sources. Since the Temple was a focal point of sectarian differences, its absence removed a major source of disputation among Jews. According to rabbinic accounts, this is also the moment at which the rabbinic movement coalesced as a political and religious force and moved into a position of communal leadership. In a story told in several documents (all redacted well after the Destruction), Rabbi Yohanan ben Zakkai escaped Jerusalem during the rebellion and Roman siege, secured an audience with the Roman general Vespasian, and requested the right to establish a rabbinic center in Yavneh and/or to rescue rabbis from Jerusalem. Although the early rabbinic movement may have had ideological and historical connections to the Pharisees, the early rabbis themselves do not claim direct identity with this group. If the rabbis were not the dominant group that they portray themselves to be, neither does there appear to have been another Jewish faction competing for the role.



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The notable exception is the adherents of Christianity. The Destruction strengthened their increasingly distinct identity and beliefs. The Gospels, composed after the Destruction, record an ambivalent attitude to the Temple, and its Destruction was interpreted as punishment of the Jews for rejecting Jesus as messiah. The events of 70 constitute an important stage in the process of separation between the nascent Church and the community that continued to identify as Jewish.

Intriguingly, early rabbinic texts are reticent in their expressions of mourning and despair. Rather, the rabbis strive to depict a utopian, timeless vision in which legal directives for the Temple are presented as if it were still standing and its rites still being observed. Yet they also constructed a system of rites, regulations and observances that could be practiced without a central shrine, in any location, thus laying the foundation for the growth and eventual dominance of rabbinic Judaism.

THE TRAJANIC REVOLT, 116-117

Jewish uprisings broke out in Egypt, Libya and Cyprus during Trajan's reign. The instigating reasons are obscure, though the Destruction of 70 and its after-effects likely fed lingering resentment against Rome.¹ There were also long-attested tensions between Jews and Greeks in Egypt. Roman forces were occupied with the Parthians in Mesopotamia, and that may have influenced the timing of the uprising.

Jews attacked pagan temples and destroyed statues of gods, as well as civic institutions, roads, and waterways. Christian and pagan writers report considerable destruction and loss of life in Cyprus. After Trajan suppressed the uprisings in 117, the Jewish communities of Egypt and Libya fall out of the historical record for some time, and there is no record of Jews in Cyprus again until the 4th century.

Jews may have participated in resistance against the Romans in Mesopotamia, where Lucius Quietus led the Roman response. Sources also hint at an uprising in Judea which involved Quietus. At least two parallel rabbinic sources refer to a "war of Kitos".² It is possible that Jews fleeing from North Africa met their final defeat at the hands of the Romans in Judea.

THE BAR-KOKHBA REBELLION, 132-135

Little evidence remains of the causes or details of events during this uprising. Motivating factors may include popular discontent with the Roman military presence in Judea, lingering rebellious sentiment after the Trajanic Revolt, possible rulings of the emperor Hadrian to ban circumcision and to rebuild Jerusalem as the Roman city Aelia Capitolina, and/or the building of a temple to Jupiter on the site of the destroyed Temple.

The revolt appears to have occurred mainly in Judea, and historians are divided as to whether rebels took Jerusalem at any point. Literary and archeological evidence points to a guerilla war in which Jewish fighters used caves and underground tunnels to take cover and launch attacks. Both rabbinic and Christian sources broadly agree that Roman governor Quintus Tineius Rufus played a significant role on the Roman side, and that Shimon bar Kokhba (or Kosiba) led the Jews. One rabbinic source suggests that Rabbi Akiva supported Bar Kosiba and saw him as a messianic figure,³ but it is not known whether anyone else affiliated with the rabbinic movement was involved in the rebellion in any way.

¹ Moreover, these communities were host to refugees who fled the war in Judea.

² See Mishnah Sotah 9:14 and Tosefta Sotah 15:8. Although a number of manuscripts of both the Mishnah and Tosefta have the name "Titus" here, the likely reference and correct reading should be "Kitos".

³ Palestinian Talmud, Ta'anit 4:5, 68d.



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The war concluded with the siege and defeat of the rebels at Beitar. The destruction in Judea was extensive, the center of Jewish life in the Land of Israel moved to the Galilee, and the Romans renamed the province “Syria Palestina.”

THE PATRIARCHATE

Rabbinic sources depict the Patriarchate as an institution with well-established roots, extending back even before the Destruction. Modern scholars, however, divide over whether it first appeared shortly after the Destruction or is a later development. Some question whether the Romans would have allowed (or [re]established) this form of client ruler in the immediate aftermath of the Bar Kokhba rebellion or in light of Judea becoming an imperial province. They note that the title of *Nasi*/Patriarch is first used for Rabbi Yehudah ha-Nasi in the late 2nd century, and that he does not seem to have served in an official role vis-à-vis the Roman government. Earlier figures may have had leadership roles within the rabbinic movement or the broader Jewish community, and may have assumed judicial functions without formal authority. In rabbinic texts, the *Nasi*'s functions are mostly religious: he set the calendar, declared fasts, and issued decrees on observance. The *Nasi* as an institutionalized position with governmental recognition cannot be confirmed from Roman legal documents prior to the 4th century.

END OF THE SEVERAN DYNASTY

The early 3rd century saw transitions in the Roman Empire and in Mesopotamia that had significant repercussions for Jewish history. In both Rome and Persia, royal dynasties fell and were replaced by new political leaders. Extended military confrontations between the two empires affected areas with significant Jewish populations.

The redaction of the first discrete rabbinic work, the Mishnah, which many later sources attribute to the editorship of Rabbi Yehudah ha-Nasi, is ascribed to this period. The text remained open to additions for a brief period after the Patriarch's death in 225. Thus, it is at about this time that rabbinic culture marks the transition from authorities called Tannaim, whose views are recorded in the Mishnah and contemporary sources (such as the Tosefta and several midrashic works), to those who appear in Talmudic discourse, known as Amoraim. On the Roman side, Alexander Severus's death in 235 led to years of instability that saw invasions and war, economic decline, internal strife, and a series of claimants to rule who rose and fell in quick succession until Diocletian's ascension in 284. At the death of Constantius (Diocletian's successor in the west) his son Constantine vied for control and achieved it in 312. Constantine attributed his victory to “the God of Christians”, and declared Christianity a licit religion in 325.

Constantine and his son Constantius II instituted new laws that affected Jews' status and rights within the Empire, while Jewish converts to Christianity received legal protection from harassment. The Jews' long-standing exemption from service in municipal government was revoked. Constantine and his mother Helena undertook a campaign to identify Christian holy sites and build churches in Palestine, especially in Jerusalem, thereby putting an enhanced Christian stamp on the land.

When Julian became Emperor in 361 he disavowed Christianity and endorsed the restoration of pagan worship and rites. Julian announced plans for the reconstruction of the Jerusalem Temple, thus challenging Christian arguments that its destruction was proof of God's rejection of the Jews. But Julian's reign was short; he died in 363, and was succeeded by Jovian and Valentinian, under whom Christianity regained its prominence. At first,



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rights granted to the Jews under pagan rulers continued to be officially recognized, even if enforcement was often absent or ineffective. Indeed, it is during the 4th century that the Patriarchs and other Jewish religious authorities are most consistently mentioned in non-Jewish sources, which recognized them as leaders of the Jews of Palestine and beyond.

Nonetheless, legislative attempts to restrict the privileges of Jews and limit their legal rights resumed. In 388, Theodosius I prohibited intermarriage between Christians and Jews and under his successor, positions in the military and imperial administration were closed to Jews. Protections were extended to converts to Christianity, while converts to Judaism suffered confiscation of property, exile, and even capital punishment. Jewish ownership of Christian (or other non-Jewish) slaves was prohibited. In 415, Theodosius II prohibited the Patriarch from hearing cases that involved a Christian; the Patriarchate itself came to an end before 429. A century later, Justinian forbade any non-Christian (Jew or pagan) to testify against an Orthodox Christian.

Palestinian rabbinic culture is noted for several key literary productions. The date and circumstances of the redaction of the Palestinian (or Jerusalem) Talmud are much debated. Some suggest the redaction corresponds to the end of the Patriarchate in the early 5th century. Others argue for a slightly earlier date, noting, for example, that its latest possible historical reference is to Julian's campaign against Persia (363). Fragmentary evidence from Roman, Christian and Jewish sources suggests that an uprising occurred in the Galilee in 351; if so, this too may have impacted the end of the Palestinian Amoraic period. Palestinian Amoraim of up to the 4th century feature in Midrash collections such as *Genesis Rabbah* and *Leviticus Rabbah*, and several more such works may be dated to the 6th and 7th centuries. The making of midrashic collections was one form of rabbinic writing that continued beyond the Muslim conquest. At the end of this period, paytanim or liturgical poets, flourished, including Yanai (5th century) and Eleazar ha-Kallir (6th-7th centuries).

BABYLONIA: FALL OF THE PARTHIAN MONARCHY AND SUCCESSION OF THE SASSANIAN DYNASTY (224-651)

Meanwhile, in Babylon, we know almost nothing about the Jewish community prior to the succession of the Sassanian Dynasty in 224. Around this time, Jews began the literary and scholarly project that would culminate in the Babylonian Talmud. Remains of the Dura Europa synagogue, built in 245, attest to the presence of a Babylonian Jewish community, but tell us little about its composition. Even after the Sassanian ascension, our information comes almost exclusively from rabbinic texts, texts which are not meant to be historical accounts and which reflect the interests of one group of Jews.

Although the Sassanians established Zoroastrianism as the state religion, rabbinic sources display mostly positive or at least accommodationist attitudes to the rulers. There is no clear contemporaneous evidence of overt religious persecution or attempts to proselytize (let alone forcibly convert) Jews through at least the mid-5th century CE. Two post-rabbinic Jewish sources and one Islamic source describe anti-Jewish persecution under Yazdgird II (438-457), but this is not reflected in the Babylonian Talmud. Nevertheless, at around this time, the recorded work of named Babylonian Amoraim ceased, and the work of the Talmud's anonymous redactor began.

THE EXILARCH AND THE RABBINIC MOVEMENT

It is not clear when the office of the Babylonian Exilarch, parallel to the Palestinian Patriarch, was established, but it is not documented until the 3rd century CE. Our portrait of the Exilarchate emerges mostly from rabbinic



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literature. It resembles the Patriarchate in its profession of Davidic lineage, its wealth, its interactions with and support from governmental authorities, and its administration of an independent Jewish court system. The Babylonian Exilarch, however, does not seem to have had the same authority and power within the rabbinic movement itself as did his Palestinian counterpart.

The Babylonian Talmud is the major literary work of the Babylonian rabbinic movement. Opinions vary as to the time of its final redaction, with some dating it to the mid-6th century, and others to the Muslim conquest in the early 7th century. Historians also debate the structure of the rabbinic movement itself, notably whether the formal rabbinic academies of the Geonic/Islamic period have their origins in this earlier time. In the Babylonian Talmud, students are frequently found “at the house” or “at the study hall” of a particular master, rather than at the institution of a particular place; references to the term *yeshivah* (*metivta* in Aramaic) are usually attributable to the late, editorial layer of the Talmud, suggesting that it may be towards the end of the rabbinic period that these institutions began to coalesce.

It is worth noting that the scant archeological remains from this period attest to a lively interest among Jews (along with their neighbors) in magical incantations, found inscribed on amulets and bowls buried under houses. Texts seek protection for the residents from demons and disease; several contain curses or love charms. While incantations, divination and demonology are hardly absent from rabbinic sources, it is difficult to determine the relationship between these folk practices and the Judaism advocated by the rabbis.

Perhaps exhausted by years of fighting each other, neither the Sassanian nor the Eastern Roman Byzantine Empire was able to withstand the Arab conquest, carried out under the banner of the new religion of Islam. The rabbinic period which began with the Destruction of the Second Temple, ended with the advent of the Muslim conquest. The rabbinic period ended, but Rabbinic Judaism was not defeated. The rabbis, with their amazing literary production of the Mishnah, Tosefta, two Talmuds and collections of midrashim, left behind texts which would continue to shape and eventually come to dominate the practice of Judaism. Today’s Judaism, the Judaism of the 21st century, remains Rabbinic Judaism, and it is a testament to rabbinic greatness.



UNIT 3: THE RABBINIC PERIOD – TEXT 1

תלמוד ירושלמי, תענית ד הלכה ה, סח: ד-סט: א:
תני ר' שמעון בן יוחי: עקיבה רבי היה דורש "דרך כוכב מיעקב" (במדבר כד: יז)
דרך כוזבא מיעקב. רבי עקיבה כד הוה חמי בר כוזבה הוה אמר: דין הוא מלכא
משיחא. אמר ליה רבי יוחנן בן תורתא: עקיבה יעלו עשבים בלחייך ועדיין בן דוד
לא יבא. אמר רבי יוחנן: קול אדריינוס קיסר הורג בביתר שמונים אלף ריבוא...
והיה שם בן כוזבה והיה לו מאתים אלף... וכד דהוה נפק לקרבא הוה אמר ריבונה
דעלמא לא תסעוד ולא תכסוף... שלש שנים ומחצה עשה אדריינוס מקיף על ביתר,
והוה רבי אלעזר המודעי יושב על השק ועל האפר ומתפלל בכל יום ואומר רבון
העולמים אל תשב בדין היום... בעא אדריינוס מיזל ליה, אמר ליה חד כותיי לא
תיזיל לך דאנא חמי מה מיעבד ומשלים לך מדינתא. עאל ליה... ואשכח רבי אלעזר
המודעי קאים מצלי. עבד נפשיה לחיש ליה בגו אודניה. חמוניה בני מדינתא
ואייתוניה גבי בן כוזבא, אמרון ליה: חמינן ההן סבא משתעי לחביבך. אמר ליה:
מה אמרת ליה ומה אמר לך?... אמר ליה: אמר לי דאנא משלים מדינתא. אתא גבי
רבי אלעזר המודעי, אמר ליה: מה אמר לך הדין כותיאי? אמר ליה: לא כלום. מה
אמרת ליה? אמר ליה: לא כלום. יהב ליה חד בעוט וקטליה. מיד יצאת בת קול
ואמרה: "הוי רועי האליל עוזבי הצאן חרב על זרועו ועל עין ימינו זרוע יבש תיבש
ועין ימינו כהה תכהה" (זכריה יא: יז), הרגת את רבי אלעזר המודעי זרוען של כל
ישראל ועין ימינם, לפיכך זרועו של אותו האיש יבוש תיבש ועין ימינו כהה תכהה.
מיד נלכדה ביתר ונהרג בן כוזבא.

PALESTINIAN TALMUD, TA'ANIT 4:5 (68D-69A)

R. Shimon b. Yohai taught: My teacher Akiva used to interpret "A kokhav/star will rise from Jacob" (Numbers 24:17) as Kozba (the leader of the revolt) will rise from Jacob. When Rabbi Akiva saw Bar Kozba he said "This is the King Messiah". Rabbi Yohanan ben Torta said to him, "Akiva, grass will grow on your cheeks and the son of David will still not have come". R. Yohanan said "On the voice/order of the ruler Hadrian they killed 80,000 myriads in Beitar. And Ben Kozba was there, and he had 200,000 men... And when he went out to battle, he would say: Master of the world, do not help and do not put us to shame".

Hadrian sieged Beitar for 3 ½ years. Rabbi Elazar of Modi'in would sit on sackcloth and ashes and pray every day: "Master of the world, do not sit in judgment today"... Hadrian wanted to go to him... A Samaritan said to him "Don't you go. I'll go see what he's doing and I'll hand over the city". He went in and found Rabbi Elazar of Modi'in standing in prayer. He pretended to whisper in his ear. The townspeople saw him and brought him to Ben Kozba. They said to him "We saw this old man (the Samaritan) talking with your uncle". Bar Kozba asked the Samaritan "What did you say to him, and what did he say to you"? The Samaritan said to him "...He said to me, 'I will hand over the city'". Bar Kozba went to R. Elazar of Modi'in and asked him "What did that Samaritan say to you"? He said "Nothing". He asked him "What did you say to him"? He said "Nothing". He gave him one kick and killed him. Immediately a heavenly voice came forth and said, "Woe worthless shepherd who abandons the flock! Let a sword descend on his arm and on his right eye, his arm shall shrivel and his



THE RABBINIC PERIOD – TEXT 1 (CONTINUED)

right eye go blind' (Zechariah 11:17). You killed R. Elazar of Modi'in, the strength of all Israel and their right eye. Therefore, your arm shall shrivel and your right eye go blind". Immediately, Beitar was conquered and Ben Kozba was killed...

STUDY QUESTIONS

- **On Passover, we tell the story of the Rabbis of B'nei B'rak (including Rabbi Akiva) who discussed the Exodus for so long at their own seder that their students had to tell them it was time for morning prayer. One commentary says: "One hypothesis submits that the five elders were planning the revolt of Bar Kokhba against the Romans (132-135 C.E.) in which Rabbi Akiva played a prominent role. Perhaps then, the students' reminder about the morning Sh'ma was a password, signaling the approach of Roman soldiers".¹ Does our text support this story? What does it say about rabbinic involvement in the uprising?**
- **How do the rabbinic storytellers of the Palestinian Talmud depict Rabbi Akiva? Emperor Hadrian? Bar Kokhba? Rabbi Elazar?**
- **Is this text "history"? Who is in control of the events in our text? What is its point?**

¹ *The Feast of Freedom*, edited by Rachel Anne Rabinowicz. New York: Rabbinical Assembly, 1982, p.35.



THE RABBINIC PERIOD – TEXT 2

תלמוד ירושלמי, תענית ד הלכה ה, סח: ד-סט: א
והיו הורגין בהם והולכין עד ששקע הסוס בדם עד חוטמו, והיה הדם מגלגל סלעים
משאוי ארבעים סאה עד שהלך הדם בים ארבעת מיל. אם תאמר שהיא קרובה לים
והלא רחוקה מן הים ארבעים מיל? אמרו שלש מאות מוחי תינוקות מצאו על אבן
אחת... כרם גדול היה לאדרינוס הרשע שמונה עשר מיל על שמונה עשר מיל כמין
טיבריא לציפורי, והקיפו גדר מהרוגי ביתר מלא קומה ופישוט ידיים. ולא גזר
עליהם שיקברו עד שעמד מלך אחר וגזר עליהם שיקברו.

PALESTINIAN TALMUD, TA'ANIT 4:5 (68D-69A), CONTINUED

And they went on slaughtering them until a horse would sink into the blood up to its nose, and the blood rolled boulders weighing forty se'ah until the blood went into the sea, four miles. And if you say that Beitar was close to the sea, is it not forty miles distant from the sea? They said: They found three hundred children's skulls on one rock... Hadrian the wicked had a great vineyard, eighteen miles by eighteen miles, as from Tiberius to Sephoris, and they surrounded it with a fence made of the bones of those killed at Beitar, the height of a man and two handbreadths wide. And they did not decree of them that they should be buried until another king arose and decreed to bury them.

STUDY QUESTIONS

- **This continuation of Text 1 describes the horrific destruction in the wake of the revolt. Why do you think it includes elements that are most likely exaggerated?**
- **In some ways, this account is more terrible than accounts of the destruction of the Temple. What are some of those ways? Why might the aftermath of Beitar be worse for the rabbis than the destruction of the Temple?**
- **In your opinion, is this an attempt to write history or to construct collective memory? How do you think the people of Talmudic times would answer that question? If this is an attempt to create collective memory, what is its message to future generations?**
- **Roman writer Dio Cassio wrote this about the war recounted in our Talmudic text: "Many Romans, moreover, perished in this war. Therefore Hadrian in writing to the senate did not employ the opening phrase commonly affected by the emperors, 'If you and our children are in health, it is well; I and the legions are in health'".¹ How does this text enrich your understanding of the war and its consequences? Do you think it had the same impact on Roman collective memory as it did on Jewish collective memory?**

¹ Cassius Dio, *Roman History*, 69:12-15. Online access: http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Cassius_Dio/69*.html.



THE RABBINIC PERIOD – TEXT 3

AMMIANUS MARCELLINUS (c.330-395), ROMAN HISTORY¹

...Emperor Julian proposed to rebuild at a vast expense the once magnificent temple of Jerusalem, which after many deadly contests was with difficulty taken by Vespasian and Titus, who succeeded his father in the conduct of the siege. And he assigned the task to Alypius of Antioch, who had formerly been proprefect of Britain. But though Alypius applied himself vigorously to the work...fearful balls of fire burst forth with continual eruptions close to the foundations, burning several of the workmen and making the spot altogether inaccessible. And thus the very elements, as if by some fate, repelling the attempt, it was laid aside.

SAINT JOHN CHRYSOSTOM (347-407), DISCOURSES AGAINST JUDAIZING CHRISTIANS²

...Julian, who surpassed all the emperors in irreligion, invited the Jews to sacrifice to idols in an attempt to drag them to his own level of ungodliness...and said: "In the days of your ancestors, God was worshipped in this way"...Their answer was that those who offered any sacrifice whatsoever in a foreign land were violating the Law. So they said to the Emperor: "If you wish to see us offer sacrifices, give us back Jerusalem, rebuild the temple, show us the holy of holies, restore the altar, and we will offer sacrifices again just as we did before".

...They failed to see that they were attempting the impossible...it was God who destroyed their city, and no human power could ever change what God had decreed...The Emperor, for his part, spared no expense... he left nothing undone, nothing untried...At the same time, in his mad folly, he was hoping to cancel out the sentence passed by Christ which forbade the rebuilding of the temple...They were just about to start building when suddenly fire leaped forth from the foundations and completely consumed not only a great number of the workmen but even the stones piled up there to support the structure. This put a stop to the untimely obstinacy of those who had undertaken the project...[Julian] and the whole Jewish people withdrew in defeat.

STUDY QUESTIONS

- **How do you see each writer's concerns and interests reflected in his writings?**
- **Why would a pagan Roman emperor who had abandoned Christianity let the Jews rebuild their temple?**
- **What does each of the sources suggest about the role of Julian and/or the Jewish community in initiating or carrying out the plan to rebuild the Temple?**
- **Why do you think there is no surviving reference in Jewish literature to this failed attempt to rebuild the Temple in the 4th century?**

¹ *The Roman History of Ammianus Marcellinus, During the Reign of the Emperors Constantius, Julian, Jovianus, Valentinian, and Valens*, translated by C. D. Yonge. London: George Bell and Sons, 1902, p.317. Online access: <http://archive.org/details/romanhistoryofam00ammiuoft>.

² Saint John Chrysostom, *Discourses against Judaizing Christians*, translated by Paul W. Harkins. Washington, DC: Catholic University of America Press, 1979, Discourse V, XI. Online access: <http://www.fordham.edu/halsall/source/chrysostom-jews6-homily5.asp>.



THE RABBINIC PERIOD – TEXT 4

SELECTIONS FROM THE CODEX THEODOSIANUS¹: LAWS CONCERNING THE JEWS²

Book 3, Title 7: No Jew shall receive a Christian woman in marriage, nor shall a Christian man contract marriage with a Jewish woman. For if any person should commit an act of this kind, the crime of this misdeed shall be considered as the equivalent of adultery, and freedom to bring accusation shall be granted to the voices of the public. *March 14, 388*

Book 16, Title 8.9: It is sufficiently established that the sect of the Jews is forbidden by no law. Hence We are gravely disturbed that their assemblies have been forbidden in certain places. Your Sublime Magnitude will, therefore, after receiving this order, restrain with proper severity the excesses of those persons who, in the name of the Christian religion, presume to commit certain unlawful acts and attempt to destroy and to despoil the synagogues. *September 29, 393*

Book 16, Title 8.25: ... In the future no synagogues shall be constructed, and the old ones shall remain in their present condition. *February 15, 423*

STUDY QUESTIONS

- **Rabbinic law, with some Biblical precedent, forbids intermarriage between Jews and non-Jews. Does a law like 3.7 tell us anything about actual behavior? If Jews did generally hold to a ban on intermarriage, what purposes might a law of this sort serve?**
- **What do the two regulations about synagogues suggest about facts on the ground?**
- **We read in section 16.8.9 that “The sect of the Jews is forbidden by no law”. What does this imply about the status of Judaism and other minority religions in the Christianized Roman Empire?**

¹ Emperor Theodosius II (408-450) edited a collection of Roman Imperial statutes.

² Trans. C. Pharr, *The Theodosian Code and Novels and the Sirmundian Constitutions*. New York: Greenwood Press, 1969, p.467-72, quoted in *Texts and Traditions: A Source Reader for the Study of Second Temple and Rabbinic Judaism*, compiled, edited and introduced by Lawrence H. Schiffman. Hoboken, New Jersey: Ktav Publishing House, 1998, p.576-585.



THE RABBINIC PERIOD – TEXT 5

תלמוד בבלי מסכת עבודה זרה ב:א-ב

דרש ר' חנינא בר פפא ואיתימא ר' שמלאי: לעתיד לבא מביא הקדוש ברוך הוא ס"ת ומניחו בחיקו ואומר: למי שעסק בה יבא ויטול שכרו...מיד נכנסה לפניו מלכות רומי תחלה...אמר להם הקב"ה: במאי עסקתם? אומרים לפניו: רבש"ע, הרבה שווקים תקנינו, הרבה מרחצאות עשינו, הרבה כסף וזהב הרבינו, וכולם לא עשינו אלא בשביל ישראל כדי שיתעסקו בתורה. אמר להם הקב"ה: שוטים שבעולם, כל מה שעשיתם לצורך עצמכם עשיתם: תקנתם שווקים להושיב בהן זונות, מרחצאות לעדן בהן עצמכם, כסף וזהב שלי הוא... מיד יצאו בפחי נפש. יצאת מלכות רומי, ונכנסה מלכות פרס אחריה...אמר להם הקב"ה: במאי עסקתם? אומרים לפניו: רבש"ע, הרבה גשרים גשרנו, הרבה כרכים כבשנו, הרבה מלחמות עשינו, וכולם לא עשינו אלא בשביל ישראל כדי שיתעסקו בתורה. אמר להם הקב"ה: כל מה שעשיתם לצורך עצמכם עשיתם: תקנתם גשרים ליטול מהם מכס, כרכים לעשות בהם אנגריא, מלחמות אני עשיתי...מיד יצאו מלפניו בפחי נפש.

BABYLONIAN TALMUD, AVODAH ZARAH 2A-B

Rabbi Hanina, and some say Rabbi Simlai, expounded: In the future, the Blessed Holy One will bring a Torah scroll and place it on his chest and say: "Whoever occupied himself with Torah, let him come take his reward"!... Immediately, the Roman Empire enters first. The Blessed Holy One says to the Romans: "With what did you occupy yourselves"? They answer: "Master of the Universe, we established many marketplaces, we made many bathhouses, we accumulated a lot of gold and silver, and all of it we did only for the sake of Israel in order that they would be able to occupy themselves with Torah". The Holy Blessed One says to them: "Fools!... Everything you did, you did for your own sakes: You established marketplaces to settle prostitutes there, bathhouses to indulge yourselves in them and the gold and silver is mine..." Rome immediately leaves in despair.

The Roman Empire leaves and the Persian Empire enters after it...The Blessed Holy One says to the Persians: "With what did you occupy yourselves"? They answer: "Master of the Universe, we built many bridges, we conquered many cities, we waged many wars, and all of it we did only for the sake of Israel in order that they would be able to occupy themselves with Torah". The Holy Blessed One says to them: "Fools!... Everything you did, you did for your own sakes: you built bridges to extract tolls, you conquered cities for forced labor and I waged the wars..." Persia immediately leaves in despair.

STUDY QUESTIONS

- **What is the view of the history of empires and their achievements in this text?**
- **In her essay, Rabbi Dr. Labovitz spoke about the situation of the rabbis of the Talmud. Why might these rabbis want to disparage the material achievements of Rome and Persia?**
- **Why does God, rather than Israel, mock the Empires? Why does God say to them "The gold and silver is mine" and "I waged the wars"?**
- **Staying within the worldview of the story, what do you think will happen when the Jews stand before God in the world to come?**
- **This rabbinic story takes the long view of history. What is the rabbis' message for the Jews of their time and place? How does it apply to our time and place?**



NOTES

Lined writing area consisting of 28 horizontal lines.



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