

# Diversity and Rabbinization

Jewish Texts and Societies  
Between 400 and 1,000 CE

EDITED BY GAVIN McDOWELL, RON NAIWELD,  
AND DANIEL STÖKL BEN EZRA



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# INTRODUCTION

For several decades, it has been the *communis opinio* that, during the Roman Era, Judaism was diverse even beyond the tripartite division found in Flavius Josephus. Beyond the Pharisees, Sadducees, Essenes, and even Jewish Christians, the existence of several other Jewish groups is generally accepted.<sup>1</sup> At the turn of the second millennium, however, rabbinic Judaism seems to be ubiquitous in the West, challenged in the East only by Karaism. When and how did this transformation happen? Most scholars have accepted a gradual ascent of rabbinic Judaism in late Roman and early Byzantine Palestine. Even though the standard academic model of a homogenous and dominant rabbinic Judaism following the destruction of the Second Temple (70 CE) has been questioned in recent years, a new paradigm has yet to emerge.<sup>2</sup>

Rethinking the homogeneity of rabbinic Judaism and emphasizing diversity results, in part, from new archaeological and epigraphic discoveries, such as the synagogue mosaics of Palestine, Babylonian magic bowls, and inscriptions from both Europe and the Near East. The influx of new information raises a flurry of questions. Why do Late Antique synagogues, with their

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- 1 Gary G. Porton, 'Diversity in Postbiblical Judaism', in *Early Judaism and its Modern Interpreters*, ed. by Robert A. Kraft and George W. E. Nickelsburg (Philadelphia: Fortress Press, 1986), 57–80.
  - 2 See, for example, Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, 13 vols. (New York: Pantheon Books, 1953–1968); Alan F. Segal, *Two Powers in Heaven: Early Rabbinic Reports about Christianity and Gnosticism* (Leiden: Brill, 1977); *The Ways that Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. by Adam H. Becker and Annette Yoshiko Reed (Tübingen: Mohr Siebeck, 2003); Simon C. Mimouni, *Le judaïsme ancien du VI<sup>e</sup> siècle avant notre ère au III<sup>e</sup> siècle de notre ère: des prêtres aux rabbins* (Paris: Presses Universitaires de France, 2012); José Costa, 'Entre judaïsme rabbinique et judaïsme synagogal: la figure du patriarche', *Judaïsme ancien/Ancient Judaism* 1 (2013): 63–128.

elaborate mosaics, contradict rabbinic aniconism? Would most synagogue worshipers have even recognized rabbinic authority, or would they have considered themselves members of distinct groups? What relationship exists between the Babylonian Talmud and the Babylonian magic bowls, which invoke the rabbis but also refer to Christianity and Zoroastrianism? What does the sudden appearance of the Karaites in the eighth and ninth centuries tell us about rabbinic hegemony (and what is their relationship to Second Temple sects)? How does the depiction of Jews in the Qur'an (which mentions rabbis and might allude to the Mishnah: see Q 5.32 and cf. m. Sanh. 4.5) tally with the epigraphic evidence from South Arabia? What was the nature of European Jewry prior to the development of Ashkenazic and Sephardic cultures?

This line of questioning inevitably alters our understanding of classical rabbinic texts. Close study of the literary corpora generally attributed to the rabbis (and received as such in the Middle Ages) reveals underlying tensions between rabbis and other Jewish groups. Classical rabbinic literature consists, above all, of Talmud and Midrash. Rabbis composed liturgical poetry (piyyut) and recited Targum, but both literary categories originate in the synagogue, not the rabbinic academy. The exact origin and purpose of the Hekhalot literature, routinely attributed to certain rabbis (e.g., R. Ishmael) but seemingly incongruous with rabbinic warnings against mystical speculation (e.g., m. Hag. 2.1), remain hotly contested. Works that modern scholars reflexively designate 'Midrash', including Toledot Yeshu, Pirke de-Rabbi Eliezer, and Seder Eliyahu Rabbah, differ as much from each other as they do from their classical predecessors. What can these works, with one foot in the rabbinic camp and one foot outside, tell us about the gradual emergence of rabbinic Judaism as normative?

In June of 2015, we invited a group of scholars to Paris to discuss these questions. The current volume assembles the papers first presented at that meeting. The papers covered a broad range of dates and geographical regions, from fifth-century Rome to tenth-century Babylonia, resulting in the unusual chronological range of 400–1000 CE. We allowed such a wide range in order

to include specialists from a number of diverse fields whose work might not easily conform to the common periodizations of 'Late Antiquity' or the 'Early Middle Ages'. It was also critically important for us to have voices representing both the situation in Europe as well as in Palestine, Babylonia, and beyond. Despite this variety, the papers fell naturally into one of four categories. The first section of the volume examines the world of the synagogue, the meeting place of several Jewish groups beyond the rabbis. The second and third sections look at direct evidence for non-rabbinic Jewish groups, first in the Near East and then in Europe. The fourth section focuses on the rabbinic texts which appear to be directed at non-rabbinic Jews. A concluding essay draws all these threads together.

The most tangible challenge to the traditional paradigm of ancient Jewish history, in which the rabbinic movement is viewed as the dominant force in Jewish societies in Palestine and beyond, came from the discovery of Late Antique synagogues with structures and decorations that differ from or are even opposed to what one would expect from a 'rabbinic' synagogue. In the period covered by this volume—as in modern times—the synagogue manifests great diversity in Jewish society in matters of cult and in relation to the surrounding societies and their cultures. In fact, even before we compare the ancient synagogue with data from Talmudic literature, we are confronted with an impressive variety of synagogue art and architecture that seriously challenges any attempt at generalization. The synagogue is therefore a good vantage point to begin our inquiry about diversity and rabbinization in the Late Antique and Early Medieval Jewish world.

The variety of Late Antique synagogues is the subject of Lee I. Levine's article 'Diversity in the Ancient Synagogue of Roman-Byzantine Palestine: Historical Implications'. Levine criticizes the hypothesis of a linear development of synagogue types and shows that there was a great deal of diversity in synagogue art, architecture, and even liturgy throughout Late Antiquity. Furthermore, the number and size of synagogues suggest a thriving Jewish community even after the Christianization of the

Roman Empire, a time that has normally been viewed as one of steady decline for the Jews.

Michael Swartz, in ‘Society and the Self in Early Piyyut’, takes us on a textual journey in the company of some early liturgical authors from the Byzantine period whose work was probably recited in the synagogues of Palestine and other places before audiences that were not exclusively rabbinic. Through the analysis of selected piyyutim, Swartz shows that these liturgical poems help us better understand ideological frameworks and social structures of Late Antique Jewish Palestinian society. These piyyutim, whose authors are generally known (unlike most other Jewish literary products from the period), complicate our vision of Jewish society and the structures that held it together.

In ‘Some Remarks about Non-Rabbinic Judaism, Rabbinization, and Synagogal Judaism’, José Costa offers a survey of historiographical debates about Judaism in Late Antiquity and the Early Middle Ages. He claims that scholars should principally focus on what he calls “the ambiguous corpora” (Targumim, piyyutim, Hekhalot literature) and cannot neglect two concepts which remain to be clarified: ‘non-rabbinic Judaism’ and ‘rabbinization’. Costa particularly engages with and criticizes Ra’anan Boustan’s 2011 article ‘Rabbinization and the Making of Early Jewish Mysticism’.<sup>3</sup> Building on Simon Claude Mimouni’s hypothesis of ‘synagogal Judaism’,<sup>4</sup> he suggests that the rabbinization process involved mainly the rabbinization of synagogues and the religious activity therein. This conclusion can also be shared by those who do not adhere to the model of ‘synagogal Judaism’.

If Jewish diversity in the Roman Empire is broadly acknowledged, it has taken more time for scholars to acknowledge diversity among Babylonian Jews. One reason for this is a dearth of archeological evidence in context. For example, vestiges of Late Antique synagogues in the regions around Babylonia are

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3 Simon C. Mimouni, *Le judaïsme ancien*.

4 Ra’anan Boustan, ‘Rabbinization and the Making of Early Jewish Mysticism’, *Jewish Quarterly Review* 101 (2011): 482–501.

wanting. Geoffrey Herman assesses the problem in his article ‘In Search of Non-Rabbinic Judaism in Sasanian Babylonia’. Herman provides a survey of scholars who dealt with the question, from Jacob Neusner’s *Aphrahat and Judaism*<sup>5</sup> to the more recent works of Richard Kalmin,<sup>6</sup> Catherine Hezser,<sup>7</sup> Moulie Vidas,<sup>8</sup> and the Jewish Babylonian Aramaic magic bowls published by Shaul Shaked and others.<sup>9</sup>

In ‘Varieties of Non-Rabbinic Judaism in Geonic and Contemporaneous Sources’, Robert Brody shows that, based on his analysis of several *responsa* attributed to Natronai Gaon and the letter of Pirqoy ben Baboy, rabbinic authorities were aware of the existence of several non-rabbinic Jewish groups in the eighth century. However, over the course of little more than a century, rabbinic discourse shifted from knowledge of several such groups to the assumption that all non-rabbinic teachings derived from Anan ben David and his followers. Finally, Brody pinpoints several differences between the earlier non-rabbinic groups, on the one hand, and the Ananites and Karaites, on the other, who seem to have posed a greater threat to the rabbis.

Yoram Erder, writing on the ‘Karaites and Sadducees’, addresses the polemical identification of the two groups by Rabbanite Jews (such as Moses Maimonides). Not all Rabbanites equated the Karaites with the Sadducees, and the Karaites recognized the Sadducees as a group distinct from their own movement. In fact, the Karaites refer to two groups called Sadducees: the Second Temple sect and the ‘Zadokites’ of the Qumran movement. He

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- 5 Jacob Neusner, *Aphrahat and Judaism: The Christian-Jewish Argument in Fourth-Century Iran* (Leiden: Brill, 1971).
  - 6 Richard Kalmin, *Jewish Babylonia between Persia and Roman Palestine* (New York: Oxford University Press, 2006).
  - 7 Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: Mohr Siebeck, 1997).
  - 8 Moulie Vidas, *Tradition and the Formation of the Talmud* (Princeton: Princeton University Press, 2014).
  - 9 Shaul Shaked, James Nathan Ford, and Siam Bhayro, *Aramaic Bowl Spells: Jewish Babylonian Aramaic Bowls, Volume One* (Leiden: Brill, 2013).



suggests that the Damascus Document, found at both Qumran and in the Cairo Genizah, was known to the Karaites. While the Karaites have much in common with these ‘Zadokites’, there are also important differences between them, such as the Karaite belief in the resurrection.

Christian Robin’s ‘The Judaism of the Ancient Kingdom of Ḥimyar in Arabia: A Discreet Conversion’ surveys the prominent Yemenite kingdom, which plays an important role in both Christian and Muslim historiography but is utterly neglected in Jewish sources. This is surprising, since Judaism was the official religion of the kingdom from the fourth to the sixth centuries (c. 380–530 CE). Robin carefully analyses the primary evidence, i.e., epigraphy, to assess our knowledge of Ḥimyarite Judaism. He arrives at the conclusion that it was grounded in priestly, rather than rabbinic, currents. The Ḥimyarite inscriptions mention neither the rabbis nor belief in the resurrection, yet there is an important inscription mentioning the twenty-four priestly courses in the Temple. The scant evidence, however, obscures the exact nature of Ḥimyarite Judaism. Robin characterizes this as calculated religious minimalism in a pluralistic society.

While Near Eastern sources clearly attest to the existence of many different Jewish groups, the situation in Europe before the end of the first millennium is ambiguous. Capucine Nemo-Pekelman, in ‘The *Didascalus* Annas: A Jewish Political and Intellectual Figure from the West’, explores the identity of a little-known fifth-century figure who managed to secure two legal victories for the Jewish community of Ravenna, both involving controversies over conversion. Annas’s title, *didascalus*, was one of several Latin and Greek titles used for Jewish legal experts, but it was also used by Christians. It was therefore not a synonym for *rabbi*. Nemo-Pekelman associates Annas with the same Jewish milieu that produced the *Collatio Legum Mosaicarum et Romanarum*. She also suggests, with some hesitation, that this Annas is also the author of the *Epistola Anne ad Senecam*.

Giancarlo Lacerenza, in ‘Rabbis in Southern Italian Jewish Inscriptions from Late Antiquity to the Early Middle Ages’,

examines the evolution of the title *rabbi* based on epigraphic evidence. Even though rabbinic literature mentions the presence of rabbis in Rome, the word *rabbi* rarely appears in the early inscriptions. Lacerenza studies three Greek and Latin funerary inscriptions from the fourth to sixth centuries that mention some variation of the title. The scarcity of evidence for this period contrasts with the situation after the ninth century, where rabbinic allusions abound in predominantly Hebrew inscriptions. Lacerenza postulates that a progressive rabbinization of southern Italy occurred during the two centuries where the evidence is silent.

Michael Toch's contribution, 'Jewish Demographics and Economics at the Onset of the European Middle Ages', deals with the knotty question of the origin of European Jewry. Toch contests the controversial claim that both Ashkenazi and Sephardi communities were descendants of converts (notably the Khazars). He emphasizes the continuity of Jewish presence within the Eastern Roman (Byzantine) Empire, which eventually resulted in immigration northward into the European continent. Toch concludes that these later European Jewish communities, who emerged with a fully-formed culture in a short period of time, had been rabbinic from the outset.

The final section turns from diversity within Judaism to the process of rabbinization as reflected in unusual rabbinic texts. Ron Naiweld opens with some programmatic remarks in 'The Rabbinization Tractates and the Propagation of Rabbinic Ideology in the Late Talmudic Period'. He identifies two interrelated aspects of rabbinization: first, the rabbinization of the past, including the biblical past, and, second, the acceptance of rabbinic institutions as normative. The four studies in this section focus on texts that teach Jews how to think like rabbis. Naiweld begins with two examples, the extracanonical Talmudic tractate Kallah and the Sar ha-Torah section of Hekhalot Rabbati. Naiweld sees both texts as ideological tools intended to promote rabbinic thinking outside the academy.

Next, Daniel Stökl Ben Ezra wonders 'Who is the Target of Toledot Yeshu?' The ideological opponents of this polymorphic

work are not merely Christians but (in the words of John Gager) “the dangerous ones in between”, Christianizing Jews and Judaizing Christians.<sup>10</sup> The rabbinic authors of *Toledot Yeshu*, which Stökl Ben Ezra dates to the fifth century, were particularly concerned about Christianizing Jews. Drawing from selected cases in the legal composition *Sefer ha-Ma‘asim*, he argues that unforced conversion to Christianity was a social reality in Late Antiquity.

Another unusual text, *Pirke de-Rabbi Eliezer*, is a clear example of the rabbinization of the biblical past. Many of the stories in this rewriting of biblical history have roots outside of rabbinic and even Jewish literature. Gavin McDowell, in ‘Rabbinization of Non-Rabbinic Material in *Pirke de-Rabbi Eliezer*’, shows how Christian, ‘Gnostic’, and Muslim legends about biblical characters have been altered to make them compatible with existing rabbinic traditions from the Talmud and classical Midrash. Through this process, biblical history, the common cultural patrimony of all these groups, becomes specifically rabbinic history.

Finally, Günter Stemberger explains how Seder Eliyahu Rabbah presented ‘Rabbinic Tradition for a Non-Rabbinic Society’. Although Seder Eliyahu cites the Mishnah and other classical rabbinic texts, it does not demand a level of learning greater than knowledge of the Hebrew Bible. A couple of the interlocutors with the narrator are not even Jewish. According to Stemberger, the text advocates a ‘minimal Judaism’ bordering on universalism, where respect for the Law is equal to or greater than academic achievement.

Ra‘anan Boustán, in ‘Rabbinization and the Persistence of Diversity in Jewish Culture in Late Antiquity’, offers some closing thoughts on the overall theme of the volume. He begins with a brief history of the concept of ‘rabbinization’, a twentieth-century neologism that only recently came to designate the process by which rabbinic institutions became normative. He

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10 John Gager, ‘Jews, Christians and the Dangerous Ones in Between’, in *Interpretation in Religion*, ed. by Shlomo Biderman and Ben Ami Scharfstein (Leiden: Brill, 1992), 249–57.

also catalogues the written and archaeological sources that are used in order to study this process, most of which are covered in the present volume. In addition to rabbinic literature itself, he mentions synagogues, piyyutim, inscriptions, the writings of the Church Fathers, legal corpora, Geonic writings, and Jewish magic. At the same time, Boustán sounds a note of caution that the varieties of non-rabbinic Judaism should not be lumped together as a homogenous entity in opposition to the emerging power of the rabbinic Sages.

At the very end of his essay, Boustán declares that a proper history of rabbinization remains to be written. In fact, the history of rabbinization is nothing less than the history of Judaism itself. The rabbinic movement cannot be discretely separated from other types of Judaism and from different types of texts apart from the classical rabbinic canon of Talmud and Midrash. A comprehensive history would have to integrate the threads that are often stratified in contemporary research. As it stands, the present volume serves as a modest contribution to a field of enquiry that has only begun to emerge.

## Acknowledgments

The conference on which this volume is based was made possible thanks to the following organizations: École Pratique des Hautes Études, Orient et Méditerranée (Équipe mondes sémitiques) (UMR 8167), Labex Resmed, Labex Hastec, AOrOc (UMR 8546) SAPRAT (EA 4116), and the Centre de Recherches Historiques (UMR 8558). The editors would like to thank these organizations for their considerable support. We would also like to thank Diane Carron from the Centre de Recherches Historiques and Aaron Hornkohl for their help editing the manuscript and Geoffrey Khan for having accepted the volume into the series.

Gavin McDowell, Ron Naiweld,  
and Daniel Stökl Ben Ezra



## PART 1. THE SYNAGOGUE



# 1. DIVERSITY IN THE ANCIENT SYNAGOGUE OF ROMAN-BYZANTINE PALESTINE: HISTORICAL IMPLICATIONS

*Lee I. Levine (The Hebrew University of Jerusalem)*

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Synagogue remains from Roman-Byzantine Palestine far exceed those from the early Roman period. Of the more than one hundred sites with such remains, almost 90 percent date to Late Antiquity and display a remarkable diversity relating to almost every facet of the institution. Some structures were monumental and imposing (e.g., Capernaum), while others were modest and unassuming (e.g., Khirbet Shema'); some had a basilical plan with the focus on the short wall at one end of the hall (e.g., Meiron), while others, having a broadhouse plan, were more compact, with the focus on the long wall (e.g., Susiya); some faced Jerusalem, as evidenced by their façades and main entrances (the Galilean type), and others were oriented in this direction via their apses, niches, or podiums, with their main entrances located at the opposite end of the hall (e.g., Bet Alpha); some were very ornate (e.g., Hammat Tiberias), while others were far more modestly decorated (e.g., Jericho). No matter how close to one another geographically or chronologically, no two synagogues were identical in their plan, size, or decoration.

## 1.0. The Once-Regnant Architectural Theory

This recognition of widespread diversity among synagogues is at odds with the once widely accepted theory regarding the



development of the Palestinian synagogue in Late Antiquity. For generations, archaeologists had accepted as axiomatic a twofold, and later threefold, typological classification of synagogue buildings based upon chronological and architectural considerations: the Galilean-type synagogue (e.g., Chorazim and Capernaum) was generally dated to the late second or early third centuries; the transitional, broadhouse, type (e.g., Eshtemoa and Khirbet Shema') to the late third and fourth centuries; and the later, basilical, type (e.g., Bet Alpha) to the fifth and sixth centuries (Fig. 1).

However, a plethora of archaeological discoveries since the last third of the twentieth century has seriously undermined this neat division that coupled typology with chronology. First and foremost, the findings of the Franciscan excavations at Capernaum redated what had been considered the classic 'early' synagogue from the second-third centuries to the late fourth or fifth century. Soon thereafter, excavation results from the synagogues at Khirbet Shema' and nearby Meiron dated both of these structures to the latter half of the third century, even though each typifies a very different architectural style according to the regnant theory (Fig. 2).

Nahman Avigad's decipherment of the previously enigmatic Nevoraya (or Nabratein) synagogue inscriptions indicates clearly that the building was constructed in the sixth century (564 CE), while the evidence from the Meiron synagogue attests to a late third- or early fourth-century date. Throughout the 1970s and 1980s, other 'Galilean'-type synagogues (Horvat Ammudim, Gush Halav, and Chorazim) were similarly dated to the late third or early fourth century. Finally, excavations conducted in the Golan date all the local synagogues (now numbering around thirty, Gamla excepted) to the fifth and sixth centuries.<sup>1</sup>

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1 Zvi U. Ma'oz, 'Golan', in *The New Encyclopedia of Archaeological Excavations in the Holy Land*, ed. by Ephraim Stern, 4 vols. (Jerusalem: Israel Exploration Society; Carta, 1993), II, 539–45; Zvi U. Ma'oz, 'The Art and Architecture of the Synagogues of the Golan', in *Ancient Synagogues Revealed*, ed. by Lee I. Levine (Jerusalem: Israel Exploration Society,

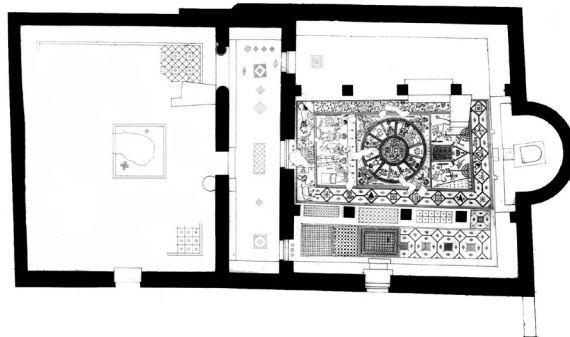
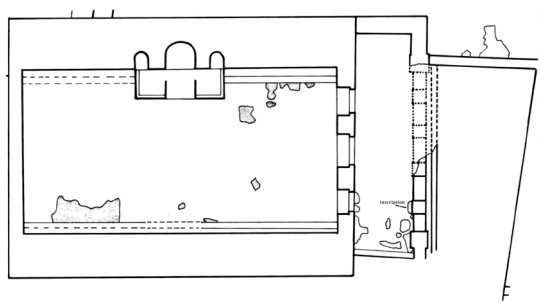
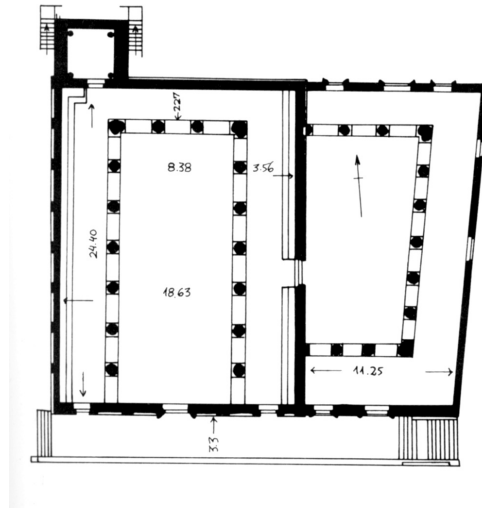


Fig. 1: Three-stage chronological development of Palestinian synagogues: Top: Capernaum. Lee I. Levine, ed., *Ancient Synagogues Revealed*, 13. Courtesy of the Israel Exploration Society. © All rights reserved. Middle: Eshtemoa. Lee I. Levine, ed., *Ancient Synagogues Revealed*, 120. Courtesy of the Israel Exploration Society. © All rights reserved. Bottom: Bet Alpha. Eleazar Lipa Sukenik, *The Ancient Synagogue of Beth Alpha* (Jerusalem: Hebrew University, 1931). Courtesy of the Institute of Archaeology, The Hebrew University of Jerusalem. © All rights reserved.

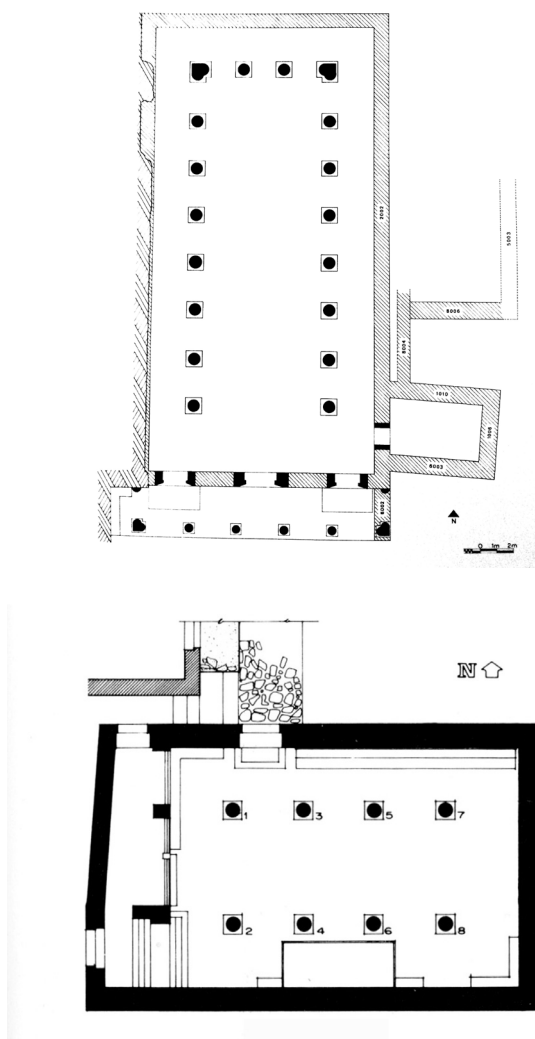


Fig. 2: Plans of two neighbouring third-century synagogues: Meiron (top); Khirbet Shema' (bottom). Courtesy of Eric Meyers. © All rights reserved.

1981), 98–115; Roni Amir, 'Style as a Chronological Indicator: On the Relative Dating of the Golan Synagogues', in *Jews in Byzantium*, ed. by Robert Bonfil (Leiden: Brill, 2012), 339–71; Dafna Meir and Eran Meir, *Ancient Synagogues of the Golan* (Jerusalem: Yad Izhak Ben-Zvi, 2015), 27–29 (Hebrew).

Thus, the earlier linear approach linking each type of building to a specific historical period can clearly be put to rest. Diversity in synagogue architecture indeed reigned throughout this era, as it did in other aspects of synagogue life. The social implications of this phenomenon will be addressed below.<sup>2</sup>

## 2.0. Orientation

Synagogues constructed throughout Late Antiquity were oriented almost universally toward Jerusalem. The relatively few entrances oriented eastward seem to preserve an early tradition (t. Meg. 3.22, ed. Lieberman, 360) derived from the memory of the Jerusalem Temple's entrance gates. Presumably based on several scriptural references (1 Kgs 8.29–30; Isa. 56.7; Dan. 6.11), such an orientation was widely followed in Jewish communities: while Galilean synagogues in Roman-Byzantine Palestine faced south, those in the southern part of the country faced north, and those in the southern Judaeen foothills (the *Shephelah*) faced northeast. There are also some interesting and enigmatic deviations from this norm; for example, all the Late Roman-Byzantine synagogues in the Golan faced either south or west, but none (except Gamla) was oriented to the southwest, i.e., directly toward Jerusalem.

A number of synagogues, such as the Horvat Sumaqa building on the Carmel range, which was built along a largely east-west axis, may have exhibited a somewhat 'deviant' orientation, although one might claim that it may have been intended to face southeast, toward Jerusalem. The Lower Galilean synagogue of Japhia also lies on an east-west axis, and its excavators assume that it was probably oriented to the east. Moreover, the Sepphoris and Bet Shean synagogues, the latter located just north of the Byzantine city wall (Fig. 3), had a northwesterly

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2 Lee I. Levine, *The Ancient Synagogue: The First Thousand Years*, 2nd ed. (New Haven, CT: Yale University Press, 2005), 319–24; idem, *Visual Judaism in Late Antiquity: Historical Contexts of Jewish Art* (New Haven, CT: Yale University Press, 2012), 394–402.

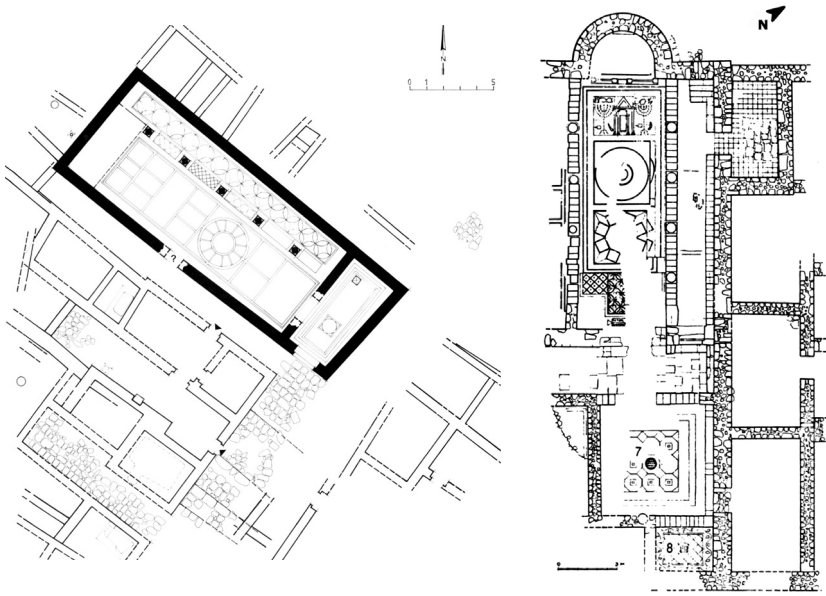


Fig. 3: Two synagogues facing northwest, away from Jerusalem: Left: Bet Shean A. Nehemiah Zori, 'The Ancient Synagogue at Beth-Shean', *Eretz-Israel* 8 (1967): 149–67 (155). Courtesy of the Israel Exploration Society. © All rights reserved. Right: Sepphoris. Courtesy of Zeev Weiss. Drawing by Rachel Laureys. © All rights reserved.

orientation, decidedly away from Jerusalem. Even if one were to assume that the Bet Shean building was Samaritan (as has been suggested by some), we would encounter the same problem, for Samaritans built their synagogues oriented toward Mount Gerizim, which would have dictated a southern orientation. At present, we have no way of determining why these particular synagogues faced northwest. Such an explanation, in fact, may not have been based on halakhic or ideological considerations, but rather on much more mundane ones, such as ignorance (however unlikely), indifference, convenience (topographical or otherwise), or the need to conform to an as-yet-unidentified local factor. Nevertheless, despite these instances of diversity, the overwhelming majority of synagogues discovered in Roman-Byzantine Palestine display the accepted practice of orientation toward Jerusalem.

Such an orientation is clearly an expression of Jewish particularism. The façades of sacred buildings in antiquity, be they pagan temples or Christian churches, regularly faced east, toward the rising sun, as did the Desert Tabernacle and the two Jerusalem Temples. In the Second Temple period, however, such obvious parallels with pagan worship became problematic, and a ceremony was reportedly introduced on the festival of Sukkot to underscore the difference between pagan and Jewish orientation; as a result, it is claimed that Jews demonstratively abandoned this practice and faced west inside the Temple precincts (m. Suk. 5.4).

Diversity is clearly evident in many other architectural components of the Roman-Byzantine synagogue, including atriums, water installations, entrances, columns, benches, partitions, balconies, *bimot*, tables, platforms, special seats, as well as the Torah shrine, eternal light, and menorah.

### 3.0. Art

#### 3.1. The Local Factor

Diversity is likewise a distinct feature of ancient synagogue art. For instance, despite geographical and chronological propinquity, Capernaum is worlds apart from Hammat Tiberias, as Rehov is from Bet Alpha and as Jericho is from Na'aran.

The cluster of five synagogue buildings that functioned simultaneously in sixth-century Bet Shean and its environs is a striking case in point, as they differ from each other in the languages used, building plans, and architecture. These include Bet Shean A, just north of the city wall, Bet Shean B near the southwestern city gate, Bet Alpha to the west, Ma'oz Hayyim to the east, and Rehov to the south. The artistic representations in these synagogues are about as disparate as one could imagine, ranging from the strictly conservative to the markedly liberal. At the former end of the spectrum stands the Rehov building, with its geometric mosaics. However, the mosaic floor in the prayer room of the Bet Shean B synagogue features inhabited scrolls and

figural representations of animals alongside an elaborate floral motif. The mosaic floor in a large adjacent room containing panels with scenes from Homer's *Odyssey* is most unusual, depicting the partially clad god of the Nile together with Nilotic motifs (a series of animals and fish) and a symbolic representation of Alexandria with its customary Nilometer.

No-less-extensive artistic representations were found in the Bet Alpha synagogue, which incorporates Jewish and pagan motifs that are expressed through Jewish symbols, the zodiac signs, and the *Aqedah* scene. Although the same artisans, Marianos and his son Hanina, laid the mosaic floors in both the Bet Alpha and Bet Shean A synagogues, the style and content at each site are strikingly different. This is a clear example of two neighbouring communities choosing contrasting floor designs (possibly from pattern books or oral reports then in circulation) (Fig. 4).

Clearly, then, the floors of these Bet Shean synagogues, ranging from strictly aniconic patterns to elaborate representations of Jewish and non-Jewish figural motifs, allow us to safely posit that the local context of the synagogue in Late Antiquity is the key to understanding this diversity in Jewish art. However, while this factor is the most crucial component, several additional considerations had an impact on the choices made by the local communities.

### 3.2. The Regional Factor

#### 3.2.1. The Galilee

While diversity is well attested in all regions of Palestine, Galilean regionalism is particularly evident when distinguishing between characteristics of the Upper and Lower Galilee. The Upper Galilee is more mountainous, has more rainfall and poorer roads, and is therefore dotted with villages and small towns, but no cities. As a result, the synagogues in this region, with but a few exceptions, adopted a culturally more conservative and insular bent expressed by a more limited use of Greek, fewer figural representations, and only a smattering of Jewish symbols. The Upper Galilee produced many of the so-called Galilean-type synagogues,





Fig. 4: Mosaic floors from three sixth-century synagogues in the Bet Shean area. Top: halakhic inscription from Rehov. Lee I. Levine, *Ancient Synagogues Revealed*, 147. Courtesy of the Israel Exploration Society. © All rights reserved. Bottom left: Nilotic themes from Bet Shean B. Nehemiah Zori, 'The House of Kyrios Leontis at Beth Shean', *Israel Exploration Journal* 16 (1966): 123–34. Courtesy of the Israel Exploration Society. © All rights reserved. Bottom right: zodiac from Bet Alpha. Nahman Avigad, 'Beth Alpha', in *The New Encyclopedia of Archaeological Excavations in the Holy Land*, ed. by Ephraim Stern, 4 vols. (Jerusalem: Israel Exploration Society; Carta, 1993), I, 190–92. Courtesy of the Israel Exploration Society. © All rights reserved.



which are characterized by monumental entranceways oriented toward Jerusalem, large hewn stones, flagstone floors, stone benches along two or three sides of the main hall, several rows of large columns, and stone carvings appearing primarily on the buildings' exterior (door and window areas, capitals, lintels, doorposts, friezes, pilasters, gables, and arches) and to a lesser extent on their interior (Fig. 5). However, for all the similarities between these synagogues, they also displayed many differences. Gideon Foerster has summed up his study of the Galilean-type buildings as follows: "Studying the art and architecture of the Galilean synagogues leads one to conclude that these synagogues are a local, original, and eclectic Jewish creation."<sup>3</sup>

In contrast, the Jewish communities in the Lower Galilee present a very different cultural panorama. Flanked by the two urban centres, Sepphoris on the west and Tiberias on the east, the region's more navigable terrain contained better roads and, consequently, allowed for closer ties with the neighbouring non-Jewish cities and regions. Thus, the prominence of Greek across the Lower Galilee—from the synagogues in Tiberias (where ten of the eleven dedicatory inscriptions are in Greek) and Sepphoris (where thirteen of twenty-four inscriptions are in Greek), and further west to the Bet She'arim necropolis (where over 80 percent of approximately three-hundred inscriptions are in Greek)—reflects a cosmopolitan dimension very different from the more provincial Upper Galilee (Fig. 6). Rare is the site that does not have some sort of artistic representation, be it the zodiac, a cluster of Jewish symbols (Tiberias and Sepphoris), biblical scenes (Sepphoris, Khirbet Wadi Hamam, and Huqoq), or what might be animal representations of the tribes of Israel (Japhia). Thus, the varied topographical, geographical, and climatic elements in the Upper and Lower Galilee created dramatically different demographic, cultural, and artistic milieux.

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3 Gideon Foerster, 'The Art and Architecture of the Synagogue in Its Late Roman Setting', in *The Synagogue in Late Antiquity*, ed. by Lee I. Levine (Philadelphia: American Schools of Oriental Research, 1987), 139–46 (144).

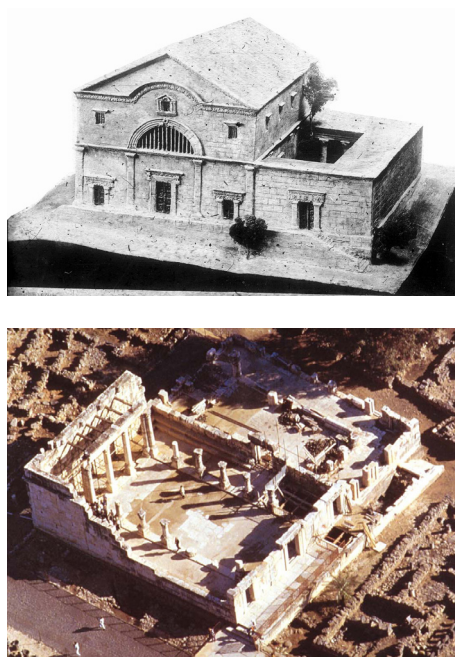


Fig. 5: The Capernaum synagogue. Top: Façade reconstruction. Heinrich Kohl and Carl Watzinger, *Antike Synagogen in Galilaea* (Leipzig: Heinrichs, 1916). Public Domain. Bottom: aerial view. Courtesy of the Institute of Archaeology, The Hebrew University of Jerusalem. © All rights reserved.



Fig. 6: Eight Greek dedicatory inscriptions on the mosaic floor of the Hammat Tiberias synagogue. Moshe Dothan, *Hammath Tiberias* (Jerusalem: Israel Exploration Society, 1983), plates 10/11. Courtesy of the Israel Exploration Society. © All rights reserved.



Fig. 7: Menorah carved on a decorated capital from the 'En Neshut synagogue. Zvi U. Ma'oz, "En Neshut", in *The New Encyclopedia of Archaeological Excavations in the Holy Land*, ed. by Ephraim Stern, 4 vols. (Jerusalem: Israel Exploration Society; Carta, 1993), II, 412–14. Courtesy of the Israel Exploration Society. © All rights reserved.

### 3.2.2. The Golan

About thirty known Golan-type synagogues from Late Antiquity are in many respects similar to the Galilean-type buildings, as both utilized much the same architectural features and building techniques. Nevertheless, the differences between them are not inconsequential.<sup>4</sup> The Golan-type buildings were constructed of local basalt (unlike the limestone used in a number of Galilean-type synagogues), and all—with the exception of e-Dikke—had a single entrance oriented in different directions. In contrast to the Galilean-type building, in which its usual three entrances almost invariably faced south, the interior of the Golan-type synagogues was oriented either to the south or west, as noted above. Column pedestals and heart-shaped corner columns, ubiquitous in the Galilee, are absent from the Golan. The artistic differences

4 Ma'oz, 'Art and Architecture of the Synagogues of the Golan', 98–115; Meir and Meir, *Ancient Synagogues*; Amir, 'Style as a Chronological Indicator', 339–71.

between the synagogues of the Upper Galilee (Capernaum and Chorazim aside) and the Golan are also quite blatant, the latter displaying a wider range of figural art, including animal, human, and mythological representations. Moreover, the widespread use of religious symbols in the Golan, first and foremost the menorah (often accompanied by the shofar, *lulav*, *ethrog*, and incense shovel), stands in striking contrast to their limited appearance in the Upper Galilee (Fig. 7).

### 3.2.3. The Southern Judaeen Foothills

Four synagogues discovered in the twentieth century—Eshtemoa, Susiya, Ma'on, and Anim—can be characterized as a distinct architectural group on the basis of their entrances facing east, the absence of columns, and the presence of a *bima*, niche, or combination thereof. Despite this unusual commonality, these buildings also exhibit a large degree of diversity—two are broadhouse-type buildings (Eshtemoa and Susiya) and two are basilica-type structures (Anim and Ma'on). Interestingly, while this eastward orientation was scrupulously followed in the southern Judaeen foothills, it was generally ignored elsewhere in Palestine.<sup>5</sup>

The relative prominence of priests in the southern Judaeen synagogues is likewise noteworthy. Priests are mentioned in dedicatory inscriptions at both Eshtemoa and Susiya; while these numbers are not large, they become more significant in light of the fact that priests are noted in inscriptions from only two other synagogues elsewhere in Palestine. The prominence of the menorah in these synagogues is also notable. Three of the four southern Judaeen synagogue buildings (Eshtemoa, Susiya, and Ma'on) had three-dimensional *menorot*, each made of marble imported from Asia Minor, while those in Eshtemoa and Ma'on reached the height of a human being and may have been used, *inter alia*, for illuminating the sanctuary (Fig. 8). Three-dimensional *menorot*

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5 Steven H. Werlin, *Ancient Synagogues of Southern Palestine, 300–800 C.E.: Living on the Edge* (Leiden: Brill, 2015), 135–221.

were found at only four other sites throughout Palestine—Horvat Rimmon, En Gedi, Hammat Tiberias, and possibly a fragment of one at Merot.<sup>6</sup>

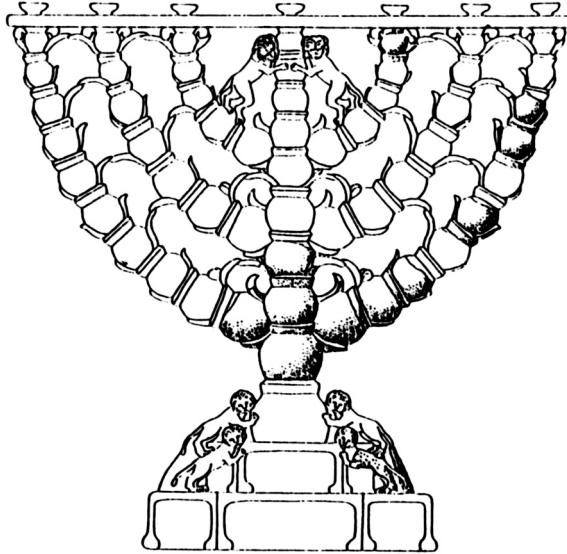


Fig. 8: Reconstruction of a marble menorah from the Ma'on synagogue. N. Slouschz, 'Concerning the Excavations and/or the Synagogue at Hamat-Tiberias', *Journal of the Jewish Palestine Exploration Society* 1 (1921): 5–36 (32). Courtesy of the Israel Exploration Society. © All rights reserved.

The above features distinguishing the communities of southern Judaea may indicate that the Jews there, being quite distant from the centres of contemporary Jewish settlement in the north, clung to local traditions, revealing a priestly orientation associated with the memory of the Jerusalem Temple.

The synagogues south of the Upper Galilee and Golan tended to be quite ornate, owing primarily to the ubiquitous use of mosaic floors throughout the Galilee and Bet Shean areas, the Jordan Valley, the coastal region, and even parts of Judaea. The earliest traces of mosaic floors in a synagogue, from relatively simple geometric patterns to more sophisticated motifs and figural scenes, date to late antiquity, but figural representations

6 Ibid., 291–319.



became widespread only from the fourth century on. The archaeological finds reflect this development and neatly dovetail with one rabbinic tradition: “In the days of Rabbi Abun [fourth century], they began depicting [figural images] on mosaic floors, and he did not object” (y. Avod. Zar. 3.3, 42d, together with the Genizah fragment of this tradition published by Jacob N. Epstein, ‘Yerushalmi Fragments’, *Tarbiz* 3 [1932]: 15–26, [p. 20] [Hebrew]).



Fig. 9: Part of the mosaic floor in the Jericho synagogue. Photo by Gilead Peli.  
© All rights reserved.

Beginning with the late fourth-century synagogue at Hammat Tiberias, most mosaic floors were divided into a unique three-panel arrangement, although some synagogues featured an overall carpet with no internal division. The mosaic floor at Jericho, for example, depicts geometric and floral designs as well as a stylized Torah chest in the centre (Fig. 9), while the En Gedi mosaic displays four birds in its centre surrounded by a carpet of geometric designs. The floors of three synagogues—Gaza, nearby Ma‘on (Judea), and Bet Shean B—are decorated with carpets featuring inhabited scroll patterns and vine tendrils issuing from



Fig. 10: The *Aqedah* (Binding of Isaac) scene in the Bet Alpha synagogue. Eleazar Lipa Sukenik, *The Ancient Synagogue of Beth Alpha* (Jerusalem: Hebrew University, 1931). Courtesy of the Institute of Archaeology, The Hebrew University of Jerusalem. © All rights reserved.



Fig. 11: Figure of David from the Gaza synagogue. Courtesy of the Institute of Archaeology, The Hebrew University of Jerusalem. © All rights reserved.

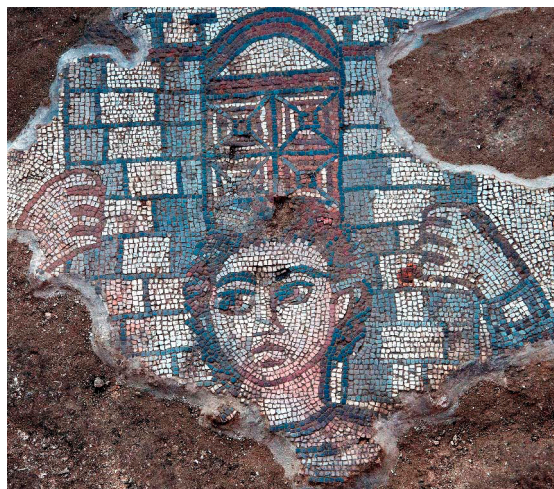


Fig. 12: Figure of Samson from the Huqoq synagogue. Courtesy of Jodi Magness.  
Photograph by Jim Haberman. © All rights reserved.

an amphora creating a series of medallions. The latter contained, *inter alia*, baskets of bread and fruit, cornucopiae, grape clusters, flowers, animals, and birds, as well as a row in the centre of the mosaic depicting a variety of bowls, vases, baskets with fruit, and cages with birds.<sup>7</sup>

The depiction of biblical scenes on the mosaic floors of Palestinian synagogues is quite striking. Although these are less common than the clusters of Jewish symbols, they appear, nonetheless, in disparate regions of the country and include the *Aqedah* (Bet Alpha, Sepphoris; Fig. 10), David (Gaza and probably Merot; Fig. 11), Daniel (Susiya, Na‘aran, and perhaps En Semsem in the Golan), the crossing of the Red Sea (Khirbet Wadi Hamam, Huqoq), Aaron and the Tabernacle-Temple appurtenances and offerings (Sepphoris), Samson (Khirbet Wadi Hamam, Huqoq; Fig. 12), and possibly symbols of the tribes (Japhia).<sup>8</sup>

7 Rachel Hachlili, *Ancient Mosaic Pavements: Themes, Issues, and Trends—Selected Studies* (Leiden: Brill, 2009), 111–47.

8 Levine, *Visual Judaism*, 348–54; and below.



## 4.0. Languages

The use of Hebrew, Greek, and Aramaic in a variety of combinations is revealing with regard to the cultural orientation of a given community. Inscriptions were written in the languages spoken by the Jews in a given area; Greek and Aramaic generally predominated in Palestine, while Hebrew was a less significant component that seems to have occupied a central role at several sites in the Upper Galilee and southern Judaea. Broadly speaking, Hebrew and Aramaic were used in areas having a dense Jewish population, particularly in the rural areas of Palestine, while Greek was more dominant on the coast and in the big cities. Synagogue inscriptions are invariably short, usually no more than ten to twenty words. While some five-hundred inscriptions indeed relate to the ancient synagogue and its officials, some 60 percent of them come from the Diaspora.

Inscriptions served several purposes. At times they were used as legends (*tituli*) for identifying specific artistic depictions, such as those in Hebrew that invariably accompany the representations of the zodiac signs and seasons (e.g., Hammat Tiberias, Bet Alpha, Sepphoris, and Na'aran) or biblical figures and scenes. Moreover, the Jericho synagogue inscription contains a biblical phrase (שְׁלֹמֹה עַל יִשְׂרָאֵל—Ps. 125.5) and the Merot synagogue inscription quotes a complete verse (Deut. 28.6). Inscriptions may also have been instrumental in fostering memories of the past and hopes for the future. This is particularly true of the lists of the twenty-four priestly courses that have been found in both Palestine and the Diaspora. Their presence seems to have been intended to maintain and bolster national-religious memories and aspirations.<sup>9</sup>

One inscription from En Gedi lists in its opening paragraph the Fathers of the World according to 1 Chron. 1, the names of the zodiac signs, the months of the year, the three biblical patriarchs, the three friends of Daniel, and three donors to the synagogue. The main section of the inscription instructs the members of the community on how to relate to each other as well

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9 Levine, *Ancient Synagogue*, 239, 520–21.



Fig. 13: Inscription on a mosaic floor in the En Gedi synagogue. Lee I. Levine, *Ancient Synagogues Revealed*, 141. Courtesy of the Israel Exploration Society.  
© All rights reserved.

as to the outside world, particularly with regard to the “secret of the community,” warning them of the dire consequences of not acting according to its guidelines (Fig. 13).<sup>10</sup>

10 Lee I. Levine, ‘The Inscription in the ‘En-Gedi Synagogue’, in *Ancient Synagogues Revealed*, ed. by Lee I. Levine (Jerusalem: Israel Exploration Society, 1981), 140–45; see also Jodi Magness, ‘The En-Gedi Synagogue Inscription Reconsidered’, in *Eretz-Israel* 31 (2015): 123\*–31\*. A line-by-line translation of the inscription reads as follows: (1) Adam, Seth, Enosh, Kenan, Mahalalel, Jared, (2) Enoch, Methuselah, Lamech, Noah, Shem, Ham, and Japheth (3) Aries, Taurus, Gemini, Cancer, Leo, Virgo, (4) Libra, Scorpio, Sagittarius, Capricorn, Aquarius, and Pisces. (5) Nisan, Iyar, Sivan, Tammuz, Av, Elul, (6) Tishrei, Marheshvan, Kislev, Tevet,

Most synagogue inscriptions are dedicatory in nature; a benefactor would commemorate his or her gift to the synagogue, thereby gaining prestige and fulfilling a religious vow to serve the common good.<sup>11</sup> Occasionally, the names of the artisans, such as Marianos, Hanina, and Yosi Halevi, are recorded in inscriptions; the first two, as noted above, laid the mosaic floors of the synagogues at Bet Alpha and Bet Shean, while the third “made the lintel” in the synagogues at Alma and Bar‘am in the Upper Galilee.<sup>12</sup>

Inscriptions mentioning the date of a building’s construction or renovation are historically invaluable, though unfortunately rare. The various dates invoked might include the reign of an emperor (Bet Alpha), a municipal era (Gaza, Ashkelon), the creation of the world (Susiya, Bet Alpha), sabbatical years (Susiya), or the

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Shevat, (7) and Adar. Abraham, Isaac, and Jacob. Peace. (8) Hananiah, Mishael, and Azariah. Peace unto Israel. (9) May they be remembered for good: Yose and Ezron and Hiziqiyu the sons of Hilfi. (10) He who causes dissension within the community, or (11) speaks slanderously about his friend to the gentiles, or steals (12) something from his friend, or reveals the secret of the community (13) to the gentiles—He, whose eyes observe the entire world (14) and who sees hidden things, will turn His face against that (15) fellow and his offspring and will uproot them from under the heavens. (16) And all the people said: “Amen, Amen, Selah.” (17) Rabbi Yose the son of Hilfi, Hiziqiyu the son of Hilfi, may they be remembered for good, (18) for they did a great deal in the name of the Merciful, Peace.

- 11 Tessa Rajak, ‘Jews as Benefactors’, in *Studies on the Jewish Diaspora in the Hellenistic and Roman Periods*, ed. by Benjamin Isaac and Aharon Oppenheimer (Te‘uda 12; Tel Aviv: Ramot Publishing, 1996), 17–38.
- 12 Joseph Naveh, *On Stone and Mosaic: The Aramaic and Hebrew Inscriptions from Ancient Synagogues* (Jerusalem: Israel Exploration Society; Carta, 1978), nos. 1, 3, and 4 (Hebrew); Leah Roth-Gerson, *The Greek Inscriptions from the Synagogues in Eretz-Israel* (Jerusalem: Yad Izhak Ben-Zvi, 1987), nos. 4 and 5 (Bet Alpha and Bet Shean) (Hebrew); Joseph Naveh, ‘Ancient Synagogue Inscriptions’, in *Ancient Synagogues Revealed*, ed. by Lee I. Levine (Jerusalem: Israel Exploration Society, 1981), 133–39 (137) (Alma and Bar‘am).

Jerusalem Temple's destruction (Nabratein). The unique halakhic inscription from Rehov, south of Bet Shean, features laws relating to the sabbatical year, listing the areas in Palestine to be included in its observance and the fruits and vegetables prohibited to Jews during that year.<sup>13</sup> Another inscription, from the synagogue in Jericho, acknowledges donations by its congregants in poetic language reminiscent of later Jewish prayers that offer a blessing to an entire congregation.<sup>14</sup>

## 5.0. The Liturgical Evidence

The liturgy adopted by a given synagogue was likewise a local decision. The implementation of the Palestinian triennial Torah-reading cycle, for example, varied from one locale to the next; sources from Late Antiquity indicate that these readings might have been divided into 141, 154, 155, 167, and possibly 175 portions over a three- to three-and-a-half-year cycle.<sup>15</sup> The Babylonian Torah-reading practice, concluded in just one year, is evidenced in Palestine as well. This diversity is noted in the *Differences in Customs*, a composition that compares religious practices in Palestine and Babylonia of Late Antiquity and perhaps the Geonic period.<sup>16</sup>

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13 Jacob Sussmann, 'The Inscription in the Synagogue at Rehob', in *Ancient Synagogues Revealed*, ed. by Lee I. Levine (Jerusalem: Israel Exploration Society, 1981), 146–53.

14 Naveh, 'Ancient Synagogue Inscriptions', 138–39; Gideon Foerster, 'Synagogue Inscriptions and Their Relation to Liturgical Versions', *Cathedra* 19 (1981): 12–40 (23–26) (Hebrew).

15 Levine, *Ancient Synagogue*, 536.

16 For example: "The people of the East celebrate Simhat Torah every year, and the people of Eretz-Israel every three-and-a-half years" (and sixteenth-century Rabbi Shlomo Luria, the Maharshal, adds: "And on the day [the holiday] is completed, the portion [of the Torah] read in one area [of Palestine] is not read in another"); see *Differences in Customs between the People of the East and the People of Eretz-Israel*, ed. by Mordechai Margalioth (Jerusalem: Mass, 1938), 88, no. 48, lines 125–26 and notes there, as well as 172–73 (Hebrew).

The readings from the Prophets (*haftarot*) that accompanied the Torah recitation also varied from place to place, some synagogues requiring twenty-one verses to be read (three for each of the seven portions read from the Torah; b. Meg. 23a). The Talmud Yerushalmi explains that in places where the Targum was also recited only three verses of the Prophets were to be read; otherwise, twenty-one verses were required (y. Meg. 4.3, 75a). Tractate Soferim (13.15, ed. Higger, 250–51) mentions at least four different practices in this regard: When are these rules [i.e., reading twenty-one verses] applicable? When there is no translation [*targum*] or homily. But if there is a translator or a preacher, then the *maftir* [one who reads the *haftarah*] reads three, five, or seven verses in the Prophets, and this is sufficient.” Moreover, given its lesser sanctity, the *haftarah* recitation was a much more flexible component than the Torah reading; verses on assorted subjects could be drawn from different sections of a book, or even from several different books, of the Bible (m. Meg. 4.4; b. Meg. 24a). Here, too, the local congregation (or its representatives) decided on their preferred liturgical practice.

The same probably held true for other components of the liturgy. Although the evidence for Late Antiquity is negligible, synagogue prayer was most likely in a fluid state; there is no way of determining the parameters of fixed prayer at this time since the earliest prayer book (*siddur*) dates from the ninth or tenth century. *Piyyut* (liturgical poetry) also seems to have made its first appearance in the synagogue of Late Antiquity, yet we have no idea how many congregations might have incorporated these poetic recitations into their service, how they were chosen, or how frequently they were recited. The sophisticated Hebrew often employed in *piyyut* may well have been a deterrent to congregations comprising primarily Aramaic or Greek speakers.

## 6.0. Communal Infrastructure

In attempting to understand the synagogue of Late Antiquity, it is of paramount importance to clarify who made the decisions regarding its operation. As noted, the literary, epigraphic, and

artistic evidence points to the local community as the ultimate arbitrator of the synagogue's physical and programmatic aspects; there is no evidence of any other institution, group, or office that might have been so authorized. Since diversity among synagogues was ubiquitous, it was the local community's prerogative to decide what kind of building would be erected and where, and how it would be decorated, maintained, and administered.<sup>17</sup>

The synagogue functioned as the local Jewish communal institution par excellence. It served a range of purposes that might include meeting place, educational, social, and charity-oriented activities, communal meals, a local court, and a place for lodging. The tendency of some (many?) second-century Jews to refer to the synagogue as a *bet 'am* ('house of [the] people')—to the chagrin of certain rabbis (b. Shabb. 32a)—clearly indicates the importance of this dimension of the institution. Indeed, the synagogue belonged to the community, and the Mishnah (m. Ned. 5.5) clearly associates the synagogue and some of its features with a communal context: "And what things belong to the (entire) town itself? For example, the plaza, the bath, the synagogue, the Torah chest, and [holy] books". Synagogue officials were thus beholden to their respective communities and not to any single outside authority.

Local loyalties often ran high, particularly in matters relating to the synagogue building or its functionaries, and such issues might have become a source of rivalry among neighbouring communities: "[Regarding] a small town in Israel, they [the townspeople] built for themselves a synagogue and academy and hired a sage and instructors for their children. When a nearby town saw [this], it [also] built a synagogue and academy, and likewise hired teachers for their children" (Seder Eliyahu Rabbah 11, ed. Friedmann, 54–55).

However, there were also some synagogues, such as the first-century Theodotos synagogue in Jerusalem, that operated under the patronage of a wealthy family. Indeed, a number of synagogues in Late Antiquity were led by a coterie of wealthy

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17 Levine, *Ancient Synagogue*, 381–411.

and acculturated members who shouldered the major financial burden of their synagogues, as was the case at Hammat Tiberias.<sup>18</sup>

The local community was responsible for the synagogue's maintenance, including salaries that were at times covered by wealthy laymen or officials, such as the archisynagogue, presbyter, or archon. Prayer leaders, Torah readers, liturgical poets, and preachers may have received remuneration for their services, but of this we cannot be certain. Other functionaries—the teacher (*sofer*), *hazzan*, *shamash*, and *meturgeman*—received compensation, however minimal.<sup>19</sup>

Thus, local communities exercised control over the hiring and firing of their synagogue functionaries, and in one instance the synagogue community of Tarbanat (in the Jezreel Valley) dismissed one Rabbi Simeon who was unwilling to comply with its request. The villagers appealed to him:

[The villagers said:] “Pause between your words [when either reading the Torah or rendering the Targum], so that we may relate this to our children.” He [Rabbi Simeon] went and asked [the advice of] Rabbi Hanina, who said to him: “Even if they [threaten to—*L. L.*] cut off your head, do not listen to them.” And he [Rabbi Simeon] did not take heed [of the congregants' request], and they dismissed him from his position as *sofer*. (y. Meg. 4.5, 75b)

A community's search for competent personnel was not uncommon. Around the turn of the third century, the residents of Simonias (in the Galilee) solicited the help of Rabbi Judah I in finding someone who could preach, judge, serve as a *hazzan* and teach children, and “fulfill all our needs” (y. Yevam. 12.6, 13a; Gen. Rab. 81.2, ed. Theodor and Albeck, 969–72). He recommended one Levi bar Sisi, who was interviewed for the position, but apparently made an unfavorable first impression. A similar request was made of Rabbi Simeon ben Laqish in the mid-third century when visiting Bostra in Transjordan (y. Shev. 6.1, 36d; Deut. Rab., *Vaethanan*, ed. Lieberman, 60).

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18 Ibid., 57–59; Levine, *Visual Judaism*, 244–51.

19 Levine, *Ancient Synagogue*, 435–46.



The construction or repair of a synagogue building was also a communal responsibility and a binding obligation: “Members of a town [can] force one another to build a synagogue for themselves and to purchase a Torah scroll and [books of the] Prophets” (t. B. Metzia 11.23, ed. Zuckerman, 125).

Several epigraphic sources from Byzantine Palestine highlight the centrality of the synagogue’s communal dimension. Note, for example, the following inscription from Jericho:

May they be remembered for good. May their memory be for good, the entire holy congregation, the old and the young, whom the King of the Universe has helped, for they have contributed to and made this mosaic. May He who knows their names, [as well as] their children and members of their households, write them in the Book of Life together with all the righteous. All the people of Israel are brethren. Peace. Amen.<sup>20</sup>

Synagogue inscriptions at times focus on matters of prime concern to the entire congregation. The monumental inscription at the entrance to the Rehov synagogue’s main hall reflects this community’s halakhic orientation,<sup>21</sup> while an Aramaic inscription located in the western aisle of the En Gedi synagogue addresses a number of important local concerns:

He who causes dissension within the community, or speaks slanderously about his friend to the gentiles, or steals something from his friend, or reveals the secret of the community to the gentiles—He, whose eyes observe the entire world and who sees hidden things, will turn His face against this fellow and his offspring and will uproot them from under the heavens. And all the people said: “Amen, Amen, Selah.”<sup>22</sup>

Communal responsibility might also extend to the synagogue’s liturgical components, as is vividly borne out by an account regarding a Caesarean synagogue whose members decided to

20 Ibid., 238, 386; see also above, n. 14.

21 Fanny Vitto, ‘Rehov’, in Ephraim Stern, *New Encyclopedia of Archaeological Excavations*, IV, 1272–74.

22 Levine, ‘Inscription in the ‘En-Gedi Synagogue’, 140–45; Levine, *Ancient Synagogue*, 386–87.



recite a central prayer of the Jewish liturgy, the *Shema*, in Greek and not in Hebrew. Clearly, the use of Greek met local needs, but what makes this account especially fascinating, and the reason it appears in a rabbinic source at all, is the fact that two sages reacted to this phenomenon in totally different ways—one condemning this practice, the other supporting it:

Rabbi Levi bar Hiya came to Caesarea. He heard voices reciting the *Shema* in Greek [and] wished to stop them. Rabbi Yosi heard [of this] and became angry [at Rabbi Levi's reaction]. He said, "Thus I would say: 'Whoever does not know how to read it [the *Shema*] in Hebrew should not recite it at all? Rather, he can fulfill the commandment in any language he knows'" (y. Sotah 7.1, 21b).

It is therefore clear that the opinions of these two sages (or any others, for that matter) were never solicited by the congregation beforehand and, once expressed, probably played no role whatsoever in the synagogue's policy. Besides the specific case of the *Shema*, there can be little question that synagogues such as this one—which would include virtually all Roman Diaspora congregations and not a few in Palestine—did, in fact, render their sermons, expound the Scriptures, and pray in Greek.<sup>23</sup>

## 7.0. Epilogue

Archaeological finds (architecture, art, and epigraphy) have alerted us to the resilience and remarkable self-confidence of Jewish communities in antiquity. The very existence of so many synagogues in Palestine and the Diaspora—often in prominent locations, of monumental size, and exhibiting cultural vibrancy—refutes the once normative claim that this was a period

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23 *Hellenism in the Land of Israel*, ed. by John J. Collins and Gregory E. Sterling (Notre Dame, IN: University of Notre Dame, 2001); Pieter W. van der Horst, *Jews and Christians in Their Graeco-Roman Context: Selected Essays on Early Judaism, Samaritanism, Hellenism, and Christianity* (Tübingen: Mohr Siebeck, 2006), 41–50; Lee I. Levine, *Judaism and Hellenism in Antiquity: Conflict or Confluence?* (Seattle: University of Washington Press, 1998), 160–67.



Fig. 14: Zodiac motif and figure of Helios on the mosaic floor of the fourth-century Hammat Tiberias synagogue. Moshe Dothan, *Hammat Tiberias* (Jerusalem: Israel Exploration Society, 1983), plates 10/11. Courtesy of the Israel Exploration Society. © All rights reserved.

characterized only (or primarily) by persecution, discrimination, and suffering. The apparent economic, social, and political stability of these communities well into the Byzantine era has revealed a far more complex reality than heretofore imagined and, along with it, a far greater range of identities fashioned by Jews throughout the empire (Fig. 14).

When viewed in this perspective, Late Antiquity thus emerges as an era in which Jews were actively engaged in a diverse and multifaceted range of cultural and religious realms, often in tandem with the surrounding culture. If the term ‘Late Antiquity’ points to processes of renewal, vitality, and creativity in

Byzantine-Christian society, as suggested by Peter Brown,<sup>24</sup> then it is indeed not difficult to identify similar phenomena within the contemporaneous Jewish sphere as well.<sup>25</sup>

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24 See Peter R.L. Brown, *The World of Late Antiquity, AD 150–750* (London: Thames & Hudson, 1971), and a retrospective on this work some twenty-six years later: Peter R.L. Brown et al., 'The World of Late Antiquity Revisited', *Symbolae Osloenses* 72 (1997): 5–90.

25 See Levine, *Visual Judaism*, 468–75; idem, 'Palaestina Secunda: The Setting for Jewish Resilience and Creativity in Late Antiquity', in *Strength to Strength: Essays in Honor of Shaye J. D. Cohen*, ed. by Michael L. Satlow (Providence, RI: Brown University, 2018), 511–35.

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## 2. SOCIETY AND THE SELF IN EARLY PIYYUT

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The question raised by this volume, that of diversity within Judaism of Late Antiquity and the process of rabbinization, is at the forefront of the scholarly agenda for those who study rabbinic literature, ancient history, and the history of religions. And yet this question is not always faced head-on, especially in a forum that allows us to look at it from so many angles. This volume is therefore an opportunity to examine the complex relationships between the rabbis and others without necessarily presuming one or another was ‘central’ or ‘marginal’. Because of the nature of the evidence, this means taking a new look at the relationships between the rabbinic canon and corpora that have been considered to be at the margins of rabbinic literature, or for which the relationship has been contested. These corpora include the literature of early Jewish mysticism, ancient Jewish magical texts and artifacts, and the poetry of the ancient synagogue known as piyyut. This essay is an exercise in exploring methods by which we can determine the social location of the liturgical poets, known as paytanim, from internal evidence in the poetry itself.

### 1.0. Who Weren’t the Rabbis?

This examination comes at a time when approaches to religious diversity in antiquity are undergoing key shifts. It is generally



agreed that the destruction of the Jewish Commonwealth in 70 marked, in Shaye J. D. Cohen's formulation, the "end of sectarianism."<sup>1</sup> There is no such agreement about how to understand the varieties of expression of Judaism in the later Roman, Byzantine, and Persian empires before the rise of Islam.

For much of the twentieth century, discussion of the social structure of Judaism in Late Antiquity tended to centre on whether or not the majority of Jews in Palestine and Babylonia held to something called rabbinic or 'normative' Judaism.<sup>2</sup> Opinions on this question could be characterized as maximalist or minimalist. Historians such as Gedaliah Alon and Ephraim Urbach argued that the rabbis were the leaders of the people as a whole following the destruction of the Temple.<sup>3</sup> In contrast, Erwin Goodenough held that the rabbis were a small, sheltered community and had little influence on the majority of Jews, who practiced a Hellenistic, 'mystic' form of Judaism.<sup>4</sup> Although Goodenough's picture of

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- 1 Shaye J. D. Cohen, 'The Significance of Yavneh: Pharisees, Rabbis, and the End of Jewish Sectarianism', *Hebrew Union College Annual* 55 (1984): 27–53.
  - 2 The following is meant to be only a brief summary of the complex history of the range of debates on this question. For more comprehensive surveys see Seth Schwartz, 'Historiography on the Jews in the "Talmudic Period" (70–640 CE)', in *The Oxford Handbook of Jewish Studies*, ed. by Martin Goodman, Jeremy Cohen, and David J. Sorkin (Oxford: Oxford University Press, 2004), 79–114; idem, 'The Political Geography of Rabbinic Texts', in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. by Charlotte E. Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press), 75–96; and Catherine Hezser, *The Social Structure of the Rabbinic Movement in Palestine* (Tübingen: Mohr Siebeck, 1997), 1–42.
  - 3 See, for example, Gedaliah Alon, *The Jews in Their Land in the Talmudic Age*, trans. by Gershon Levi (Cambridge: Harvard University Press, 1989); Ephraim Urbach, *The Sages: Their Concepts and Beliefs*, trans. by Israel Abrahams, 2 vols. (Jerusalem: Magnes, 1975); on this tendency in Israeli scholarship, see Schwartz, 'Historiography', 88–91.
  - 4 Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, 13 vols. (New York: Pantheon Books, 1953–68); see also the abridged edition

a popular mystic Judaism subsequently won little support, the minimalist position was taken up by historians, such as Morton Smith and especially Jacob Neusner, who would occasionally contrast the rabbis to the “inchoate masses”.<sup>5</sup> This debate has not subsided.<sup>6</sup>

Another pattern has emerged alongside these paradigms, one which can be characterized as denominational. According to this paradigm, Jewish society in these times and places constituted identifiable ideological sectors characterized by distinctive features manifest in literary evidence, such as rabbinic Judaism, a priestly Judaism, visionary mysticism, Enochic Judaism, synagogal Judaism, and so on; this paradigm might be characterized as denominational.<sup>7</sup> It can be presumed that this

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(Princeton: Princeton University Press, 2016), with a foreword by Jacob Neusner.

- 5 This approach can be seen in much of Neusner's vast *oeuvre*, especially from his *A History of the Jews in Babylonia*, 5 vols. (Leiden: Brill, 1965–1970), to his work on the Mishnah, culminating in his *Judaism: The Evidence of the Mishnah* (Chicago: University of Chicago Press, 1981); for the expression “inchoate masses” see Neusner, *History*, vol. 3, 99, and idem, *Talmudic Judaism in Sasanian Babylonia: Essays and Studies* (Leiden: Brill, 1976), 34. For Smith's assessment of Goodenough, see Morton Smith, ‘Goodenough's Jewish Symbols in Retrospect’, *Journal of Biblical Literature* 86 (1967): 53–68; for Neusner's assessment see Ernest S. Frerichs and Jacob Neusner, *Goodenough on the History of Religion and on Judaism* (Atlanta, GA: Scholars Press, 1986), xi–xix.
- 6 See for example, Lee I. Levine, *The Rabbinic Class of Roman Palestine* (Jerusalem: Yad Izhak Ben Zvi, 1989); Seth Schwartz, *Imperialism and Jewish Society, 200 BCE to 640 CE*. (Princeton: Princeton University Press, 2001); Steven Fine, *Art and Judaism in the Greco-Roman World: Toward a New Jewish Archaeology* (Cambridge: Cambridge University Press, 2005), 35–46; and Stuart S. Miller, *Sages and Commoners in Late Antique Erez Israel: A Philological Inquiry into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006).
- 7 See for example, Rachel Elior, *The Three Temples: On the Emergence of Jewish Mysticism* (Oxford: Littman Library of Jewish Civilization, 2005); Jodi Magness, ‘Helios and the Zodiac Cycle in Ancient Palestinian



model differs somewhat from that of sectarianism, in that it does not presuppose that individual ideological sectors had rigidly defined boundaries of membership, calendar, and hierarchical organization.<sup>8</sup> Nonetheless, it does presuppose fairly cohesive communities united by belief and practice.

This debate relied in part on the assumption that it was possible to determine the religious loyalties of large sectors of the populace—people who left few documents or material indications of their cultural lives. Most recently, historians of the religions of the Mediterranean in Late Antiquity have suggested another approach, one that has attracted attention in the study of ancient Greek and Roman religions and the trajectories of polytheism and Christianity in Late Antiquity. Several colloquia, special journal issues, and monographs argue that social network analysis, a method that has taken shape in the social sciences since the 1970s, can help us understand the complexities of social and religious interaction in antiquity. Social network analysis does not presuppose a society composed

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Synagogues', in *Symbiosis, Symbolism, and the Power of the Past: Canaan, Ancient Israel, and their Neighbors from the Late Bronze Age through Roman Palaestina*, ed. by William G. Dever and Seymour Gitin (Winona Lake, IN: Eisenbrauns, 2003), 363–92. The term 'Enochic Judaism' has been used for a form of Second Temple Judaism that is sometimes considered to have survived in Merkavah mysticism: see Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids, MI: Eerdmans, 1998); cf. John J. Collins, 'Enochic Judaism: An Assessment', in *The Dead Sea Scrolls and Contemporary Culture* ed. by Adolfo D. Roitman, Lawrence H. Schiffman, and Shani Tzoref (Leiden: Brill, 2011), 219–34. For synagogal Judaism see Simon C. Mimouni, *Le judaïsme ancien du VI<sup>e</sup> siècle avant notre ère au III<sup>e</sup> siècle de notre ère* (Paris: Presses Universitaires de France, 2012), 533–67; cf. José Costa's contribution to this volume. Cf. Stuart S. Miller, 'The Rabbis and the Non-Existent Monolithic Synagogue', in *Jews, Christians and Polytheists in the Ancient Synagogue*, ed. by Steven Fine (London: Routledge, 1999), 57–70.

- 8 Cf. Cohen's designation of Judaism after the first century (Cohen, 'Sectarianism') as "pluralistic".

of static groups and classes that relate to each other, but sees those relationships as dynamic, provisional encounters that adapt and shift depending on the circumstances. At the centre of such networks are what are called nodes—often conceived in network theory as individuals—who initiate a series of transactions of varying degrees of directness and consequence, branching out from persons they encounter personally to secondary relationships, and so on. There remain many questions about how these methods can be applied to ancient societies. For example, some of the models are quite individualistic; others rely on the collection of evidence to which we as historians simply have no access. They have led to interesting results in the study of ancient Judaism. The most notable example is Catherine Hezser's *The Social Structure of the Rabbinic Movement in Palestine*. In this study Hezser examines Palestinian rabbinic literature for evidence of how the rabbis interacted with each other and other members of their communities.<sup>9</sup> Hezser's principal data consists of narrative material in Palestinian rabbinic sources, especially the Palestinian Talmud, which,

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9 For Catherine Hezser's use of social network analysis see Hezser, *Social Structure*, 47–49, 233–39. *Mediterranean Historical Review* dedicated a special issue (vol. 22, no. 1 [2007]) to the application of social network analysis to the study of the ancient Mediterranean: see especially Irad Malkin, Christy Constantakopoulou, and Katerina Panagopoulou, 'Preface: Networks in the Ancient Mediterranean', *Mediterranean Historical Review* 22 (2007): 1–9. Among the most relevant expositions of social network analysis are J. Clyde Mitchell, 'Networks, Norms, and Institutions', in *Network Analysis: Studies in Human Interaction*, ed. by Jeremy Boissevain and J. Clyde Mitchell (The Hague: Mouton, 1973), 15–36; Jeremy Boissevain, *Friends of Friends: Networks, Manipulators and Coalitions* (Oxford: Blackwell, 1974); *Social Structures: A Network Approach*, ed. by Stephen Barry Wellman and Stephen D. Berkowitz (Cambridge: Cambridge University Press, 1988); *Social Network Analysis: Methods and Applications*, ed. by Stanley Wasserman and Katherine Faust (Cambridge: Cambridge University Press, 1994); and Hannah Knox, Mike Savage, and Penny Harvey, 'Social Networks and the Study of Relations: Networks as Method, Metaphor and Form', *Economy and Society* 35 (2006): 113–40.

according to her analysis, attested to the relationships among individuals, kinship units, professions, classes, and institutions. By definition, her wide-ranging study excluded non-rabbinic sources.

But it should also be worthwhile to start outside the rabbinic canon and ask some of the same questions. Those who study corpora outside that canon have few if any such social narratives to draw on. Rather, most of the sources are found in medieval manuscripts of individual mystical, ritual, and liturgical texts, and artifacts from ancient material culture, such as inscriptions and iconographic sources from the ancient synagogue and amulets and magic bowls. These materials are often fragmentary or unsystematically gathered. Moreover, they are not designed to give an articulate account of the sector of society that produced them.

Social network analysis can help us precisely with this type of evidence. Rather than treating those sources as manifestoes, as it were, of systematic ideological communities, it may be more productive to look at those texts as artifacts that are the products of individual encounters and that function as actors in a multitude of contexts. This method also has the advantage of shifting the focus from abstract forms of 'Judaism' or 'Judaisms' to the human beings who created and used those sources.<sup>10</sup> This does not mean that ideologies, worldviews, and legal systems are irrelevant, especially since they can provide markers of function and social location. Moreover, where there is coalescence among texts—for example, in the high degree of formalism in magical texts, in the rise of individual authorship in piyyut, in expressions of patronage in synagogue inscriptions, and so on—it may be possible to identify small clusters from which patterns of influence would have radiated. These texts can therefore be seen as products of local centres of cultural production, equivalent to the nodes of network theory, that are encountered and employed

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10 On these distinctions see Seth Schwartz, 'How Many Judaisms Were There? A Critique of Neusner and Smith on Definition and Mason and Boyarin on Categorization', *Journal of Ancient Judaism* 2 (2011): 208–38.

by their listeners, clients, and others and then intersect with other such centres. The individual's relationship to each of them is an open question. This model allows for the possibility that actors or social groups who are unattested in the extant sources might interact with any number of these nodes in the course of a year or a lifetime and might shift their practices and beliefs accordingly.

## 2.0. Social Indications in Piyyut

How is early Palestinian liturgical poetry, piyyut, relevant to this larger historiographical question, and how might we arrive at a social network model based on this corpus? Piyyut is a vast body of Hebrew and Aramaic literature from Late Antiquity that clearly lies outside the rabbinic canon. On the one hand, piyyut has many affinities to rabbinic Midrash. The genre relies on dense allusions to biblical exegesis as a major component of its poetic methods. On the other hand, it does not often refer to rabbinic texts or genres such as the Mishnah by name<sup>11</sup> and rarely cites rabbinic authorities.<sup>12</sup> Piyyut often includes aggadic details and motifs that diverge from most of the early rabbinic canon. In addition, this literature can reasonably be located in a physical setting, the Palestinian synagogues of the fourth through seventh centuries. This provides us with a *Sitz-im-Leben* in an institution that, thanks to the archaeology of the past century, we can picture quite vividly. To be sure, no single paytan can be located definitively in an extant synagogue site, but those finds do give us a sense of the range of physical environments that served as

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11 For Yannai's citation of Mishnah chapters, see *The Liturgical Poems of Rabbi Yannai according to the Triennial Cycle of the Pentateuch and the Holy Days*, ed. by Zvi Meir Rabinowitz, 2 vols. (Jerusalem: Mosad Bialik, 1985–1987), I, 55 (Hebrew).

12 One possible exception is a *Qedushta* on the Ten Martyrs for the first of the three Sabbaths preceding Tish'ah be-Av, which may have been written by Yannai: see *Liturgical Poems of Yannai: Collected from Genizah Manuscripts and Other Sources*, ed. by Menachem Zulay (Berlin: Schocken, 1938), 374–75 (Hebrew). My thanks to Ophir Münz-Manor for this reference.

the stages for piyyut. Joseph Yahalom and others have been able to demonstrate affinities between synagogue iconography and motifs common to piyyut.<sup>13</sup> Moreover, piyyut is largely the product of individual poets, whereas rabbinic literature is almost exclusively a corporate enterprise. These works thus represent a sustained discourse marked with the style and ideological interests of those individual composers. In fact, the first extant literary works in Hebrew written by a single named author since Ben Sira in the second century BCE are the piyyutim of Yose ben Yose in the fourth or fifth century CE.

There are a few methods we can use to identify the creators of this literature as a centre of cultural production and their relationship to other sectors of their communities. One method, which has been carried out throughout the history of the field and especially in the last few decades, is the analysis of exegetical, ideological, and halakhic positions taken by the poets in relationship to cognate literatures—both rabbinic literature and, increasingly, early Christian exegesis and liturgy.<sup>14</sup> Another is the analysis of the use of ideal figures and construction of a past in certain genres.<sup>15</sup> This study will focus on a third model, the construction of a liturgical ‘self’ in the introductions to

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13 Joseph Yahalom, *Poetry and Society in Jewish Galilee of Late Antiquity* (Tel Aviv: Hakibbutz Hameuchad, 1999) (Hebrew); idem, ‘The Sepphoris Synagogue Mosaic and Its Story’, in *From Dura to Sepphoris: Studies in Jewish Art and Society in Late Antiquity*, ed. by Lee I. Levine and Zeev Weiss (Portsmouth, RI: Journal of Roman Archaeology, 2000), 83–91.

14 See, for example, Zvi M. Rabinowitz, *Halakhah and Aggadah in the Liturgical Poetry of Yannai* (Jerusalem: Alexander Kohut, 1965); on relationships to Christian liturgy and exegesis see Ophir Münz-Manor, ‘Liturgical Poetry in the Late Antique Near East: A Comparative Approach’, *JAJ* 1 (2010), 336–61.

15 On this method see Michael D. Swartz, ‘Chains of Tradition from Avot to the ‘Avodah Piyutim’, in *Jews, Christians, and the Roman Empire: The Poetics of Power in Late Antiquity*, ed. by Natalie Dohrmann and Annette Yoshiko Reed (Philadelphia: University of Pennsylvania Press), 189–208, and idem, ‘Rhetorical Indications of the Poet’s Craft in the Ancient Synagogue’, in *Beyond Priesthood: Religious Entrepreneurs*

piyyutim.<sup>16</sup> It will be argued that, based on these criteria, ritual practitioners in the synagogues of Late Antiquity sought to distinguish themselves as worthy of consideration as members of a vocation that claimed a pedigree, identity, and singular status.

The following observations are inspired by pioneering work done recently in other fields, such as analysis undertaken by Peter Lenhardt, following Ezra Fleischer and other earlier scholars, on the *Reshut* form in classical piyyut,<sup>17</sup> in which the poet requests ‘permission’ or ‘authority’ to commence his discourse; and Derek Krueger’s exploration of the construction of the past and the development of a liturgical ‘I’ in Byzantine hymnography.<sup>18</sup> These findings can lead to further analysis of the vast corpus of Hebrew hymnology of the Roman and Byzantine eras.

### 3.0. The Rise of the Author

Although piyyut is the only major literary genre in Hebrew from Late Antiquity known to be written by individual authors, we know very little about the paytanim as individuals. The earliest piyyutim are anonymous, although among them are several fully developed masterpieces that were undoubtedly written by individuals.<sup>19</sup> The first two names of poets known to us

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and *Innovators in the Roman Empire*, ed. by Richard L. Gordon, Georgia Petridou, and Jörg Rüpke (Berlin: de Gruyter, 2017), 235–51.

16 See also Swartz, ‘Rhetorical Indications’.

17 See Peter S. Lenhardt, *Yotser, Piyyut, and Qahal: Studies in the Development of the Paytanic School in Italy* (Jerusalem: Magnes, forthcoming) (Hebrew); Ezra Fleischer, ‘Studies in the Formation and Development of *Reshut* Piyyutim’, *Proceedings of the Sixth World Congress of Jewish Studies* 3 (1977): 359–62.

18 Derek Krueger, *Liturgical Subjects: Christian Ritual, Biblical Narrative, and the Formation of the Self in Byzantium* (Philadelphia: University of Pennsylvania Press, 2015).

19 See, for example, the ‘*Avodah* piyyut *Az be-En Kol* in *Priestly Palestinian Poetry: A Narrative Liturgy for the Day of Atonement*, ed. by Joseph Yahalom

are Yose ben Yose and Yannai, two giants of the genre.<sup>20</sup> Both lived in Palestine, Yose ben Yose in the fourth or fifth century CE and Yannai probably in the sixth century CE. Yannai's name is known because he signed many of his compositions in acrostics. Yose ben Yose did not sign his name, so we must rely on attributions, as well as internal comparison, to determine his corpus. At the same time, there is no reason to doubt these attributions; unlike, for example, Rabbi Ishmael and Rabbi Akiva, to whom the Hekhalot texts are clearly pseudepigraphically attributed, Yose ben Yose is attested nowhere outside of those attributions.

We know precious little about Yose ben Yose, Yannai, and their successors as people. Anecdotes about named poets first appear in Europe in the Middle Ages, and they are singularly unhelpful. For example, Yose ben Yose was said to be an orphan; this notion seems to be based on the custom of naming a child after a deceased relative.<sup>21</sup> According to the twelfth-century writer Ephraim of Bonn, Yannai was the teacher of the great poet Eleazar Qillir, but he killed his student out of envy for his talent by putting a scorpion in his sandal, a story that has no basis in fact.<sup>22</sup>

What then is the significance of individual authorship for students of Judaism in Late Antiquity? Obviously, it is not possible to flesh out the biography or psychology of the paytan. However, it is possible to determine when, how, and why Jewish writers in Late Antiquity thought of themselves as authors and how these findings can be used to gain a clearer picture of the

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(Jerusalem: Magnes, 1996).

20 For the works of Yose ben Yose, see *Yose ben Yose: Poems*, 2nd ed., ed. by Aharon Mirsky (Jerusalem: Mosad Bialik, 1991) (Hebrew); for Yannai, see Menachem Zulay, *Liturgical Poems of Yannai*; Zvi Meir Rabinowitz, *The Liturgical Poems of Rabbi Yannai*; and Laura Lieber, *Yannai on Genesis: An Invitation to Piyyut* (Cincinnati, OH: Hebrew Union College Press, 2010), with English translations.

21 See Mirsky, *Yose ben Yose*, 13 n. 4, and the sources cited there.

22 For sources and bibliography, see Lieber, *Yannai on Genesis*, 14.



diversity of Jewish cultures in Palestine in Late Antiquity. We are fortunate in having an excellent recent model for the study of the poetic self in Late Antiquity: Derek Krueger's *Liturgical Subjects*, in which he explores the development of a liturgical self in the Christian hymnography of roughly the same period, especially in the works of Romanos, Andrew of Crete, and other early Byzantine poets.

Krueger shows that the liturgical forms in which these authors expressed the first person in performance served an emerging cultural mode in the history of Eastern Christianity, which involved the meticulous cultivation of an introspective, morally critical self. At the same time, while making this self the focus of extensive liturgical dramas, the poets also placed the individual Christian in the midst of the Church's sacred history. By this measure, the 'I' is not merely the poet, or, for that matter, the individual listener; he is every soul tormented by sin and in need of God's grace. This results in the dialectic between individuality and collectivity. At the same time, the poet does not erase himself from the scenario entirely; he also subtly fashions an image of himself as instrumental to the process of the cultivation of Christian interiority. He does this especially in the opening and closing sections of his hymns, as Krueger describes:

Where he sings in the first person singular, the openings and closings of the hymns engage in the production of Romanos the Melodist [...] The "I" of Romanos's poems participates in self-presentation and self-disclosure. It engages in introspection and divulges its interiority. It identifies itself as the subject of interrogation and accusation [...] Romanos's "I" is the product of a particular knowledge of the self, formed within a Christian narrative of fault and redemption. The poet, moreover, does not claim exclusive right over his conception of the self but rather presents it with generalizing force: all those who hear him need God's assistance; all must inevitably acknowledge their sins.<sup>23</sup>

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23 Krueger, *Liturgical Subjects*, 32.

In light of the dynamic of sin and redemption that Krueger describes, it is possible to select a couple of genres of piyyut that can serve as appropriate *comparanda*: Yose ben Yose's compositions for the three shofar services at Rosh Hashanah and some elements of his confessional compositions. The extant works of Yose ben Yose are all for the High Holy Days, Rosh Hashanah and Yom Kippur. The most extensive of his compositions are 'Avodah piyyutim, an epic genre in which the sacrifice for Yom Kippur in the ancient Temple is described in great detail, preceded by an elaborate narrative of how God's creation of the world and selection of patriarchs and biblical leaders culminated in the creation of the Jerusalem Temple and the priesthood. Examination of national and priestly identity in Yose ben Yose's 'Avodah piyyutim shows that they are striking for their emphasis on the corporate dimension of Yom Kippur, embodied in the sacrificial ritual.<sup>24</sup> The other compositions for the High Holy Days concentrate on the individual's sinfulness and the drama of confession and forgiveness that forms the structure for the Days of Repentance. In those genres, Yose ben Yose does not neglect the national saga of sin and redemption but does allow here and there for a shift from the plural to the singular.

#### 4.0. The Confessional 'I'

Hebrew liturgical poetry introduces the first person due to a useful coincidence: most piyyutim are alphabetical acrostics, and the first-person singular imperfect or cohortative begins with the first letter, *alef*. This means that an author often begins his composition by expressing his relationship to the liturgical task at hand, for example, by declaring his intention to recite praise, thanks, or narration in the first stanzas. This way of opening a composition is common whether or not the subject of the piyyut is ostensibly the individual, as in the confessions for the High Holy Days, or the nation, as in the 'Avodah. For example, a survey

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<sup>24</sup> Swartz, 'Chains of Tradition'.

of the first lines of the extant nine full piyyutim of Yose ben Yose shows that all but one of them begin with the first person, and two of those with the first person plural.<sup>25</sup> Of those, two main genres are represented, the *‘Avodah*, which describes the Yom Kippur sacrifice, and the *Teqi‘ata*, a set of three piyyutim that accompany the liturgical triad for Rosh Hashanah known as *Malkhuyot*, *Zikhronot*, and *Shofarot*. These three liturgical units consist of a series of verses recited at *musaf* for Rosh Hashanah, recalling God’s kingship (*Malkhuyot*), his remembrance of Israel (*Zikhronot*), and the sounding of the shofar (*Shofarot*). Each unit came to be composed of ten verses, framed by prayers and accompanied by the sounding of the shofar.

In the *‘Avodah*, the first-person imperfect is used to declare the poet’s intention to praise God and tell of His works.<sup>26</sup> This is how it is used in the first of the three piyyutim for Rosh Hashanah (*Malkhuyot*), *Ahalelah Elohai* ‘I shall praise my God’.<sup>27</sup> However, in the other two, the poet uses the first person to describe his response to his sinfulness: *Efhad be-Ma‘asai*, ‘I fear because of my deeds’ (for *Zikhronot*)<sup>28</sup> and *Anusah le-‘Ezra*, ‘I flee for help’ (for *Shofarot*).<sup>29</sup>

The three extant piyyutim for Rosh Hashanah by Yose ben Yose begin with several stanzas and then attach the last stanzas to the verses of that particular unit. We do not know whether these were the only three that Yose ben Yose wrote or whether

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25 For details, see Swartz, ‘Rhetorical Indications’, 234–35. The survey includes only those fully attested piyyutim that Mirsky considers definitely attributable to Yose ben Yose.

26 *Azkir Gevurot Elohai*, ‘I shall recount God’s deeds’ (Mirsky, *Yose ben Yose*, 127–72); *Eten Tehillah*, ‘I shall give praise’ (Mirsky, *Yose ben Yose*, 173–78); and *Asaper Gedulot*, ‘I shall tell (God’s) great deeds’ (Mirsky, *Yose ben Yose*, 203–10). One *‘Avodah* piyyut, *Atah Konanta ‘Olam be-Rov Hesed*, ‘You established the world’ (Mirsky, *Yose ben Yose*, 178–203), begins with the second person singular.

27 Mirsky, *Yose ben Yose*, 93–101.

28 *Ibid.*, 101–09.

29 *Ibid.*, 109–17.

he originally intended them to be recited together. One way or another, the three piyyutim do fit together thematically in a kind of three-act drama, one implied by the structure of the *Malkhuyot*, *Zikhronot*, and *Shofarot* triad itself. These three piyyutim, especially the second and third, focus on the individual's sins and his deliverance by God. In the first, the paytan recounts God's aid to his ancestors; in the second, he fears that his deeds will condemn him; in the third, he flees to God for refuge. The focus on the individual in this confessional mode should not be taken for granted. Traditional Jewish prayers for forgiveness are more often than not cast in the first person plural, especially the two acrostic litanies of transgressions (the *vidui* and the *'al het*, which form the core of the confession ceremony of Yom Kippur). These presumed expressions of individual contrition nonetheless reflect the poet's consciousness of his environment and vocation.

## 5.0. Kingship, Remembrance, and Redemption

In his *Teqi'ata*, Yose ben Yose creates an 'I' that is at once corporate and individual, and at the same time, effaces his identity as a poet. These passages form the best opportunities to compare piyyut with Christian hymnography as Krueger describes it, with important differences. If we take the three compositions together, they form a remarkable sequential pattern. Formally, each line of each poem ends with a keyword indicating the unit: *melukhah* 'kingship' for the first, *zikaron* 'remembrance' for the second, and *qol* 'voice, sound' for the third. The tone of each of the three poems is very different. In the poem for *Malkhuyot*, *Ahalelah Elohai*, the poet emphasizes the triumph of God's power over Israel's enemies. For the first several stanzas the poet declares his intentions to praise God, to whom high stature, strength, and kingship truly belong:

I shall praise my God,  
I shall sing of His might,  
I shall tell of his glory  
I shall adorn [His] kingship.

I shall magnify the Maker  
 Who spoke and made,  
 I shall enshrine Him  
 For He is deserving of kingship.<sup>30</sup>

The first two stanzas look like a simple declaration of the speaker's dependence on God and faith in His presence. However, through a complex process of interweaving biblical and post-biblical allusions the poet signals his function in the congregation. The language of piyyut is famous for its use of dense, ornamental phraseology, characterized by metonymy, in which a substitute word or phrase (*kinnui*), usually based on a biblical verse, signifies the subject of the discourse. By using the word *anvehu* 'I will enshrine Him', he echoes Exod. 15.2, from the Song at the Sea, which celebrates God's triumph over Pharaoh and his armies. He may also be playing on multiple interpretations of the word *anvehu*. A passage in the Mekhilta of Rabbi Ishmael offers several interpretations of Exod. 15.2.<sup>31</sup> The first is based on the root *n'h* 'to beautify or make pleasant': "*This is my God and I will beautify Him*. Is it possible for flesh and blood to beautify his maker? Rather, I will beautify Him with commandments: I will make before him a beautiful *lulav*, a beautiful *sukkah*, beautiful *tzitzit*, beautiful *tefillin*." Another interpretation in that Midrash ties this meaning to the root *nwh* 'to dwell': "I will make Him a beautiful sanctuary. *Nwh* means nothing other than the sanctuary, as it is said, *They have destroyed His sanctuary (navehu)* (Ps. 79.7)." Based on these interpretations, the poet's use of the word *anvehu* may have echoes of his role as a herald of God's military power, as one who beautifies the congregation's prayer, and as one who creates a verbal Temple.

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30 Mirsky, *Yose ben Yose*, 93, lines 1–2. All translations are mine unless otherwise noted. In order to accentuate the poet's practice of ending every line with the keyword for each unit I have placed the keywords at the end of a stanza in translation.

31 *Mekilta de-Rabbi Ishmael*, ed. by Saul Horowitz and Israel Rabin (Frankfurt am Main: Kauffmann, 1931), *Shirah* 3, 127 (Hebrew).

The third stanza emphasizes God's military might further, as the poet declares himself one of God's army (*tzava*), who recounts His strength:

I will rehearse His strength forever  
For I am his host (*tzeva'o*).  
And to Him discourse is befitting  
Of the greatness of His kingship.<sup>32</sup>

The next three stanzas place him in relationship to his people and the peoples of the nations:

In the congregation I shall proclaim,  
  
I shall give praise in the multitude of the people,  
To whom high stature and great strength belongs  
And to whom is kingship.

Approach, O nations,  
And come, O kingdoms;  
See how magnificent He is  
In His sash of kingship.

Magnify Him with me  
And let us exalt Him together<sup>33</sup>  
And do not be too proud  
In the diadem of kingship.<sup>34</sup>

In the first of these three stanzas, the poet situates himself as a representative of the multitude of Israel; in the next two, he addresses the nations of the world, warning them not to be arrogant in their assumption of earthly royal power. The section of the poem following this introduction enumerates ten enemies of Israel, all of whom met defeat because of their hubris. A few of these stanzas are notable for their historical and liturgical connotations, particularly their allusions to the minor festivals of Purim and Hanukkah. The second stanza in this series concerns Amalek, the arch-enemy of the Israelites in the wilderness:

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32 Mirsky, *Yose ben Yose*, 93, line 3.

33 Cf. Ps. 34.4.

34 Mirsky, *Yose ben Yose*, 93–94, lines 4–6.

And the first of the nations<sup>35</sup>  
 Fought and lost  
 For the Living One swore  
 On His throne of kingship;

So he is mocked in every generation  
 For he did not learn  
 Who fought at the sea  
 And is enrobed in kingship.<sup>36</sup>

The Amalekites, according to Balaam's prophecy in Num. 24, were to be defeated even though they were a "leading nation" (Num. 24.20); and so God declared eternal enmity with Amalek (Exod. 17.14–16). Because the Amalekites, therefore, refused to learn the lesson of God's victory at the Red Sea, they are to be "mocked in every generation." Here the poet alludes to the holiday of Purim, in which Haman, a descendent of Amalek,<sup>37</sup> is mocked and ridiculed. The Theodosian Code (438 CE) prohibits the practice of burning Haman in effigy in such a way that his hanging is made to look like the crucifixion of Christ.<sup>38</sup> As Wout Van Bekkum, Ophir Münz-Manor, and others have shown, Hebrew and Aramaic piyyutim for Purim also play on this typological association.<sup>39</sup>

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35 Amalek; see Num. 24.20.

36 Mirsky, *Yose ben Yose*, 94, lines 11–12.

37 Haman is an Agagite according to Est. 3.1 and, therefore, a descendent of Amalek according to 1 Sam. 15.8.

38 *Cod. Theod.* 16.8.18; see *The Jews in Roman Imperial Legislation*, ed. by Amnon Linder (Detroit, MI: Wayne State University Press, 1987), 236–37; T. C. G. Thornton, 'The Crucifixion of Haman and the Scandal of the Cross', *Journal of Theological Studies* 37 (1986): 419–26.

39 For the Aramaic poems for Purim, see *Jewish Palestinian Aramaic Poetry from Late Antiquity: Critical Edition with Introduction and Commentary*, ed. by Michael Sokoloff and Joseph Yahalom (Jerusalem: The Israel Academy of Sciences and Humanities, 1999), 170–219 (Hebrew); on this motif see Yahalom, *Poetry and Society*, 58–60; Menahem Kister, 'Jewish Aramaic Poems from Palestine and Their Setting', *Tarbiz* 76 (2007): 105–84 (Hebrew); Wout Jac. Van Bekkum, 'Anti-Christian Polemics in Hebrew Liturgical Poetry (*Piyyut*) of the Sixth and Seventh Centuries',



The ninth stanza describes the people's redemption as told in the book of Esther, but contains no liturgical reference to customs of Purim other than the exhortation to praise God:

The sheep<sup>40</sup> were thrown down for slaughter,<sup>41</sup>  
 But plots were hatched  
 When the young ruler<sup>42</sup>  
 Wore [garments of] kingship.

They were sold for no price  
 And redeemed without money.<sup>43</sup>  
 Exalt the One who diverts, like water,  
 The heart of kingship.<sup>44</sup>

In these lines the keyword 'kingship' is used to refer not to divine, but human kingship; Mordechai wears royal garments, echoing his ancestor Benjamin's role as ruler, and God is to be praised for His power to change Ahasuerus' mind—the true miracle of the book of Esther, which does not mention God explicitly.

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in *Early Christian Poetry: A Collection of Essays*, ed. by J. den Boeft and A. Hilhorst (Leiden: Brill, 1993), 297–308; Ophir Münz-Manor, 'Other Voices: Haman, Jesus, and the Representations of the Other in Purim Poems from Byzantine Palestine', in *Popular and Canonical: Literary Dialogues*, ed. by Yael Shapira, Omri Herzog, and Tamar S. Hess (Tel Aviv: Resling, 2007), 69–79 (Hebrew); idem, 'Carnavalesque Ambivalence and the Christian *Other* in Aramaic Poems from Byzantine Palestine', in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. by Robert Bonfil, Oded Irshai, Guy G. Stroumsa, and Rina Talgam (Leiden: Brill, 2011), 829–43.

40 The Jews.

41 Cf. Ps. 44.12.

42 Mordechai, who was descended from Benjamin, the youngest son of Jacob; cf. Ps. 68.28.

43 See Isa. 52.3.

44 Mirsky, *Yose ben Yose*, 97, lines 25–26, referring to Ahasuerus, whose mind was changed by God. See Prov. 21.1.

The following stanza, the tenth in the series recounting God's victories on behalf of Israel, describes that of the Maccabees over the Seleucid Greeks, as celebrated at Hanukkah:

The doves<sup>45</sup> were sold  
 To the children of the Ionians<sup>46</sup>  
 And were carried far away  
 From the border of kingship.

They spurned covenant and law  
 And they converted the people of God;  
 But they were cast down without power,  
 By the priests of kingship.<sup>47</sup>

These stanzas refer to not only the military attack on Judaea by the Greeks, but the attempt by Hellenizing Jews to turn the people away from God. At the end of this series, the poem then turns to the Romans, the one oppressor who still remains undefeated:

Seir flattered  
 His mentor<sup>48</sup> with his game<sup>49</sup>  
 And inherited, with the sound of weeping,  
 The sword of kingship.

The smooth man<sup>50</sup> was raised up  
 To be master of his brother<sup>51</sup>  
 And once again to Jeshurun  
 Will return kingship:  
 As it is written in the Torah: *Then he became king in Jeshurun, when the heads of the people assembled, the tribes of Israel* (Deut. 33.5).<sup>52</sup>

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45 Israel.

46 The Greeks.

47 Mirsky, *Yose ben Yose*, 97, lines 27–28

48 Isaac.

49 When Esau fed Isaac game.

50 Jacob; see Gen. 27.11.

51 See Gen. 27.29.

52 Mirsky, *Yose ben Yose*, 98, lines 29–30.

In the typology of the piyyut, Seir stands for Esau, representing Rome, which by the mid-fourth century had come to represent Christendom. According to Gen. 27.40, Esau inherited the sword when he and his ‘mentor’, Isaac, had realized that Jacob had taken Esau’s birthright, but Isaac’s blessing to Jacob, the ‘smooth man’, promises that he, not Esau, will rule. Since Rome rules over Israel in the present, the fulfillment of that blessing is in the messianic future. This stanza also begins the quotation of the series of biblical verses that form the heart of *Malkhuyot*. In this case, the first verse is Deut. 33.5, from Moses’s farewell address to Israel, which recounts how God gave the people the Torah, thus becoming King. An exegesis of this verse forms the basis for the second half of the stanza, but in the poem the meaning of the verse is reversed—that is, earthly kingship will belong to Jacob. Thus, although the poet acknowledges the enduring dominance of Rome, the tone of the stanza is still triumphant, emphasizing the inevitability of Israel’s victory.

In contrast, the second poem, *Eḥad be-Ma‘asai*, for *Zikhronot*, is relentlessly self-critical. It is here that the work presents the most complete analogue to Krueger’s portrait of the sinful self in Romanos and his heirs. It is also here that the ‘I’ emerges most often. The keyword is *zikaron*, usually referring not simply to God’s memory, but to the Day of Remembrance, the moment when God records individuals’ deeds and judges them. This poem also begins with a first-person declaration. It is not as obvious that the speaker is the messenger of the community entrusted to raise his voice in the midst of the smaller sanctuary. Rather, he is one sinner standing before God, as can be seen from the opening lines:

I fear for my deeds,  
I worry at all times;  
I fear the Day of Judgment  
When I approach remembrance.

I shall petition the Merciful One,  
I shall entreat the Compassionate One;  
I shall plead to the one who engraved [the Law] for me  
On the Day of Remembrance.<sup>53</sup>

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53 Ibid., 101, lines 1–2.

One of the most striking themes of this composition plays on a key motif of the High Holy Day liturgy, the Merit of the Fathers, or *zekhut avot*.<sup>54</sup> The poet adopts the persona of the ordinary Israelite, whose fate is dependent on the ability of the ancestors to save him from God's wrath. It is a commonplace in the liturgy that the present generation does not deserve God's favour on its own; rather, the righteous ancestors stored up a bank account, so to speak, of good deeds on which their children may draw. Yose ben Yose's sinner has depleted that account:

I have trusted in the fathers  
And consumed their deeds.  
They had existed for me  
Previously for remembrance.<sup>55</sup>

In other words, the reserve of Merit of the Fathers that would have stood on behalf of the sinner in the past has been depleted—literally; he has 'eaten' them up, like a greedy child. Even their heroic deeds cannot save a person who is without merit. He laments most bitterly that the Temple, the high priest, and their rituals of atonement are no longer there for him:

The aroma of nard and incense  
For the One who is seated in His chambers—  
Blood, fat, fragrance,  
And bread for remembrance.

I was presented on  
Empty coals,<sup>56</sup>  
For you did not leave me  
A widower<sup>57</sup> for remembrance

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54 On this concept see Solomon Schechter, *Some Aspects of Rabbinic Theology* (New York: Macmillan, 1909), 170–98, and Shalom Carmy, 'Zekhut Avot', in *Encyclopedia of Religion*, ed. by Lindsay Jones, 2<sup>nd</sup> ed., 15 vols. (Detroit, MI: Macmillan Reference USA, 2005), XIV, 9940–42. The latter is available at <http://www.encyclopedia.com/environment/encyclopedias-almanacs-transcripts-and-maps/zekhut-avot> [accessed 1 October 2018].

55 Mirsky, *Yose ben Yose*, 101, line 4.

56 See Ezek. 24.11.

57 That is, alone; see Jer. 51.5.

[...]

All these supported me  
 And I asked for Your compassion—  
 If only I had not exhausted them,  
 As I have nothing for remembrance!<sup>58</sup>

Before the Temple was destroyed, Israel had recourse to the sacrificial materials, such as blood, fat, and incense. The nation could then be refined by fire like the empty cauldron of Ezekiel's prophecy in Ezek. 24.11 and was therefore not abandoned (literally, 'widowed') by God. However, the poet has exhausted his share of atoning sacrifices, just as he has exhausted his inheritance of merit from the patriarchs.

As Krueger argues, both the poetry and the iconography of the Byzantine Church placed the worshipper in the drama of history: "Through the hymns of the church, Byzantine worshippers joined a large cast of biblical characters. They lamented with Adam; repented with David; approached Christ in supplication with the Harlot, the Leper [...] Like the Thief they requested his remembrance: they longed to be with him in Paradise."<sup>59</sup> In his *Zikhronot*, Yose ben Yose also put himself and each member of his community in the drama of history, in a trajectory of ritual atonement stretching from the nation's mythic past to that very Day of Remembrance. Unlike other paytanic motifs that construct a chain of tradition, for example from Adam to Aaron and the high priesthood in the 'Avodah, this composition contrasts the heroic ancestors and the purifying cult with the inadequate individual, whom the heroes of the past and the vanished sanctuary are unable to save.

The final unit in the *Teqi'ata*, *Shofarot*, recalls prophecies in which the shofar will be sounded to signify redemption. In Yose ben Yose's piyyut for *Shofarot*, *Anusah le-'Ezra*, the word that defines the section and ends each line is *qol* 'voice, sound'. This keyword allows the poet to signify channels of communication, between the voice of the poet and the voice of God, between

58 Mirsky, *Yose ben Yose*, 103–04, lines 18–21.

59 Krueger, *Liturgical Subjects*, 218 and passim.

the sound of the shofar performed by the congregation and the final shofar announcing the final redemption. In this composition Yose ben Yose brings the messages of nation and individual, triumph and despair, together.

In the opening stanzas of this piyyut the poet situates himself in his community. These lines constitute excellent evidence for the poet's consciousness of his craft and its function:

I flee for help  
I find it facing me,  
God is near to me,  
When I call him with my voice.<sup>60</sup>

As in the opening lines of his *Malkhuyot*, Yose ben Yose signals his role in the community and its rituals by his use of biblical allusions. The first hemistich, 'I flee for help', is based on Isa. 10.3:

What will you do on the day of punishment,  
When the calamity comes from afar,  
To whom will you flee for help [...]?

The *kinnui* form often involves taking a verse out of context, but sometimes the contrast can be instructive. In Isaiah, the phrase is less an expression of assurance than a warning to the sinner of his future desperation. In the piyyut, the speaker is convinced of his deliverance. This is brought home by the use of the root *qrb* 'to be near'. This conceit of the poem, whereby each line ends with the word *qol*, allows the author to establish a homology between the sound of the shofar and the voice of the poet. That is, God will draw near if the poet raises his voice to call Him.

It is at this point that the poet acknowledges the liturgical setting explicitly:

The one who, in the divine assembly,  
Stands close to me,  
And here, in the smaller sanctuary,  
I open my mouth to Him with my voice.<sup>61</sup>

<sup>60</sup> Mirsky, *Yose ben Yose*, 109, line 1.

<sup>61</sup> Mirsky, *Yose ben Yose*, 101, line 2.

The first line of this stanza also reflects a remarkable use of a biblical source. God is referred to as the one 'in the divine assembly' *asher be-'adat el*. This phrase, and the word *nitzav* 'stands' in the next hemistich, are based on Ps. 82.1, in which God stands in the assembly of gods ('*adat el*). He accuses them of injustice and declares that he will demote them to mortals. In Jewish exegetical tradition, the phrase '*adat el* is sometimes used to refer to the congregation of ten worshippers (*minyan*).<sup>62</sup> The second line of this stanza, *be-qirbi nitzav*, echoes the word *qarov* 'near', in the third line above. While it has been translated here as 'stands close to me', the word *be-qirbi* could also mean, literally, 'among me, within me'; it can therefore also refer to God's presence within the community, or perhaps even the spirit of divine inspiration within the poet himself. The next line is more specific institutionally. The phrase *miqdash me'at*, 'smaller sanctuary' comes originally from Ezek. 11.16, but it is sometimes used to refer to the synagogue.<sup>63</sup> It reflects the idea that the synagogue is a miniature or lesser Temple. The stanza therefore represents the paytan as the one who raises his voice<sup>64</sup> in the substitute Temple, facing God who is near when he calls.

In the next stanza, the poet remains in the first person, but that person has shifted subtly:

Care for me and seek me out,  
I am a lost lamb;  
I was shorn and abandoned  
Without raising a voice.<sup>65</sup>

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62 See b. Ber. 6a.

63 See Swartz, "Rhetorical Indications," 238.

64 The phrase 'open my mouth' is based on Isa. 10.14, where the silence of birds is used as a metaphor for the silence of the nations while Assyria gathers wealth; for a magical use of this verse see *Hebrew and Aramaic Incantation Texts from the Cairo Genizah: Selected Texts from Taylor-Schechter Box K1*, ed. by Michael D. Swartz and Lawrence H. Schiffman, 140.

65 Mirsky, *Yose ben Yose*, 110, line 3.



This 'lost lamb' is not just the poet or even the individual penitent, but corporate Israel. The following stanzas follow history as in *Zikhronot*, but instead of lamenting a string of lost opportunities, the poet reminds God of His willingness to save an undeserving nation. In this middle section he draws especially on the Song of Songs and Daniel. For example, he uses Song 1.6 to remind God of how He sent prophets to urge the people to heed Him:

And my seers and saviours,<sup>66</sup>  
 Who are my mother's sons,  
 Quarreled with me<sup>67</sup>  
 So that I may listen to the voice.<sup>68</sup>

Rehearsing the vision of Dan. 7, the poet signifies God's triumph over Greece and pledges to emulate Daniel's prayer:

He conquered for me  
 The four heads of the leopard<sup>69</sup>  
 And I too<sup>70</sup> will give thanks, *selah*.  
 I will raise to Him my voice.

Finally, the poem turns to the present occasion, Rosh Hashanah. Here the poet speaks of his own place in the mythic scheme:

The end is near,<sup>71</sup>  
 The time for judgment has come.  
 The speaker for innocence (*melitz yosher*) has arisen  
 To plead for mercy with his voice.<sup>72</sup>

As Aharon Mirsky points out, the poet is acting here as the defence attorney ('the speaker for innocence'), advocating for Israel's acquittal. The Hebrew phrase *melitz yosher* has

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66 The prophets.

67 See Song 1.6.

68 Mirsky, *Yose ben Yose*, 111, line 11.

69 Greece; cf. Dan. 7.6.

70 Like Daniel.

71 That is, the end of the year.

72 Mirsky, *Yose ben Yose*, 116, line 43.

connotations both of forensic speech and poetry; thus, the line implies that the poet's vocation is both that of the liturgical *shaliah tzibbur*, the messenger of the ritual community, and as advocate for Israel's innocence in the divine court.

## 6.0. The Collective 'I'

Yose ben Yose and the paytanim that followed him were not only *shelihe tzibbur*, embodying the Everyman of a nation in exile. They were highly skilled practitioners aware of their charges to arouse the people's consciousness of their own place in the annual cycle of confession and atonement and at the same time to arouse God's compassion towards them. To do this, the poet had to take on a plurality of voices. Unlike the redactors of the rabbinic corpus, who arranged the many voices of individual named Sages, the paytan shifted only between the 'we' and the 'I'. In fact, each of these pronouns was two: the 'we' in the *Teqi'ata* were the ancestors of the past and the congregation of the present; and the 'I' was the repentant nation and the poet himself.

It is not only as an individual, or an embodiment of every individual, that the paytan represents himself. In most of his 'Avodah piyyutim as well, Yose ben Yose uses the first person to signify his place in society. Given the corporate nature of the subject of the 'Avodah—the Yom Kippur sacrifice, which purifies the Temple and procures atonement for Israel as a whole—the appearance of the first-person singular is worthy of note as well. This genre, which follows the high priest step-by-step as he conducts the Yom Kippur sacrifice, seeks to produce empathy between the congregation and the high priest. More than this, the high priest is identified mimetically with the paytan himself, whose mission it is to take the community verbally into the vanished Temple.<sup>73</sup> The early 'Avodah piyyutim sometimes open

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73 For this argument see *Avodah: An Anthology of Ancient Poetry for Yom Kippur*, ed. by Michael D. Swartz and Joseph Yahalom (University Park: The Pennsylvania State University Press, 2005), and Michael D. Swartz, 'Liturgy, Poetry, and the Persistence of Sacrifice', in *Was 70 CE a Watershed*

with a first-person declaration, as we have seen in other genres. For example, his *Eten Tehillah* begins:

Let me give praise  
To God, who is to be praised;  
I shall tell, in awe,  
A few of His works.  
God was from eternity<sup>74</sup>  
Before there was a world,<sup>75</sup>  
Neither before nor after Him  
Was any god created.<sup>76</sup>

This opening form, in which the poet asks permission to recite God's praises, is a precursor to a more formalized genre known as *Reshut* 'permission', which subsequently developed in classical piyyut.<sup>77</sup> This form may reflect a type of scholastic protocol whereby a student or servant must ask permission from his master to speak, to approach him, or to take leave of him.<sup>78</sup> At the same time, in the preamble to its description of the Yom Kippur sacrifice, the *Avodah* traces the rituals of the Temple, and ultimately the synagogue, from creation to a line of patriarchs and priests, culminating in Aaron and his descendants.<sup>79</sup> The genre

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in *Jewish History?*, ed. by Daniel R. Schwartz and Zeev Weiss (Leiden: Brill, 2012), 393–412.

74 Hebrew *me-‘olam*.

75 Hebrew *‘ad lo ‘olam*.

76 Mirsky, *Yose ben Yose*, 173, lines 1–2.

77 Lenhardt, *Yotser, Piyyut, and Qahal*; Fleischer, 'Studies'.

78 Uri Ehrlich, 'Asking Leave and Granting of Leave: A Chapter in the Laws of Derek Erez', in *Shefa Tal: Studies in Jewish Thought and Culture Presented to Bracha Sack*, ed. by Zeev Gries, Howard T. Kreisel, and Boaz Huss (Beer Sheva: Ben Gurion University Press, 2004), 13–26 (Hebrew).

79 See Swartz, 'Chains of Tradition'; cf. Derek Krueger, 'The Liturgical Creation of a Christian Past: Identity and Community in Anaphoral Prayers', in *Unclassical Traditions, Volume 1: Alternatives to the Classical Past in Late Antiquity*, ed. by Christopher Kelly, Richard Flower, and Michael Stuart Williams (Cambridge: Cambridge Philological Society, 2010), 58–71.

thus begins with the individual paytan and his role as a skilled messenger; introduces the priestly line as precursors to the poet; and, in his capacity as prayer leader, walks the congregation virtually through the vanished sanctuary.

## 7.0. From Poetry to Society

How can we proceed to the fragments of texts presented here to the identification of their authors as social beings in the complex network of Palestinian Jewish society of Late Antiquity? We can begin by recognizing the paytan as a representative of a skilled vocation. We have seen the subtlety and artistry by which Yose ben Yose deployed themes, biblical references and allusions, ambiguities, paronomasia, and rhetoric in his compositions. He was not merely a vehicle for the repetition of rabbinic ideology or lore. Nor was he only a preacher, conveying a theological message to an audience. Rather, the paytan engaged in several channels of interactive communication: between himself and God, between himself and the community—and likewise between himself-as-community and God—as well as between his generation and the generations that came before him. The poet was conscious of these roles, as he was of the virtuosity with which he would navigate them.

This virtuosity served as a key component in the poet's conception of his function, as both a ritual actor and a member of his society. From the beginnings of piyyut to its classical era, in the time of Eleazar Qillir and his colleagues, we can detect a pattern of increasing complexity and professionalism in the construction of piyyut. Yannai and his successors created extensive, intricate compositions for the entire liturgical cycle. Whether or not the early paytanim supported themselves as synagogue professionals (e.g., the *hazzan*)<sup>80</sup> or perhaps supplemented their earnings as teachers and functionaries with some form of compensation

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80 On the profession of the *hazzan*, see Hyman I. Sky, *Redevelopment of the Office of Hazzan through the Talmudic Period* (San Francisco: Edwin Mellen Press, 1992).

for their art, they would have accumulated considerable social capital through these functions. The synagogues of this period abounded in the architectural, artistic, and material features that were designed to showcase their donors' commitment to community life and, more important, served as material offerings to Israel's God. The poets likewise adorned the liturgy with their ornate and sophisticated compositions and, at the same time, signaled their role in that ritual function to both their divine and human listeners.

It has been argued here that the creators of early piyyut can be designated as nodes of cultural production in the complex networks that constituted Jewish society in Palestine in Late Antiquity. Whatever their relationship to the body of law and theology represented in the Talmudim and early rabbinic Midrashim, the paytanim were aware of their distinctive role in society and used that distinctiveness in their communications.

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### 3. SOME REMARKS ABOUT NON-RABBINIC JUDAISM, RABBINIZATION, AND SYNAGOGAL JUDAISM

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In this paper, I propose some general remarks about non-rabbinic Judaism, rabbinization, and what Simon C. Mimouni calls ‘synagogal Judaism’.<sup>1</sup> My historical scope encompasses the periods of Late Antiquity and the Early Middle Ages in both Palestine and the Diaspora.

The notion of rabbinization is at the heart of the present book, but it remains difficult to speak of without a grasp of non-rabbinic Judaism. Rabbinization is the process by which non-rabbinic Jews became rabbinic, but speaking of rabbinization may be problematic, because the very basis of this process, namely, the nature of non-rabbinic Jews or non-rabbinic Judaism, is far from clear: How can we identify these Jews? What is the nature of their Judaism?

The main features of Christian non-rabbinic Judaism are well known.<sup>2</sup> Here, however, I am discussing a Judaism that was both non-rabbinic and non-Christian—some third kind of Judaism.

Non-rabbinic Judaism is a woolly, difficult notion. As Shaye J. D. Cohen admits in the conclusion of his seminal article on the

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1 I would like to thank my friend Kent Hudson and my daughter Florence Costa for their careful reading of my paper and their insightful remarks.

2 See Simon C. Mimouni, *Le judéo-christianisme ancien: essais historiques* (Paris: Cerf, 1998).

epigraphical rabbis: “What was the nature of this non-rabbinic Judaism in the Diaspora and the synagogue, I do not know.”<sup>3</sup> According to Cohen, the epigraphical evidence demonstrates the reality of non-rabbinic Judaism. However, from the same evidence, the nature of this Judaism remains uncertain. If the main part of Jewish society, both in Palestine and in the Diaspora, belongs to non-rabbinic Judaism, an enigma arises: What was the process by which all non-rabbinic Jews became rabbinic?

In the last part of my paper, I will argue that the notion of ‘synagogal Judaism’, presented for the first time in a book by Mimouni (published in 2012),<sup>4</sup> may help facilitate a better understanding of non-rabbinic Judaism and the process of rabbinization.

## 1.0. Non-Rabbinic Judaism: The Old Model and the New Model

In the following pages, I shall discuss two historiographical models, which I propose calling ‘the old model’ and ‘the new model’, even if the terms ‘old’ and ‘new’ may be misleading. Indeed, the old model (mainstream Judaism passing from priests to rabbis after 70 CE) remains attractive to several scholars, particularly in Israel, while the new model results from over forty years of research.<sup>5</sup>

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3 Shaye J. D. Cohen, ‘Epigraphical Rabbis’, in *The Significance of Yavneh and Other Essays in Jewish Hellenism* (Tübingen: Mohr Siebeck, 2010), 227–43 (241).

4 Simon C. Mimouni, *Le judaïsme ancien du VI<sup>e</sup> siècle avant notre ère au III<sup>e</sup> siècle de notre ère: des prêtres aux rabbins* (Paris: Presses universitaires de France, 2012).

5 For a recent article supporting the old model, see Moshe D. Herr, ‘The Identity of the Jewish People before and after the Destruction of the Second Temple: Continuity or Change?’, *Cathedra* 137 (2010): 27–62 (Hebrew). On the new model, as well as the debates between both historiographical strands, see Seth Schwartz, ‘Historiography on the Jews in the “Talmudic Period” (70–640 CE)’, in *Oxford Handbook of Jewish*

One of the greatest figures of the old model is the Israeli historian Gedaliah Alon. In this model, post-70 Judaism is clearly dominated by the rabbis and is on the whole identical to rabbinic Judaism.<sup>6</sup> Erwin Goodenough was the forerunner of the new model. Its most recent and radical formulations are currently found in the work of Seth Schwartz and Hayim Lapin.

The new model includes two main arguments: the authority argument and the plurality argument.<sup>7</sup> The authority argument claims that the rabbis are not the leading group of Jewish society and thus they do not control the Judaism of their time. They are a peripheral or even marginal minority. What scholars who advocate this approach intend by ‘authority’ is not always unambiguous. Authority could be defined as religious, economic, political, or legal. Official or semi-official authority is not the same thing as informal authority, such as influence or prestige. Authority with power to sanction differs from voluntarily accepted authority. The diversity argument emphasizes the persistent plurality of post-70 Judaism: the rabbis are only one of its components.

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*Studies*, ed. by Martin Goodman, Jeremy Cohen, and David J. Sorkin (Oxford: Oxford University Press, 2005), 79–114, and idem, *The Ancient Jews from Alexander to Muhammad* (Cambridge: Cambridge University Press, 2014), 99, 161.

- 6 Gedaliah Alon, *The Jews in Their Land in the Talmudic Age*, trans. by Gershon Levi (Cambridge, MA: Harvard University Press, 1989); Ephraim Urbach, *The Sages: The World and Wisdom of the Rabbis of the Talmud*, trans. by Israel Abrahams, 2 vols. (Cambridge, MA: Harvard University Press, 1975); and Lawrence Schiffman, *From Text to Tradition: A History of Second Temple and Rabbinic Judaism* (Hoboken, NJ: Ktav, 1991). In fact, Alon’s work provides a far more nuanced picture of post-70 Judaism: during the Tannaitic period, the Pharisees/rabbis had to fight against priests and the “upper classes”—a Jewish aristocracy very close to the Romans—before reaching a leadership position (Alon, *The Jews*, 21–22).
- 7 Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, 13 vols. (New York: Pantheon Books, 1953–1968); Seth Schwartz, *Imperialism and Jewish Society, 200 BCE to 640 CE* (Princeton, NJ: Princeton University Press, 2001); Hayim Lapin, *Rabbis as Romans: The Rabbinic Movement in Roman Palestine, 100–400 CE* (Oxford: Oxford University Press, 2012).

Most ‘new’ scholars have tried to combine the authority argument with the diversity argument, and this is no simple task.<sup>8</sup> According to the authority argument, the rabbis are not dominant and, consequently, another group necessarily leads Jewish society. The diversity argument is not so concerned with the authority issue. Jewish society may exist without a single leading group: the main Jewish authority would be local and vary from place to place.

What evidence supports the new model?<sup>9</sup> Some scholars emphasize the contrast between rabbinic and non-rabbinic sources. According to rabbinic literature, the rabbis would be the centre of Jewish society. In non-rabbinic sources (inscriptions, archaeological data, Christian literature, Roman legal codes), even when they are Jewish, the rabbis are marginal or simply absent. Consequently, the old model would have made the significant mistake of taking rabbinic literature literally and of failing to understand the ideological nature of this literature, which does not reflect historical reality objectively.<sup>10</sup>

I think that the contrast between the sources is not so sharp. One also finds *in rabbinic literature itself* substantial evidence that supports the new model, as can be seen in the following examples:

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8 Emmanuel Friedheim is a good example of such a combination. He admits the existence of Jewish diversity in Palestine, which in particular includes ‘pagan Jews’, while claiming at the same time that the rabbis have a significant influence on some circles of Jewish society. See his ‘Sol Invictus in the Severus Synagogue at Hammath Tiberias, the Rabbis, and Jewish Society: A Different Approach’, *Review of Rabbinic Judaism* 12 (2009): 89–128. In a similar vein, Stuart S. Miller argued for the notion of ‘complex common Judaism’. See his *Sages and Commoners in Late Antique Erez Israel: A Philological Inquiry into Local Traditions in Talmud Yerushalmi* (Tübingen: Mohr Siebeck, 2006), 21–28, and ‘Review Essai. Roman Imperialism, Jewish Self-Definition, and Rabbinic Society: Belayche’s *Judaea-Palaestina*, Schwartz’s *Imperialism and Jewish Society*, and Boyarin’s *Border Lines Reconsidered*’, *Association for Jewish Studies Review* 31 (2007): 329–62 (348).

9 There is currently no book that brings all the evidence together.

10 This is one of the main assumptions of Seth Schwartz’s *Imperialism and Jewish Society*.



1. The small number of rabbis mentioned. Even if we consider the rabbis an elite group among rabbinic Jews, this point remains puzzling.
2. The title *rabbi* is used only after the year 70. This fact suggests that the rabbis considered themselves a new group, and such a group must always struggle to achieve a prominent place in society.
3. The rabbis are concentrated mainly in Palestine and Babylonia.
4. As argued by Catherine Hezser, rabbinic authority does not appear in Talmudic literature as something official or formal. It does not work without the agreement of the other Jews.<sup>11</sup> Schwartz states clearly: “The modern debate over whether the rabbis or someone else led the Jews after the destruction is rendered moot by the failure of rabbinic literature itself to claim a leadership role for its protagonists.”<sup>12</sup>
5. The existence of tensions between rabbinic norms and other norms or between rabbis and a number of groups, like priests, *‘amme ha-arets*, or several categories of heretics (*minim*).<sup>13</sup>
6. The performance of pagan rites and the persistent attraction of idolatry in many Jewish communities.<sup>14</sup>

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11 Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: Mohr Siebeck, 1997), 450–66.

12 Seth Schwartz, *Were the Jews a Mediterranean Society? Reciprocity and Solidarity in Ancient Judaism* (Princeton: Princeton University Press, 2009), 111.

13 On tensions between rabbinic and other norms, see Seth Schwartz, ‘Rabbinization in the Sixth Century’, in *The Talmud Yerushalmi and Graeco-Roman Culture III*, ed. by Peter Schäfer (Tübingen: Mohr Siebeck, 2002), 55–69 (55). On tensions between rabbis and priests, see Reuven Kimelman, ‘The Priestly Oligarchy and the Sages in the Talmudic Period’, *Zion* 48 (1983): 135–47 (145) (Hebrew).

14 See Emmanuel Friedheim, *Rabbinisme et paganisme en Palestine romaine: Étude historique des Realia talmudiques (I<sup>er</sup>–IV<sup>e</sup> siècles)* (Leiden: Brill, 2006).

The new model is also supported by the fact that a number of texts have ambiguous relationships with rabbinic Judaism. This group includes some apocalyptic and pseudepigraphical texts, the Targumim, the Hekhalot literature, and piyyutim. All these sources are ambiguous because they show different degrees of both rabbinic and non-rabbinic (or perhaps, in some cases, anti-rabbinic) features. According to several scholars, they are better understood against a priestly background than a rabbinic one.<sup>15</sup>

A last piece of evidence may strengthen the new model, that of Jewish magic, which forms an important, but often overlooked, aspect of Jewish culture in Late Antiquity, as pointed out by Gideon Bohak in his seminal work on the issue.<sup>16</sup> In particular, Bohak emphasizes that what rabbinic literature teaches us on magical practices does not match what we know from Jewish magical sources themselves.<sup>17</sup>

Thus, in the old model, Judaism was identified with rabbinic Judaism. Has the new model succeeded in drawing a new picture of ancient Judaism, corresponding more closely to historical reality? Regarding this question, historiography often remains elusive and the answers, when they do exist, diverge to a significant degree.

What specific name could be given to non-rabbinic Judaism? From a terminological viewpoint, should one speak of 'non-rabbinic Judaism', 'non-rabbinic Jews', 'peripheral rabbis', etc.? Is non-rabbinic Judaism some sort of unity, or is it irreducibly plural?

For Annette Yoshiko Reed and Michael Satlow, non-rabbinic Judaism, like Judaism itself, has no unity. Each variety of

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15 See, for example, Philip S. Alexander, 'What Happened to the Jewish Priesthood after 70?', in *A Wandering Galilean: Essays in Honour of Seán Freyne*, ed. by Zuleika Rodgers, Margaret Daly-Denton, and Anne Fitzpatrick McKinley (Leiden: Brill, 2009), 5–33.

16 Gideon Bohak, *Ancient Jewish Magic: A History* (Cambridge: Cambridge University Press, 2008).

17 Ibid., 417–22.

Judaism should be studied within its regional and local setting.<sup>18</sup> According to the radical and nominalist view of Satlow, there is no Judaism, but only Jews and local communities.<sup>19</sup>

When we consider the distinction between the authority argument and the diversity argument within the new model, it is clear that proponents of the former are more inclined than proponents of the latter to admit the possibility of a single, non-rabbinic Judaism. Indeed, authority and unity often go hand-in-hand. An authoritative Judaism, whether non-rabbinic or rabbinic, could not exist without some minimal unity.

If we admit that non-rabbinic Judaism, in spite of its diversity, was unified in some way, is it possible to describe its main features? How was it organized? What were its institutions or structures? Did it only comprise the Jewish masses, or did it also include specific elites? If it did, who were these elites? What were its rituals, its theological conceptions, its means of expression? What was its relationship with rabbinic Judaism?

Regarding this last question, it is possible to emphasize points of tension and conflict between both types of Judaism. Conversely, they were also separated by porous frontiers, permitting a close, if not complementary, relationship between them. Relevant to this issue are the various phrases which Daniel Boyarin uses to describe 'binitarian Judaism' and its *logos* theology.<sup>20</sup> The phrase 'non-rabbinic Judaism' or the emphasis on the difference between the 'synagogue' and the 'house of study' suggests a strong contrast

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18 Annette Yoshiko Reed, 'Rabbis, "Jewish Christians", and Other Late Antique Jews: Reflection on the Fate of Judaism(s) after 70 CE', in *The Changing Face of Judaism, Christianity and Other Greco-Roman Religions in Antiquity*, ed. by Ian H. Henderson and Gerbern S. Oegema (Gütersloh: Gütersloher Verlagshaus, 2006), 323–46; and Michael Satlow, 'Beyond Influence: Toward a New Historiographic Paradigm', in *Jewish Literatures and Cultures: Context and Intertext*, ed. by Anita Norich and Yaron Z. Eliav (Providence, RI: Brown Judaic Studies, 2008), 37–53.

19 Satlow, 'Beyond Influence', 43.

20 Daniel Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia: University of Pennsylvania Press, 2004), 112–13, 116, 290.

with rabbinic Judaism, while the phrase ‘para-rabbinic Judaism’ indicates a greater proximity between both Judaisms.

Does non-rabbinic Judaism have the same informal network structure that Hezser accords to the rabbinic movement?<sup>21</sup> Should we say that one of the main differences between non-rabbinic Palestinian and diasporic Judaism lies in the fact that the former coexisted with rabbinic Judaism in the same limited space, which was not the case for the latter? If we admit diversity in each group, it becomes possible to conceive of non-rabbinic Jews who would be closer to rabbinic Jews than to other non-rabbinic Jews.

One may finally ask to what extent rabbinic and non-rabbinic Judaism differ in their relationship to Hellenization and Romanization. It is not so evident that non-rabbinic Judaism would be more Hellenized and Romanized. Indeed, if we follow Saul Lieberman and the great number of scholars who agree with his perspective, rabbinic literature testifies to a high degree of Hellenization. Moreover, a recent book by Lapin argues that Palestinian rabbis could be considered ‘Romans’.<sup>22</sup>

## 2.0. The New Model: Five Examples

### 2.1. Annette Yoshiko Reed and Michael Satlow: Diversity Only

An approach that emphasizes Jewish diversity is reflected in the work of at least two scholars: Annette Yoshiko Reed and Michael Satlow. In a ground-breaking study, Reed discusses non-rabbinic varieties of post-70 Judaism.<sup>23</sup> She begins by presenting rabbinic evidence, particularly texts dealing with *‘amme ha-aretz*, Sadducees, charismatic priests, and *minim*. She then explores three other bodies of texts: Hekhalot literature, the magical sources, and what I prefer to call the ‘synagogal corpus’

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21 Hezser, *Social Structure*, 450–66.

22 Lapin, *Rabbis as Romans*.

23 Reed, ‘Rabbis, “Jewish-Christians”, and Other Late Antique Jews’, 323–46.

(Targumim, piyyutim).<sup>24</sup> She lastly considers Christian sources, whose portrait of the Jews is not necessarily consistent with rabbinic evidence. It does not follow that the Christian texts are badly informed and wrong. Rather, they may indeed be relevant and give some evidence of non-rabbinic Jews, their beliefs, and practices.<sup>25</sup> On a methodological level, Reed's discussion remains very empirical. It describes varieties of non-rabbinic Judaism that are reflected within various groups of texts. The varieties are never incorporated into wider categories or groups. It is not so much the scholar's care and caution that explains this approach, as it is her desire to highlight the local scale. Indeed, Reed understands the diversity of post-70 Judaism as a mainly regional diversity.<sup>26</sup>

For his part, Satlow observes that speaking of 'Judaism' or 'Jewish culture' implies that there is a cultural system, Judaism, which is different from non-Jewish cultures and which may be 'influenced' by them. If a scholar chooses to discard the categories of 'influence' and 'Hellenization', he should also avoid those of 'Judaism' and 'Hellenism'. Only Jews and their local communities exist, not Judaism.<sup>27</sup> Jewish local communities are deeply integrated within their surrounding environment. Thus, they must be studied within that framework and not against the background of more general entities (Hellenistic Judaism, rabbinic Judaism, etc.) and related literary sources (Philo's writings, Talmudic literature, etc.).<sup>28</sup>

Reed and Satlow share the same basic view: evidence shows that post-70 Judaism was diverse, and it is not possible to reduce this diversity to more general groups. Priority should be given to regional diversity, meaning that there are as many Judaisms as places. Such a nominalist approach may be questioned, because groups larger than local communities frequently play an important

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24 Ibid., 323–36.

25 Ibid., 338–46.

26 Ibid., 336–37.

27 Satlow, 'Beyond Influence', 42–43 (n. 26).

28 Ibid., 52–53.

role in history. Moreover, nominalism knows only particular facts and neglects that they may be considered as elements articulated within a structure. It is difficult to completely avoid the notion of structure in the humanities.

## 2.2. Stuart S. Miller: A Complex Common Judaism

According to E. P. Sanders, the notion of ‘common Judaism’ is the most appropriate to describe Second Temple Judaism, centered on Temple and priesthood.<sup>29</sup> Stuart S. Miller reworked this notion in order to apply it to the rabbinic period. Miller speaks of a ‘complex common Judaism’, which combines Sanders’ common Judaism and the ‘complex Judaism’ of Martin Hengel and Roland Deines. This Judaism is ‘common’, since all its components share the same common source, biblical tradition in the broad sense of the term. It is ‘complex’ because it has generated the monumental synagogues in all their diversity: some are decorated with a zodiac, some include a list of the priestly courses, others contain mosaics or texts which show rabbinic features. It takes into account both ethnic and religious dimensions of Jewish identity. Finally, it sheds light on the way pagan material culture was appropriated within a Jewish context.<sup>30</sup> In contrast to the views of Reed and Satlow, complex common Judaism emphasizes the unity of ancient Judaism: the differences between the rabbis and other Jews should not be overstated. However, this approach tends to underestimate tensions and conflicts stemming from diversity, as pointed out by Mimouni: “There are many conflicts between the two surviving movements [those of the rabbis and the Christians] and the third category of Judeans [so-called synagogal Judaism]. They will lead at a date difficult to determine with accuracy to the victory of the descendants of the Pharisees/rabbis and the Nazoreans/Christians.”<sup>31</sup>

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29 E. P. Sanders, *Judaism: Practice and Belief 63 BCE–66 CE* (London: SCM, 1992).

30 Miller, *Sages and Commoners*, 21–28, and idem, ‘Review Essai. Roman Imperialism, Jewish Self-Definition, and Rabbinic Society’, 348.

31 Mimouni, *Le judaïsme ancien*, 477.

### 2.3. Daniel Boyarin: Jewish Binitarianism

In his seminal book *Border Lines*, Daniel Boyarin argues that the belief in a second God was widespread among Jews both before and after 70 CE. It took the form of the *logos* theology in the writings of Philo, the Gospel of John, and the Targumim. As he himself admits, Boyarin is far from being the only scholar to claim the existence of Jewish binitarianism.<sup>32</sup> Many scholars came to this idea by different paths: the problem of the Jewish roots of Christianity and Gnosticism, the study of rabbinic traditions about ‘two powers in heaven’, or interest in the figure of Metatron within medieval Jewish mysticism.<sup>33</sup>

*Border Lines* is, however, one of the books in which Jewish binitarianism has the most important place.<sup>34</sup> According to Boyarin, this conception should be considered an old Jewish tradition that finds support in the biblical text. Evidence for binitarianism may be found among both Greek- and Hebrew-/Aramaic-speaking Jews. The energy devoted by the rabbis to fighting binitarianism suggests that it must have been highly attractive for a great number of Jews. The very presence of binitarian concepts within rabbinic traditions attests to their popularity and to the fact that the rabbis were unable to eradicate them completely.

Boyarin’s main thesis is that the rabbis decided to consider Jewish binitarianism non-Jewish in order to strengthen the boundaries between Judaism and Christianity. In fact, binitarian

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32 Boyarin, *Border Lines*, 120.

33 See Nathaniel Deutsch, *Guardians of the Gate: Angelic Vice Regency in Late Antiquity* (Leiden: Brill, 1999), 11; Larry W. Hurtado, *One God, One Lord: Early Christian Devotion and Ancient Jewish Monotheism* (Edinburgh: T&T Clark, 1998); Alan F. Segal, *Two Powers in Heaven: Early Rabbinic Reports about Christianity and Gnosticism* (Leiden: Brill, 1977); Moshe Idel, *Ben: Sonship and Jewish Mysticism* (London: Continuum, 2007), 645–70.

34 See also Peter Schäfer, *The Jewish Jesus: How Judaism and Christianity Shaped Each Other* (Princeton, NJ: Princeton University Press, 2012) and idem, *Zwei Götter im Himmel: Gottesvorstellungen in der jüdischen Antike* (Munich: Beck, 2017).



Judaism seems to be the background against which rabbinic Judaism and Christianity emerged and in relation to which each is defined.<sup>35</sup> Paradoxically, the rabbinic/Christian dichotomy remains at the centre of the book, while non-rabbinic or para-rabbinic Judaism related to binitarianism and *logos* theology is not explored enough and needs further investigation. Within the narrative centred on this pair, Christianity appears as a proto- or parent religion with rabbinic Judaism as its offspring.

## 2.4. Emmanuel Friedheim and Seth Schwartz:

### Judeo-Paganism

Historians and scholars in the field of rabbinic studies have long argued that Jews of the Second Temple and rabbinic periods were no longer attracted to idolatry. Their opinion was based on explicit statements of the rabbis and other evidence, such as Judith 8.18. Regarding the Roman period, they also shared the conviction that idolatry was declining among the pagans themselves. The figure of the sceptical pagan is well known from aggadic literature.<sup>36</sup> Only a few scholars, including Ludwig Blau, had different positions.<sup>37</sup> Even Goodenough claimed that, in spite of its use of pagan symbols, Palestinian Judaism could not be considered a form of Jewish idolatry or polytheism. In his view, it remained fundamentally faithful to the Law of Moses.<sup>38</sup> On this issue, one of Goodenough's disciples, Morton Smith, did not agree with his master. His study of magical texts revealed the existence of a paganized Judaism that was in no way marginal.<sup>39</sup>

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35 Boyarin, *Border Lines*, 120.

36 See Friedheim, *Rabbinisme et paganisme en Palestine romaine*, 28–35.

37 Ludwig Blau, 'Worship, Idol', in *The Jewish Encyclopedia*, ed. by Isidore Singer, 12 vols. (New York: Funk & Wagnalls, 1901), XII, 568–69.

38 Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period (Abridged Edition)*, ed. by Jacob Neusner (Princeton, NJ: Princeton University Press, 1989), 22, 37, 126.

39 Morton Smith, 'Goodenough's Jewish Symbols in Retrospect', *Journal of Biblical Literature* 86 (1967): 53–68 (60).

It is only recently that the traditional narrative has really been challenged, and this by two scholars: Emmanuel Friedheim and Seth Schwartz. Both have emphasized the importance of Judeo-paganism in Palestine during the rabbinic period. According to Friedheim, during this period paganism was still a living religion in Palestine and remained attractive to Jews. Several laws in tractate Avodah Zarah presuppose this background. Talmudic literature also refers to explicit cases of Jewish idolatry. Finally, the aggadic corpus contains traditions which support Friedheim's claims.<sup>40</sup> On Schwartz's telling, Palestinian Judaism collapsed after the Bar Kokhba revolt under the oppression of Roman imperialism. As a result, a great number of Jews were incorporated into a Greco-Roman framework, consisting of civic cults and pagan culture. By the second and third centuries, the cities of Tiberias, Sepphoris, and Lydda are mainly Jewish, but their material remains (coins, inscriptions, statues, mosaics) are pagan.<sup>41</sup>

Both Friedheim and Schwartz are a long way from agreeing on all the points discussed. Schwartz focuses on archaeological evidence and chooses to dismiss rabbinic sources, which lack objectivity. By contrast, Friedheim gives more balanced consideration to both kinds of evidence and discusses rabbinic sources in more detail. His conclusions are also less radical than those of Schwartz. For him, speaking of a collapse or a virtually complete paganization of Palestinian Judaism between 135 and 350 CE is overblown, and the archaeological data used to support the contrary can be read differently. Friedheim holds that even the rabbis were partly Hellenized, and they were able to influence various sectors of Jewish society. Nevertheless, it remains striking that two scholars, using different methods and working independently from each other, reached a similar

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40 See, for example, t. Arak. 5.9; Sifre Deut. 87; Avot R. Nat. B 33; y. Git. 6.6, 48b; y. Avod. Zar. 4.4, 43c; cited in Friedheim, *Rabbinisme et paganisme en Palestine romaine*, 40–67.

41 Schwartz, *Imperialism and Jewish Society*, 101–76.

conclusion: the Mishnaic and Talmudic periods were marked by the growing importance of Judeo-paganism.

## 2.5. Rachel Elijor: Priestly Judaism versus Rabbinic Judaism

The basic claim of Rachel Elijor is simple: when the priests were separated from the earthly Temple and Merkavah, they conceived alternative forms of the Temple and Merkavah in heaven. This process of substitution occurred three times in ancient Jewish history: after the destruction of the First Temple with Ezekiel's vision, during the Second Temple period with the Qumran community, and after 70 with the Hekhalot mystics.<sup>42</sup> According to Elijor, the three periods form a historical continuity and can be considered three stages in the development of the same conception, that of the mystical chariot vision or Merkavah.<sup>43</sup>

Elijor's book *The Three Temples* deals mainly with the Qumran community and corpus. The community is dominated by priests, and its corpus reflects priestly lore, whose main features are described by Elijor.<sup>44</sup> First, the priests of Qumran believe in the unity of heaven and earth, which has implications for their conception of space, time, and liturgy.<sup>45</sup> Second, they tell us three myths about calendrical issues that involve, respectively, Enoch, the Watchers, and the sacred times of Sabbath and Shavuot.<sup>46</sup> For the priests of Qumran, the only calendar in accordance with both divine revelation and the laws of nature is the solar calendar.<sup>47</sup>

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42 See Jonathan Klawans, 'The Three Temples: On the Emergence of Jewish Mysticism by Rachel Elijor', *Association for Jewish Studies Review* 29 (2005): 376–78; Andrea Lieber, 'The Three Temples: On the Emergence of Jewish Mysticism by Rachel Elijor', *The Journal of Religion* 87 (2007): 141–43 (142).

43 Rachel Elijor, *The Three Temples: On the Emergence of Jewish Mysticism*, trans. by David Louvish (Oxford: Littman Library of Jewish Civilization, 2004), 254–57.

44 Ibid., 61, 199–200.

45 Ibid., 3.

46 Ibid., 86–87.

47 Ibid., 44–57, 82–87.

Enoch, the first priest, brought it from heaven to earth.<sup>48</sup> In contrast to Enoch, the evil Watchers taught the lunar calendar to the generation of the Flood.<sup>49</sup> The third myth sees history as a succession of sabbatical cycles, patterned after the seven days of creation. Shavuot, which is also connected to the number seven, is the feast marking the renewal of the covenant. In fact, Qumran priests argue that the Sinaitic covenant is only the last in a long chain of covenants, all associated with the date of 15 Sivan.<sup>50</sup> Within the priestly lore, angels play an important role.<sup>51</sup> They share a great number of features and attributes with the priests. Angels and priests possess the same knowledge and observe the same rituals.<sup>52</sup> Angels are described like priests and vice versa.<sup>53</sup> Jubilees, the books of Enoch, and the Testament of Levi describe the origins of the relationship between angels and priests, while the Songs of the Sabbath Sacrifice and the Blessings Scroll reveal their liturgical affinity.<sup>54</sup>

In chapter nine of *The Three Temples*, Elior holds that the early rabbis knew Qumran literature and excluded it from the rabbinic canon.<sup>55</sup> They also marginalized its central concern, namely the heavenly Merkavah.<sup>56</sup> Last but not least, they conceived of their Judaism as opposed to the Judaism of the secessionist priests. The same could be said of the later rabbis. Indeed, the rabbis do not recognize a priesthood predating Aaron and have a negative view of Levi.<sup>57</sup> Moreover, they completely omit priests in the chain of transmission of the Torah.<sup>58</sup> On a theological level,

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48 Ibid., 88–110.

49 Ibid., 111–34.

50 Ibid., 135–52.

51 Ibid., 165.

52 Ibid., 167, 186.

53 Ibid., 167, 184.

54 Ibid., 183.

55 Ibid., 7, 11, 204, 231.

56 Ibid., 7, 206, 208.

57 Ibid., 205, 228.

58 Ibid., 205.

they establish clear boundaries between heaven and earth and are mainly interested in earthly issues.<sup>59</sup> They reject the three myths that form the basic core of the priestly lore. According to the rabbis, the sin of the Watchers never occurred, and Enoch is now considered a sinner.<sup>60</sup> As to the third myth, Tannaitic literature does not use the term ‘Shavuot’, and the Qumran feast of the renewal of the covenant has no place in the ritual world of the rabbis.<sup>61</sup> The rabbinic lunar calendar, dependent on human initiative, contrasts with the eternal order of the priestly solar calendar.<sup>62</sup> Rabbinic angels are never connected with the calendar or priests.<sup>63</sup> Finally, the rabbis differ from the Qumran priests by advocating a Torah that is “no longer in heaven” (Deut. 30.12) and open to human interpretation, revealing a more democratic and individualistic conception of Israel.<sup>64</sup> The rabbis believe in an Oral Torah, whereas the priests only give authority to revealed writings.<sup>65</sup>

Elior admits that the picture is not so simple and that rabbinic attitude toward priestly traditions could be better described as a mixture of sanctification, conditional acceptance, and rejection.<sup>66</sup> Nevertheless, she claims that the real heirs of the secessionist priests are not the rabbis, but the Jews of the synagogues and the mystics of the Hekhalot. In the synagogue *Qedushah*, angels are liturgical partners with Israel, as was the case in the Songs of the Sabbath Sacrifice. Synagogue iconography refers to the Temple and also probably to the affinity between heaven and earth. Synagogue inscriptions include lists of the priestly guards.<sup>67</sup> Regarding the Hekhalot traditions, they share with Qumran

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59 Ibid., 6, 212.

60 Ibid., 205, 221.

61 Ibid., 210.

62 Ibid., 6, 205, 212.

63 Ibid., 217.

64 Ibid., 205–06, 215–16, 224, 229.

65 Ibid., 206, 215.

66 Ibid., 11–12.

67 Ibid., 13–14, 44.

literature a “common infrastructure” (the heavenly Temple and Merkavah and the centrality of the angels, who are considered the counterparts of the mystics) as well as many other details.<sup>68</sup> Elior notes that the Hekhalot texts are only a partial continuation of Qumran priestly tradition. Within them, the secessionist and polemical dimension disappears and rabbinic authority seems to be recognized, even if it is only on an earthly level.<sup>69</sup>

The broad and ambitious synthesis offered by Elior raises many questions as well as many problems. As pointed out by Jonathan Klawans, how could the so-called secessionist conceptions be so widespread among the sources of the Second Temple period?<sup>70</sup> Is the continuity between Qumran and the Hekhalot literatures so obvious, particularly when we consider the texts within the framework of a mystical priesthood? Even Philip Alexander, who emphasizes a number of significant parallels between the two corpora, notes: “The Hekhalot texts are not as precise and detailed as Sabbath Songs in correlating the heavenly Temple and its liturgy with the earthly cult.”<sup>71</sup> Elior’s discussion of the calendars and their ideological implications is far from being unanimously accepted.<sup>72</sup> As with every synthesis, the work of Elior is not free from simplification. Like other scholars, she speaks of a *Qedushah* at Qumran, while there is no citation of Isa. 6.3 or Ezek. 3.12 within the Dead Sea Scrolls.<sup>73</sup> She often

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68 Ibid., 235, 254, 260.

69 Ibid., 16, 233, 263.

70 See Klawans, ‘The Three Temples’, 377.

71 Philip Alexander, *The Mystical Texts: Songs of the Sabbath Sacrifice and Related Manuscripts* (London: T&T Clark International, 2006), 127.

72 See Sacha Stern, ‘Rachel Elior on Ancient Jewish Calendars: A Critique’, *Aleph* 5 (2005): 287–92.

73 Elior, *The Three Temples*, 16, 33, 167, 226, 244. Moshe Weinfeld and Esther Chazon also speak of the *Qedushah* at Qumran: see Moshe Weinfeld, ‘Traces of *Kedushat Yozer* and *Pesukei de-Zimra* in the Qumran Literature and in Ben Sira’, *Tarbiz* 45 (1975): 15–26 (Hebrew), and Esther G. Chazon, ‘The *Qedushah* Liturgy and Its History in Light of the Dead Sea Scrolls’, in *From Qumran to Cairo: Studies in the History of Prayer*, ed. by Joseph

neglects to mention that several important principles or doctrines (“All Israel have a part in the world to come” [m. Sanh. 10:1], the Oral Torah, the valorization of debate and different points of view) were not obvious for the Tannaim and only appeared at a later stage in rabbinic history.<sup>74</sup>

Some problems have more direct bearing on our investigation. Elijor focuses on the contrast between the Qumran priests and the early rabbis, while a systematic comparison between rabbinic and the Hekhalot literatures would have been more interesting for us. According to Alexander, it is difficult to conceive of a ‘priestly Judaism’, really autonomous and distinct from rabbinic Judaism.<sup>75</sup> Sacha Stern even argues, probably too readily, that it is impossible.<sup>76</sup> Finally, it is important to note that Elijor remains faithful to the traditional view of mainstream Judaism passing from the priests to the rabbis after 70. That being said, it is clear that Elijor is the scholar who offers the most articulate and systematic reflection on the differences between priestly and rabbinic forms of Judaism. Other scholars agree with Elijor on the continued importance of priesthood and priestly concerns during the Roman and Byzantine period, and Mimouni is very close to Elijor’s argument when he speaks of a priestly synagogal Judaism (*judaisme sacerdotal et synagogal*) that would be mystical and the direct source of the Hekhalot literature.<sup>77</sup>

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Tabory (Jerusalem: Orhot, 1999), 7–17. On the absence of Isa. 6.3 and Ezek. 3.12 in Qumran literature, see Alexander, *Mystical Texts*, 113–14.

74 The sentence “All Israel has a part in the world to come” is a later addition to the text of the Mishnah. Regarding the Oral Torah and the valorization of discussion and plurality, see Martin S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism 200 BCE–400 CE* (Oxford: Oxford University Press, 2001), and Richard Hidary, *Dispute for the Sake of Heaven: Legal Pluralism in the Talmud* (Providence, RI: Brown Judaic Studies, 2010), 1–41.

75 Alexander, ‘What Happened to the Jewish Priesthood after 70?’, 25–31.

76 See Stern, ‘Rachel Elijor on Ancient Jewish Calendars’, 288.

77 See Kimelman, ‘Priestly Oligarchy’; Alexander, ‘What Happened to the Jewish Priesthood after 70?’, Simon C. Mimouni, ‘Le “judaisme sacerdotal et synagogal” en Palestine et en Diaspora entre le II<sup>e</sup> et le VI<sup>e</sup> siècle:

### 3.0. Rabbinization

The term ‘rabbinization’ means, first and foremost, the way that rabbinic texts appropriate elements from various sources, Jewish or non-Jewish, literary or non-literary. Scholars often use it when they deal with rabbinic interpretation of the Bible and the Jewish past. The figure of Moses, when rabbinized, becomes *Moshe Rabbenu*. One of the authors who most frequently uses the term ‘rabbinization’ with this meaning is Jacob Neusner.<sup>78</sup>

More recently, the term has acquired another meaning, that of a process by which non-rabbinic Jews become rabbinic. Two scholars have particularly explored this new understanding of the concept of rabbinization: Seth Schwartz and Hayim Lapin.<sup>79</sup> Both have found evidence of rabbinization in the following items:

1. The invention of piyyut.
2. The growing presence of the Hebrew language, attested directly in inscriptions and indirectly in Justinian’s Novella 146.
3. The apparition of iconophobic and iconoclastic tendencies among Palestinian Jews.
4. The use of the term *deuterosis* with the meaning ‘rabbinic tradition’ by Jerome, Epiphanius, and Novella 146.

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Propositions pour un nouveau concept’, *Comptes rendus des séances de l’Académie des Inscriptions et Belles-Lettres* 159 (2015): 113–47, and the references listed by Steven Fine in ‘Between Liturgy and Social History: Priestly Power in Late Antique Palestinian Synagogues?’, in *Art, History and the Historiography of Judaism in Roman Antiquity* (Leiden: Brill 2016), 181–93 (182, n. 4).

78 See, for example, Jacob Neusner, *A Theological Commentary to the Midrash, Volume Six: Ruth Rabbah and Esther Rabbah I* (Lanham, MD: University Press of America, 2001), 59–60, and idem, *The Rabbis and the Prophets* (Lanham, MD: University Press of America, 2011), 1–3.

79 Schwartz, ‘Rabbinization in the Sixth Century’, 55–69; Lapin, *Rabbis as Romans*, 155–67.



5. In some inscriptions (Dabbura: Rabbi Eliezer ha-Qappar; Venosa: *duo rebbites*),<sup>80</sup> the title *rabbi* indisputably refers to real rabbis. The inscription of Rehov includes texts having close parallels in rabbinic literature.
6. The rabbinic figures and materials that are found in the Hekhalot and apocalyptic writings.
7. A number of halakhic traditions.
8. The references to the rabbis (*rabbāniyyūna* and *aḥbār*) in the Qur'an (e.g., Q 3.146; 5.44, 63; 9.31, 34).

As it is the case with the concept of non-rabbinic Judaism, the concept of rabbinization raises many questions.

### 3.1. Chronology

When did the process of rabbinization begin? The chronological setting of the present book (400–1000 CE) indicates that it did not begin before 400 CE. Schwartz contends that the first signs of rabbinization may be recognized in the sixth century. However, the growing involvement of the rabbis in wider Jewish communal life, the expanding scope of their halakhic decisions, and the rabbinization of marriage contracts began largely before the sixth century.<sup>81</sup> The phrase 'rabbinic movement' even implies that, given its very existence, rabbinic Judaism could do no other than spread in a non-rabbinic Jewish milieu (maybe as a continuation of so-called Pharisean proselytism<sup>82</sup>).

When was rabbinization achieved? It is not easy to answer this question. The difficulty lies mainly in the ambiguity of Karaism.

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80 On the Venosa inscription, see also the contribution of Giancarlo Lacerenza to the present volume.

81 Lapin, *Rabbis as Romans*, 98–125, and idem, 'The Law of Moses and the Jews: Rabbis, Ethnic Marking, and Romanization', in *Jews, Christians and the Roman Empire: The Poetics of Power in Late Antiquity*, ed. by Natalie B. Dohrmann and Annette Yoshiko Reed (Philadelphia: University of Philadelphia Press, 2013), 79–92.

82 See Matt. 23.15 and Mimouni, *Le judaïsme ancien*, 635–37.

How should we interpret its emergence? It could be considered as proving the existence of an already established rabbinic authority that aroused opposition.<sup>83</sup> It may also indicate that the rabbis were not yet powerful enough to impose their authority. More generally, the Islamic context seems to have been more favourable to rabbinization.

### 3.2. Geography

Even if a substantial part of the evidence for rabbinization comes from Palestine, it is obvious that the Babylonian setting played a central role in the process. Thus, the foundation of Baghdad, the new capital of the Abbasid empire (762 CE), may have contributed to the strengthening or even institutionalization of the judicial power of Babylonian rabbis.<sup>84</sup> It should be noted that some Babylonian magic bowls cite passages from the Mishnah, which is not the case for Palestinian amulets.<sup>85</sup> Moreover, unlike Palestinian sources, the Babylonian Talmud shows a clear tendency to rabbinize the figure of Jesus.<sup>86</sup>

As Christian Robin has recently argued, South Arabian Judaism or, more precisely, the Judaism of the Himyarite kingdom, obviously belongs to a priestly type and reveals no rabbinic features.<sup>87</sup> By contrast, when describing North Arabian Jews, Islamic sources show no priestly features, starting with references to the rabbis in the Qur'an.<sup>88</sup>

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<sup>83</sup> Schwartz, *The Ancient Jews*, 102.

<sup>84</sup> See Ron Naiweld, 'Saints et mondains: Le traité *Kallah* et la propagation du mode de vie rabbinique en Babylonie', *Revue des études juives* 172 (2013): 23–47 (25, n. 4).

<sup>85</sup> See Bohak, *Ancient Jewish Magic*, 190.

<sup>86</sup> See Thierry Murcia, *Jésus dans le Talmud et la littérature rabbinique ancienne* (Turnhout: Brepols, 2014), 677.

<sup>87</sup> See his contribution in the present volume.

<sup>88</sup> Christian Julien Robin, 'Quel judaïsme en Arabie?', in *Le judaïsme de l'Arabie antique: Actes du colloque de Jérusalem (février 2006)*, ed. by Christian Julien Robin (Turnhout: Brepols, 2015), 15–195 (103–09, 129–34 and 207–16).

Rabbinization within the Medieval Christian world—the Latin West and the Byzantine East—remains to be explored.<sup>89</sup>

### 3.3. Conception

The rabbinization process may be considered from two different sides: the rabbinic and the non-rabbinic. Schwartz writes of the authors of the Hekhalot texts: “This means either that late antique rabbis were trying to annex magical practice, or that Late Antique magicians were claiming rabbinic origins for their teachings, presumably because such a claim would have enhanced their prestige.”<sup>90</sup> Accordingly, rabbinization may consist in the adoption of rabbinic elements by non-rabbinic Jews or, conversely, of the adoption of non-rabbinic elements by the rabbis. In both cases, the elements are frequently modified in order to be integrated into the culture or the literature of the rabbinic or non-rabbinic group.

As pointed out by Raʿanan Boustan, rabbinic Judaism does not merely replace the varieties of non-rabbinic Judaism, but shapes them, while also being shaped by them: “From the sixth century on, rabbinic forms, themes, and modes of authority increasingly inflect even those genres or corpora that seem to have existed at the boundaries of rabbinic literary culture. It would seem that rabbinic culture was itself transformed in the process.”<sup>91</sup> The notion of rabbinization, however, raises a serious methodological difficulty: it is not always possible to draw a clear distinction between what is rabbinic and what is non-rabbinic.<sup>92</sup>

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89 Mimouni, ‘Le “judaïsme sacerdotal et synagogal” en Palestine et en Diaspora’, 144.

90 Schwartz, *The Ancient Jews*, 145.

91 Raʿanan Boustan, ‘Rabbinization and the Making of Early Jewish Mysticism’, *Jewish Quarterly Review* 101 (2011): 482–501 (501). See also Schwartz, ‘Rabbinization in the Sixth Century’, 259.

92 See, for example, Boustan, ‘Rabbinization’, 490.

### 3.4. Modalities

The rabbinization process is not necessarily continuous, whether in time or in space. It has probably known periods of regression. The evolution of the Jewish patriarch would be a good example of ‘de-rabbinization’. Indeed, several authors have pointed out that the patriarch began its historical trajectory within the rabbinic movement before becoming the patron of non-rabbinic Judaism.<sup>93</sup> According to Oded Irshai, the post-Amoraic period in Palestine is marked by the decline of rabbinic authority and the rise of the priests.<sup>94</sup>

### 3.5. Means of Spreading

Rabbinization is not by definition the imposition of rabbinic norms and conceptions on other Jews, who are reluctant to accept them. It could be also conceived as the spreading of rabbinic way of life, which has become attractive for wider Jewish circles. Thus, for Ron Naiweld, Babylonian rabbis composed certain post-Talmudic tractates in order to spread their conception of the Torah among non-rabbinic Jews.<sup>95</sup> Furthermore, the study of rabbinic travels or the notion of ‘religious network’ may contribute to shedding light on the issue of rabbinization.<sup>96</sup>

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93 Schwartz, *Imperialism and Jewish Society*, 118–19, and idem, ‘The Patriarchs and the Diaspora’, *Journal of Jewish Studies* 50 (1999): 208–22; B. Z. Rosenfeld, ‘The Crisis of the Patriarchate in Eretz Israel in the Fourth Century’, *Zion* 53 (1988): 239–57 (Hebrew); José Costa, ‘Entre judaïsme rabbinique et judaïsme synagogal: la figure du patriarche’, *Judaïsme ancien/Ancient Judaism* 1 (2013): 63–128.

94 Oded Irshai, ‘The Priesthood in Jewish Society of Late Antiquity’, in *Continuity and Renewal: Jews and Judaism in Byzantine-Christian Palestine*, ed. by Lee I. Levine (Jerusalem: Yad Izhak Ben Zvi, 2004), 67–106 (Hebrew).

95 Naiweld, ‘Saints et mondains’.

96 Catherine Hezser, *Jewish Travel in Antiquity* (Tübingen: Mohr Siebeck, 2011); Anna Collar, *Religious Networks in the Roman Empire: The Spread of New Ideas* (Cambridge: Cambridge University Press, 2013).

### 3.6. Content

Rabbinization involves cultic sites, rites, power structures, and literary materials. Regarding texts, the ambiguous corpora already referred to (Targum, Hekhalot, apocalypses, and piyyut) are well-adapted for a reading in terms of (imperfect?) rabbinization. Two scholars have already applied the concept of rabbinization to the Hekhalot corpus as well as to the later apocalypses: Raʿanan Boustan and Martha Himmelfarb.<sup>97</sup>

### 3.7. Context

Finally, it is possible that rabbinization has been merely favoured by the context, and the role of rabbinic agency is less important than is usually thought. As Lapin notes, the change in the legal status of Jews in the Christian empire and the appearance of more exclusively Jewish communities made it easier for the rabbis to become communal leaders.<sup>98</sup> The growing institutionalization of rabbinic academies in post-Amoraic Babylonia and rabbinization are probably connected, even if the nature of this connection needs further investigation.<sup>99</sup>

## 4.0. Rabbinization and the Hekhalot Literature: The Article of Raʿanan Boustan

A discussion of Raʿanan Boustan's article is relevant to our discussion, since it deals with both rabbinization and non-rabbinic Judaism within a framework mainly limited to the relationship between the Hekhalot and rabbinic literatures.<sup>100</sup>

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97 Boustan, 'Rabbinization'; Martha Himmelfarb, 'Revelation and Rabbinization in Sefer Zerubbabel and Sefer Eliyyahu', in *Revelation, Literature, and Community in Late Antiquity*, ed. by Philippa Townsend and Moulie Vidas (Tübingen: Mohr Siebeck, 2011), 217–36.

98 Lapin, *Rabbis as Romans*, 161.

99 Naiweld, 'Saints et mondains', 27, n. 8. For a similar approach regarding Palestinian setting, see Lapin, *Rabbis as Romans*, 162–64.

100 Boustan, 'Rabbinization'.

At a methodological level, the sociological approach remains marginal in the article, whose keywords are clearly ‘literature’ and ‘culture’. The Hekhalot and rabbinic literatures are considered “sites of Jewish literary culture.”<sup>101</sup> Boustán emphasizes a literary fact: the existence of shared materials and literary overlaps between the Hekhalot and rabbinic literatures. He also tries to understand it and asks what the meaning of the overlaps is. How were they possible? According to Boustán, the category of rabbinization and some sociological approaches, such as those of Michael Swartz and Moulie Vidas, may contribute to shedding light on both questions.

Boustán is well aware that the Hekhalot texts are an example of what I have called an ‘ambiguous corpus’. In some ways, they differ clearly from rabbinic literature and it is even possible to say that the two corpora reflect opposing forms of piety.<sup>102</sup> Their comparison reveals, however, a significant number of shared traditions. The rabbis borrowed from the Hekhalot literature, but the reverse also occurs. Thus, a model which aims to explain the relationships between the Hekhalot and rabbinic literatures should take into account this hybrid situation, composed of both similarities and differences.<sup>103</sup> One may notice that the descriptive part of Boustán’s article emphasizes the similarities primarily, if not exclusively.

Boustán begins his discussion by describing the two dominant views of the relationship between the Hekhalot texts and rabbinic literature: one of them is ‘dialectical’ and the other ‘binary’. The former is exemplified by Gershom Scholem and the latter by Goodenough and Elior. According to the dialectical view, there is only one Judaism, a ‘common Judaism’, namely rabbinic Judaism, and the Hekhalot traditions are its esoteric dimension.<sup>104</sup> By contrast, the binary view distinguishes between two forms of Judaism: rabbinic Judaism and non-rabbinic Judaism. In

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101 Ibid., 482.

102 Ibid., 483, 497, 500.

103 Ibid., 483.

104 Ibid., 501 (“common Judaism”).

this framework, the rabbis are depicted as only concerned with worldly issues and the Law. Accordingly, the Hekhalot literature stems from a single non-rabbinic Judaism, which is mystical. Halperin's work also belongs to the binary school of thought.<sup>105</sup> Boyarin's dichotomy between the rabbis and binitarian Judaism appears only once before the conclusion of the article.<sup>106</sup>

When describing the dialectical model, Boustán speaks of an "inner dialectic between the mystical and the halakhic normative dimensions." Unfortunately, the precise meaning of the term 'dialectic' in this context is not further explained.<sup>107</sup> In Boustán's view, the dialectic pattern knows only one Judaism, which is rabbinic, but it seems to us that Scholem's opinion is more nuanced. For instance, Scholem affirms the existence of both heterodox and orthodox (rabbinic) Jewish Gnostics and relates Hekhalot literature to the latter.<sup>108</sup> When he understands the Hekhalot corpus as the expression of a 'Jewish Gnosticism', he is very close to the binary view of Goodenough and Elior.<sup>109</sup> Goodenough himself was interested in Scholem's work, which he saw as complementary to his own work.<sup>110</sup> As to the binary view, if we follow Boustán's description, it distinguishes between "two wholly discrete forms of Judaism" and mystical Judaism is "wholly autonomous" or "hermetically sealed from rabbinic Judaism."<sup>111</sup>

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105 Ibid., 488.

106 Ibid., 499-500. Boustán mentions Boyarin's dichotomy after his discussion of the story of Elisha ben Abuya's encounter with Metatron as a second God.

107 Ibid., 487.

108 Gershom Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1995, first edition 1946), 87, 89; idem, *Jewish Gnosticism, Merkabah Mysticism, and Talmudic Tradition* (New York: Jewish Theological Seminary of America, 1960), 1, 2, 9, 10, 34, 42, 66, 75.

109 Scholem, *Jewish Gnosticism*.

110 See Steven Fine, 'Archaeology and the Search for Nonrabbinic Judaism', in *Art and Judaism in the Greco-Roman World: Toward a New Jewish Archaeology* (Cambridge: Cambridge University Press, 2005), 38-39.

111 Boustán, 'Rabbinization', 482, 484, 492.

This presentation raises several questions. First, two forms of Judaism could not be wholly distinct or completely separated from each other, because, if that were the case, it would be impossible to call them both ‘Judaism’. Second, even if we admit the possibility of such a dichotomy, it does not fit within the approaches of Goodenough and Elijah. Both make extensive use of rabbinic literature and find evidence for mystical Judaism within it. It follows that neither Goodenough nor Elijah see rabbinic and non-rabbinic forms of Judaism as wholly separate. ‘Dichotomy’ does not necessarily imply separation, and the frontiers between the two forms of Judaism may have been porous. Third, according to the binary view (says Bousthan), there is a conflict between rabbinic and mystical Judaism.<sup>112</sup> How can mystical Judaism be both “wholly autonomous” from rabbinic Judaism and the result of a development in opposition to it? If there is a conflict between mystical and rabbinic Judaism, then they are strongly related to each other. It is interesting to note that in Elijah’s terms, the conflict between priestly Judaism and the Pharisees-rabbis was particularly strong in the Second Temple period, but a shift occurred after 70 CE: the priests recognized the authority of the rabbis, at least on an earthly level, and tried to avoid conflicts with them.<sup>113</sup> Finally, when Bousthan states that the binary view considers rabbinic Judaism ‘mainstream Judaism’, he is right about Elijah’s approach, but not about other versions of the binary view, which rather argue for a mainstream non-rabbinic Judaism.<sup>114</sup> Goodenough, for example, holds that Hellenized Judaism is the most widespread form of Judaism in the rabbinic period.

In the second part of his argument, Bousthan claims that the dialectical and binary views reflect common assumptions and are more similar than usually thought. Therefore, they may be included in the so-called ‘perennialist tradition’. In fact, they share three attributes, which make the complex relationship

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112 Ibid., 484 (“opposition”), 487 (“opposed forms of Judaism”), 489 (“stark tension”).

113 Elijah, *The Three Temples*, 16, 233, 263.

114 Bousthan, ‘Rabbinization’, 484.



between the Hekhalot and rabbinic literatures difficult to explain. First, the dialectical and binary views are both unilateral. Indeed, the dialectical view emphasizes the similarities between the Hekhalot and rabbinic literatures and thus fails to explain their differences. The binary view has the opposite approach.<sup>115</sup> Second, both patterns are dichotomist in that they distinguish between a mystical and a non-mystical component: the dialectical view sets both components (“the mystical and the halakhic-normative dimensions”) within the same rabbinic milieu, while the binary framework relates each component to a specific Judaism (‘mystical Judaism’ versus ‘rabbinic Judaism’). Dichotomist approaches oversimplify the complexity and diversity of Jewish culture in Late Antiquity.<sup>116</sup> Obviously, there is no simple distinction or difference between halakhah and mysticism or rabbis and mystics. Third, both views are static. They share the same conception of mysticism as an ancient or even timeless religious experience.<sup>117</sup> According to them, mysticism has an *a priori* definition, an unchanging essence. Thus, there are strong and stable boundaries between mysticism and the rest of Jewish culture.<sup>118</sup> Mysticism only changes under the influence of the rabbis, who appear as the single active force within the Jewish cultural system. Boustani notes, however, that in the perennialist view, even the rabbis tend to be conceived of in a static and essentialist manner: the important cultural transformations that affected rabbinic culture in Late Antiquity are not taken into account.<sup>119</sup>

At first sight, the notion of a ‘perennialist tradition’ including the dialectical and binary views seems to be relevant. As pointed out above, Goodenough himself regarded Scholem’s approach as complementary to his own work. Moreover, both Scholem and Elior distinguish between the esoteric and exoteric dimensions of Judaism.

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<sup>115</sup> Ibid., 483.

<sup>116</sup> Ibid., 482–85, 487, 493.

<sup>117</sup> Ibid., 484.

<sup>118</sup> Ibid., 493.

<sup>119</sup> Ibid., 487–88.

I noted that the main feature of the perennialist tradition is dichotomy. Thus, this tradition is principally understood on the basis of one of its components: the binary view. One passage of the article directly identifies the binary view with a “kind of Jewish *philosophia perennis*.”<sup>120</sup> A few pages later, Boustán says that scholars connected with the perennialist tradition share the same “dichotomous view of *rabbinic and mystical* (emphasis is mine) forms of early Judaism.”<sup>121</sup> However, it is only the binary view that distinguishes between rabbinic Judaism and non-rabbinic mystical Judaism. The dialectical view claims rather that there is only one (rabbinic) Judaism.

Finally, I may observe that the idea of a mystical tradition maintaining itself through the centuries fits better with Elior’s view than with Scholem’s. Indeed, Elior often gives the impression that the same priestly worldview may be found within the book of Ezekiel, Qumran literature, and the Hekhalot texts, and that the destruction of the Second Temple did not fundamentally affect this worldview.

In sum, since the perennialist tradition is primarily conceived on the model of the binary view, its conception is biased and unbalanced. The reason for the imbalance is the following: Boustán mainly criticizes the binary view, while showing a clear preference for the dialectical view. I shall discuss this important point further on.

According to Boustán’s argument, the ‘perennialist tradition’ is dichotomist as a whole. It follows that he distinguishes between a dichotomist binary view and a dichotomist dialectical view. The former is a tautology: a binary view is necessarily dichotomist. The latter remains to be clarified: how can a view be both dichotomist and dialectic?

At first glance, it is paradoxical, because, by definition, a dialectical view is not dichotomist and could even be said to be anti-dichotomist, as is showed by the Hegelian criticism of Kant. In Hegel’s view, Kant is a thinker of ‘understanding’. The

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120 Ibid., 484.

121 Ibid., 487.

moment of understanding is a moment in which the concepts are stable and form fixed dichotomies. By contrast, 'reason' sees opposed concepts within a dialectical framework. Accordingly, contradiction is a process leading to a third concept, in which two conflicting ideas are reconciled and raised to a higher level.<sup>122</sup>

In order to understand how an approach could be both dialectical and dichotomist, we must return to the most prominent figure of the dialectical approach to Judaism: Gershom Scholem. It is true that Scholem often uses the term 'dialectic', but he does not always give the same meaning to it.<sup>123</sup> At least two different conceptions of dialectic appear in his writings. According to the first conception, the opposing sides are Law and mysticism, and the third element, which is the synthesis, is Judaism and its historical evolution.<sup>124</sup> The opposing sides of the second conception are myth and religion, and their synthesis is mysticism.<sup>125</sup>

The first conception places little emphasis on synthesis and emphasizes rather the opposing sides: the constant tension between the principles of law and mysticism is the very life of Judaism. By contrast, the second conception highlights the synthesis provided by mysticism, which includes in the same whole the two opposing principles of myth and religion. Boustani obviously has the first conception in mind when he describes Scholem's dialectical and dichotomist explanation of the relationship between Hekhalot and rabbinic literature. Indeed, for the first conception, the dialectic is one with its dichotomist component, that is, a tension between two opposing principles. In light of the

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122 See, for example, Sally Sedgwick, *Hegel's Critique of Kant: From Dichotomy to Identity* (Oxford: Oxford University Press, 2012).

123 See David Biale, *Gershom Scholem: Kabbalah and Counter-History* (Cambridge, MA: Harvard University Press, 1979), 137.

124 Scholem, 'Pour comprendre le messianisme juif', in *Le messianisme juif: Essais sur la spiritualité du judaïsme* (Paris: Calmann-Lévy, 1974), 23–66 (46, 55, 66); Biale, *Gershom Scholem*, 121, 123, 127, 132.

125 Scholem, *Major Trends*, 36–39 and Biale, *Gershom Scholem*, 121. Scholem also refers to other dialectical pairs: reason (philosophy) versus mysticism or versus myth.

first conception, we understand better the following statement of Boustan: “I show that, ironically, Scholem’s understanding of the inner dialectic between the mystical and the halakhic-normative dimensions within a single but multifaceted Judaism has unwittingly encouraged a binary view of the Jewish tradition, in which the mystical and the rabbinic represent two diametrically opposed forms of Judaism.”<sup>126</sup> This statement is best illustrated by the case of Goodenough (a supporter of the binary view), who, like Scholem (a supporter of the dialectical view), speaks of a tension between law and mysticism.<sup>127</sup> While Scholem places the tension within rabbinic Judaism, Goodenough connects Law with the rabbis and mysticism with another form of Judaism. Thus, Boustan is right when he says that a dichotomist dialectic (Scholem) has led to a pure dichotomy (Goodenough).

If Boustan adopts Scholem’s first conception of dialectic, he neglects the second, according to which mysticism is not one of the opposing sides, but the very synthesis of the dialectical process. Boustan’s presentation of Scholem’s dialectic is therefore somewhat simplistic. It also raises a second difficulty, perhaps more problematic: Scholem does not use the term ‘dialectic’ when he deals with the specific subject of Hekhalot literature. His definition of the Hekhalot worldview seems to be more Gnostic than dialectical.

As already pointed out, Boustan claims that the dialectical and binary views are both dichotomic. However, dichotomy is not the same in both cases. The dialectical view divides one (rabbinic) Judaism, whereas the binary view contrasts two different forms of Judaism. By putting forward the notion of a perennialist tradition, Boustan tends to play down the importance of this difference. In his view, what is significant is dichotomy and not the domain within which it operates. Nevertheless, it may be asked whether he is right about this. The fact that the binary and the dialectical views disagree on the very existence of non-rabbinic forms of Judaism is not an insignificant detail! Finally, it is not

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<sup>126</sup> Boustan, ‘Rabbinization’, 487.

<sup>127</sup> Goodenough, *Jewish Symbols*, 1, 19–20.

clear that the scholars connected with the perennialist tradition ignore the “historicizing approach to Hekhalot literature.”<sup>128</sup> In fact, they also try to clarify the historical context in which the authors of the Hekhalot corpus wrote. The difference between Boustan and these perennialist scholars lies in the selection of different historical contexts: Scholem and Elior prefer an ancient (70–400 CE) Palestinian setting; Boustan (and other scholars) a later (400–800 CE) Palestinian or Babylonian setting.<sup>129</sup>

Boustan not only criticizes the perennialist tradition, but also offers an alternative model about the relationships between Hekhalot and rabbinic literature. His model includes four components:

1. Descriptive: Textual data, which, while showing some differences, primarily illustrate similarities between Hekhalot and rabbinic literature.
2. Literary: The notion of rabbinization.
3. Sociological: The hypotheses of Swartz and Vidas.
4. Historical: Morton Smith’s approach to post-70 Judaism.

Boustan’s model thus involves three levels: ‘literary’, ‘sociological’, and ‘historical’. On the literary level, Boustan emphasizes the notion of rabbinization, which he defines as follows: “From the sixth century on, rabbinic forms, themes and modes of authority increasingly inflect even those genres or corpora that seem to have existed at the boundaries of rabbinic literary culture. It would seem that rabbinic culture was itself transformed in the process.”<sup>130</sup> Thus, rabbinization is essentially considered a literary and cultural process. This process develops in two directions: The rabbis exert their influence on ‘non-rabbinic’ corpora and vice

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128 Boustan, ‘Rabbinization’, 485.

129 Ra‘anan Boustan, ‘Hekhalot Literature at the Intersections of Jewish Regional Cultures’, in *Hekhalot Literature in Context: Between Byzantium and Babylonia*, ed. by Ra‘anan Boustan, Martha Himmelfarb, and Peter Schäfer (Tübingen: Mohr Siebeck, 2013), xi–xxiv, and the other contributions in the same book.

130 Boustan, ‘Rabbinization’, 501.

versa. In a previous passage, Boustán gives another definition of rabbinization: “[...] the spread of rabbinic hegemony was gradual and remained incomplete throughout Late Antiquity; but [...] its success also entailed willy-nilly both its diversification and its appropriation within other branches of Jewish literary culture—among synagogue poets and preachers, among magicians, and among mystics.”<sup>131</sup> As in the first definition, Boustán emphasizes the notion of authority. He also understands the transformation of rabbinic culture as its appropriation within various corpora or discourses and therefore as its diversification. Thus, rabbinization is both a constraint and a source of “cultural creativity”.<sup>132</sup>

Rabbinization being a reciprocal process, it results in a growing proximity between Jewish rabbinic and non-rabbinic texts. Boustán speaks of ‘convergence’, ‘amalgamation’, ‘harmonization’, and ‘dialogue’<sup>133</sup>. Finally let us note that, in Boustán’s view, rabbinization is also a specific period of Jewish history, which he dates from the fifth or sixth to the eighth centuries, following Schwartz’s claim that rabbinization really began in the sixth century.<sup>134</sup>

The title of Boustán’s article might indicate that his model is based exclusively on the notion of rabbinization, but this is not the case. He also adds the sociological approaches of Swartz and Vidas.<sup>135</sup> Both scholars try to identify the social milieu from which the *Sar ha-Torah* materials of *Hekhalot* literature emerged. They agree on at least one point: the Jews responsible for these texts are not the rabbis, but form a group close to the rabbis. They differ, however, on the identity of the group: synagogue functionaries (Swartz) or reciters in rabbinic academies (Vidas).

Last but not least, Boustán finds his ‘general orientation’ in the conception of post-70 Judaism advocated by Smith.<sup>136</sup> Unlike

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131 *Ibid.*, 500.

132 *Ibid.*, 485.

133 *Ibid.*, 497, 500.

134 *Ibid.*, 485, n. 10, 501. At the very beginning of the article, Boustán mentions a wider chronological context, between 500 and 900 CE.

135 *Ibid.*, 493–94.

136 *Ibid.*, 484–85.

Goodenough, Smith argues that the plurality of post-70 Judaism cannot be reduced to a simple dichotomy between rabbinic Judaism and a single non-rabbinic Judaism. For Smith, there are no strong differences between various forms of Judaism, but rather differences of degree: Jewish groups and circles form a continuum, and the frontiers between them are highly porous.

In sum, Boustán provides an alternative model designed to solve the problems posed by the perennialist approach. First, his model is not static, since it offers an ‘historicizing’ approach to the Hekhalot corpus in terms of rabbinization.<sup>137</sup> Second, it is not dichotomist, since it builds on Smith’s criticism of the dichotomist view of Goodenough. Third, it is not unilateral, since it explains both similarities and differences between Hekhalot and rabbinic literature, emphasizing the convergence of the corpora (literary rabbinization) and the proximity of the groups that lie behind the corpora.

Boustán’s approach remains vague on the articulation of its four components. He describes his alternative approach mainly in the introduction and the second part of the article. It is striking that none of these sections deal with all four components or with the question of how they are connected. Furthermore, Boustán’s discussion is more descriptive than explicative: the arguments of Smith, Vidas, and Swartz are presented briefly, and the category of rabbinization, despite being present in the title, appears only a few times in the article.

However, it is possible to offer a hypothetical construction of Boustán’s argument: the notion of rabbinization (2) and the hypotheses of Swartz and Vidas (3) are two different and complementary ways of interpreting the textual data (1), literarily and sociologically, and Boustán refers to Smith’s conception of post-70 Judaism (4) as a more general historical framework within which the literary and sociological interpretations find their place. Basically, 4 is the basis of 2 and 3, which explain 1.

One might well ask, nonetheless, whether rabbinization and the sociological insights of Swartz and Vidas are really

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<sup>137</sup> Ibid., 485.

complementary. Neither Swartz nor Vidas speak of rabbinization (the same could be said of Smith). To answer this question, we should first fully understand how each approach accounts for textual data and particularly the similarities between Hekhalot and rabbinic literature.

The literary approach (in terms of rabbinization) emphasizes both the growing authority of rabbinic texts and the increasing interest of the rabbis in other Jewish corpora. The sociological approach, exemplified by Swartz and Vidas, claims that the Hekhalot traditions (or at least the *Sar ha-Torah* traditions) arose within circles close to those of the rabbis: the synagogue functionaries and the reciters. Sociological proximity naturally results in literary similarities and overlaps. Both approaches clearly differ on one point: the former speaks of convergence and is dynamic, the latter speaks of proximity and is static. Against this background, is it possible to call them ‘complementary’?

Common sense would suggest that proximity is the result of convergence: it is because some groups are rabbinized that they become close to the rabbis. In this case, the concept of rabbinization is not simply literary, but also sociological, and may include the approaches of Swartz and Vidas, considered more dynamically. This seems to be confirmed by a statement of Boustán. While he stresses again and again that rabbinization is a literary and cultural category, at one point he mentions the role of rabbinization in “Jewish culture and *society*” (emphasis is mine).<sup>138</sup> Even if the argument seems compelling, it is not fully satisfactory. Swartz’s synagogue functionaries could indeed have been rabbinized, but is it possible to think the same of Vidas’s reciters, who belong to the rabbinic academy?<sup>139</sup> Moreover, it is striking to see that the passage of the article connecting textual

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<sup>138</sup> Ibid., 482.

<sup>139</sup> For Ron Naiweld, the reciter is a second kind of rabbi, mainly responsible for the process of rabbinization. Thus, reciters are not *rabbinized*, but *rabbinizers*. See his ‘Le Mythe à l’usage de la rabbinization: La tradition de *Sar ha-Torah* dans son contexte historique et social’, *Henoch* 34 (2012): 245–67.



data with the approaches of Swartz and Vidas does not refer to rabbinization.<sup>140</sup>

At first sight, Boustán differs from the perennialist tradition, in that he uses the notion of rabbinization. Indeed, neither Scholem nor Elior discuss rabbinization, but the notion may be found in their works. As is well known, Scholem sees Hekhalot lore as an orthodox Jewish Gnosticism, that is, a Gnosis which has been revised in order to conform to a rabbinic framework. In other words, Hekhalot traditions are rabbinized Gnosis. As to Elior, she claims that the authors of the Hekhalot texts accepted rabbinic authority on an earthly level and avoid sectarian and polemical attitudes, in contrast with the Qumran priests. There is no reason not to consider this shift a form of rabbinization.

Boustán himself alludes to the fact that perennialist scholars may use the notion of rabbinization as well when he argues for “a nuanced understanding of the process of rabbinization.”<sup>141</sup> It follows that there may be, or may already have been, other interpretations of rabbinization that are not nuanced. What leads Boustán to assert that his conception of rabbinization is nuanced? He emphasizes both rabbinic agency and the transformation of rabbinic culture in the process. By contrast, the perennialist views would reduce rabbinization to the action of the rabbis on a passive non-rabbinic Judaism.<sup>142</sup>

Occurring only a few times within his article, Boustán’s notion of rabbinization remains unclear on a number of issues. Is it a descriptive or an explanatory notion? He notes “patterns of similarity and difference,” “mutual literary appropriation,” and “permeable boundaries.”<sup>143</sup> Are these phenomena identical to rabbinization or do they explain it? The question may even be raised whether rabbinization is an explanatory tool or, conversely, something that needs to be explained. In the following passage, ‘rabbinization’ is clearly explanatory: “This essay considers the

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140 Boustán, ‘Rabbinization’, 494.

141 Ibid., 486.

142 Ibid., 487.

143 Ibid., 483, 494.

role that rabbinization of Jewish culture and society at the end of antiquity (c. 500–900 CE) played in the formation of the distinctive registers of discourse found in Hekhalot literature.”<sup>144</sup> Another passage suggests the opposite:

Instead, I wish to argue that a more nuanced mapping of the imperfectly intersecting terrains of Hekhalot and rabbinic literatures will open up new avenues for understanding both the extension of rabbinic hegemony and the enduring heterogeneity of Jewish culture during the transitional period at the end of Late Antiquity that saw the empires of the ancient European, Mediterranean, and Near Eastern world evolve into what Garth Fowden has called the ‘commonwealths’ of the early Middle Ages.<sup>145</sup>

This long sentence is probably one of the most important in the article. It uses spatial terminology and metaphors (“mapping,” “terrains,” “avenues”) and thus reflects the influence of the so-called ‘spatial turn’ in English humanities scholarship (and beyond). It is striking that in this sentence it is the study of the Hekhalot texts and their relationship with rabbinic literature (“a more nuanced mapping of the imperfectly intersecting terrains of Hekhalot and rabbinic literatures”) which helps to explain rabbinization (“will open up new avenues for understanding both the extension of rabbinic hegemony and the enduring heterogeneity of Jewish culture”). Indeed, “the extension of rabbinic hegemony” is the very definition of rabbinization, which also entails, for Boustán, a diversification of Jewish culture. In sum, the first sentence (“This essay considers...”) suggests that rabbinization is a tool to better understand the relationships between Hekhalot and rabbinic literature, but the second reference states the contrary.

Regarding rabbinization as “the gradual amalgamation of rabbinic and Hekhalot traditions and their attendant modes of authority,” Boustán makes the following remark: “Both rabbinic and Hekhalot literatures thus bear witness to the *relatively*

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144 Ibid., 482.

145 Ibid., 482.

early integration [emphasis mine] of what may appear, on phenomenological grounds, to be mutually exclusive modes of religious piety and authority.”<sup>146</sup> In speaking of “relatively early integration,” Boustán supports the view that the Hekhalot texts were directly redacted in a rabbinized form by authors both different from and close to the rabbis. Consequently, Hekhalot literature appears in its very conception as an ambiguous corpus, including both rabbinic and non-rabbinic features. However, it seems to me that the following remarks suggest another approach to the relationships between rabbinization and the redaction of the Hekhalot texts: “I find myself persuaded [...] that the very specific configuration of ideas, themes, imagery, and practices that defines ‘Merkavah mysticism’ [...] is absent from rabbinic sources from the third and fourth centuries [...] Something changed quite palpably from the late fifth to eighth centuries.”<sup>147</sup> This passage emphasizes the indifference of the rabbis towards Hekhalot traditions up to the fifth century. It is tempting to suppose that a similar indifference characterized the ‘Merkavah mystics’ of the same period. It is also tempting to argue for the existence of a first version of Hekhalot literature devoid of rabbinic features. In a recent lecture, Philip Alexander distinguished between a first stage of Hekhalot literature (‘the old-fashioned Hekhalot’), which was not preserved, and its final version. The first stage would reflect the conceptions of non-rabbinic mystics. By contrast, the final version is rabbinized. Alexander asks further whether the rabbis are directly responsible for the rabbinization of the text or whether it is a strategy of the mystics themselves.<sup>148</sup>

The main purpose of Boustán’s article is to challenge Eilior’s view of the Hekhalot traditions, which connects them with a non-rabbinic priestly form of Judaism. For Boustán, this view exemplifies the perennialist tradition, which is unable to account

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146 Ibid., 497.

147 Ibid., 495.

148 Philip Alexander, ‘The Rabbinization of Hekhalot Literature’, *Diversité et rabbinisation: textes et sociétés dans le judaïsme entre 400 et 1000 de notre ère*, Paris, 24–26 juin 2015 (oral communication).

satisfactorily for the complexity of the relationships between Hekhalot and rabbinic literature. Indeed, Elijor often gives the impression of describing a priestly Judaism whose worldview has remained substantially unchanged from Ezekiel to the Hekhalot texts. However, Boustani's criticism of Elijor's view is not fully convincing. As already stated, Elijor's book, *The Three Temples*, focuses on Qumran literature and addresses the Hekhalot corpus only in its last chapter. Elijor contrasts the views of the Qumran priests and the rabbis on many topics, and the result is impressive. Boustani criticizes Elijor's dichotomic approach, but only in general terms. It is necessary to discuss the picture in detail and to deal with the dichotomies one by one.

Even if Elijor is wrong, it remains possible to argue for a connection between Hekhalot literature and the priests. As Boustani himself acknowledges, Alexander also connects both Qumran and Hekhalot literature to Jewish priests in a more nuanced way than Elijor.<sup>149</sup> The differences between Qumran and Hekhalot literature are easy to understand: if priests are behind the Hekhalot texts, they share a lot of materials and concerns with the priests of Qumran, but they are involved in a very different historical context. Boustani sees Swartz's and Vidas's sociological views in a positive light, but he does not explain why connecting the Hekhalot literature with a priestly milieu would be less sociological or insightful. These priests could be as rabbinized as Swartz's synagogue functionaries or Vidas's reciters.

Boustani is well aware that the Hekhalot texts are not the only corpus scholars have linked to Jewish priests. This is true as well for the Targumim and the piyyutim.<sup>150</sup> Therefore, it is possible to argue that all these corpora emerged within the same priestly milieu. Boustani, however, claims that the plurality of non-rabbinic forms of Judaism should not be reduced to a single alternative Judaism. Accordingly, he adds that rabbinization affects different branches of "Jewish literary culture", including synagogue poets, preachers, magicians, and mystics.<sup>151</sup>

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149 Boustani, 'Rabbinization', 484, n. 5.

150 Ibid., 492.

151 Ibid., 500.

He does not say, however, how we should understand the priestly features shared by the Hekhalot texts, piyyutim, and Targumim, and their common proximity to the world of the synagogue. Swartz, whose work Boustan refers to concerning the original setting of Hekhalot literature, argues for the existence of a priestly piety connected with the synagogue and which coexists with rabbinic ideology.<sup>152</sup> Moreover, Boustan does not mention one important point shared by Swartz and Vidas: the group behind the Sar ha-Torah texts is closely related to the synagogue.<sup>153</sup>

As already seen, the issue of the relationships between Hekhalot and rabbinic literature may be explored within three different frameworks: one dialectical, one dichotomist, and the alternative view offered by Boustan. These frameworks have broader implications regarding the nature of Late Antique Judaism. The dialectical framework knows only one Judaism, that of the rabbis. The dichotomic framework distinguishes between rabbinic Judaism and a single non-rabbinic Judaism. Boustan’s framework, which is based on the reflections of Smith, seems to conceive of a single Judaism (a ‘continuum’), including many (rabbinic and non-rabbinic) groups separated by porous frontiers. It is close to what Miller has recently called ‘complex common Judaism’.

The three frameworks (in four views) may be resumed in the following table:

Two Judaisms		One Judaism	
1. Separated (dichotomist view: Goodenough, Elior)	2. Related	3. Rabbinic (dialectical view: Scholem)	4. Continuum with diversity (Smith, Boustan)

152 Michael D. Swartz, ‘Chains of Tradition from Avot to the ‘Avodah Piyutim’, in *Jews, Christians and the Roman Empire*, ed. by Dohrmann and Reed, 189–208 (2008)

153 This is obvious in the case of Swartz, who connects Hekhalot literature with synagogue functionaries. On Moulie Vidas, see his book *Tradition and the Formation of the Talmud* (Princeton, NJ: Princeton University Press, 2014), 148–49, 190–95, 197–201.

Boustán's approach (view 4) is close to the dialectical view (view 3). Both share the idea of a single, but multifaceted Judaism, and Boustán only claims that the dialectical understanding of the relationship between the different facets of Judaism is too simplistic. Thus, he holds that Hekhalot and rabbinic literature could be described as two facets (among others) of a single Judaism, but they are not "merely complementary facets" (and the only ones), as Scholem and others thought.<sup>154</sup> Therefore, it is not surprising that Boustán criticizes primarily the dichotomic view and conceives of the perennialist tradition, which includes both dichotomist and dialectical features, essentially on the basis of the dichotomic view.

A fourth view appears in the table (view 2), which considers two Judaisms related to each other. View 1 represents a strong dichotomy and view 2 a soft dichotomy. Contrary to Boustán, it seems to me that Goodenough's and Elior's approaches are not so different from view 2. The hypothesis of a synagogal Judaism, which will be discussed in the last part of my paper, is probably the best example of view 2.

Boustán may think that views 1 and 3 cannot encompass the notion of rabbinization. According to view 1, the two Judaisms are separated and could not influence each other, while view 3 assumes there is only one rabbinic Judaism and thus nothing to rabbinize. For Boustán, only view 4 can give proper weight to the process of rabbinization, since it recognizes both Jewish diversity and the possibility of reciprocal influences within a single, social continuum. In fact, however, rabbinization may also be present within view 2 as a form of relationship between the two Judaisms (and within views 1 and 3 as well, as pointed out below).

Finally, since he recognizes the existence of one single Judaism which has the form of a continuum, Boustán tends to downplay differences and tensions between various Jewish groups.<sup>155</sup>

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<sup>154</sup> Boustán, 'Rabbinization', 482.

<sup>155</sup> The term 'tension' appears only once in Boustán's own article: 'Rabbinization', 500 ("tensions").

## 5.0. Synagogal Judaism

In a book published in 2012, Simon Claude Mimouni suggested a new model to describe Palestinian Judaism after 70.<sup>156</sup> It includes three Judaisms: rabbinic, Christian, and synagogal. Mimouni characterizes synagogal Judaism in two ways: negatively, as neither rabbinic nor Christian, and positively, to include the majority of Palestinian Jews. Synagogal Judaism finds its material basis and its primary area of expression in synagogues, which at that time were neither directed nor controlled by the rabbis. Unlike rabbinic Judaism, synagogal Judaism was well-integrated into the Greco-Roman world. Several inscriptions testify that Jews perform the function of *agoranomos* or *bouletes*. For Mimouni, these Jews are clearly synagogal Jews.

Priests hold a dominant position within synagogal Judaism. In recent publications, Mimouni has increasingly stressed the priestly component of synagogal Judaism, speaking of priestly-synagogal Judaism (*judaïsme sacerdotal et synagogal*).<sup>157</sup> Synagogal Jews may be Greek- or Aramaic-speaking. For Mimouni, some apocalyptic writings may be related to synagogal Judaism, which is both mystical and messianic. It is in many respects the institutional or official Judaism of that time, as it is the cult recognized by Romans. Dominant for a long period, it was finally overridden by the rabbinic and Christian movements. In the course of this development, however, both had assimilated elements from their ancient rival.<sup>158</sup>

My aim is not to deal with all the questions raised by Mimouni's hypothesis. I shall limit my discussion to some points directly

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156 The model also applies to the Diaspora: see Costa, 'Qu'est-ce que le "judaïsme synagogal"?', *Judaïsme ancien/Ancient Judaism* 3 (2015): 63–218 (190–95).

157 Mimouni, 'Le "judaïsme sacerdotal et synagogal" en Palestine et en Diaspora', 113–47, and idem, *Jacques le juste, frère de Jésus de Nazareth* (Montrouge: Bayard, 2015), 23, 41, 60, 71, 90, 109, 165–66, 176, 193, 198, 201–02, 208, 214, 224, 229, 248, 257–58, 272, 278, 287–89, 295, 299–300, 340–41, 422, 432, 437, 536, 543–64.

158 Mimouni, *Le judaïsme ancien*, 476–79, 500–05, and 553–63.

connected with the major issues of my paper, the nature of non-rabbinic Judaism and rabbinization.

Mimouni is concerned with non-rabbinic Judaism, like others who adhere to the new model. However, he departs from most by calling it 'synagogal Judaism'. This label will probably raise some objections before being accepted (if it is) by the scholarly world. Did the rabbis not take part in synagogue life? Is the synagogue not a central component of common Judaism? If we admit the existence of many Judaisms, the synagogue would be a common point for all of them and not a criterion we could use to distinguish between them.

It is, however, difficult to ignore Goodenough's main thesis, that the ancient synagogue was not controlled by the rabbis, but by another form of Judaism. Since the 1970s, several studies have confirmed Goodenough's thesis. These emphasize the rather marginal and sometimes problematic place of the synagogue in rabbinic literature. They also highlight contradictions between the archaeological and rabbinic evidence regarding the synagogue: these contradictions mainly touch upon architecture, figurative art, and conceptions of the sacred.<sup>159</sup> A number of authors explicitly see the synagogue as a place of conflict between different trends or circles within Judaism.<sup>160</sup>

The phrase 'synagogal Judaism' is not found in the writings of Goodenough, Neusner, Cohen, Lee I. Levine, or Schwartz. However, it is probably the most appropriate way to describe non-rabbinic Judaism, which, according to these very scholars, would be related to the synagogue setting. In a recent article, Fergus Millar has, I think, correctly applied the expression 'synagogal Judaism' to the approaches of Levine and Schwartz:

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159 See Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (New Haven, CT: Yale University Press, 2000), and idem, *Visual Judaism in Late Antiquity. Historical Contexts of Jewish Art* (New Haven, CT: Yale University Press, 2012).

160 See, for example, Jodi Magness, 'Heaven on Earth: Helios and the Zodiac Cycle in Ancient Palestinian Synagogues', *Dumbarton Oaks Papers* 59 (2005): 1–52 (40–41).



“Should we therefore draw the conclusion, as Schwartz, following Levine, does, if with qualifications, that ‘rabbinic’ Judaism and ‘synagogal’ Judaism not only represent distinct spheres of religious practice, but were actually distinct, the one from the other.”<sup>161</sup> The expression is all the more justified, in that the synagogue is not merely one of the elements supporting the new historiographical model; it is actually the central and unifying element of this model. Thus, Steven Fine has rightly understood the central role of the synagogue in what he (critically) called “the search for Nonrabbinic Judaism.”<sup>162</sup>

The ambiguous corpora are directly (Targum, piyyut) or indirectly (Hekhalot literature) connected with the synagogue. Several magical practices are also related to the synagogue setting.<sup>163</sup> The Jewish patriarch—an example of de-rabbinization—is recognized in the Theodosian Code as the leader of the synagogue network.<sup>164</sup>

The main languages of Palestinian non-rabbinic Judaism, if it did include the majority of Palestinian Jews, could only be Aramaic and Greek, that is, the languages that are mostly attested in synagogue inscriptions. I have argued elsewhere that one can interpret the *Qedushah* as one of the prayers of synagogal Judaism. The oldest version of this prayer is preserved in Greek.<sup>165</sup>

The synagogue is also connected with the priests, whom an increasing number of scholars consider as the elite, or one of the elite groups of non-rabbinic Judaism.<sup>166</sup> At the end of his article about chains of tradition in ‘*Avodah piyyutim*’, Michael Swartz notes: “Chains of tradition in the ‘*Avodah piyyutim*’ add to the evidence that, along with rabbinic ideology, a form of cultic

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161 Fergus Millar, ‘Inscriptions, Synagogues and Rabbis in Late Antique Palestine’, *Journal for the Study of Judaism* 42 (2011): 253–77 (257).

162 Fine, ‘Archaeology and the Search for Nonrabbinic Judaism’, 35–46.

163 Bohak, *Ancient Jewish Magic*, 314–22.

164 Costa, ‘La figure du patriarche’, 118–25.

165 Costa, ‘Qu’est-ce que le “judaïsme synagogal”?’ , 125–40.

166 Ibid., 183–87.

piety coexisted, in which the priesthood was valued, and perhaps even represented, in the ancient synagogue.”<sup>167</sup>

Binitarianism, which, in Boyarin’s view, is one of the main features of non-rabbinic Judaism, is also related to the synagogue. Evidence of binitarianism is found in the Targum, while the Talmud interprets some problematic prayers as binitarian.<sup>168</sup> Goodenough explains the synagogue art against the background of a mystical Philo. While his explanation has generally been rejected, Mimouni maintains that synagogal Judaism is mystical. According to Jodi Magness, the mystical interpretation of the ancient synagogue becomes relevant if it is based on the Hekhalot corpus.<sup>169</sup>

Mimouni emphasizes the continuity of synagogal Judaism in Palestine. Schwartz sees discontinuity, holding that the history of post-70 Palestine is marked by rupture. For Schwartz, the period is first characterized by the adoption of a pagan lifestyle and practices among Jews. After 350 CE, radical changes occur in Palestine, and Judaism is increasingly organized around the synagogue, the local community, and the benefactors of these two institutions.<sup>170</sup> This stark contrast, based mainly on the archaeological data, raises several problems that have been discussed elsewhere, particularly by Miller.<sup>171</sup>

Like Mimouni, Levine gives an account of the ancient synagogue that builds on both archaeological and literary evidence and stresses continuity more than discontinuity. Consequently, a single synagogal Judaism would have taken different forms according to the local context, first pagan and then Christian. The diversity of the archaeological synagogues is a striking fact: each of them should be understood, if possible, within its historical and geographical setting, as Levine has argued in his last book,

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167 Swartz, ‘Chains of Tradition’, 208.

168 Boyarin, *Border Lines*, 116–19, 123, and 290 (n. 30).

169 J. Magness, ‘Heaven on Earth’, 4–5.

170 Schwartz, *Imperialism and Jewish Society*, 101–76 and 177–89.

171 Miller, ‘Review Essai. Roman Imperialism, Jewish Self-Definition, and Rabbinic Society’, 338, 348.

*Visual Judaism.* However, in the same book, Levine also holds that the synagogues and their art reflect a ‘common Judaism’, albeit different from rabbinic Judaism. Accordingly, there is no contradiction between the artistic diversity of synagogues and the existence of a single synagogal Judaism, the diversity being a part of the latter and responding to different and changing settings.

As to rabbinization, how does it affect the synagogue? Obviously, the synagogue is one of the key places of this process. Most of the traces of rabbinization pointed out by Lapin and Schwartz are connected with the synagogue. This is also the case of the ambiguous corpora.

Ezra Fleischer has argued that the rabbis composed the Amidah prayer after the destruction of the Second Temple. Building on this thesis, Ruth Langer claims that it took many centuries for the Amidah to spread from rabbinic circles to a wider Jewish world. The growing success of the Amidah from the fourth century onwards is related to the gradual sanctification and ‘templization’ of the synagogue. Thus, the diffusion of the Amidah in Late Antiquity is a good example of rabbinization within a synagogue setting.<sup>172</sup> It is possible that the history of the *Qedushah* may be another example of such rabbinization, but this time we would be dealing with a non-rabbinic prayer that was finally accepted by the rabbis. Rachel A. Anisfeld argued that the rabbis used homiletical Midrashim to present their Judaism in a more accessible and attractive form and to spread it within the wider Judaism of the synagogues. They particularly used emotional rhetoric and emphasized the indulgence of God towards Israel.<sup>173</sup>

Thus, I would argue that rabbinization seems to have consisted essentially in the rabbinization of the synagogues (and in the

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172 Ruth Langer, ‘Early Rabbinic Liturgy in Its Palestinian Milieu: Did Non-Rabbis Know the *Amidah*?’, in *When Judaism and Christianity Began: Essays in Memory of Anthony J. Saldarini*, ed. by Alan J. Avery-Peck, Daniel Harrington, Jacob Neusner, 2 vols. (Leiden: Brill, 2004), I, 423–39.

173 Rachel A. Anisfeld, *Sustain Me with Raisin-Cakes: Pesikta DeRav Kahana and the Popularization of Rabbinic Judaism* (Leiden: Brill, 2009).

‘synagogalization’ of the rabbis), even if the modalities of the process require further explanation.

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PART 2. EVIDENCE FOR NON-  
RABBINIC JUDAISM: THE NEAR EAST



## 4. IN SEARCH OF NON-RABBINIC JUDAISM IN SASANIAN BABYLONIA

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It is not for lack of desire that efforts to ‘de-rabbinize’ Babylonian Jewry in the Talmudic period have been so hesitant and so abysmally unfruitful, as comparison with the scholarship on the Jews in the Roman Empire in recent decades can show. However, when almost all you have is the Babylonian Talmud, it is hard to argue with conviction that Babylonia might somehow not have been all that ‘Talmudic’.

Even Jacob Neusner—among the foremost scholars to highlight the sharp distinction between Pharisees and rabbis and to emphasize that the rabbinic movement was something quite new in the post-Destruction era—seems to have given up without too much of a fight when turning his attention to Babylonia. For all his later ‘Judaisms’, his Babylonia knows but one Judaism, and his monumental five-volume *History of the Jews in Babylonia* might be more accurately dubbed a history of the *rabbis* in Babylonia.<sup>1</sup> If his Jewish Babylonia is essentially rabbinic, it had not always

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1 Cf. Seth Schwartz, ‘The Political Geography of Rabbinic Texts’, in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. by Charlotte E. Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press, 2007), 75–96 (91).

been that way, but the change had happened early on, and rapidly, without too much resistance. The Tannaim had exported rabbinic Judaism in the course of the second century CE. There had been a power struggle with the initially non-rabbinic exilarchate, but this, too, was resolved early on. The rabbis became exilarchal employees; and the exilarchs became a part of the new rabbinic world.<sup>2</sup> Neusner sought out 'non-rabbinic Judaism' on the margins of the Babylonian rabbinic mainland. He found it in the Dura synagogue, inspired by Goodenough's provocative interpretation of the synagogue frescos,<sup>3</sup> and in northern Mesopotamia, where, he suggested, the early harbingers of Christianity, via Edessa, had won over some local Jews and God-fearers to Christianity, in contrast to Nisibis and southern Babylonia, where the Tannaim had introduced their Mishnah.<sup>4</sup> Both theories today appear to be little more than curiosities.

One means of finding non-rabbinic Jews was through the writings of the fourth-century Syriac author, Aphrahat. Writing in Sasanian Mesopotamia, perhaps in the north, he addresses close to half of his *Demonstrations* to issues that have a Jewish resonance, such as circumcision, the Sabbath, and the dietary laws. Here he mentions Jewish Sages who pose challenges to the faithful. These 'Jews' possessed a curious familiarity with the New Testament, but exhibited little interest in rabbinic halakhah and aggadah. Scholars had already compared Aphrahat's exegesis to that of the rabbis,<sup>5</sup> but Neusner questioned this approach. For him, Aphrahat's Jews were not straw men, but real Jews—non-

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2 See, e.g., Jacob Neusner, *A History of the Jews of Babylonia*, 5 vols. (Leiden: Brill, 1965–1970), II, 111–12.

3 Jacob Neusner, 'Judaism at Dura-Europos', *History of Religions* 4 (1964): 81–102.

4 Neusner, *A History of the Jews in Babylonia*, I, 122–77, 180–83.

5 Salomon Funk, *Die haggadischen Elemente in den Homilien des Aphraates, des persischen Weisen* (Vienna: Knöpfmacher, 1891); Louis Ginzberg, *Die Haggada bei den Kirchenvätern und in der apokryphischen Litteratur* (Berlin: S. Calvary, 1900); Frank Gavin, *Aphraates and the Jews* (Toronto: Journal of the Society of Oriental Research, 1923), 27–72.

rabbinic and, in a sense, dinosaurs who “based their Judaism on the Hebrew Scriptures and took literally both the theology and the practical commandments they found in them.”<sup>6</sup> The apparent absence of references to the Oral Law in Aphrahat’s polemics was, to Neusner, instructive. “If rabbinical schools or circles existed in Mesopotamia in his day, the best evidence of their limited impact on Mesopotamian Jewry is Aphrahat’s failure to take issue with them and their teachings.”<sup>7</sup> Subsequent studies have taken issue with Neusner, asserting that Aphrahat’s Jews were, in some way, rabbinic<sup>8</sup> or ‘para-rabbinic’<sup>9</sup> and the interaction ‘real and concrete’.<sup>10</sup>

Neusner’s contemporary, Moshe Beer, similarly imagined Jewish Sasanian Babylonia as decidedly rabbinic. He too, spoke of the rabbis’ steady rise to a prominent position in the leadership of the Jewish community, first among their disciples and supporters, then among local leadership, and ultimately becoming recognized rulers of the entire Jewish people. However, using Talmudic stories of audiences before the Sasanian king as a barometer, he imagined the rabbis wielding serious power, on a par with the exilarchate, already in the first half of the third century, beginning with the Amora, Shmuel.<sup>11</sup>

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6 Jacob Neusner, *Aphrahat and Judaism: The Christian-Jewish Argument in Fourth-Century Iran* (Leiden: Brill, 1971), 148.

7 Ibid.

8 Naomi Koltun-Fromm, *Jewish-Christian Conversation in Fourth-Century Persian Mesopotamia: A Reconstructed Conversation* (Piscataway, NJ: Gorgias Press, 2011).

9 Eliyahu Lizorkin, *Aphrahat’s Demonstrations: A Conversation with the Jews of Mesopotamia* (Leuven: Peeters, 2012), 11.

10 Ibid., 166. This conclusion, too, remains uncertain. The relationship between Aphrahat’s teachings and Jewish sources requires further study that is, for instance, more sensitive to the nuances of rabbinic literature.

11 Moshe Beer, *The Babylonian Amoraim: Aspects of Economic Life* (Ramat Gan: Bar-Ilan University Press, 1982 [first edition 1974]), 9–10; Geoffrey Herman, *A Prince without a Kingdom: The Exilarch in the Sasanian Era* (Tübingen: Mohr Siebeck, 2012), 182–83.

The quest for non-rabbinic Judaism has also been conducted from within the Babylonian Talmud, as scholars have explored inwardly focused polemic. This has been said to reflect rabbinic anxiety towards non-rabbinic elements of Babylonian Jewish society. Yaakov Elman, addressing “intellectual theological engagement,” isolated a number of sources that relate to opponents of Rava, who was based in Mehoza. Some are described as “the sharp-witted ones of Mehoza” (b. Ber. 59b). Rava challenges the foolish people (*hanei enashei/she’ar enashi*) who rise before a Torah scroll, but not before rabbinic scholars (b. Mak. 22b). An example of those who have no place in the world to come includes the household of one Benjamin the Doctor who asks: “What use are the rabbis to us? They never permitted the raven...” (b. Sanh. 99b–100a); we also hear of Yaakov the Heretic (*min*) who discusses hermeneutics with Rava (b. Meg. 23a; b. Avod. Zar. 28a; b. Hul. 84a).<sup>12</sup> The sharp-witted ones (*harifei*) of Mehoza, however, are probably as rabbinic as the distinctly rabbinic “sharp-witted ones of Pumbedita” (b. Sanh. 17b; b. Qidd. 39a; b. Menah. 16b) and the only other thing we know about Benjamin the Doctor’s family is that he would bring questions of animal *kashrut* to Rava for his opinion (b. Sanh. 100a). Scholars recognize that the term *min* might have different meanings in different rabbinic corpora, and in Tannaitic and Amoraic literature, some may refer to cynical non-rabbinic Jews, but we know too little about this.<sup>13</sup>

More compelling for the purpose of isolating a non-rabbinic element in Babylonian Jewry has been Steven Wald’s source-critical analysis of the *‘am ha-aretz* chapter in b. Pesah.<sup>14</sup> By

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12 Yaakov Elman, ‘Middle Persian Culture and Babylonian Sages: Accommodation and Resistance in the Shaping of Rabbinic Legal Tradition’, in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. by Charlotte E. Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press, 2007), 165–97 (177–79).

13 Most recently, Adiel Schremer, *Brothers Estranged: Heresy, Christianity, and Jewish Identity in Late Antiquity* (Oxford and New York: Oxford University Press, 2010).

14 Stephen G. Wald, *BT Pesachim III: Critical Edition with Comprehensive Commentary* (New York: Jewish Theological Seminary, 2000).

demonstrating that the Babylonian Talmud constructed an extended *sugya* on the hostility between two segments of Jewish society, the rabbis and the *‘am ha-aretz*, and invented traditions unattested in Palestinian sources, Wald highlights the existence of an inner-Jewish friction between the rabbinic class and the non-rabbinic segment of society as a *Babylonian* Jewish phenomenon and not merely—or at all—a Tannaitic one, as had been assumed. Of course, since the time of Ezra and Nehemiah, no one has self-identified as an *‘am ha-aretz*, and we cannot really know what they themselves thought or believed. Richard Kalmin, in a series of studies, has argued for rabbinic insularity within Babylonia, in contrast with the situation in Palestine, where rabbis interacted with non-rabbis more regularly.<sup>15</sup> Indeed, stories that depict friction between rabbis and ‘others’ in Palestinian sources are sometimes reconfigured in the Babylonian Talmud to address internal rabbinic conflicts. Sadducees feature more prominently there than in the parallel Palestinian sources, but, argues Kalmin, they are not Sadducees or a stand-in for a real current threat, but only a literary concern for the Babylonian rabbis.<sup>16</sup>

There are other non-rabbis who seem to pose a challenge to the rabbis: dream interpreters;<sup>17</sup> magicians; types like Bati ben Tovi, who is contrasted with Rav/Mar Yehuda at an audience before the Sasanian king; and various powerful or intimidating families whom the rabbis denigrate.<sup>18</sup> These may include Jews of priestly lineage who were not rabbis and who asserted themselves within Jewish society.<sup>19</sup>

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15 See, for example, Richard Kalmin, *Jewish Babylonia between Persia and Roman Palestine* (Oxford: Oxford University Press, 2006), 3–17, 87–88.

16 *Ibid.*, 149–67.

17 The best-known is a certain professional dream interpreter called Bar Hedyā (b. Ber. 56a).

18 B. Avod. Zar. 76b. See Herman, *A Prince*, 308–9; Jason Sion Mokhtarian, *Rabbis, Sorcerers, Kings, and Priests: The Culture of the Talmud in Ancient Iran* (Oakland, CA: University of California Press, 2015), 90–91.

19 On the *de-vei Elyashiv* (b. B. Bat. 29a; b. Git. 14a; b. Ker. 54a), see Geoffrey Herman, ‘The Priests in Babylonia in the Talmudic Period’ (MA thesis, The Hebrew University of Jerusalem, 1998), 115–17. On priestly butchers in Huzel who persistently defied the ruling by Rav Hisda (also



We are, however, limited. Unlike the Roman world (and Dura is a Roman synagogue), there is no mention of an *archisynagogus* in Babylonia. We do not know anything about synagogues outside of the Babylonian Talmud, where they appear to be rabbinic. The Talmud seems to have it both ways, though: when it receives stories from Palestine set in the synagogue, the Babylonian Talmud, in its retelling, tends to transfer the setting to the House of Study.<sup>20</sup>

Furthermore, it is worth recognizing the geographic limitations of our information on rabbinic Babylonia. A close examination of the places treated in the Talmud reveals that many areas and places are not mentioned at all or do not feature in the rabbinic scenery. One might be reminded that Nippur, known for its Judaeon population from the Murashu archive (fifth century BCE) and for its Jewish magic bowls roughly a millennium later, is not mentioned with regard to its Jewish population in the entire Talmud.<sup>21</sup> And what of the rabbis' hostility to the Jews of the neighbouring regions of Mesene and Xuzestan? Are the Jewish communities in these regions rabbinized? We cannot know for sure, but here and there the rabbis hint at their inadequacy in their eyes. In Bei-Lapat in Xuzestan there is no one worthy of reaching the world to come except one Jew (b. Ta'an. 22a); the Jews of Kashkar, a province lodged between Babylonia and Mesene, are not "sons of Torah" (b. Shabb. 139a). It is unclear whether the problem with these communities was their insubordination to rabbinic Judaism more generally or a conflict concerning political power and hegemony—their unwillingness to follow rabbinic Judaism's *Babylonian* advocates.

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a priest) that they should give the priestly gifts from the animals they slaughtered to other priests, see b. Hul. 132b.

20 See the account of the intercalation of the calendar in Babylonia by Hananiah, the nephew of R. Joshua (y. Sanh. 1.2, 19a; b. Ber. 63a–b). Cf. Isaiah M. Gafni, *Land, Center and Diaspora, Jewish Constructs in Late Antiquity* (Sheffield: Sheffield Academic Press, 1997), 110, esp. n. 27.

21 It is mentioned, however, in b. Yoma 10a. See Aharon Oppenheimer, *Babylonia Judaica in the Talmudic Period* (Wiesbaden: Reichert, 1983), 315–18.

Ultimately, reading non-rabbis into rabbinic literature seems to be a vicious circle, whereby rabbinic sources affirm the centrality of rabbinic power. It yields a frustrating picture of Jewish society where all we seem to find is, to borrow the title of an article by Kalmin, “anxious rabbis and mocking non-rabbis.”<sup>22</sup> However, if the efforts to demonstrate a vibrant non-rabbinic complement to rabbinic society have been so unconvincing, this does not mean that nothing has changed in our perception of Babylonia since Neusner and Beer. Indeed, if it used to be common to construct Babylonian Jewry in institutional terms as a community supported by its two leadership pillars, the rabbinic academies and the exilarchate—a *rabbinized* exilarchate—then one can say that this structure is now in danger of total collapse.

Let us turn, first, to the academies. After the studies by Isaiah Gafni, David Goodblatt, and many others, it remains hard to know for sure when the academies took shape.<sup>23</sup> Primarily this is because the question is tied to so many other open issues, such as the dating of Babylonian aggadot, the redaction of the Talmud, and the dating of the anonymous discursive strata within the Talmudic text. The unavoidable by-product of this uncertainty is scepticism about the position of the academies as dominant political factors in Babylonian Jewish society, as they would become in the Geonic period. For those who assume the emergence of the academies in the course of the Amoraic era, we still do not really know how far beyond their immediate surroundings their influence extended. The insufficiency of the ideologically-driven narrative of Sherira’s *Epistle* and the absence of anything like Catherine Hezser’s study of the rabbinic movement for Babylonia is sorely felt.<sup>24</sup> We simply know very little about the make-up and

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22 Kalmin, *Jewish Babylonia*, 87–101.

23 For an overview see David Goodblatt, ‘The History of the Babylonian Academies’, in *The Cambridge History of Judaism, Volume 4: The Late Roman-Rabbinic Period*, ed. by Steven T. Katz (Cambridge: Cambridge University Press, 2006), 821–39.

24 Catherine Hezser, *The Social Structure of the Rabbinic Movement in Palestine* (Tübingen: Mohr Siebeck, 1997).

organization of Jewish society in Babylonia, even of the rabbinic element.

The situation with regard to the exilarchate is even more complex. Here too, the only contemporary sources we have are from the Talmudim. However, its image as a central leadership institution (on the one hand) and the quantity of sources about it (on the other) make its relationship with the rabbis more significant. A comparison with the *catholicos*—the equivalent Christian leader under the Sasanians—may be informative. Early studies on the exilarchate, including a monograph by Beer, portrayed a rabbinized institution. My own research has challenged this. The ‘rabbinized’ exilarchate, I have argued, is ultimately the invention of the Geonim. I shall briefly explain what I mean.<sup>25</sup>

The main Geonic sources of value are the *Epistle* of Rav Sherira Gaon and *Seder Olam Zuta*. The former provides a historical narrative on the rabbis of Babylonia, whereas the latter offers an exilarchal chronicle. These Geonic sources identify as exilarchs certain Talmudic figures who are not labelled as such in the Talmudic sources themselves. I have examined these cases to determine whether such depictions might have been derived from Geonic analysis of the Talmudim. Such analysis might derive from assumptions that are particularly reflective of Geonic literature. For instance, titles such as *Rabbana* or *Mar*, which are associated with the exilarchate in the Geonic era, might be understood anachronistically as such for the Talmudic era. I believe these two Geonic sources contain no independent historical value for the Talmudic era as far as the exilarchate is concerned. The historical analysis of the Sasanian exilarchate must then be conducted on the basis of the Talmudic evidence alone. The significance of this conclusion is better appreciated when we compare the image of the exilarchate implied by these Geonic sources with its image when viewed through the lens of the Talmudim alone. Geonic sources have an exilarchate that is deeply involved in the world of the rabbis. According to Sherira, for instance, many exilarchs

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25 For full details see Herman, *A Prince without a Kingdom*.

are, in fact, scholar-exilarchs, rabbis with their own disciples and teachings. Many other rabbis are also related to the exilarchal clan. These include Mar Uqba, Huna bar Natan, and others. The two worlds are intertwined and typically harmonious.

These Geonic sources, and their assumptions about the exilarchate, have been the basis for modern scholarly depictions of Jewish society from Heinrich Graetz onwards. Sherira had, however, provided a narrative of Talmudic Jewish society that mirrored Geonic Jewish society: the institutional politics of the Geonic era were read into the earlier period. When, however, these Geonic sources are removed from the database, we find a very different exilarchate. This is the exilarch of the Talmudim alone.

The exilarch of the Talmudim is distinct from the rabbis. He is portrayed as referring to the rabbis in the second person (b. Ber. 46b), occasionally with contempt. Talmudic sources view the exilarchate as powerful, fearful, foreign to their value system, and persianized—and they are mostly hostile to it. The exilarch, or his men, tyrannize, beat up, imprison, or kill rabbis. Rabbis, in turn, typically criticize, ridicule, condemn, or avoid the exilarch. We sometimes encounter stories of rabbis dining with the exilarch. They do not seem to sit too close to the exilarch, though, as is suggested by an anecdote in b. Ber. 50a. There, a rabbi as important as Rava organizes his own communal grace, since he would not be able to hear the exilarch's Grace after Meals (*birkat ha-mazon*). The rabbis' coercive power over the exilarchate was not considerable. For instance, in a Talmudic discussion on the matter of presumptive possession in b. B. Bat. 36a, the rabbis observe that this law is not applicable to the exilarch with the statement that "they have no right to exercise presumptive possession over us; and we have no right to exercise presumptive possession over them." A sense of mutual disdain would seem to sum up the relationship between rabbis and exilarchs.

However, the Talmud may yet reveal evidence of a dynamic and development in the attitude of the rabbis towards the exilarchate within its textual layers. One interesting discussion in b. Eruv. 39b–40a deliberates on the *kashrut* of an item of food

in the exilarchal kitchen. While named rabbis from the third to fifth centuries debate on the question of *kashrut*, it is suggested anonymously to decide the matter on the basis of the principle that “whatever enters the exilarchal house has been approved by all the rabbis.” This would, of course, render the earlier deliberations superfluous.

When we add to all this the fact that the exilarchate features very infrequently in the Talmudim—around a hundred references—we must necessarily reassess our image of Babylonian Jewry and the place of the exilarch therein. Indeed, it is hard to imagine a rabbinically dominated exilarchate when rabbinic sources have little to say about it. If the rabbis had so little to say about it, perhaps, then, it was not all that important? And yet the very titles possessed by the exilarchs, *resh galuta* and *nesi'ah*, bespeak their pre-eminence in Babylonian Jewish society. Despite the fact that our largest and best source on Babylonian Jewry was composed by rabbis, its minimal interest in the exilarchate could suggest that the rabbis were somewhat estranged from the representative leadership of Babylonian Jewry.

A comparison of the exilarch with the Christian *catholicos* would tend to confirm the importance of the exilarchate. With the *catholicos* we have a representative leader of another Sasanian religious community. The contemporary sources date from the fourth century and reflect a broad spectrum of genres from both the *catholicate* itself and its opponents. We encounter a complex dynamic of religious power politics under negotiation in which the Sasanian kingdom is closely involved. We cannot be sure, of course, just how similar the exilarch was to the *catholicos* from the perspective of power and representation. Allowing for a broadly defined similarity suggests that the exilarchate must have been more central to Babylonian Jewish society than its treatment in the Talmud concedes.

The bottom line, then, is that we might need to imagine a Babylonian Jewish society with a powerful central leadership in the form of the non-rabbinized exilarch, and a rabbinic movement, perhaps with its academies, that is less influential in the eyes of the exilarchate than previously assumed.

The Jewish judicial court system of Babylonia has been connected with the exilarchate on the basis of a number of suggestive Talmudic sources.<sup>26</sup> While it is unlikely that the exilarchs oversaw the entire Jewish judicial system, from the harsh tirade that one finds in the Talmud against judges (e.g., b. Shabb. 139a), it would seem that the Jewish judges were not automatically assumed to be rabbis or even rabbinic. However, all these indications of non-rabbinic Jews attested in the Babylonian Talmud, including the exilarchate, suffer from the same inevitable series of problems. On the one hand, we cannot expect to find anything like an objective view of such non-rabbinic Jews in the Talmud; on the other hand, when speaking of non-rabbinic Judaism (rather than non-rabbinic Jews), we cannot expect the rabbis to concede in any meaningful way the existence of a religious alternative to themselves. One wonders whether non-rabbinic ideology is, in fact, *retrievable* from the Babylonian Talmud.

Babylonian magical artifacts, incantation bowls, and skulls offer us a possible, albeit limited, way out of this conundrum. The question is not whether the rabbis practice magic. It is recognized that the rabbis themselves practice many of the same things as do the magicians who are not rabbis. Much of the polemic found in the Babylonian Talmud (and other rabbinic texts) against magicians stems, essentially, from issues of competition, power, and legitimacy.<sup>27</sup> These bowls are apparently not written by rabbis and so give us a glimpse into a non-rabbinic alternative. They do not offer us a complete system, a self-contained version of belief and practice. By nature, magic addresses a limited set of religious needs, the here and now, the individual. And yet, while overlapping rabbinic themes in many places, it is possible

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26 See, for full discussion, Herman, *A Prince without a Kingdom*, 194–209.

27 Cf. Yuval Harari, 'The Sages and the Occult', in *The Literature of the Sages, Second Part: Midrash and Targum, Liturgy, Poetry, Mysticism, Contracts, Inscriptions, Ancient Science, and the Languages of Rabbinic Literature*, ed. by Shmuel Safrai, Zeev Safrai, Joshua Schwartz, and Peter J. Tomson (Philadelphia, PA: Royal Van Gorcum, Fortress Press, 2006), 521–64.

to speak of these sources as reflecting a library separate from the authoritative literature of the rabbis: a separate mythology and cosmogony, a separate pantheon, a separate hierarchy, a separate set of traditions.

At the same time, it should also be borne in mind that it is not a homogenous corpus. The bowls reflect a broad spectrum of practitioners: those whose bowls exclusively evoke forces that are usually judged as native to Judaism; those that relate to both pagan and Jewish content, but conclude with a Jewish confessional signature; and those written in the Jewish Aramaic script, but that are bereft of any Jewish religious content or even Hebrew.<sup>28</sup>

Historians of Babylonian Jewry have not been quick to embrace this material in their studies of Jewish society. Magic in general, including that practiced by rabbis, is confined to the sidelines and regarded as ‘popular’; magical artifacts are brushed aside as external to the study of Babylonian Jewry.<sup>29</sup> Even a recent scholar like Isaiah Gafni has marginalized the magical and incantational material in his socio-cultural studies of Babylonian Jewry. Astrology, demonology, amulets, and incantations appear in chapters with titles such as ‘Jews and Gentiles in Talmudic Babylonia’; ‘Babylonian Jews and Iranian Popular Culture’;<sup>30</sup> and ‘Cultural Contacts between Jews and Persians’.<sup>31</sup> Persian

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28 See Tapani Harviainen, ‘Syncretistic and Confessional Features in Mesopotamian Incantation Bowls’, in *L’Ancien Proche-Orient et les Indes: Parallélismes interculturels religieux*, ed. by Heikki Palva (Helsinki: Finnish Oriental Society, 1993), 29–38.

29 The fifth volume of Neusner’s *History of the Jews in Babylonia* devotes twenty-five pages to ‘other Jews, other magicians’, with the addition of a thirty-page appendix penned by Baruch Levine on ‘The Language of the Magical Bowls’, which is mostly a textual study of earlier readings (217–43; 343–75). In his fourth volume, he devoted but three pages to magic and the rabbis (347–50).

30 Isaiah Gafni, *The Jews of Babylonia in the Talmudic Era: A Social and Cultural History* (Jerusalem: The Zalman Shazar Center for Jewish History, 1990), 149–76 (Hebrew).

31 Isaiah Gafni, ‘Babylonian Rabbinic Culture’, in *Cultures of the Jews: A New History*, ed. by David Biale (New York: Schocken Books, 2002), 223–66 (238).



origins are claimed for much of the demonology. As many of the clients who commissioned the bowls have Persian names, many explicitly theophoric, it was tempting not only to claim this material as fundamentally foreign, but also to suggest that it was mainly an export industry—serving a foreign audience.

However, with the increase in the number of bowl texts available to scholars, we now encounter many clients with Semitic names. Furthermore, the Zoroastrian input to the magical *content* of the bowls and its demonology is minimal, as was observed already a century ago by James Montgomery.<sup>32</sup> With the majority of known bowls written in the Jewish script, and the spread of Jewish magical elements to the texts of other religious communities, an argument could be made that Jews are actually more invested in the practice than their neighbours. Perhaps one of the more striking aspects of these sources is just how *similar* they can be to the Talmud and are sometimes obviously dependent upon it. This is reflected in their Babylonian Aramaic language, the use of the Hebrew Bible and its Targum, the citation of liturgical formulae and sections from the Mishnah, and the mention of familiar Tannaim, such as Hanina ben Dosa and Joshua ben Perahia. There are many points of contact between rabbinic literature and the bowls; not merely in magical praxis and worldview, but even in the formulae of actual spells. These can even contribute towards establishing the most accurate original text within the Talmud. Points of identity occur also in the formulae employed, for instance, in ‘divorcing’ demons. However, one should note that these divorce formulae derive, first and foremost, from the scribal world of documents rather than exclusively from the rabbinic world. One is inclined to see, then, the scribes of the incantation bowls and the rabbis both employing the language of legal documents for their own purposes.<sup>33</sup>

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32 James A. Montgomery, *Aramaic Incantation Texts from Nippur* (Philadelphia, PA: Philadelphia University Museum, 1913), 116.

33 For these last points, see, for instance, Avigail Manekin Bamberger, ‘Jewish Legal Formulae in the Aramaic Incantation Bowls’, *Aramaic Studies* 13 (2015): 69–81.



With the Mishnaic texts, one may be witnessing the transformation of the Mishnah and its recitation—since one can assume that recitation was a vital component of the magician’s work—into a text of magical potency. One can also imagine that the activity of the Babylonian Tanna, who was tasked with memorizing and repeating the Mishnah upon demand, acquired a magical aspect, raising the possibility that the perception of a mantra prevalent in the magical milieu had wafted into the House of Study.<sup>34</sup>

One of the Mishnah texts that is cited in two bowls (MS 1929/6 and MS 2053/170) deals with the location of the daily sacrifices and the sprinkling of the sacrificial blood on the altar in the Jerusalem Temple, a text taken from the fifth chapter of the Mishnah tractate Zevahim. Shaul Shaked suggested that it might have been familiar to the scribe from the liturgy rather than from the House of Study, since it is known in later sources to have been incorporated into the daily prayer service.<sup>35</sup> The symbol of the Temple is used then as a weapon against demons, as indeed it begins, “In the name of the public sin-offerings....” It was incorporated into the liturgy with the sense that studying the sacrificial laws is akin to performing the sacrificial service. Since magical praxis can itself involve the slaughter of animals and the ritual use of their blood, one might wonder whether the choice, in this magical context, is not more deliberate. Perhaps its inclusion in a bowl text is itself intended to replace (or accompany) a sacrificial magical activity—a familiar text but with a difference.

There are places where the bowls diverge from rabbinic Judaism. This corpora’s most significant divergence from rabbinic Judaism—indeed, from Judaism itself—is its inclusion of demonized deities, many of whom would have been recognized by contemporaries as gods, including the sun, the planets, and so on. It has been argued that bowls appealing *exclusively* to such

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34 Moulie Vidas, *Tradition and the Formation of the Talmud* (Princeton, NJ: Princeton University Press, 2014), 150–66.

35 See Shaul Shaked, James Nathan Ford, and Siam Bhayro, *Aramaic Bowl Spells: Jewish Babylonian Aramaic Bowls, Volume One* (Leiden: Brill, 2013), 23–27.

deities, even though written in a Jewish script, are in reality pagan and not Jewish. They are, however, a small minority of the bowls written in Jewish script.

This interesting aspect, which we would otherwise not know from the Talmud, is precisely what this material reveals about Babylonian Jewish society. Incantation bowls tell us of Jews and of a Judaism that is more integrated into its Babylonian terrain: it is heir to local magic traditions, formulae, demonology, and pagan practices familiar to all who inhabited this region. It also tells us something of what this terrain looked like. The syncretism reflected in the bowls, for instance, despite the energetic agendas of some recent scholarship on the culture of the Babylonian Talmud, has only limited borrowings from either Christianity or Zoroastrianism.

It offers us, then, an unfiltered and unedited view of a magically-inclined Babylonian Jewish society, embedded in the local milieu, less resistant to the draw of contemporary pagan and ancient Babylonian beliefs than the rabbis. It reveals to us something of the contacts between people, Jew and Gentile, and channels of communication. It can transmit Aramaic poetry unattested in the rabbinic sources, lend traditions, formulae, and texts, and borrow others, and reveal that Jews were part of a cross-cultural society, sharing in a Mesopotamian religious *koine*, in ways we would not have realized.

In conclusion, with the collapse of the assumption of close institutional cohesion of Babylonian Jewish society, the centrality of the rabbis during the Sasanian Era has been declining in proportion, but the search for a non-rabbinic alternative to Judaism in Sasanian Babylonia has been largely an unsuccessful endeavour. The incantation bowls provide a partial exception by suggesting an alternative Jewish society to that depicted in the Talmud. They have also required us to reassess the Judaism of the Talmud itself. Indeed, the impact of the magic bowls has yet to be fully realized in studies about Babylonian Jewish society. With such a vast corpus of sources, constantly growing and slowly approaching the Babylonian Talmud in sheer volume, the day may not be far off when, instead of speaking of the 'Talmudic

era', it would be more appropriate to talk of 'Babylonian Jewry in the Period of the Incantation Bowls'.

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## 5. VARIETIES OF NON-RABBINIC JUDAISM IN GEONIC AND CONTEMPORANEOUS SOURCES

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Let me begin by briefly defining what I mean by the terms ‘Geonic source’ and ‘Geonic period’. The Geonic period was the era in which the heads of a handful of academies in Babylonia and Palestine, known as Geonim, were recognized as the leading intellectual and spiritual authorities of the rabbinic Jewish world. Although the beginning and ending dates are not completely clear-cut, and there is some debate especially with regard to the beginning of the period, I consider the Geonic period to have lasted about five hundred years, roughly from the middle of the sixth century to the middle of the eleventh century CE.<sup>1</sup> I will use the term ‘Geonic source’ somewhat imprecisely, to refer to any literary source reflecting the Rabbanite perspective of the Geonic, and specifically of the Babylonian Geonic, milieu, whether or not its author was actually a Gaon, that is to say, the head of one of these central academies.

Only a small number of rabbinic sources of the Geonic period deal explicitly with contemporaneous non-rabbinic Jewish groups. This is particularly true with regard to the earlier part of the period, prior to the appointment of Saadia b. Joseph as

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1 See Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, CT: Yale University Press, 2012), especially 3–18.

head of the academy of Sura in 928.<sup>2</sup> I will have something to say about Saadia and later Geonim towards the end of this essay, but I will concentrate primarily on the earlier part of the period and begin by considering three *responsa* attributed to a certain Rav Natronai Gaon. We know of three Geonim by the name of Natronai: Natronai bar Nehemiah, head of the academy of Pumbedita from 719; Natronai bar Emunah, who headed the same academy about thirty years later; and Natronai bar Hilai, head of the Sura academy in the middle of the ninth century (approximately from 857 to 865).<sup>3</sup> In general, in view of the minuscule number of *responsa* known to have survived from before the time of Yehudai Gaon (about 760), it is safe to assume that the vast majority of surviving *responsa* attributed to Natronai Gaon were issued by the academy of Sura under Natronai bar Hilai; but I will argue that two of the *responsa* referring to non-rabbinic groups are to be attributed to one or the other of the heads of the academy of Pumbedita who bore this name.<sup>4</sup> These two *responsa*

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- 2 I exclude the sources concerning the enigmatic Eldad the Danite (see *The Ritual of Eldad ha-Dani*, ed. by Max Schloessinger [Leipzig: Haupt, 1908]), which might hint at the existence of another such group. The so-called Baraita de-Niddah contains some bizarre positions, which it is difficult to reconcile with rabbinic Judaism, but presents itself as a classical rabbinic text and was accepted as such by some mainstream rabbinic authors. If it reflects the beliefs and practices of a group, this would probably have been a group within rabbinic Judaism which was particularly obsessed with menstrual taboos and superstitions. Haywayhi of Balkh, who criticized the Torah and not merely rabbinic tradition, seems to have been an outlier, and there is no evidence that he spoke for any group.
  - 3 See *Iggeret Rav Sherira Gaon*, ed. by Benjamin M. Lewin (Haifa: 1921), 102–3, 114–17 (Hebrew). The dates of R. Natronai b. Hilai cannot be determined precisely because of an internal contradiction in Sherira's chronology; I have treated this problem in detail in my article 'Amram bar Sheshna: Gaon of Sura?', *Tarbiz* 56 (1987): 327–45 (Hebrew).
  - 4 *Sha'arei Tzedek*, ed. by Haim Moda'i (Salonika: Yisraelijah, 1792), *responsa* 3.6.7 and 3.6.10 (Hebrew), reprinted in *Otzar ha-Geonim: Thesaurus of the Geonic Responsa and Commentaries, Following the Order of the Talmudic Tractates*, 13 vols., ed. by Benjamin M. Lewin (Haifa and Jerusalem: The

were clearly issued under the aegis of the same Gaon; the latter refers explicitly to the former, saying, “know that before these questions other questions from there were brought before us, which contained a question similar to this” and proceeds to elaborate on the earlier ruling. The two questions describe the behaviour of a group of non-rabbinic Jews in similar, but not identical ways. The earlier question describes a messianic movement:

A deceiver [...] arose in our place of exile, and his name was Serini, and he said “I am the Messiah,” and people went astray after him and went out to apostasy (or heresy, *minut*), and they do not pray and do not inspect the *terefah* and do not guard their wine [...] and perform labour on the second day of festivals and do not write marriage contracts according to the ordinance of the Sages of blessed memory.

The question asks whether members of this group who wish to return to the mainstream or rabbinic fold can be re-integrated into the community, and, if so, what procedures need to be followed. Other, non-rabbinic sources describe the followers of a false Messiah named Serenus or Severus, who was active in northern Iraq or Syria about the year 720. It seems clear that the question addressed to the Geonic academy refers to the same group.<sup>5</sup> The impression given is that the question arose a short time after the false Messiah’s activity, while some of his original adherents were still alive, and so the *responsa* should be attributed to Natronai bar Nehemiah, as most scholars who have discussed them have agreed, or perhaps to Natronai bar Emunah; in either

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Hebrew University Press Association, 1928–1943), VII, sections 261–62 (Hebrew), and in *Otzar ha-Geonim le-Massekhet Sanhedrin: Teshuvot u-Perushim*, ed. by Haim Zvi Taubes (Jerusalem: Mosad Harav Kook: 1966), section 185 (Hebrew).

5 See Aaron Zeev Aescoly, *Jewish Messianic Movements: Sources and Documents on Messianism in Jewish History from the Bar-Kokhba Revolt until Recent Times*, 2 vols. (Jerusalem: Mosad Bialik, 1987), I, 124–25, 152–55 (Hebrew); Moshe Gil, *In the Kingdom of Ishmael: Studies in Jewish History in Islamic Lands in the Early Middle Ages*, 4 vols. (Tel Aviv: Tel Aviv University, 1997), I, 244–45.



event, they should be dated to the early or mid-eighth century.<sup>6</sup> A passage in the second of these *responsa* is particularly striking and significant for our purposes; the second question addressed to the academy alleges that members of the group in question violated not only rabbinic rules, but also laws of biblical origin, and this moved the Gaon to observe:

In our view, these heretics are different from all the heretics in the world—for all heretics scoff at the words of the Sages, such as *terefot* and the second day of festivals, [which is] of rabbinic origin [...] but as for the words of Torah and Scripture, they keep and observe them like genuine Israelites, whereas those you describe have scoffed at the essence of the Torah and married prohibited relatives and [...] profaned the Sabbath.

In other words, the Gaon was familiar with an unspecified, but apparently not insignificant number of non-rabbinic groups, a common denominator of which was rejection of the authority of rabbinic tradition coupled with an observance of biblical laws, while Jewish groups who failed to observe even biblical laws were a rarity. This accords with the data provided by non-rabbinic sources, which describe several groups arising in the first half of the eighth century on the periphery of the Jewish world, all of whom rejected rabbinic tradition. The extent to which this proliferation of non-rabbinic sects should be understood against the background of similar developments in Islam or Christianity has been discussed by several scholars.<sup>7</sup>

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6 See *The Responsa of Natronai bar Hilai Gaon*, ed. by Robert Brody (Jerusalem: Ofeq Institute, 2012), 31 and n. 18. Aescoly, *Jewish Messianic Movements*, I, 153, writes that the author of the *responsum* was undoubtedly Natronai b. Nehemiah. Gil, *Kingdom of Ishmael*, I, 245, assumes the reference is to Natronai b. Hilai and mentions an alternative attribution to his contemporary Amram b. Sheshna. Haggai Ben-Shammai also assumed that the author was Natronai b. Hilai: see Haggai Ben-Shammai, 'The Karaite Controversy: Scripture and Tradition in Early Karaism', in *Religionsgesprache im Mittelalter*, ed. by Bernard Lewis and Friedrich Niewöhner (Wiesbaden: Harrassowitz, 1992), 11–26 (17–19 and n. 31).

7 See Gil, *Kingdom of Ishmael*, I, 252–55, and the literature listed in n. 158.

Before turning to the third *responsum* attributed to Natronai Gaon, I would like to discuss another rabbinic source which should be dated to the eighth century. I first identified this source in a rather obscure publication a dozen years ago, so I will take a few minutes to explain its nature and identification. One of the most intriguing surprises provided by the Cairo Genizah was the discovery of an open letter penned by Pirqoy ben Baboy, whose very name was previously unknown and initially misinterpreted. This text, of which a substantial portion has survived in a number of Genizah fragments, is a polemic addressed to Jewish communities in Spain and North Africa with the aim of dissuading the addressees from following Palestinian customs and convincing them that the Babylonian version of rabbinic tradition is the only authentic one, the Palestinian tradition having been debased over the course of centuries as a result of the persecutions which the Palestinian Jewish community had suffered under Byzantine rule. The author identifies himself as a student of a student of Yehudai Gaon, who, as mentioned earlier, served briefly as head of the academy of Sura in about the year 760, so Pirqoy's epistle may be dated approximately to 800.<sup>8</sup> Pirqoy prefaces his discussion of particular laws and customs with an introduction including extravagant praise of the Oral Torah and of the Babylonian academies that are its pre-eminent guardians, followed by a lengthy attempt to vindicate the rabbinic law that the Sabbath is to be violated in order to save a Jewish life even when it is not certain that such a life will actually be saved.<sup>9</sup> While praise of the Babylonian academies is certainly not unexpected in such a context, praise for the Oral Torah in general seems somewhat out of place in a letter addressed to Rabbanite Jews concerning a dispute between

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8 See Brody, *Geonim of Babylonia*, 113–17; in addition to the publications listed there and in the notes below, see Neil Danzig, 'Between Eretz Israel and Bavel: New Leaves from Pirqoy ben Baboy', *Shalem* 8 (2009): 1–32 (Hebrew).

9 See Benjamin M. Lewin, 'Geniza Fragments', *Tarbiz* 2 (1931): 383–410 (394–98), and Lewin's introductory remarks, 384–87 (Hebrew).

two branches of the same tradition. Even more surprising is the extended discussion of a specific point of law on which there was no disagreement between Palestinian and Babylonian rabbis.

I have argued that the key to this riddle is to be found in another fragmentary Genizah text containing so many parallels to the introductory section of Pirqoy's letter that one scholar took it to be another version of this text. To wit: Louis Ginzberg published in 1928 a Genizah fragment of two leaves (four pages of text), which he described as a Midrash similar to Tanhuma, *Lekh Lekha*, referring to a section in praise of the Oral Torah that had been incorporated into some versions of Midrash Tanhuma, although its origin is clearly not in the Tanhuma-Yelamdenu nexus.<sup>10</sup> Soon afterwards Benjamin Lewin identified another Genizah fragment of two leaves that fits together precisely with the fragment published by Ginzberg and clearly belongs to the same original manuscript; given the additional perspective provided by the new textual material, Lewin preferred to describe the work in question as "a new version of Pirqoy ben Baboy."<sup>11</sup> Aside from the question of how and why an ephemeral text such as Pirqoy's epistle would have circulated in several versions, and despite the impressive parallels between these two texts, there are also substantial differences between them. I believe I have succeeded in showing that the text, parts of which were published by Ginzberg and Lewin, is in fact not an alternate version of Pirqoy's letter, but a source utilized by Pirqoy—and therefore earlier than 800—and that, when considered on its own merits, this text is clearly a polemic aimed at an anti-rabbinic position, presumably held by a non-rabbinic group, which prohibited violating the Sabbath in order to save Jewish lives, at least in doubtful cases.<sup>12</sup> If this analysis is accepted, the beginning of polemical defences

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10 Louis Ginzberg, *Ginzei Schechter: Genizah Studies in Memory of Doctor Solomon Schechter* (New York: Jewish Theological Seminary, 1928), I, 18–22 (Hebrew).

11 Lewin, 'Geniza Fragments', 384–93 (introduction), 400–05 (text).

12 See Robert Brody, *Pirqoy ben Baboy and the History of Internal Polemics in Judaism* (Tel Aviv: Tel Aviv University, 2003) (Hebrew).

of rabbinic Judaism can be pushed back to the eighth century at the latest, although we cannot identify the specific target or targets of this earliest specimen.

The career of Anan ben David, in approximately the 760s, represents an important inflection point in the history of Jewish sectarianism. Although the sources for his biography are quite limited and strongly partisan, whether for or against, it seems that Anan belonged to the exilarchic family and grew up close to the centres of power of the Jewish world of his time, but was later persecuted by mainstream Jewish leaders and imprisoned, perhaps at their instigation, by Muslim authorities.<sup>13</sup> In addition to the problematic biographical accounts, however, we possess considerable portions of Anan's literary legacy—his *Book of Commandments* or *Sefer Mitzvot*.<sup>14</sup> The book is written in a rather dogmatic style, which is quite difficult to reconcile with the saying attributed to Anan by later Karaite authors: "Search diligently in the Torah and do not rely on my opinion."<sup>15</sup> Whether or not this saying actually represents Anan's viewpoint, it is clear that leaders of the emerging Karaite movement adopted a critical stance towards Anan and followed his lead quite selectively. In fact, it would probably be more accurate to say that these sectarians did not see themselves as Anan's followers and that the Karaite movement, which retrospectively claimed Anan as its founder, coalesced only about the end of the ninth or the beginning of the tenth century, after the founding of its Jerusalem centre by Daniel al-Qumisi.<sup>16</sup> The term Karaite, first documented in the

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13 See Brody, *Geonim of Babylonia*, 85–86, and the sources referred to in notes 7–9.

14 For details of publications of the surviving fragments of this work see Leon Nemoy, *Karaite Anthology: Excerpts from the Early Literature* (New Haven, CT: University Press of Yale, 1952), 395.

15 See Daniel Frank, *Search Scripture Well: Karaite Exegetes and the Origins of the Jewish Bible Commentary in the Islamic East* (Leiden: Brill, 2004), 22–32.

16 See Nemoy, *Karaite Anthology*, xviii–xxi; Ben-Shammai, 'Karaite Controversy', especially 23–24; Moshe Gil, *Palestine During the First Muslim Period (634–1099)* (Tel Aviv: Tel Aviv University 1983), 631–32.

ninth century, apparently means something like ‘biblicist’ and is thus synonymous with the designation *ba‘alei miqra* ‘masters of Scripture’ for members of this group.<sup>17</sup>

Returning to the rabbinic side of the divide, the third *responsum* attributed to Natronai Gaon, unlike the two I discussed earlier, is clearly to be assigned to the mid-ninth-century Natronai bar Hilai on the basis of the Gaon’s references to Anan and his grandson. In this case, the Gaon and his academy were asked about a version of the Passover Haggadah that differed substantially from the one with which the questioners were familiar and which they viewed with suspicion.<sup>18</sup> Most of the points the questioners raise and to which the Gaon responds concern omissions in this version of the Haggadah as compared with the standard Babylonian version, but the version in question includes numerous passages of rabbinic origin. It is virtually certain that the text in question was actually a Palestinian version of the Haggadah,<sup>19</sup> but the Gaon and his colleagues were clearly unaware of this and similarly uninformed as to the details of sectarian liturgy; they reacted in horror and analysed the text in the following terms:

This matter is quite astonishing—whoever behaves in this way, there is no need to say that he has not discharged his obligation, but whoever acts thus is a *min* and of a divided heart and denies the words of the Sages and dishonours [?] the words of Mishnah and Talmud, and all the congregations are obligated to place them

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(Hebrew); and cf. idem, ‘The Origins of the Karaites’, in *Karaite Judaism: A Guide to Its History and Literary Sources*, ed. by Meira Polliack (Leiden: Brill, 2003), 71–118 (100–15), and Yoram Erder, *The Karaite Mourners of Zion and the Qumran Scrolls: On the History of an Alternative to Rabbinic Judaism* (Tel Aviv: Hakibbutz Hameuhad, 2004), 38–45 (Hebrew).

17 See Nemoy, *Karaite Anthology*, xvii; Martin A. Cohen, ‘Anan ben David and Karaite Origins’, *Jewish Quarterly Review* 68 (1978): 129–45, 224–34 (130 and n. 3); Gil, *Kingdom of Ishmael*, I, 261 (in contrast to his earlier position, see Gil, *Palestine*, 630); and cf. Erder, *Karaite Mourners of Zion*, 319–24, 394–418.

18 Brody, *Responsa of Natronai*, 257–59.

19 Ibid., n. 10 on 258–59, with references to earlier discussions.

under the ban [...] These are sectarians and scoffers who mock the words of the Sages, and the disciples of Anan (may his name rot), the paternal grandfather of Daniel, who said to all those who strayed and went a-whoring after him, “Forsake the words of the Mishnah and Talmud, and I will make for you a Talmud of my own.” And they still maintain their error and have become a separate nation, and he composed a Talmud of wickedness and injustice for himself, and Mar R. Elazar Alluf of Spain<sup>20</sup> saw his book of abominations which they call a Book of Commandments, how many [devious] stratagems it contains...

What is particularly significant from our perspective—and contrasts strikingly with the *responsa* of the earlier Natronai Gaon—is the way in which the later Natronai leaps to the conclusion that any text which appears non-rabbinic is to be attributed to the followers of Anan ben David. Although, in this case, the Gaon was clearly mistaken, and the text about which he was asked was a rabbinic one, the crucial point for our current purposes is the central place which Anan and his followers and descendants occupied in the sectarian landscape with which this Gaon was familiar in the mid-ninth century: rather than a plurality of non-rabbinic groups with certain shared elements, Natronai bar Hilai pictured a non-rabbinic Jewish collective dominated by a single movement originating with Anan.

From a sectarian vantage point the picture was more complex, as we learn from the extensive survey of the history of non-rabbinic Judaism undertaken by the most important Karaite writer of the early tenth century, Ya‘qub al-Qirqisani. According to Qirqisani, adherents of several sects, including followers of Abu Isa al-Iṣfahani and Yudghan as well as the Ananites, were still to be found among his contemporaries, but their numbers were small and apparently in decline.<sup>21</sup> Even what might be

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20 For the title *alluf*, see Brody, *Geonim of Babylonia*, 49–50; for the individual in question, see *ibid.*, 132–33.

21 Compare the translations of Nemoy, ‘Al-Qirqisānī’s Account of the Jewish Sects and Christianity’, *Hebrew Union College Annual* 7 (1930): 317–97 (329, 330, 391), and Ya‘qub al-Qirqisānī on *Jewish Sects and Christianity: A*

termed, from Qirqisani's perspective, the 'mainstream Karaite community' was extremely fragmented. He states that "of those present-day Karaites who are not members of the schools we have mentioned, you will hardly find two of them who agree on everything" (or, to put it differently: each Karaite constituted his own faction).<sup>22</sup> Furthermore, after listing dozens of disagreements between contemporary Karaites, he says that "the matter is daily growing worse," consoling himself nonetheless with the thought that he and his fellow Karaites depend for knowledge (unlike the Rabbanites, who follow tradition) on their intellects, "and where this is the case, it is undeniable that disagreement will arise."<sup>23</sup>

The picture that emerges from consideration of both the *responsa* attributed to 'Natronai Gaon' and Qirqisani's survey is a trend of historical development, from a multiplicity of non- or anti-rabbinic groups to a gradual coalescence around Anan's banner. Anan and his adherents occupied a dominant position in the thinking of leading Babylonian Rabbanite Jews about non-rabbinic Jews by the middle of the ninth century, even though the Karaite movement had probably not yet crystallized, and adherents of earlier groupings had not completely died out even by Qirqisani's time, half a century or so after Natronai.

Although Saadia Gaon wrote extensively against assorted deniers of rabbinic tradition and authority, both in works dedicated specifically to this subject and in a variety of other literary frameworks, his writings do not add much to our knowledge of the sectarian situation beyond what may be learned from his older contemporary al-Qirqisani. His most comprehensive *apologia* for rabbinic Judaism is entitled *The Book of Distinction*, and while

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*Translation of Kitāb al-Anwār, Book 1, with Two Introductory Essays*, trans. by Bruno Chiesa and Wilfrid Lockwood (Peter Lang: Frankfurt am Main, 1984), 103, 104, 152.

22 See Nemoy, 'Al-Qirqisānī's Account', 330, and Chiesa and Lockwood, *Ya'qūb al-Qirqisānī*, 104; the context favours Nemoy's translation of *kul shay* as 'everything' rather than Chiesa and Lockwood's 'anything'.

23 See Nemoy, 'Al-Qirqisānī's Account', 396; Chiesa and Lockwood, *Ya'qūb al-Qirqisānī*, 156.



several of his other polemical writings are labelled 'refutation of so-and-so', none, so far as I know, is described as 'refutation of such-and-such a group', and the specific positions against which he polemicizes might be described as generic Karaite opinions, such as the prohibition of leaving a fire lit beforehand burning on the Sabbath and of eating the fatty tails of sheep.<sup>24</sup> Even less specific information may be gleaned from the few *responsa* of the latest Geonim, especially Hayye, which attempt to refute sectarian criticisms of rabbinic tradition on such points as the manner of blowing the shofar on Rosh Hashanah and the observance of an additional festival day outside the Land of Israel; the rabbis' opponents are referred to by both questioners and respondents by vague terms such as *minim* and *epiqorsim*.<sup>25</sup>

I would like to conclude in a somewhat more speculative vein by asking what it was about Ananism and Karaism that made them so much more successful in the long term than earlier non-rabbinic or anti-rabbinic Jewish groups. Although we have very little information about the earlier groups, it seems we can identify several ways in which they differed from Ananism/Karaism. To begin with, the earlier groups flourished in the geographical and cultural periphery of the Jewish world of their time, whereas Anan was a scion of perhaps the most prestigious family at the centre of power in Jewish Babylonia, and it seems possible that this may have given his views greater resonance and prestige among other Jews. I suspect, though, that other differences were even more important. The leaders of earlier non-rabbinic groups were apparently all charismatic individuals

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24 See Samuel Poznanski, 'The Anti-Karaite Writings of Saadiah Gaon', *Jewish Quarterly Review* (old series) 10 (1898): 238–76 (244–52); Henry Malter, *Saadia Gaon: His Life and Works* (Philadelphia, PA: Jewish Publication Society, 1921), 263–65, 380–82; Robert Brody, *Sa'adyah Gaon*, trans. by Betsy Rosenberg (Oxford: Littman Library of Jewish Civilization, 2013), 147–51, especially 150–51.

25 See Lewin, *Otzar ha-Geonim*, IV, *Yom Tov Responsa*, section 5. Perhaps the as-yet-unpublished material by R. Samuel ben Hofni will someday contribute to this topic; cf. Brody, *Geonim of Babylonia*, 98–99 and n. 67.



with messianic pretensions who left no writings,<sup>26</sup> while Anan's appeal seems to have been much more intellectual or ideological and less dependent on personal charisma. Messianic movements obviously face a stiff challenge to their credibility when their messianic candidates die, although, as we know, some manage to overcome this disability for a greater or shorter period of time. Anan's appeal depended on a creed rather than an individual; if we are willing to accept later Karaite tradition on this point, he even encouraged others to interpret the Bible for themselves rather than following his interpretations. Be that as it may, he left a relatively comprehensive and well-written record of his teaching, which later generations could take as a blueprint for a non-rabbinic approach to Jewish law even if they rejected his specific opinions. I believe that these points of difference may go a considerable way towards explaining the vastly greater success attained by the Karaite movement, in comparison with earlier non-rabbinic groups, in surviving the death of its putative founder.

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26 See Aescoly, *Jewish Messianic Movements*, I, 115–25, 139–55; Gil, *Kingdom of Ishmael*, I, 238–51.

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## 6. KARAITES AND SADDUCEES

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The rabbinic literature of the Middle Ages ostensibly testifies that the Karaites were the followers of the Sadducees. In fact, this claim has nothing to do with history, but with polemics, as it reveals the hostile attitude of the Rabbanites towards the Karaites. Moses Maimonides can serve as an example for this phenomenon. In his commentary to m. Avot 1.3, Maimonides refers to the Karaites as Sadducees. Avot quotes Antigonus of Sokho, who had said: “Be not like servants who serve their master for the sake of a reward, but rather like those who serve without thought of receiving a reward.” As is well known, Avot de-Rabbi Nathan, commenting on this passage, claims that Zadok and Boethus were disciples of Antigonus. As their disciples did not understand what their teacher had taught them, they came to the conclusion that reward and punishment in the next world did not exist, and they also denied resurrection.<sup>1</sup> Maimonides relied

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1 *Aboth de-Rabbi Nathan*, ed. by Solomon Schechter (Vienna: Lippe, 1887), 26 (Hebrew). See also Avot R. Nat. B 10 on the same page. On the differences between the two versions, see *Avoth de-Rabbi Nathan—Solomon Schechter Edition: With References to Parallels in the Two Versions and to the Addenda in the Schechter Edition*, ed. by Menahem Kister (New York: Jewish Theological Seminary, 1997), 32–34, 155–56 (Hebrew); *ibid.*, 269–70, points out that both versions attribute the founding of the sects to the disciples, while medieval sources attribute the founding of the sects to Zadok and Boethus themselves. The notion that the Sadducees did not believe in resurrection was rooted in antiquity, as we find it also in the New Testament (e.g., Mark 12.18–27).

on Avot de-Rabbi Nathan (or another source) in his commentary on the Mishnah:

This Sage had two disciples: the first was Zadok and the second Boethus. When they heard him make this statement, they came out from him and said to one another: “Behold, the rabbi has already explained clearly that there is no reward and punishment there, and there is no hope there at all” [...] They joined forces, abandoned the Torah, and formed two sects. The Sages called them ‘Sadducees’ and ‘Boethusians’ [...] and each of them caused his faction to understand that he believed in the text of the Torah, but challenged the tradition (*al-naql*—the Oral Law), saying it was an inauthentic tradition [...] Since then, the accursed sects have sprung up, congregations of heretics who are called in this land of Egypt ‘Karaites’. The Sages call them ‘Sadducees’ and ‘Boethusians’, and they are the ones who began to question Oral Law and to interpret (*ta’wil*) the Scriptures each as he sees fit, without listening to the Sages at all.<sup>2</sup>

One should remember that Maimonides’ commentary on the Mishnah was written in Arabic. He begins with the tradition concerning the Sadducees’ denial of the world to come and adds that those Sadducees, who in his time are called Karaites, deny the Oral Law (*naql*) and interpret the Bible as each one sees fit. As to the word ‘interpret’—he uses the word *ta’wil*, and not *tafsir* to underline that the Karaite interpretation has nothing to do with the literal meaning of the Bible. Maimonides took the last paragraph of his commentary from the tradition he had found in midrashic literature. Needless to say, it has nothing to do with history.

In his *Guide of the Perplexed* (1.71), Maimonides refers to the Karaites when he discusses the influence of the *Mu’tazila* Muslim theological movement on Judaism in the Geonic period:

As for that scanty bit of argument regarding the notion of the unity of God and regarding what depends on this notion, which you will

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2 Moses Maimonides, *Commentary on the Mishnah*, ed. by Yizhaq Shilat (Jerusalem: Ma’aliyot, 1994), 4; source in Arabic, 126 (Hebrew). On Maimonides’ attitude to the Karaites, see Gerald J. Blidstein, ‘The Karaites in Maimonides’ Law’, *Techumin* 8 (1987): 501–10 (Hebrew).

find in the writings of some Geonim and in those of the Karaites—it should be noted that the subject matter of this argument was taken over by them from the Mutakallimūn of Islam and that this bit is very scanty indeed if compared to what Islam has compiled on this subject. Also, it has so happened that Islam first began to take this road owing to a certain sect, namely the Mu‘tazila, from whom our coreligionists took over certain things walking upon the road the Mu‘tazila had taken.<sup>3</sup>

The *mu‘tazili* influence on the Karaites is well known, and it is attested to here by Maimonides. The Muslim theologian from the tenth century, al-Mas‘ūdi, was aware of *mu‘tazili* influence on the Karaites.<sup>4</sup> The *Mu‘tazila* was known for its belief in reward and punishment and resurrection. Under the influence of the Muslim *Mu‘tazila*, the Karaites developed an entire doctrine of the world to come, where people are rewarded and punished according to their actions in this world. They believed in the resurrection of the dead, which they considered part of the reward awaiting the righteous.<sup>5</sup> Maimonides’ statement in the Mishnah commentary that the Karaites in Egypt are the Sadducees who did not believe in reward and punishment cannot be reconciled with his statement in the Guide. What he said in the Mishnah commentary, referring directly to the Karaites, was polemic. What he wrote in the Guide was the truth.

Even in the Middle Ages there were a few Rabbanites who admitted that the Karaites were not the Sadducees. One of them was Ibn Kammūnah: “The Karaites are not Sadducees or Boethusians, although there happens to be agreement [*muwāfaqā*

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3 Moses Maimonides, *Guide of the Perplexed*, trans. by Shlomo Pines, 2 vols. (Chicago: University of Chicago Press, 1974), I, 176–77.

4 Ali ibn al-Husayn al-Mas‘ūdi, *al-Tanbīh wal-ishrāf*, ed. by M. J. de Goeje (Leiden: Brill, 1894), 112–13.

5 On the influence of the *Mu‘tazila* on the Karaites on these issues, see Haggai Ben-Shammai, ‘Major Trends in Karaite Philosophy and Polemics in the Tenth and Eleventh Centuries’, in *Karaite Judaism: A Guide to the History and Literary Sources*, ed. by Meira Polliack (Leiden: Brill, 2003), 339–62.

*ittifāqiyya*] among them in negating some of the Oral Law [*naql*]; this is because the Karaites believe in the resurrection of the dead, reward and punishment, and the world to come.”<sup>6</sup> Before Ibn Kammūnah, R. Judah ha-Levi (Kuzari 3.65) distinguished between the Sadducees and Karaites, although he also traced the emergence of the Karaite movement to the Second Temple period.<sup>7</sup>

Like the Rabbanites, the Karaites also referred to Jewish sects in antiquity. They had some information about the Sadducees and a ‘Caves Sect’. Like other scholars, I am in doubt as to how far we can rely on the boundaries that the Karaites set between those two sects.<sup>8</sup> As in the case of rabbinic literature, the Sadducee sect mentioned in Karaite sources cannot be considered a historical sect, since the Karaites used this term to designate two different sects that existed in ancient times: the ‘Sadducees’ mentioned in the literature of the rabbinic Sages, on the one hand, and, on the other hand, the ‘Qumran sect’ (Zadokites, or Sons of Zadok). Since the Karaites were unable to distinguish between the two, they attributed the halakhah of the ‘Zadokites’, namely Qumran halakhah, to the Sadducees mentioned in rabbinic literature.

One of the laws that the Karaite sage Qirqisani attributed to Zadok is the prohibition of marrying one’s niece: “Only on one issue, namely the prohibition of marrying a niece, does [Zadok] substantiate his ruling and, moreover, through an analogy (*qiyās*) to the prohibition of marrying an aunt (paternal or maternal sister).”<sup>9</sup> The analogy that Qirqisani attributes to Zadok is the

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6 Leon Nemoy, ‘Ibn Kammūnah’s Treatise on the Differences between the Rabbanites and the Karaites’, *Proceedings of the American Academy for Jewish Research* 36 (1968): 107–65 (146).

7 Judah ha-Levi, *The Book of Refutation and Proof on the Despised Faith: The Book of the Khazars*, ed. by David H. Baneth and Haggai Ben-Shammai (Jerusalem: Magnes, 1977), 138–39 (Hebrew).

8 André Paul, *Écrits de Qumrân et sectes juives aux premiers siècles de l’Islam* (Paris: Letouzey et Ané, 1969), 92–96.

9 Ya’qūb al-Qirqisāni, *Kitāb al-anwār wal-marāqib*, ed. by Leon Nemoy, 5 vols. (New York: Alexander Kohut Memorial Foundation, 1939–1943), I, 11.

same analogy invoked by the Damascus Document (CD V.7–11) prohibiting marriage to a niece:

And they marry each one his brother's daughter or sister's daughter. But Moses said: "To your mother's sister you may not draw near, for she is your mother's near relation" (Lev. 18.13). Now the precept of incest is written from the point of view of males, but the same law applies to women. So, if a brother's daughter uncovers the nakedness of a brother of her father she is [forbidden] close relationship.<sup>10</sup>

The similarity between this halakhah that Qirqisani had attributed to Zadok and the halakhah of the Damascus Document, which Solomon Schechter found in the Cairo Genizah, was one of the factors that led him to publish this Genizah document under the name *Fragments of a Zadokite Work*.<sup>11</sup> Schechter, unlike Qirqisani, did not attribute the prohibition of marrying a niece to the Sadducees, but to the Zadokites. Following the discovery and publication of the Qumran scrolls, it has been confirmed that Schechter was right. Most of the halakhot and theology that the Karaites had attributed to the Sadducees are in fact much nearer to the Zadokites, meaning the authors of the Qumran scrolls.<sup>12</sup>

The Karaites' understanding of the Sadducees is specious not only because, like the Rabbanites, they were ignorant about the history of the Jewish sects during the Second Temple period, but also because, like the Rabbanites, they had their reasons for hiding the facts they knew. Qirqisani admits that he learned

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10 *The Dead Sea Scrolls. Hebrew, Aramaic, and Greek Texts with English Translations Volume 2: Damascus Document, War Scroll, and Related Documents*, ed. by James H. Charlesworth (Tubingen: Mohr Siebeck, 1995), 21.

11 Solomon Schechter, *Documents of Jewish Sectaries: Fragments of a Zadokite Work* (with a prolegomenon by J. A. Fitzmyer) (New York: Ktav, 1970), xviii–xxii.

12 Qirqisani also could not distinguish between Sadducean laws and other sectarian laws concerning the holidays of Sukkot, Passover, and Pentecost. See Yoram Erder, 'Precedents Cited by Anan for Postponement of Passover that Falls on the Shabbat', *Zion* 52 (1987): 153–75 (Hebrew).



about Zadok from rabbinic texts (and admits he was not happy about that). In fact, he was relying on the rabbinic tradition that claimed Zadok was a disciple of Antigonus of Sokho and the founder of the Sadducee sect.<sup>13</sup> It is not surprising that Qirqisani hid the theological beliefs that this tradition attributes to Zadok from his readers. The reason is clear: everything that Zadok contested, according to this tradition, was endorsed by the Karaites, who adopted *mu'tazili* terminology. Here lies what I have called 'The Karaites' Sadducee Dilemma'.<sup>14</sup> They adopted some Qumran halakhot, which they identified as Sadducean halakhot. At the same time, they could not accept the Sadducean denial of resurrection, reward, and punishment, which they had learned from rabbinic sources.

If Schechter is right, and Qirqisani and other Karaites had the Damascus Document in their hands, they would have known a *peshet* (interpretive commentary) referring to Ezek. 44.15. This *peshet* emphasizes the important role of 'the Sons of Zadok' at the End of Days:

And he built them a sure house in Israel, such as never stood from the earliest times until now. Those who hold fast to it are to have eternal life, and all [human] glory is theirs, as God swore to them through the hand of Ezekiel the prophet, saying: "The priests and the Levites and the Sons of Zadok who kept the watch of my sanctuary when the children of Israel strayed from me, they shall present to me fat and blood" (Ezek. 44.15). "The priests" are the penitents of Israel who departed from the land of Judah, "the Levites" are those who accompanied them, and "the Sons of Zadok" are the chosen ones of Israel, those called by name (*Qeriei ha-Shem*), who stand in the End of Days. Here are the details of their names in their generations and the time[s] of their standing and the number[s] of their troubles and the years of their residence, and detail[s] of their works (CD III.19–IV.6).<sup>15</sup>

13 Qirqisani, *Kitāb al-anwār*, I, 11.

14 Yoram Erder, 'The Karaites' Sadducee Dilemma', *Israel Oriental Studies* 14 (1994): 195–226.

15 Charlesworth edition, II, 17–19.

The Sons of Zadok in this paragraph, as in other Qumran scrolls, are those whom the Karaites considered Sadducees. This could have intensified their confusion between the two Second Temple groups.

While I stress the distinction that should be made between the Zadokite (Qumran) halakhah and the Sadducean halakhah, upon the publication of the Qumran scroll 4QMMT (*Miqṣat Ma'asei ha-Torah*), the theory was proposed by Jacob Sussman and Lawrence Schiffman that the Qumran sect was effectively a Sadducean offshoot due to the similarity between the Qumran halakhot and the Sadducean halakhot mentioned in rabbinic literature.<sup>16</sup> One of Sussman's arguments is based upon the Karaite view that the two sects were similar,<sup>17</sup> but our discussion has shown that this Karaite view is erroneous and therefore cannot serve as proof that the two sects resembled each other.<sup>18</sup> I accept the viewpoint that denies the identification of the Qumran sect with the Sadducees.<sup>19</sup>

The Karaites not only attributed halakhic issues to the Sadducees, they also referred to Sadducean theology which, however, is closer to the positions found in the Qumran literature. The Karaite Yefet ben Eli explains that the fashioners of the Golden Calf in the desert did not deny the belief in the unity of God, but instead claimed that a secondary deity governed the world. It was for this secondary deity that the Golden Calf was intended. According to Yefet, this belief in a secondary deity was a Sadducean belief. The Sadducees believed that this deity was called Prince Mastema:

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16 Jacob Sussman, 'The History of Halakha and the Dead Sea Scrolls: Preliminary Observations on *Miqṣat Ma'asei ha-Torah* (4QMMT)', *Tarbiz* 59 (1989): 11–76 (Hebrew); Lawrence. H. Schiffman, 'The New Halakhic Letter (4QMMT) and the Origins of the Dead Sea Sect', *Biblical Archaeologist* 53 (1990): 64–73.

17 Sussman, 'History of Halakha', 59–60.

18 See Erder, 'Karaites' Sadducee Dilemma', 215–20.

19 Emile Puech, *La croyance des Esséniens en la vie future: Immortalité, résurrection, vie éternelle?*, 2 vols. (Paris: Lecoffre, 1993), I, 17–20.

[The Children of Israel] said: “This is thy God, O Israel, who brought thee up out of the land of Egypt” (Exod. 32.4). In all probability, the Children of Israel believed in a single Creator, who created an angel to whom He entrusted the world in order to govern it and implant in it wisdom and understanding. This [belief] corresponds to the Sadducean belief in Prince Mastema.<sup>20</sup>

J. T. Milik already hypothesized that Yefet’s reference to Prince Mastema was based on the book of Jubilees (Jub. 11.5, 11; 17.16; 18.9, 12; 48.2, 9, 12, 15).<sup>21</sup> According to the New Testament (Acts 23.6-8), the Sadducees did not believe in angels. The Karaite Daniel al-Qūmisī, who had adopted much of the Qumran terminology, also denied the existence of angels. Qirqisani explains that he did so in protest against the assertion of his predecessor Benjamin al-Nahāwandī, who believed in a secondary God, basing his belief on the writings of the Caves Sect.<sup>22</sup> Another theological issue mentioned by Yefet has to do with the way the Sadducees commented on the Bible. In his commentary on the phrase “he that stealeth” (Zech. 5.3), he accused the Sadducees of “stealing from the word of God” by the omission of certain words from the scriptural text:

Some say that “he that stealeth” (Zech. 5.3) is he who stealeth from the words of God. This refers to people who have stolen from the Scriptures and changed its meaning [...] There were those who omitted words from the editor’s version, such as the Sadducees, and there were those who attempted to interpret the Scriptures incorrectly and determine laws that were against the Torah and stole words from the Scriptures in support of their claims.<sup>23</sup>

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20 Yefet ben Eli, *Commentary on Exodus*, 32.1–4, MS. St. Petersburg, RNL Yevr.-Arab., I, 42, ff. 177b–178a.

21 *The Books of Enoch: Aramaic Fragments of Qumran Cave 4*, ed. by J. T. Milik (Oxford: Clarendon, 1976), 331, n. 1.

22 Qirqisani, *Kitāb al-anwār*, 330.

23 Yefet ben Eli, *Commentary on Zechariah*, 5.3, MS. BL. Or. 2401, f. 169b.

Much has been written on the retelling of the Bible found in the Qumran texts and in the Enoch literature.<sup>24</sup> It seems that Yefet here is accusing the Sadducees of rewriting the Bible. Returning to the issue of halakhah, the similarity between the halakhot of al-Nahawandi and Qumran supports the supposition that the Caves Sect, which, according to the Karaite and Muslim sources, influenced al-Nahawandi, should be identified with the Qumran sect. On the other hand, the commentaries of Yefet ben Eli demonstrate that he knew this ancient halakhah very well, but was reluctant to adopt it.<sup>25</sup> The mainstream Karaites not only refrained from adopting the Qumran halakhah known to them, but also rejected the Sadducean halakhah mentioned in rabbinic literature. According to the Talmud, there was a dispute between the Talmudic Sages and the Sadducees over the inheritance law pertaining to a sole-surviving daughter whose brother had predeceased his father but left behind a daughter. According to our sources, this dispute is contingent upon how one interprets what the Pentateuch recounts about the offspring of Seir the Horite, found in Gen. 36, even though the issue of inheritance is not mentioned anywhere in this chapter. Yefet interprets Gen. 36 in an utterly different way from the rabbinic Sages, but at the same time he denies the Sadducean halakhah.<sup>26</sup> Although the Karaites attributed the ancient literature of the ‘Sons of Zadok’ to the Sadducees, they did not hesitate to distance themselves from their halakhah and theology.

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24 See Lawrence H. Schiffman, ‘Dead Sea Scrolls, Biblical Interpretation in’, in *Encyclopedia of Midrash*, ed. by Jacob Neusner and Alan J. Avery Peck, 2 vols. (Leiden: Brill, 2004), I, 47–54.

25 Yoram Erder, ‘Understanding the Qumran Sect in View of Early Karaite Halakhah from the Geonic Period’, *Revue de Qumran*, 26 (2014), 403–23.

26 Yoram Erder, ‘Karaite and Sadducee Inheritance Law in Light of Yefet ben Eli’s Commentary on Genesis 36’, in *The Festschrift Darkhei Noam: The Jews of Arab Lands*, ed. by Carsten Schapkow, Shmuel Shepkaru, and Alan T. Levenson (Leiden: Brill, 2015), 6–25.

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# 7. THE JUDAISM OF THE ANCIENT KINGDOM OF ḤIMYAR IN ARABIA: A DISCREET CONVERSION

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## 1.0. Introduction

Yemenite Judaism can be described as 'rabbinic' from the moment sufficient sources are available in the later Middle Ages.<sup>1</sup> It had probably been so for many centuries. One notes, for example, the epistolary links between Yemen's Jewish communities and Moses Maimonides (d. 1204 CE), who sent them his celebrated *Epistle to Yemen*.

By contrast, the Judaism of Ḥimyar, the kingdom gradually extending its domination to the whole of ancient Yemen and even, between 350 and 570 CE, over a large proportion of the deserts of Arabia, seems to be different. That is what I shall attempt to demonstrate in this paper. I suggest a reappraisal of the entire file on Ḥimyarite Judaism in order to answer as fully as possible the two main questions: is it possible to claim that Ḥimyar converted to Judaism, and, if so, which type of Judaism was adopted by the Ḥimyarites?

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1 Glen Bowersock, Fred Donner, and Jérémie Schiettecatte were kind enough to read a first version of this contribution and to share with me their observations and constructive criticism. I would like to thank them heartily for this.



Knowledge of the history of the kingdom of Ḥimyar (whose capital was located at Ṣafār, 125 km south of Ṣanʿāʾ) is relatively recent. Information is derived mainly from the inscriptions discovered following the opening of both Yemeni states to archaeological research at the beginning of the 1970s. A comparison between Hermann von Wissmann's seminal 1964 article and Iwona Gajda's 2009 book illustrates this complete change of perspective, which has resumed at a fast pace in recent years despite the war in Yemen.<sup>2</sup>

In the political field, it appears that Ḥimyar was the leading power in Arabia between approximately 350 and 570 CE, imposing its rule on the entire Peninsula (or at least a large part of it), except during the crisis years of 523–552 CE. In the religious field, the inscriptions illustrate in increasingly clear manner that Judaism was dominant in the kingdom of Ḥimyar from the fourth century CE until around 500–530 CE; they then show that Christianity became predominant, remaining the official religion for some forty years (530–570 CE). These discoveries do not agree with the data from the Arab-Muslim tradition, which emphasizes pre-Islamic Arabia's isolation, polytheism, anarchy, and intellectual and material poverty.

Dealing with Ḥimyarite Judaism is no easy matter because religious identities are still fluid and difficult to distinguish in the fourth and fifth centuries CE. Furthermore, documentation is scarce and consists essentially of monumental inscriptions that only make the vaguest of allusions to religion. The archaeological remains cannot compensate for the laconic aspect of epigraphic material. One could even say that they are of no assistance at all, since no assuredly Jewish monument has been identified to this day. As for manuscripts, their utility is marginal.

My approach will necessarily be empirical. I will not attempt to answer the many questions that can be asked, but only to outline

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2 Hermann von Wissmann, 'Ḥimyar: Ancient History', *Le Muséon* 77 (1964): 429–99; Iwona Gajda, *Le royaume de Ḥimyar à l'époque monothéiste: L'histoire de l'Arabie du Sud ancienne de la fin du IV<sup>e</sup> siècle de l'ère chrétienne jusqu'à l'avènement de l'Islam* (Paris: de Boccard, 2009).

what is known today. As I already published all the available data on the nature of Ḥimyar's Judaism in 2015,<sup>3</sup> I will recall only the most significant facts here. I will then complete the discussion by examining to what extent the kingdom of Ḥimyar can be described as 'Jewish'.

## 2.0. Sources on Religious Practices in the Kingdom of Ḥimyar

Shortly before the end of the fourth century, between 380 and 384 CE, a religious change of considerable importance took place in the kingdom of Ḥimyar. In January 384, the ruling kings, who had just built two palaces, commemorated these events in two inscriptions. The invocation formula concluding these two texts is, in itself, a break with the past: it no longer mentions the support of ancestral deities, as was previously the case, but of a new God: "With the support of the Lord, the Lord of the Sky."

At first glance, the formula may seem banal and of no great consequence. Several polytheistic deities have a similar name. In South Arabia the great god of Najrān is called 'The one of the Heavens' (*dhu-Samāwī* or *dhu ʿl-Samāwī*).<sup>4</sup> In Eastern Arabia a goddess is called 'She who is in the Heavens' (*dhāt bi-[ʿl]-Samāwī*),<sup>5</sup> and in Syria an important god is 'Master of the Heavens' (*Baʿal-Shamūn*, with various orthographical variants of this name in different languages). By looking a little closer, one finds that the break with previous religious practices was a radical one, particularly evident in the evolution of terminology. One is assuredly dealing here with the establishment of a new religion.

Before highlighting this break with previous periods, it is quite useful to recall the nature of the available sources for Arabia's

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3 Christian Julien Robin, 'Quel judaïsme en Arabie?', in *Le judaïsme de l'Arabie antique: Actes du colloque de Jérusalem (février 2006)* ed. by Christian Julien Robin (Turnhout: Brepols, 2015), 15–295.

4 *ḡ-Sʿmwy*.

5 *ḡt b-Sʿmwy*.

religious history during the 250 years preceding the formation of Islam.<sup>6</sup> These sources belong to three heterogeneous categories: Himyarite inscriptions, external manuscript sources (mainly in the Greek and Syriac languages), and the ‘Arab-Muslim Tradition’ collected during the eighth and ninth centuries CE (second and third centuries of the Hijra).

### 2.1. Himyarite Inscriptions

Himyarite inscriptions do not inform us beyond 559–560 CE, the date of the most recent text. For the period between 380 and 560 CE, a total of some 150 texts are available, often fragmentary. Some three-fifths of these have a more or less precise chronology, with a date or reference to a known person or event. If one focuses on religious changes, relevant texts are only a few dozen in number. Most often these commemorate building activities.

One can infer the religious orientation of the inscriptions both through their invocations of celestial powers at the end (and, once, at the beginning) of texts and through their petitions. The formulation, which is always concise and stereotyped, and the onomastics are also illuminating.

### 2.2. External Sources

External sources are of real assistance only in the case of one episode of Arabian history: the long period of political and religious disorder that shook the kingdom of Himyar in the first decades of the sixth century and led to its demise (c. 500–570 CE). Around 500 CE, the kingdom of Himyar, where Jews enjoyed a dominant position, was placed under the tutelage of the Ethiopian kingdom of Aksūm. From then on, it was the (Christian) Negus

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6 For a synoptic presentation of these sources and thoughts on their categorization, see the recent work of Robert Hoyland, ‘Insider and Outsider Sources: Historiographical Reflections on Late Antique Arabia’, in *Inside and Out: Interactions between Rome and the Peoples on the Arabian and Egyptian Frontiers in Late Antiquity*, ed. by Jiste Dijkstra and Greg Fisher (Leuven: Peeters, 2014), 267–78.

who designated the ruler. When the Ḥimyarite Christian king died in 522 CE, the Negus nominated a successor. This prince, called Joseph (Masrūq in Syriac and Zur‘a dhū Nuwās in Arabic) soon rebelled. He massacred the Aksūmite garrison sent to Ṣafār by the Negus and then began to spread terror in the regions favourable to the Aksūmite party. He enjoyed the support of the Jewish party, but also of some Christians (apparently those of the Church of the East, called ‘Nestorian’).

Joseph’s vengeful policy provoked the dissidence of Miaphysite (or ‘Monophysite’) Christians in Najrān, who had refused to provide troops. Joseph repressed their rebellion through cunning and deceit and eventually exterminated them, no doubt reckoning that they were a threat on account of the close links they had established with Syria’s Byzantine provinces. Syria and Egypt’s ecclesiastical authorities seized the opportunity to make these victims martyrs of the faith and demanded a rapid response. With their assistance, Aksūm’s Negus gathered ships to carry his army across the Red Sea. Upon their arrival (sometime after Pentecost Day, 525 CE), Joseph was killed. Ḥimyar’s conquest, completed around 530 CE, brought the Negus as far as Najrān. It was followed by the systematic massacre of Jews. The country then became officially Christian. Churches were built and an ecclesiastical hierarchy was established. The conflict, which (at least in the beginning) seems to have been political in nature, is presented in ecclesiastical sources as a war of religion. This account is often quoted uncritically in historical works, especially since historical reports of the Arab-Muslim Tradition have adopted it.

The only documents contemporary with the events—some ten inscriptions written in June and July of 523 CE by the general and officers of the army sent by Joseph to repress the Najrān revolt—make no clear mention of religion. They do not explicitly claim to be Jewish; they do not quote the Bible; they do not boast that the army was invested with a sacred mission by religious authorities. To detect the Judaism of their authors, one can rely only on a small number of terms and turns of phrases meaningful

only to specialists.<sup>7</sup> Focusing largely on military operations, these documents are mainly aimed at terrorizing insurgents. It is clear that their purpose is political and not religious.

External sources mentioning Late Antique Arabia include above all the historical chronicles in Greek (particularly those of Procopius, Malalas, and Theophanes), and Syriac (like those of the Zuqnin monastery and of Michael the Syrian). One of the Greek chronicles, written by the Egyptian John of Nikiû, is known only in a Ge'ez (classical Ethiopian) translation. Another, in Syriac, whose author remains unknown, has reached us only in its Arabic version (the Seert Chronicle). The summary of a Byzantine diplomatic report written by ambassador Nonnosus is also available. Emperor Justinian (527–565 CE) sent Nonnosus to Arabia and Ethiopia at an unknown date, probably in the early 540s. This summary appears in the *Bibliotheca* of Patriarch Photius (who died in 891 or 897 CE).<sup>8</sup>

The Ḥimyarite crisis is also known via Greek and Syriac texts produced by churches to celebrate the martyrs of South Arabia and to establish their cults: these are stories in the form of letters (the Guidi Letter, attributed to Simeon of Beth Arsham,<sup>9</sup> and the Shahîd Letter in Syriac<sup>10</sup>), homilies, hymns, and hagiography (the Book of the Ḥimyarites in Syriac<sup>11</sup> and the Martyrdom of Arethas in Greek<sup>12</sup>). Two documents refer to events prior to the crisis of

7 See Ry 508, Ry 515, Ja 1028, and Ry 507; see also §3.1.2, below.

8 Photius, *Bibliothèque*, tome I: *Codices 1–83*, ed. by René Henry (Paris: Les Belles Lettres, 1959), § 3.

9 Ignazio Guidi, 'La lettera di Simeone vescovo di Bêth-Arsâm sopra i martiri omeriti', in *Atti della Reale Accademia dei Lincei* 278 (1880–1881): 471–515 (text 501–15); reprinted in *Raccolta di scritti*, Vol I: *Oriente cristiano* (Rome: Istituto per l'Oriente, 1945), 1–60.

10 Irfan Shahîd, *The Martyrs of Najrân: New Documents* (Brussels: Société des Bollandistes, 1971).

11 *The Book of the Ḥimyarites: Fragments of a Hitherto Unknown Syriac Work*, ed. by Axel Moberg (Lund: C.W.K. Gleerup, 1924).

12 *Le martyre de Saint Aréthas et de ses compagnons (BHG 166)*, ed. by Marina Detoraki, trans. by Joëlle Beaucamp (Paris: Association des amis du Centre d'histoire et civilisation de Byzance, 2007).

523 CE: a hagiographical text in Ge'ez, probably translated from Arabic, celebrating a priest of Najrān who was persecuted by the king of Ḥimyar Shuriḥbi'il Yakkuf (c. 468-480) (the Martyrdom of Azqīr),<sup>13</sup> and the consolation letter written by Jacob of Serugh (who died in 521 CE) in honour of the Ḥimyarite martyrs.<sup>14</sup>

Apart from this Ḥimyarite crisis, the only significant event known to us is the dispatch of an embassy by the Byzantine Emperor Constantius II (337–361 CE) to convert the king of Ḥimyar. The account of this embassy can be found in Philostorgius's fragments of the *Ecclesiastical History* transmitted by Photius: Philostorgius, an Arian ecclesiastical historian, was interested in this embassy because one of its leaders, Theophilus the Indian, was himself an Arian Christian.

As a general rule, external sources dealing with Late Antiquity do not focus on South Arabia at all. At most, Byzantine chroniclers make a passing note of desert Arabs when they launch forays into the Empire's eastern provinces (which make up the Diocese of the Orient) or when the Empire asks them to join an alliance against Sāsānid Persia.

Since Eastern Arabia was conquered by Ḥimyar on two occasions—in 474 CE and 552 CE—one can incidentally mention that the proceedings of the Nestorian Church's synods, known under the name *Synodicon Orientale*, and the correspondence of the heads of this church in the Syriac language, include precious

13 Alessandro Bausi, 'Il *Gadla 'Azqir*', *Adamantius* 23 (2017): 341–80.

14 Robert Schröter, 'Trostschreiben Jacob's von Sarug an die himjaritischen Christen', in *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 31 (1877): 360–405. For a much more precise presentation of these sources, see Joëlle Beaucamp, Françoise Briquel-Chatonnet, and Christian Julien Robin, 'La persécution des chrétiens de Nagrān et la chronologie ḥimyarite', *Aram* 11 (2000): 15–83, completed by Joëlle Beaucamp, Françoise Briquel-Chatonnet, and Christian J. Robin, eds., *Juifs et chrétiens en Arabie aux v<sup>e</sup> et vi<sup>e</sup> siècles: Regards croisés sur les sources* (Paris: Association des amis du Centre d'histoire et civilisation de Byzance, 2010). Some of these texts also exist in abridged form or in translation. For example, three different Arabic versions of the Martyrdom of Arethas are known.

information on the bishoprics of the Arab-Persian Gulf until the year 677 CE (i.e., some fifty years after the Islamic conquest).<sup>15</sup>

In sum, Greek and Syriac sources emphasize that Jews already exerted influence on the kingdom of Ḥimyar around the mid-fourth century CE and then enjoyed a dominant position until approximately the early sixth century CE, at the time of king Joseph.<sup>16</sup>

### 2.3. The Arab-Muslim Tradition

In order to reconstruct the history of pre-Islamic Arabia, other data is available from the ‘Arab-Muslim Tradition’, a convenient appellation for the set of texts recorded or written during Islam’s first centuries. These are not really internal sources; rather, they are diverse traditions collected and assembled in the schools of the Islamic Empire located mainly outside Arabia more than two centuries after the events. This tradition is particularly precious for the tribal geography and the study of place names. It has also preserved multiple individual testimonies of the events as experienced by Muḥammad’s companions or their immediate

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15 Syriac text and French translation: *Synodicon orientale, ou, Recueil de synodes nestoriens*, ed. by J.-B. Chabot (Paris: Imprimerie nationale, 1902). The document’s date is “in this month of *iyār* (‘yr), of the 57th year of the empire of the Arabs (*l-šwlṭn’ d-Ṭyy’*).” The publisher gives as an equivalent date 676 CE (480), and May 696 CE (482, n. 1). If the point of departure is truly the Hijra, and if the years are lunar (which appears most likely), then year 57 starts on 14 November 676, and ends on 2 November 677. The date would therefore be May 677.

16 The most important texts are mentioned in Christian Julien Robin ‘Le judaïsme de Ḥimyar’, *Arabia* 1 (2003): 97–172. For an analysis of these sources, see Beaucamp et al., ‘La persécution des chrétiens’; Christian Julien Robin, ‘Joseph, dernier roi de Ḥimyar (de 522 à 525, ou une des années suivantes)’, *Jerusalem Studies in Arabic and Islam* 34 (2008): 1–124; and idem, ‘Nagrān vers l’époque du massacre: Notes sur l’histoire politique, économique et institutionnelle et sur l’introduction du christianisme (avec un réexamen du *Martyre d’Azqir*)’, in Beaucamp et al., *Juifs et chrétiens en Arabie*, 39–106.

ancestors. This collective memory, however, is flimsy with regard to questions of general import, such as chronology, the pre-Islamic religions, or even the beginning of Arabic writing.

As concerns the Judaism of Ḥimyar, the Tradition retained that a king, Abū Karib Asʿad the Perfect (*al-Kāmil*), had introduced this religion into Yemen, and that another, Yūsuf Zurʿa dhū Nuwās, had become a Jew and had forced the Christians of Najrān to choose between conversion to Judaism or death. It incidentally signals that various other characters were also Jewish. Finally, four scholars of the Tradition give lists of the regions in which Jews could be encountered. These are: Ibn Qutayba (d. 889 CE),<sup>17</sup> al-Yaʿqūbī (d. 897 CE),<sup>18</sup> Ibn Ḥazm (d. 1064 CE),<sup>19</sup> and Ibn ʿAbd al-Barr (d. 1071 CE).<sup>20</sup> Unsurprisingly, it appears that Judaism was solidly rooted in northwestern Arabia (the north of the Ḥijāz) and in the southwest of the Peninsula (in Yemen). More precisely, there were apparently Jews in Ḥimyar (or in Yemen), Kinda, banū

17 Ibn Qutayba (Abū Muḥammad ʿAbd Allāh b. Muslim), *al-Maʿārif*, ed. by Tharwat ʿUkāsha (Cairo: Wizārat al-Thaqāfa wa-ʿl-Irshād al-qawmī, al-Idāra al-ʿamma li-l-thaqāfa, 1960 / 1379 AH), 621.

18 al-Yaʿqūbī, *The History (Taʾrikh) by Ibn Wāḍiḥ al-Yaʿqūbī*, 2 vols, ed. by Martijn Theodoor Houtsma (1883; reprint Leiden: Brill, 2018), I, 298–99.

19 Ibn Ḥazm (Abū Muḥammad ʿAlī b. Aḥmad b. Saʿīd ... al-Andalusī), *Jamharat ansāb al-ʿArab*, ed. by ʿAbd al-Salām Muḥammad Hārūn (Cairo: Dār al-Maʿārif, 1977), 491.

20 Ibn ʿAbd al-Barr (Abū ʿUmar Yūsuf b. ʿAbd Allāh b. ʿAbd al-Barr al-Namrī ʿl-Qurtubī), *al-Istidhkār al-Jāmiʿ li-madhāhib fuqahāʾ al-amṣār*, ed. by Sālim Muḥammad ʿAṭā and Muḥammad ʿAlī Muʿawwaḍ (Beirut: Dār al-kutub al-ʿilmiyya, 2000), VI, 223. See also Nashwān b. Saʿīd al-Ḥimyarī (d. 1178 CE), *al-Ḥūr al-ʿayn, li-l-amīr ʿallāmat al-Yaman Abū Saʿīd Nashwān al-Ḥimyarī*, ed. by Kamāl Muṣṭafā (Cairo: Maṭbaʿat al-Saʿāda, 1942), 136, who quotes Ibn Qutayba’s text without mentioning his source; and idem, *Die auf Südarabien bezüglichen Angaben Naṣwān’s im Šams al-ʿulūm*, ed. by ʿAzīmuddīn Aḥmad (Leiden: Brill 1916), sub voc. HWD, 112, in which Nashwān gives an abridged version: “During the Jāhiliyya, Judaism was proper to Ḥimyar, Kinda, the banū ʿl-Ḥārith, and Kināna [*wa-kānat al-yahūdiyya fī ʿl-Jāhiliyya li-Ḥimyar wa-Kinda wa-banī ʿl-Ḥārith wa-Kināna*].” I owe several of these references to Michael Lecker.



ʿl-Ḥārith b. Kaʿb, Kināna, Ghassān, Judhām, al-Aws, al-Khazraj, and Khaybar. Sometimes one of these scholars considers that such-and-such a tribe included Jews in large numbers, while another gives a lower estimate, and a third says nothing on the matter. One should moreover note that the Jewish tribes of Yathrib (today al-Madīna)—al-Naḍir, Qurayẓa, and Qaynuqāʿ—are not mentioned. This is undoubtedly due to the fact that these tribes were not included in the *Great Genealogy of the Arabs*, written in the second and third centuries after the Hijra.<sup>21</sup>

It bears emphasising that the sources just listed were first produced in a Christian environment and then in a Muslim one. None is of Jewish origin.

### 3.0. The Institution of an Official Religion as Revealed by Inscriptions

For a precise perception of the nature of the new religion established by Ḥimyar's rulers—I shall come back later to the points proving we are effectively dealing with a new religion—only inscriptions are available, and these are not very many.

#### 3.1. Four Categories of Monotheistic Inscriptions

The corpus on which we rely comprises all the texts later than the official establishment of the new religion and earlier than the final conquest of Ḥimyar by Christian Aksūmites. These are therefore the texts of the period 380–530 CE, whose number is roughly 140.

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21 *Ġamharat an-Nasab: Das genealogische Werk des Hišām ibn Muḥammad al-Kalbī*, Werner Caskel, 2 vols. (Leiden: Brill, 1966). A very useful overview of the set of manuscript sources available around 1915 can be found in Carlo Alfonso Nallino, 'Ebrei e Cristiani nell'Arabia preislamica', in *Raccolta di scritti editi e inediti*, ed. by Maria Nallino (Rome: Istituto per l'Oriente, 1941), III, 87–156. For the time of Muḥammad, see also Rudolf Leszynsky, *Die Juden in Arabien zur Zeit Mohammeds* (Berlin: Mayer & Müller, 1910).

These inscriptions can be classified into four sets, corresponding to the institutional position of their authors: (1) official inscriptions, whose author is the king; (2) inscriptions whose author is a high official in the king's service; (3) inscriptions whose author is a prince, ruling a territorial principality; and, finally, (4) inscriptions whose author is a private individual. It seems necessary to distinguish these diverse categories to appreciate as precisely as possible these documents' meaning and exact scope. Only royal inscriptions define the official orientation used as a model in the entire country. The others provide complementary glimpses that are all the more precious since their composition was not subjected to the same constraints.

### 3.1.1. Royal Inscriptions

For the period 380–530 CE, sixteen royal inscriptions are available,<sup>22</sup> a number that can be reduced to twelve if one discards four fragments that are too small to contribute any substantial information.<sup>23</sup> Four texts out of these twelve are particularly significant because they are long and complete, though they make no reference to religion at all. They share two remarkable traits. First of all, they do not originate from Yemen, but from the deserts of Arabia.<sup>24</sup> Moreover, they commemorate victorious military campaigns in these deserts. Two others celebrate the building of a place of worship without an invocation to God, either securely in one inscription (Ja 856 = Fa 60) or hypothetically in the other (YM 1200, which is fragmentary). A last text merely lists the ruler and his co-regents with their official title (Garb BSE). Royal texts that contain a religious invocation are five in number:

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22 I shall only retain in this inventory the texts in which at least part of the name or the king's titles survive. Those that, like al-ʿIrāfa 1, are probably royal but lack the author's name and title, are not very many and contribute nothing when it comes to the general picture.

23 Ja 516, Garb Framm. 3, RES 4105, and CIH 620.

24 These are the rock inscriptions Ry 509, Ma'sal 3, and Ry 510, carved on the cliff of Ma'sal in the centre of the Peninsula and located 200 km west of al-Riyāḍ, and Ja 2484 at al-Ḥamḍa, 200 km north of Najrān.

Garb Bayt al-Ashwal 2 (Zafār, capital of Ḥimyar), January 384 CE, *dhu-diʿwān* 493 ḥim. (Fig. 1): a commemoration of the construction of a palace in the capital by king Malkikarib Yuhaʿmin and his co-regents,<sup>25</sup> these being his sons Abikarib Asʿad and Dharaʿamar Ayman:

...b-mqm mrʿ-hmw mrʿ s<sup>1</sup>m<sup>(4)</sup>y<sup>n</sup>

With the support of their lord, **the Lord of the Sk<sup>(4)</sup>y**

RES 3383 (Zafār), January 384 CE, *dhu-diʿwān* 493 ḥim.: a commemoration, with the same date, of the construction of a second palace in the capital by these same rulers, king Malkikarib Yuhaʿmin and his co-regents, his sons Abikarib Asʿad and Dharaʿamar Ayman:

...b-mqm m<sup>(4)</sup>rʿ-hmw mrʿ (s<sup>1</sup>my)[<sup>n</sup>]

With the support of <sup>(4)</sup> their lord, **the Lord of the Sky**

YM 327 = Ja 520 (Ḍahr, 10 km northwest of Ṣanʿāʿ): a commemoration at an uncertain date of a building several stories high by king Abikarib Asʿad, then in co-regency with his brother Dharaʿamar Ayman and his sons Ḥaśśān Yuʿmin, Maʿdikarib Yunʿim, and Ḥuḡr Ayfaʿ:

[...]<sup>(5)</sup>(n) l-ḡt ḥmr-hmw rḥ[mn<sup>n</sup> ...]

[...]<sup>(5)</sup> so that **Raḥ [mānān]** may grant them [...]

CIH 540 (Maʿrib, 120 km east of Ṣanʿāʿ), January 456 CE, *dhu-diʿw* 565 ḥim. (Fig. 2): the commemoration of an important restoration of the Marib Dam<sup>26</sup> by king Shuriḥbiʿil Yaʿfur:

25 For a list of the kings of Ḥimyar, see Christian Julien Robin, 'Ḥimyar et Israël', *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 148 (2004): 831–908 (895–99).

26 Maʿrib is the modern name; Marib is the transcription of the ancient name (Mrb) of the kingdom of Saba's capital, which was annexed by Ḥimyar in the year 270.

...b-nšr w-rd' ʾlh<sup>n</sup> b<sup>(82)</sup>l s<sup>1</sup>my<sup>n</sup> w-ʾrd<sup>n</sup>

With the aid and help of **God (Ilāhān)**, ow<sup>(82)</sup>ner of the Sky and the Earth

ẒM 1 = Garb Shuriḥbi'īl Ya'fur (Zafār), December 462 CE, *dhu-ālān* 572 ḥim. (Fig. 3): a commemoration of the construction of a palace in the capital by the same king, Shuriḥbi'īl Ya'fur:

...b-nšr w-rd' w-mqm mr'-hmw rḥmn<sup>n</sup> b'l <sup>(13)</sup>s<sup>1</sup>my<sup>n</sup> (w-ʾ)rd<sup>(n)</sup>

With the help, aid, and support of their lord **Raḥmānān, owner** <sup>(13)</sup>**of the Sky and the Earth**<sup>27</sup>

It is remarkable that these five texts contain no dogmatic formulation indicating a precise religious affiliation. From this viewpoint, they are quite different from royal inscriptions later than 530 CE, which begin with an invocation to the Holy Trinity.<sup>28</sup>

### 3.1.2. Inscriptions by High Officials in the King's Service

Several texts of the period 380–530 CE are more explicit regarding their authors' beliefs. Of these, the most important are the inscriptions written by high officials in the service of the king.

Garb Bayt al-Ashwal 1 (Zafār), undated, whose author does not invoke the ruling king (Abīkarib As'ad), but only a co-regent, Dhara'amar Ayman (around 380–420 CE), which makes one think that he is in the service of the latter. The author, Yehuda Yakkuf, is a Jew, as proven by a small graffito in Hebrew incised

27 In a rough version of the same text, on another side of the same block, the same formula can be read.

28 See below, §7.1.1. Ist 7608 bis + Wellcome A 103664; DAI GDN 2002 / 20; *CIH* 541; Murayghān 1 = Ry 506. For a recent analysis of these invocations, see Christian Julien Robin, 'Ḥimyar, Aksum, and Arabia Deserta in Late Antiquity: The Epigraphic Evidence', in *Arabs and Empires before Islam*, ed. by Greg Fisher (Oxford: Oxford University Press, 2015), 127–71 (153–54).

in the central monogram. As the language bears the imprint of Aramaic,<sup>29</sup> he might be of foreign origin (Fig. 4 and 5):

...b-rd<sup>3</sup> w-b-zkt mr<sup>3</sup>-hw d-br<sup>3</sup> nfs<sup>1</sup>-hw mr<sup>3</sup> hyn w-mwtn mr<sup>3</sup> s<sup>1(3)</sup>my<sup>n</sup> w-<sup>3</sup>rd<sup>n</sup>  
d-br<sup>3</sup> kl<sup>m</sup> w-b-šlt s<sup>2</sup>b-hw ys<sup>3</sup>r<sup>l</sup>

With the assistance and the grace of his Lord who created him, the Lord of life and of death, **the Lord of the Sk<sup>(3)</sup>y and the Earth**, who created everything, with the prayer of his commune Israel

Ry 508 (Himà, 100 km northeast of Najrān), June 523 CE, *dhu-qiyāzān* 633 him. (Fig. 6): a proclamation by the army general whom the Jewish king Joseph (mentioned in the text) has sent to crush the Najrān revolt. The text, which recalls the military events of the previous year, implicitly incites the insurgents to submit:

...w-<sup>3</sup>lh<sup>n</sup> d-l-hw s<sup>1</sup>my<sup>n</sup> w-<sup>3</sup>rd<sup>n</sup> l-yšrn mlk<sup>n</sup> ys<sup>1</sup>f b-<sup>3</sup>ly kl <sup>3</sup>s<sup>2</sup>n<sup>3</sup>-hw w-b-<sup>(11)</sup>  
hfr rḥmn<sup>n</sup> \*d<sup>\*</sup>n ms<sup>1</sup>nd<sup>n</sup> bn kl ḥs<sup>1</sup>s<sup>1</sup>{s<sup>1</sup>}<sup>m</sup> w-mḥd<sup>am</sup> w-trḥm <sup>3</sup>ly kl <sup>3</sup>lm rḥmn<sup>n</sup>  
rḥm-k mr<sup>3</sup> <sup>3</sup>t

May **God (A'lāhān = Elôhîm)**, to whom the Sky and the Earth belong, grant king Joseph (Yūsuf) victory over all of his enemies. With <sup>(11)</sup> the protection of **Raḥmānān**, that this inscription [may be protected] against any author of damage and degradation. Extend over the entire universe, **Raḥmānān**, your mercifulness. Lord you are indeed

Ry 515 (Himà), undated, but assuredly contemporary with Ry 508, because it is carved to the left of the latter and is written by officers of its author (Fig. 7):

...rb-hwd b-rḥmn<sup>n</sup>

**Lord of the Jews**, with **Raḥmānān**

29 The orthography of 'Yehuda' (*yḥwd'*) copies the spelling of the name in Aramaic. Likewise, that of 'Ayman' (the king's epithet), written *'ym'n*, uses the letter *alif* to note the sound *a*, a practice which is unknown in Sabaic (where the consonant *alif* is devoid of any vocalic value).

Ja 1028 (Ḥimà), July 523 CE, *dhu-madhraʿān* 633 ḥim.: a new proclamation by the author of Ry 508, but written a month later (Fig. 8 and 9):

<sup>(1)</sup> *l-ybrkn ʾl̄n ḡ-l-hw sʾmyʿn w-ʾrḡʿn mlkʿn ywsʾf ʾsʾʾ (vac.) r yṭʾr mlk kl ʾsʿḡʿn*

May God (*Īlān*), to whom the Sky and the Earth belong, bless the king Joseph (Yūsuf) Asʾar Yathʾar, king of all the communes

...*w-l-ybrkn rḥmnʿn bny-hw* (line 9)

May **Raḥmānān** bless his sons

...*w-k-b-hḡrt sʾmyʿn w-ʾrḡʿn w-ʾḡḡḡn ʾsʾḡḡn ḡn msʾndʿn bn kl ḡsʾsʾm w-mḡdḡm w-rḥmnʿn ʿlyʿn b<sup>(12)</sup>n kl mḡd<sup>(c)</sup>m bn m(ḡ).. wṭf w-sʾṭr w-qḡm ʿly sʾm rḥmnʿn wṭf tmnʿm ḡ-hḡyt rb-hḡ b-mḡmd*

With the protection of the Sky and the Earth and the capacities of men, may this inscription [be protected] against any author of damage or degradation, and **Raḥmānān Most-High**, ag<sup>(12)</sup>ainst any author of degradation [... ...] The narration of Tamīm dhu-Ḥaḍyat was composed, written, and carried out in the name of **Raḥmānān, Lord of the Jews, with the Praised One**

Ry 507 (Ḥimà), the same date as Ja 1028, July 523 CE, *dhu-madhraʿān* 633 ḥim.: another proclamation by the author of Ry 508 and Ja 1028:

<sup>(1)</sup> *l-ybr(kn ʾl̄)hʿn( ḡ-l-h(w sʾ))[myʿn w-ʾrḡʿn mlkʿn ysʾf ʾsʾʾr Yṭʾr mlk kl ] ʾsʿḡʿn*

May God (*Ilāhān*), to whom the S [ky and the Earth] belong, [bless the king Joseph (Yūsuf) Asʾar Yathʾar, king of all the] communes

...*w-b-hḡrt <sup>(11)</sup> [mrʾ sʾ]myʿn w-ʾrḡʿn*

With the protection of [the Lord of the S] ky and the Earth

### 3.1.3. Inscriptions by Princes at the Head of Territorial Principalities

Inscriptions written by princes ruling a principality also yield useful information on the topic. Two examples will suffice here:

Ry 534 + Rayda 1 (Rayda, 55 km north of Şan‘ā’), August 433 CE, *dhu-khirāfān* 543 ḥim. (Fig. 10): text commemorating the construction of a *mikrāb* by a Hamdānid, prince of the Ḥāshid<sup>um</sup> and Bakīl<sup>um</sup> (dhu-Raydat fraction) communes, under the reign of Abikarib As‘ad with his four sons as co-regents:

...(br<sup>o</sup>)w w-hs<sup>2</sup>qr mkrb<sup>n</sup> brk l-ʔl<sup>(2)</sup> mr<sup>o</sup> s<sup>1</sup>my<sup>n</sup> w-ʔrd<sup>n</sup> l-wfy ʔmr<sup>o</sup>-hmw ...  
 (3) ... w-l-hmr-hm ʔl<sup>n</sup> mr<sup>o</sup> s<sup>1</sup>my<sup>n</sup> w-ʔrd<sup>n</sup> (4) šbs<sup>1</sup> s<sup>1</sup>m-hw w-wfy ʔfs<sup>1</sup>-hmw  
 w-nzr-hmw w-s<sup>2</sup>w[f-h]mw b-dr<sup>m</sup> w-s<sup>1</sup>lm

(The author) has built and completed the synagogue Barik for **God (Īl),<sup>(2)</sup> Lord of the Sky and the Earth**, for the salvation of their lords ... (3) ... so that **God (Īlān), Lord of the Sky and the Earth**, may grant them (4) the fear of his name and the salvation of their selves, their companions and of their subj[ects,] in times of war and peace

Ry 520 (according to the text, from Ḍula<sup>c</sup> a few kilometres northwest of Şan‘ā’), January 465 CE, *dhu-diʔwān* 574 ḥim.: commemorating the construction of a *mikrāb* by a Kibsiyide prince of the Tan‘im<sup>um</sup> commune, 25 km east of Şan‘ā’, probably at the time of king Shuriḥbiʔil Ya‘fur (who is not mentioned):

...hqs<sup>2</sup>b<sup>(4)</sup>w mkrb<sup>n</sup> y<sup>c</sup>q b-hgr-hmw ḏl<sup>cm</sup> l-mr<sup>o</sup>-hm<sup>(5)</sup>w rḥmn<sup>n</sup> bʔl s<sup>1</sup>my<sup>n</sup>  
 l-hmr-hw w-ʔhs<sup>2</sup>kt<sup>-(6)</sup>hw w-wld-hw rḥmn<sup>n</sup> hyy hyw šdq<sup>m</sup> w-<sup>(7)</sup>mwt mwt  
 šdq<sup>m</sup> w-l-hmr-hw rḥmn<sup>n</sup> wld<sup>(8)m</sup> šlḥ<sup>m</sup> s<sup>1</sup>b<sup>ʔm</sup> l-s<sup>1</sup>m-rḥmn<sup>n</sup>

(The author) has built from ne<sup>(4)</sup>w the synagogue Ya‘ūq in their city of Ḍula<sup>c</sup> for his lor<sup>(5)</sup>d **Raḥmānān, owner of the Sky**, so that **Raḥmānān** may grant him, as well as to his wi<sup>(6)</sup>fe and to his sons, to live a just life and to <sup>(7)</sup> die a worthy death, and so that **Raḥmānān** may grant them virtuous <sup>(8)</sup> children, in the service for the name of **Raḥmānān**

### 3.1.4. Inscriptions by Private Individuals

The file also contains a few texts whose authors are private individuals or officials who do not mention their responsibilities or their duties.

ṢM 5 + 8 + 10 (Ṣafār), February 432 CE, *dhu-ḥillatān* [5]42 ḥim. (Fig. 11): a commemoration of the construction of two palaces under the reign of Abikarib Asʿad (who is not mentioned):

...b-zkt **rh**[*mn*<sup>n</sup> w-b-rd<sup>ḡ</sup> w-...] <sup>(5)</sup> ʾmlk<sup>n</sup> ʾbʿl byt[<sup>n</sup>] ryd<sup>n</sup> w-mr<sup>ḡ</sup> s<sup>1</sup>my(<sup>n</sup>)[...] <sup>(6)</sup> hyw b-ml-hmw ʾks<sup>3</sup>h t<sup>w</sup>c ʾfs<sup>1</sup>-h(m)[w ... .. mr<sup>ḡ</sup>] <sup>(7)</sup>s<sup>1</sup>my<sup>n</sup> bn kl bʾs<sup>1</sup>t<sup>m</sup> w-l-yḥmrn-hmw mw[t ...] <sup>(8)</sup> w-ʾmn

With the grace of **Rah** [mānān and the help and ... ] <sup>(5)</sup> of kings, owners of the palace Raydān, and **the Lord of the Sky** [ ... ..] <sup>(6)</sup> a life with their works, exemplary(?) of the submission of their selves [... .. **the Lord**] <sup>(7)</sup> of **the Sky** against all evil, and that he may grant a deat[h ... ..] <sup>(8)</sup> and āmēn

ṢM 2000 (Ṣafār), April 470 CE, *dhu-thābatān* 580 ḥim. (Fig. 12): a commemoration of the construction of a palace under the reign of king Shuriḥbiʿil (Yakkuf):

...w-b <sup>(6)</sup> rd<sup>ḡ</sup> w-ḥyl mr<sup>ḡ</sup>-hmw ʾl<sup>n</sup> <sup>(7)</sup> bʿl s<sup>1</sup>my<sup>n</sup> w-ʾrd<sup>n</sup> w-b-rd<sup>ḡ</sup> <sup>(8)</sup> (s<sup>2</sup>)ʿb-hmw ys<sup>3</sup>rʿl w-b-rd<sup>ḡ</sup> mr<sup>ḡ</sup>-hmw s<sup>2</sup>rh(b)<sup>(9)</sup>ʿl mlk sbʾ w-ḡ-ryd<sup>n</sup> w-ḥḍrmwt w-l-(h)<sup>(10)</sup> mr-hmw b-hw **rhmn**<sup>n</sup> hyw<sup>m</sup> ks<sup>3</sup>h[<sup>m</sup>]

With <sup>(6)</sup> the assistance and the power of their lord **God** (Īlān) <sup>(7)</sup> **owner of the Sky and the Earth**, with the assistance <sup>(8)</sup> of their commune Israel and with the assistance of their lord Shuriḥbiʿil<sup>(9)</sup> king of Sabaʾ, dhu-Raydān and of Ḥaḍramawt. May <sup>(10)</sup> **Rahmānān** give them here (in this house) an exemplary life

CIH 543 = ṢM 772 A + B (Ṣafār), undated; the purpose of this text is unknown:

[b]rk w-tbrk s<sup>1</sup>m **rhmn**<sup>n</sup> ḡ-b-s<sup>1</sup>my<sup>n</sup> w-ys<sup>3</sup>rʿl w-(<sup>2</sup>)ʿlh-hmw **rb-yhd** ḡ-hrd<sup>ḡ</sup> ʿbd-hmw...

[May it bl]ess and be blessed, the name of **Rahmānān**, who is in **the Sky**, Israel and <sup>(2)</sup> their God, **the Lord of the Jews**, who has helped their servant...

Garb Framm. 7, of unknown provenance and date: a fragment of an inscription commemorating the final stage of a construction under the reign of Abikarib Asʿad, ruling in co-regency with his brother Dharaʾamar Ayman and his son Ḥaśśān Yuhaʾmin:



...b-(r)[dʰ mrʰ-hw mrʰ sʰmyʰ w-b] <sup>(2)</sup> [rdʰ sʰb-](h)w Ysʰrʰl

With the he[lp of his lord, **the Lord of the Sky**, with] <sup>(2)</sup> [the help of his commu]ne Israel

### 3.2. A Radical Reform

The religious reform that took place around the year 380 CE reveals a radical aspect. From this date, all royal inscriptions became monotheistic. What is even more remarkable is that polytheistic inscriptions disappeared almost immediately.<sup>30</sup> Only two such texts are known from the two decades following the reform. However, they are not from the capital, where the power structure controlled public expression, but from the countryside.<sup>31</sup>

Even if the corpus of documents is not very substantial, the break with the past is radical in terms of both lexicon and phraseology. The most prominent change is the manner of designating God and places of worship, as we shall see later.<sup>32</sup> One also notes the radical change in the lexicon relating to the human self. Traditionally, inscriptions mentioned various components, mainly the ‘capacities’ (ʰdn) and the ‘means’ (mqymt), as in Ir 12 / 9 (Maʰrib, text going back to the reign of Shaʿr<sup>um</sup> Awtar, early third century CE):

30 This observation takes into account only those inscriptions that include a date or other details that allow for relatively precise chronological attribution.

31 These two inscriptions are MAFY-Banū Zubayr 2 (which mentions a sanctuary of the god Taʰlab), dated to 402–403 CE (512 of the Ḥimyarite era), and Khaldūn-ʿIlbij 1 (with a polytheistic invocation). The village of Banū Zubayr is located 40 km northwest of Ṣanʿāʰ. ʿIlbij is some 80 km south of Ṣanʿāʰ. The dating of Khaldūn-ʿIlbij 1 is based on the reference to the king Dharaʰamar Ayman, but it is not unlikely that this historical character received or took the royal title before the religious reform. One should also note that, although the text Khaldūn-ʿIlbij 1 comes from the countryside, its authors were aristocrats, the princes of the local commune Muhaʰnif<sup>um</sup>.

32 See below, §§4.1–2.

...w-l-*ḥmr*-*ḥw* 'lmqh bry 'ḏn<sup>m</sup> w-mqymt<sup>m</sup>

And may (the god) Almaqah grant them capacities and means to the fullest

This vocabulary also appears in a single monotheistic inscription, *CIH* 152 + 151 (Najr, near 'Amrān, 45 km northwest of Ṣan'a'):

[...]t '(ḥṣ)n w-bn-*ḥw* s<sup>2</sup>rh'l bnw mrt<sup>d</sup>m w-qyḥ<sup>n</sup> br(?) [w w-] <sup>(2)</sup> [...] mkrb<sup>n</sup>  
l-wfy-*ḥmw* w-*ḥmr*-*ḥmw* 'l<sup>n</sup> bry 'ḏn<sup>m</sup> w-mqymt<sup>m</sup> [...]

[...].. Aḥsan and his son Shuriḥbi'il banū Murāthid<sup>um</sup> and Qayḥān have bu[ilt ... .. <sup>(2)</sup> ... ..] the synagogue so that God (Īlān) may save them and grant them capacities and means to the fullest [...]

The inscription is undated and relates to the new religion, since it commemorates the construction of a *mikrāb* and addresses a prayer to the One God, called Īlān here. It still makes use of the vocabulary of the traditional religion, particularly the substantive nouns 'ḏn and *mqymt* and the verb *ḥmr*. Later on, only the verb *ḥmr* ('to grant') is still employed. One might suppose that the inscription *CIH* 152 + 151 goes back to a transitional period between the old and new practices, perhaps around the mid-fourth century CE.

In addition to the change in terminology, one should also note the appearance of some twenty terms and proper nouns borrowed from Aramaic and Hebrew.<sup>33</sup>

While the inscriptions employ new religious terminology after the religious reform, one nevertheless notices a certain continuity in their structure. Traditionally, inscriptions first mention their authors; they then recall, in the third person, the deeds they accomplished; lastly, they invoke the celestial and terrestrial powers who favoured or supported the operations mentioned. The inscriptions of the period 380–500 CE preserve the *same* structure. It is only after 500 CE that one observes a radical transformation, illustrated by the invocation to God occasionally placed at the beginning of the text. During the period 500–530

33 See below, §5.1. See also Robin, 'Quel judaïsme en Arabie?', 98–99.

CE, one finds it in a dated Jewish inscription (Ja 1028, Ḥimà, July 523 CE, *dhu-madhraʿān* 633 ḥim.):

*l-ybrkn ʾl̄n d-l-hw sʾmyʿn w-ʾrdʿn mlkʿn ywsʾf ʾsʾʾ (vac.) r yṯʾr mlk kl ʾsʾʿbʿn  
w-l-ybrkn ʾqwlʿn/(2) lh̄yʿt yrhm w-sʾmyfʿ ʾsʾwʿ w-sʾrḥʿl yqbl w-sʾrḥbʿl ʾsʾʿ  
(vac.) d bny sʾrḥbʿl ykml ʾlht yzʾn w-gdnʿm*

May God (Īlān), to whom the Sky and the Earth belong, bless the king Joseph (Yūsuf) Asʾar Yathʾar, king of all the communes, and may He bless the princes <sup>(2)</sup> Laḥayʿat Yarkham, Sumūyafaʿ Ashwaʿ, Sharahʿil Yaqbul and Shuriḥbiʿil Asʿad, sons of Shuriḥbiʿil Yakmul, (of the lineage) of Yazʾan and Gadan<sup>um</sup>

The same change can be noticed in a dated inscription where no explicit sign of religious orientation is apparent (Garb Antichità 9 d, Zafār, March 509 CE, *dhu-maʿūn* 619 ḥim.):

*[b-nṣr w-](b-)ḥmd rḥmnʿn bʿl sʾmyʿn w-b <sup>(2)</sup> [rdʿ ](mrʿ)-hmw mlkʿn mrtḏʿlʿn  
ynwf*

[With the help and] the praise of Raḥmānān, owner of the Sky, and with <sup>(2)</sup> [the aid] of their lord king Marthadʿilān Yanūf

Lastly, one notes this change in two undated inscriptions, one of them Jewish (CIH 543 = ZM 772 A + B, already quoted),<sup>34</sup> and the other devoid of any explicit religious orientation (RES 4109 = M. 60.1277 = Ja 117 = Ghul-YU 35, of unknown provenance):

*l-ysʾmʿn rḥmnʿn <sup>(2)</sup> ḥmdʿm ksʾdyʿn*

May Raḥmānān answer the prayers of <sup>(2)</sup> Ḥamīd<sup>um</sup> the Kasdite

Changing the location of the invocation to God in the text becomes systematic in Christian inscriptions, all of which are later than 530 CE. This change no doubt emphasizes that God is now conceived of as the main player in earthly matters and that nothing can be accomplished against His will.<sup>35</sup>

34 See above, §3.1.4.

35 There is one exception, inscription Ja 547 + 546 + 544 + 545 = Sadd Maʿrib 6. The Christian identity of its authors is, however, not assured, as

If the religious break with the past around 380 CE is both radical and systematic, it is also the final stage of an evolution observable over several decades. Only half of the inscriptions from the fourth century prior to 380 CE continue to celebrate or invoke ancient deities, which was previously the norm for all inscriptions. The others have already adopted the One God or abstain from making any reference to religion. Those postdating 380 CE invoke no divinity other than the One God, with the possible exception of a single text whose precise date is uncertain.<sup>36</sup>

Most temples were already deserted during the third and fourth centuries CE.<sup>37</sup> More precisely, one ceases to find in these places of worship inscriptions commemorating offerings, which implies that the wealthiest worshippers no longer entered them. The only temple that still received offerings after the mid-fourth century CE was Marib's Great Temple, dedicated to the great Sabaeen god Almaqah. In this temple, excavators have uncovered some eight-hundred inscriptions for the period between the first and fourth centuries CE. The last dated inscription comes from 379–380 CE.<sup>38</sup> It is likely that the authorities closed the temple immediately after this date, since official policy from then on was clearly unfavourable to polytheism. But it cannot be excluded that the closure was a little later and that the temple had been visited discreetly by worshippers for some time. One can moreover notice that the entrance hall was refurbished around this period, as attested by the inscribed stelae reused in the paving.<sup>39</sup> This redevelopment is probably related to a new use of the monument.

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we shall see below, §5.2.

36 Khaldūn-ʿIlbij 1, above n. 31. On this issue, see also Christian Julien Robin, 'Le roi ḥimyarite Tha'rān Yuhan'im (avant 325–c. 375): Stabilisation politique et réforme religieuse', *Jerusalem Studies in Arabic and Islam* 41 (2014): 14–18.

37 Ibid., 15.

38 MB 2004 I-147, which is an unpublished text dated to 489 of the Ḥimyarite era. See Robin, 'Le roi ḥimyarite', 15.

39 Robin, 'Quel judaïsme en Arabie?', 208–09, n. 578.

Of course, inscriptions, whose conception and carving were costly and whose authors belonged to the elite class, do not reflect exactly the religious practices of the entire society. One may even suspect that they do not even reflect these elites' real religious practices, but only those the authorities encouraged. It is indeed quite difficult to believe that the entire group of princely lineages unanimously and simultaneously rejected polytheism in order to convert to a new religion. Inscriptions teach us above all that in public space, from 380 CE, only the new religion could be mentioned.

The date of the break can be pinpointed with a certain measure of precision. It occurred for certain before January 384 CE and probably a little before. Since the last polytheistic inscription in Marib's great polytheist temple bears the date of 379–380 CE,<sup>40</sup> I shall retain the interval 380–384 CE. It is not impossible, however, that the official establishment of the new religion took place a little earlier, if indeed one supposes that it did not immediately entail the abandonment and closure of polytheistic temples.<sup>41</sup>

An external source—and an imprecise one, at that—nevertheless agrees quite well with the data from the inscriptions. The already-mentioned *Ecclesiastical History* of Philostorgius recalls that the Byzantine Emperor Constantius II (337–361 CE) sent an embassy to Ḥimyar's king to invite him to convert to the Christian faith.<sup>42</sup> One can therefore surmise that Constantius II had been informed that Ḥimyar was favourable to such an invitation. The embassy's date is not known for certain, but it can probably be dated to the early 340s CE. One of the embassy's leaders, the Arian Christian Theophilus the Indian, recalls that the embassy did not achieve its aims because of the Jews in the king's entourage, but that the king (whose name is not given) agreed to build with his own funds three churches in the capital and in two of the country's ports (implicitly for the Romans residing there).<sup>43</sup>

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40 See above n. 38.

41 Ibid., 5–6.

42 See above, §2.2.

43 Robin, 'Le roi ḥimyarite', 8–9.

### 3.3. Problems the Change of Religion Solved

The adoption of a new religion is not a trivial or insignificant act. This was the antique equivalent of a modern revolution. The fourth century CE was a period where radical change of religion became a surprising trend in the manner of the nineteenth century liberal revolutions. Armenia paved the way, followed by Caucasian Iberia (Georgia), the Roman Empire, Ethiopia, the Arabs (of the Syrian desert and the Sinai), and then Ḥimyar.

The reasons why the king of Ḥimyar established a new religion are a matter of guesswork. The authorities' main ambition was to reinforce the cohesion of the empire and ensure the regime's stability. Prior to Ḥimyar's conquests, religious diversity was great. Each kingdom had its own great god and its own pantheon (that is to say, a small number of deities that were the focus of official worship practiced collectively). The great god had his great temple in the capital and an additional temple in each of the kingdom's major regions, with the exception of those where a local god could be worshipped in place of the great god, this being a more or less formally declared assimilation.

In Saba', the great god was Almaqah, who had his great temple in Marib; in Qatabān, it was 'Amm, with his great temple in Tamna'; and in Ḥaḍramawt, it was Sayīn, whose great temple was in Shabwat. In these kingdoms founded in remote antiquity (before 700 BCE), the distribution of rites could be completely superimposed on the political map. In other words, in any kingdom, only the subjects of this kingdom would participate in official rites; reciprocally, belonging to a kingdom (particularly following an annexation) implied participating in the rites in honour of the kingdom's great god.

In the kingdom of Ḥimyar, founded in the first century BCE, matters were different. Political unity did not (apparently) entail the establishment of official collective rites. Each of the kingdom's regions preserved its traditional rites, with the god 'Athtar in the north and the god 'Amm in the southeast.

Ḥimyarite expansionism, which had resulted in the annexation of Qatabān, Saba', and Ḥaḍramawt (between 175 and 300 CE),

did not immediately affect religion. Pilgrimages to Almaqah and Sayīn continued to be held as normal for a certain time. Religious diversity nevertheless did not go without posing some practical issues. As a result of the redistribution of territories, princedoms often united communes worshipping different deities. The Ḥimyarite ruler was obviously fearful of ancient cults being used by political competitors to organize hostile forces.

Despite not having been very interventionist in religious matters, the Ḥimyarite ruling class decided to change policy radically around 380 CE. This was perhaps because new problems had then arisen. Three of these can be recognized.

First of all, the rejection of ancient religious practices seems to have been a general phenomenon, at least in the princely lineages of the mountains. Reform could therefore be a response to the demand for a more personal and spiritual religion.

Secondly, the king of Ḥimyar was firmly requested by both Sāsānid Persia and Byzantium to choose his camp at a moment when these two powers were fighting over control of the Peninsula. As early as the 340s CE, as already mentioned, Byzantium had sent an embassy with sumptuous gifts to convince the Ḥimyarite ruler to accept baptism; moreover, the Christian mission was beginning to gain followers in the Arab-Persian Gulf. Ḥimyar finally refused to join Byzantium's alliance because its hereditary enemy, the Ethiopian kingdom of Aksūm—a traditional ally of the Romans—was already well on its way to conversion to Christianity. In such a context, the choice of a new religion could be a way of resisting Byzantine pressure precisely at a moment when the Byzantine throne was weakened.<sup>44</sup>

One should also take financial aspects into account. In ancient Arabian society, authorities benefitted from three available sources of revenue. Of these, the most important consisted of taxing a certain proportion of harvests and the natural growth of herds. Temples were responsible for this form of taxation, which went back to very ancient times, even as ancient as the

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44 In August 378 CE, Emperor Valens (364–378 CE) was killed by the Goths during the battle of Andrianople.

very development of agriculture, perhaps as early as the third millennium BCE. Inscriptions distinguish two types of taxes, called  $\text{ʿs}^2\text{r}^{45}$  and  $\text{fr}^c$ , whose nature and amount are unknown.<sup>46</sup>

In South Arabian temples, archaeologists have discovered a large number of inscriptions commemorating offerings. It would appear that a large fraction of these offerings were not spontaneous gifts thanking the deity for a favour or the accomplishment of a promise, but an ostentatious means of paying taxes. Indeed, one should note that offerings were habitually placed on a stone base on which the donor had carved an inscription; for the donor, this inscription, theoretically commemorating the rite, was an occasion to flaunt his status.

Temples possessed not only an immense treasury, consisting of innumerable accumulated offerings, but also property (no doubt in the form of landed estates, livestock, and financial means). It is therefore likely that they played an important part in economic life. Many monetary emissions show a divine symbol. These symbols appear particularly on the coinage of Saba' (where all minted coins carry the symbol of the great Sabaean god Almaqah) and of Ḥaḍramawt (where many series bear the name of Sayin). We are not yet, however, in a position to assess how the part played by the temple in coinage was reconciled with that of the king.

The second source of revenue consisted of custom duties on trade, mainly taxes on markets and passports, to which one can add the benefits of services (accommodation, food, water, storage, security). Apparently, this source of income, which only became substantial in the first millenium BCE, was a prerogative of political power. Trade was a matter for the king only, as he controlled markets and the circulation of goods. A few inscriptions in temples, however, indicate that the offering being

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45 This word, which means 'one-tenth', suggests that this tax was initially ten percent.

46 The use of these terms in Arabic sources (see the entries '*uṣhr*' in the second edition of *Encyclopaedia of Islam* and 'Consecration of animals' in the *Encyclopaedia of the Qur'ān*) does not provide a clear solution.



commemorated was financed with the benefits of trade. It is not known in this case whether the authors of inscriptions paid a tax to the deity or whether they were showing their gratitude for returning safe and sound from a perilous journey after making comfortable profits.<sup>47</sup>

The third source of income was the seizure of war booty. This booty was habitually destined for political rulers, but sometimes also for the temple. Thus, a handful of inscriptions, all dating from a brief period of the early third century CE, commemorate offerings made in the great temple of the god Almaqah in Marib with the booty taken from Shabwat and Qaryat<sup>um</sup>. The meaning of this exception is unknown. Did the king at the time dedicate his share of the booty to the god to thank him for an exceptional favour?

This brief reminder shows that taxes deposited in the temples played an important part in economic life. Most temples ceased receiving offerings commemorated by inscriptions—no doubt those that had the greatest value—sometime during the third or fourth century CE. In tandem with the crisis of polytheism, they also lost part of their financial resources and could not play the same important role in the economy.

As for the landowners of estates and herds who rejected ancestral religious practices, they were, by the same act, freeing themselves of taxes they owed the temple. State intervention was therefore necessary to reorganize public finances. Nothing is known, unfortunately, of this reorganization. One can only notice that no South Arabian emission of coins postdates the religious reform.

In summary, this religious reform had several aims. The first was to re-establish the old correspondence between political groups and the distribution of religious rites. The second was to

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47 According to classical sources, caravans laden with aromatic products leaving Ḥaḍramawt and reaching the Levant's markets would pay taxes either to the king or to the god. See Christian Julien Robin, 'Arabie méridionale: L'État et les aromates', in *Profumi d'Arabia*, ed. by Alessandra Avanzini (Rome: L'Erma' di Bretschneider, 1997), 37–56.

resist Byzantine pressure. The third consisted in replacing the temple as the beneficiary of taxation. One can undoubtedly add a last goal: the conversion to a new religion, which transformed the past into a *tabula rasa* and obliterated past times, enabled the monarchy and principalities to seize treasures accumulated in polytheist sanctuaries.

#### 4.0. The New Religion's Main Traits

The most noteworthy novelties brought by the new religion were threefold: the appearance of a single God with multiple appellations, clearly distinguishable from the innumerable deities of the past; the institution of a new place of worship; and, finally, the appearance of a new social entity called 'Israel'.

##### 4.1. One God

A single God replaced the old polytheistic deities of South Arabia: Almaqah, 'Athtar, Ta'lab, Wadd, Sayin, dhāt-Ḥimyam, dhāt-Ẓahrān, al-ʿUzzā, Manāt, al-Lāh, al-Lāt and many others. This single God was designated in multiple ways. The earliest attestations called him 'Owner of the Sky' (*bʿl sʿmyʿn*), 'Lord of the Sky' (*mrʿ sʿmyʿn*), 'God' (*īlān*, *ʿlʿn*), or 'God, Lord of the Sky' (*ʿlʿn mrʿ sʿmyʿn*). This new God was fundamentally a celestial power. However, very quickly, it was specified that this God of the Sky also ruled the Earth: He was "the Lord of the Sky and the Earth, who has created all things" (*mrʿ sʿmyʿn w-ʿrḏʿn ḏ-brʿ klʿm*).

All these denominations are interchangeable because they are evenly distributed in the various inscription categories I have determined.<sup>48</sup> The name *īlān* includes the root *ʿl*, which means 'god', and the suffix definite article *-ān*. It deserves a few words of explanation. In the Near East of the second millennium BCE, a supreme god named *Ēl* or *Il* was worshipped; from his name the appellation *īl* 'god' was derived (if indeed the derivation did not occur in the opposite way).

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48 Robin, 'Quel judaïsme en Arabie?', 138–42; some examples are given below, §4.4.

In South Arabia, this Near Eastern heritage took two forms. In Saba', a god *Īl* was worshipped in very ancient times, from around the eighth to sixth centuries BCE. Nevertheless, to designate a divine being, a derivative *ʾlh* (vocalized probably as *ilāh*) was used. It is found, for instance, in the very common syntagm “dhu-Samāwī god of Amīr<sup>um</sup>” (*ḏ-s<sup>1</sup>mw<sup>y</sup> ʾlh ʾmr<sup>m</sup>*). This appellative *ʾlh* preserves the same spelling when a suffix is added. See, for example, “his god dhu-Samāw<sup>(4)</sup>ī owner of Baqar<sup>um</sup>” (*ʾlh-hw ḏ-s<sup>1</sup>mw<sup>(4)</sup>y bʿl bqr<sup>m</sup>*)<sup>49</sup> or “his god Qaynān owner of Awtan” (*ʿl<sup>(4)</sup>h-hw qyn<sup>n</sup> bʿl<sup>(5)</sup> ʾwt<sup>n</sup>*).<sup>50</sup> With the definite article, *ʾlh<sup>n</sup>* (*ilāhān*) means ‘the god’ in a polytheist context. See, for instance, “the sanctuary of the god dhu-Samāwī, god of Amīr<sup>um</sup>” (*mḥrm ʾlh<sup>n</sup> (3) [ḏ-s<sup>1</sup>mw<sup>y</sup>]y ʾlh ʾmr<sup>m</sup>*).<sup>51</sup> *ʾlh<sup>n</sup>* is also attested as one of the names of the monotheist god already mentioned in *CIH* 540 as “God (*ilāhān*), ow<sup>(82)</sup>ner of the Sky and the Earth” (*ʾlh<sup>n</sup> b<sup>(82)</sup>ʿl s<sup>1</sup>my<sup>n</sup> w-ʾrd<sup>n</sup>*). The noun *ʾlh* is assuredly a derivative of *ʾl* with a consonant added to fit the trilateral mould, as indicated by the unusual form of its plural: *ʾl<sup>t</sup>*, which was formed by the doubling of the root *ʾl*.

In Qatabān, where the god *Īl* is not attested, one notices a substantive noun *ʾl* meaning ‘god’, often designating the tutelary god (called *s<sup>2</sup>ym* in Sabaic):

...s<sup>1</sup>qnyw l-ʾl-s<sup>1</sup>m w-mr<sup>2</sup>-(3)s<sup>1</sup>m ḥwkm nbṭ w-ʾlh-s<sup>1</sup>ww ʾlhy byt<sup>n</sup> (4) s<sup>2</sup>b<sup>cm</sup>

[the authors] have offered to their god and to their (3) lord Ḥawkam Nabaṭ and to his deities, the deities of the temple Shab‘ān<sup>52</sup>

The noun *ʾl* can also be used for the god of a region: “with (the god) ‘Amm, with (the god) Ḥawkam and with Ḥbr god of Shuka<sup>um</sup>” (*b-ʿm w-b-ḥwkm w-b-ḥbr ʾl s<sup>2</sup>k<sup>cm</sup>*).<sup>53</sup> Finally, it can refer to any god whom it is not necessary to name if the context is clear: “[the authors] carried out the restoration of the basin belonging

49 *CIH* 534.

50 *CIH* 560.

51 Shar‘abī al-Sawā 1.

52 FB-Ḥawkam 3.

53 Al-‘Ādi 21.

to the treasury of the god at Bana''' (...s<sup>1</sup>ḥdṭ ṣ<sup>2</sup>rt<sup>n</sup> bn mb<sup>1</sup>l <sup>1</sup>l<sup>n</sup> b-bn<sup>2</sup>).<sup>54</sup> The plural of <sup>1</sup>l, attested only in the construct state, is <sup>2</sup>lhw or <sup>2</sup>lhy.

In polytheistic Ḥimyarite inscriptions, written in a Sabaic showing certain peculiarities, the usual term for 'god' is the substantive noun <sup>1</sup>l, without /h/, as in Qatabānic. See, for example, "(the author) has offered to his god and his lord Rgb<sup>n</sup> mistress of Ḥazīrān..." (hqny <sup>1</sup>l-h<sup>(4)</sup>w w-mr<sup>2</sup>-hw rgb<sup>n</sup> b<sup>1</sup>lt ḥ<sup>(5)</sup>zr<sup>n</sup>).<sup>55</sup>

The One God of the Ḥimyarites, sometimes called *Īlān* 'the God' in the earliest inscriptions, soon received a new name derived from Aramaic, *Raḥmānān* 'the Merciful'. Its oldest attestation dates from approximately 420 CE. Between 420 and 450 CE, *Raḥmānān* became increasingly frequent, but would freely alternate with six other names. Among these, the most significant was <sup>2</sup>lh<sup>n</sup>, for which only one attestation is known (Ry 508). One can analyse <sup>2</sup>lh<sup>n</sup> as a noun of the <sup>2</sup>fl scheme, which expresses a plural. God is therefore designated here by a plural of <sup>2</sup>lh, which is not the usual plural (in general, <sup>1</sup>lt, and twice <sup>2</sup>lhlt).<sup>56</sup> The term <sup>2</sup>lh<sup>n</sup> (perhaps to be vocalized as *A<sup>2</sup>lāhān*) is therefore particularly interesting, since it is an innovation that apparently closely copies Hebrew *ʾēlōhīm*.

The name *Raḥmānān*, which one can find in Qurʾānic Arabic under the form *al-Raḥmān*, refers to the quality of mercy.<sup>57</sup> This

54 YM 14556 = CSAI 1, 114.

55 Mİbb 7, whose author is a prince of the Ḥimyarite commune of Maḍḥā<sup>m</sup>. The goddess Rgb<sup>n</sup> is 'the god and lord' (in the masculine) of the author of the offering. Such an absence of grammatical agreement is frequent in the inscriptions of Qatabān; Maḍḥā<sup>m</sup> was Qatabānite before becoming Ḥimyarite by the end of the first century CE.

56 Arabic *ālīha*, see Haram 8 / 5 and 53 / 4.

57 *Rḥmn*<sup>2</sup> / *rḥmnh* / *rḥmn* / *h-rḥmn* is originally the epithet of a polytheistic deity in Palmyrene inscriptions. See Jacob Hoftijzer and Karel Jongeling, *Dictionary of the North-West Semitic Inscriptions*, 2 vols. (Leiden: Brill, 1995), II, 1071–72; Delbert R. Hillers and Eleonora Cussini, *Palmyrene Aramaic Texts* (Baltimore, MD: Johns Hopkins University Press, 1996), 411. In South Arabia, the corresponding root is apparently RḤM, which is found, for example, in a divine appellation: Ta'lab Riyām<sup>um</sup> Yarkham (*t'lb rym<sup>m</sup> yrḥm*), RES 4176 / 1.

quality, which in Judaism is initially less commonly associated with the idea of God,<sup>58</sup> became common in Late Antiquity.<sup>59</sup> As a name for God, it is frequent in the Babylonian Talmud, but less so in the Jerusalem Talmud. It is attested in the Targum; one can also find it in Christian Palestinian Aramaic and in Syriac.<sup>60</sup> The fact that one of the names for God in the Qurʾān refers to the idea of mercy (or, rather, of beneficence<sup>61</sup>) appears to be significant. Muḥammad began his mission with apocalyptic overtones by announcing the End of Time and the Last Judgment. In such a context, the qualities of God are rather anger and intractable justice. The adoption of al-Raḥmān as a name of God (or as one of His names) no doubt reflects a shift that can be associated with the foundation in 622 CE of the theocratic principality of al-Madīna. From then on, the End of Time is not as close as previously believed, because God has shown himself to be compassionate. Muḥammad now prepares for the long term and worries more about the functioning of his community.

The name Raḥmānān is sometimes rendered more explicit by a qualifier. In a clearly Jewish text dating to July 523, he is

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58 But see, e.g., Exod. 33.19 and 34.6.

59 See t. B. Qam. 9.30; Mek. R. Ishmael, Beshallah 1; Mek. R. Simeon bar Yoḥai on Exod. 15.1. Cf. 1 Enoch 60.5.

60 Joseph Horowitz, *Jewish Proper Names and Derivatives in the Koran* (Hildesheim: Georg Olms, 1964), 57–59; Marcus Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature* (New York: Judaica Press, 1996), 1468. For Syriac, see Christian Robin, ‘al-ʾIlāh et Allāh : le nom de Dieu chez les Arabes chrétiens de Najrān au 6<sup>e</sup> siècle de l’ère chrétienne’, *Hawliyyāt* (Faculté des Lettres et des Sciences, Université de Balamand, Liban) (titre arabe *Ḥawliyyāt*), 19, 2020, *Special issue*, 74–79. The Syriac speaker to whom Horowitz alludes (Ephrem) does not use *Raḥmānā* but the derivate *Mraḥmānā*. See Jonas C. Greenfield, ‘From ʾlh Rḥmn to al-Raḥmān: The Source of a Divine Epithet’, in *Judaism and Islam: Boundaries, Communication and Interaction—Essays in Honour of William M. Brinner*, ed. by Benjamin H. Hary, John L. Hayes, and Fred Astren (Leiden: Brill, 2000), 381–93 (386).

61 Daniel Gimaret, *Les noms divins en Islam: Exégèse lexicographique et théologique* (Paris: Cerf, 1988), 379.

described as “Most-High” (*rḥmn*<sup>n</sup> ‘ly<sup>n</sup> in Ja 1028 / 11). Elsewhere, it is the adjective ‘merciful’ that one can find in a text whose religious orientation is unclear (*rḥmn*<sup>n</sup> *mtrḥm*<sup>n</sup>, in Fa 74 / 3, Ma’rib, July 504). Finally, in a text with Jewish undertones, but dating to the Christian period, one finds “Raḥmānān the King” (*rḥmn*<sup>n</sup> *mlk*<sup>n</sup>, Ja 547 + 546 + 544 + 545 = Sadd Ma’rib 6, November 558 CE). Only once the reference to Raḥmānān is made explicit by a second term, *bḥt* (Robin-Viallard 1 = Ja 3205, Ṣafār, May 519 CE, *dhu-mabkarān* 629 ḥim.). Unfortunately, the meaning of the latter is uncertain:

...w-l-ys<sup>1</sup>m‘n-h<sup>(5)</sup>mw *rḥmn*<sup>n</sup> w-kl *bḥt*-hw w-’ḥw<sup>(6)</sup>t-hmw

May <sup>(5)</sup> Raḥmānān with all His powers (?) listen to them, and to their bro<sup>(5)</sup>thers

It is quite remarkable that the names of the one God evolved in comparable ways in both the kingdoms of Ḥimyar and Aksūm. In the inscriptions written by king ‘Ezānā following his official conversion to Christianity towards the beginning of the 360s CE,<sup>62</sup> one notes the use of neutral names appealing to many different religious orientations. In particular, one finds the reference to God as a celestial power: “the Lord of the Sky who, in the Sky and on the Earth, is victorious for me” (‘*əgzī’a samāy [za-ba] samāy wa-mādr mawā’i lita*); then shortened as “the Lord of the Sky” (‘*əgzī’a samāy*); “the Lord of the Universe” (‘*əgzī’a kw<sup>e</sup>lū*); “the Lord of the Earth” (‘*əgzī’a bəḥēr*) (*RIÉth* 189 in vocalized Ge‘ez and *RIÉth* 190 in the South Arabian script). By contrast, in the sixth century CE, the Trinitarian faith appears to have become strongly rooted when one looks at *RIÉth* 191 (king Kālēb, around 500 CE); *RIÉth* 195 ([king Kālēb], around 530 CE); and *RIÉth* 192 (king Wa‘zeb, in the years 540 or 550 CE). It is sufficient to quote here the beginning of the first inscription:

62 Christian Julien Robin, ‘L’arrivée du christianisme en Éthiopie: La ‘conversion’ de l’Éthiopie’, in *Saints fondateurs du christianisme éthiopien: Frumentius, Garimā, Takla Hāymānot, Ēwostātēwos*, trans. by Gérard Colin (Paris: Les Belles Lettres, 2017), xxii–xliii.

God is power and strength, God is powerful <sup>(2)</sup> in battle.<sup>63</sup> With the power of God and the grace of Jesus Christ, <sup>(3)</sup> son of God, the Victor in whom I believe, He who gave me a kingdom <sup>(4)</sup> of power with which I subjected my enemies and trampled the heads of those who hated me, he who watched <sup>(5)</sup> over me since my childhood and placed me on the throne of my forefathers, who has saved me. I have sought protection <sup>(6)</sup> from Him, Christ, so I succeed in all my endeavours and live in the One who pleases <sup>(7)</sup> my soul. With the help of the Trinity, that of the Father, the Son, and the Holy Spirit (*RIÉth* 191 / 1–7).

#### 4.2. A New Place of Worship Called the *mikrāb*

The new religion had its own place of worship, an expression I shall return to shortly. In polytheistic inscriptions, places of worship were described by a whole series of terms, the most common being *maḥram* (*mḥrm*) ‘sanctuary’ and *bayt* (*byt*) ‘temple’. After 380 CE and until approximately 500 CE, the place of worship was systematically called *mikrāb* (*mkrb*). After 500 CE, two new terms appeared: *bī‘at* (*b‘t*) and *qalis* (*qls’*), both meaning ‘church’, the first a loan from Syriac, *bī‘otô* ‘dome’ (from the word for ‘egg’), and the second from the Greek *ekklēsia*.

The term ‘place of worship’ must be understood as a generic name for all consecrated monuments and spaces where individual or collective religious rituals (oracular consultations, offerings, sacrifices, prayers, atonement) were performed at determined moments or at any time of the year. Many places of worship had other functions, especially for studying, teaching, or hosting travelers; some played the part of a banking institution for the faithful or the local economy. These secondary functions are difficult to pinpoint. In the case of the *mikrāb*, they are never explicitly mentioned in sources. They cannot even be confirmed by archaeological observation, because no *mikrāb* has yet been identified. The hypothesis suggesting that a building in Qanī’ is a synagogue rests on meager evidence that does not appear to be decisive.<sup>64</sup>

63 Cf. Ps. 24.8: “YHWH the strong, the valiant, YHWH the valiant in battle.”

64 Robin, ‘Quel judaïsme en Arabie?’, 9, 67–68.

The vocalization of *mkrb* is certainly *mikrāb*. This can be deduced from attestations of the word in Yemen's dialects (as noted by two nineteenth-century travelers) and in Ge'ez. According to Eduard Glaser,<sup>65</sup> in eastern Yemen (*Mashriq*), the noun *mikrāb* was used (but also *mawkab* and *muqāma*) to designate a polytheistic temple. As for Ḥayyīm Ḥabshūsh, he noted that in Haram (in the Jawf), *mikrab* was the term used to describe the portico of an ancient temple.<sup>66</sup> Though the two travelers indeed recorded the same word, they differ on the length of the vowel /a/. The most likely vocalization is that given by Glaser, who had a robust philological background; moreover, Glaser took notes in the field, while Ḥabshūsh wrote from memory more than twenty years after his journey. The noun *mikrāb* is also attested in Ge'ez under the form *māk<sup>w</sup>rāb*, which designates a synagogue or the Temple of Jerusalem.<sup>67</sup>

The meaning of the root KRB, to which the noun *mkrb* and other South Arabian words are related—in particular, the title of *mkrb* (traditionally vocalized as *mukarrib*) borne by rulers enjoying a dominant position in South Arabia—has been a matter of discussion for quite some time. That KRB expresses the notion of

65 Eduard Glaser, *Mittheilungen über einige aus meiner Sammlung stammende sabäische Inschriften, nebst einer Erklärung in Sachen der D. H. Müllerschen Ausgabe der Geographie Al Hamdānī's* (Prague: 1886), 80. Cited in Rainer Degen and Walter W. Müller, 'Ein hebräisch-sabäische Bilinguis aus Bait al-Ašwāl', in *Neue Ephemeris für semitische Epigraphik*, ed. by Rainer Degen, Walter W. Müller, and Wolfgang Röllig, 3 vols. (Wiesbaden: Harrassowitz, 1972–1978), II, 117–23 (fig. 32–34, pl. IX–X, 122).

66 "As for the third door, that of the place that the *qabīlī* call *mikrab Banāt 'Ād* (in the Hebrew script *mkrb bn't ʿd*), here is the description," cited from *Travels in Yemen: An Account of Joseph Halévy's Journey to Najran in the Year 1870 written in Sanʿani Arabic by his Guide Hayyīm Habshush*, ed. by Shelomoh D. Goitein (Jerusalem: Hebrew University Press, 1941), 63.

67 In Ge'ez, the noun is isolated. It is no doubt for this reason that Wolf Leslau classifies it among nouns beginning with the letter M and not under the root KRB. It is not unlikely that this is a borrowing of Ge'ez from Sabaic. See Wolf Leslau, *Comparative Dictionary of Ge'ez (Classical Ethiopic): Ge'ez-English / English-Ge'ez with an Index of the Semitic Roots* (Wiesbaden: Harrassowitz, 1987), 341.



blessing<sup>68</sup> is a reasonable assumption, both in monotheistic texts and in earlier polytheistic written sources. Clearer attestations can be found in the greetings at the beginning of correspondence, some of which have survived as copies on wooden sticks. See as polytheistic examples YM 11738 = X TYA 15 / 1-2 or YM 11733 = X TYA 9 / 2:

...w-s<sup>2</sup>ym<sup>n</sup> (2) l-krbn-k

May the divine Chief (i.e., the god Aranyada<sup>c</sup> of Nashshān) (2) bless you

or

...w-s<sup>2</sup>ym<sup>n</sup> l-krbn-kmw

May the divine Chief bless you

For a monotheist example, see X.SBS 141 = Mon.script.sab 6 / 3:

... w-rḥmn ḏ-b-s<sup>1</sup>my<sup>n</sup> l-ykrbn (4) ṭḥrg-kmw b-n'mt<sup>m</sup> w-wfy<sup>m</sup>

May Raḥmānān, who is in the Sky, bless (4) your Lordship with good fortune and well-being<sup>69</sup>

The noun *mkrb* can therefore mean 'place of blessing'.

The root KRB of Sabaic is apparently related to the Hebrew and Arabic root BRK, which also expresses the notion of 'blessing'. This is one of the most secure instances of a metathesis in a Semitic

68 Abraham J. Drewes, 'The Meaning of Sabaeen *mkrb*: Facts and Fictions', *Semitica* 51 (2001): 93–125.

69 Cf. Peter Stein, *Die altsüdarabischen Minuskelinschriften auf Holzstäbchen aus der Bayerischen Staatsbibliothek in München*, 2 vols. (Tübingen: Wasmuth, 2010), II, 726; Mohammed Maraqtan, *Altsüdarabische Texte auf Holzstäbchen: Epigraphische und kulturhistorische Untersuchungen* (Beirut: Orient-Institut, 2014), 81, 83–86 and 396 (7 references); Abraham Drewes and Jacques Ryckmans, *Les inscriptions sudarabes sur bois dans la collection de l'Oosters Instituut conservée dans la bibliothèque universitaire de Leiden*, ed. by Peter Stein and Harry Stroomer (Wiesbaden: Harrassowitz, 2016), passim (L001, etc.).

root. Sabaic is the only language where the two roots are attested at the same time, both the local root KRB and the root borrowed from the Jewish-Aramaic BRK in the times of monotheism.

Attestations of the noun *mikrāb* number ten. The *mikrāb* is on six occasions built by well-known figures, the king or the prince.<sup>70</sup> A text details that a *mikrāb* called Yaʿūq included an assembly room (*ms<sup>3</sup>wd*) and porticoes (*ʿs<sup>1</sup>qf*).<sup>71</sup> A second document, which is unfortunately fragmentary, suggests that another *mikrāb* included a *kneset*, apparently another type of assembly room.<sup>72</sup>

Of the five *mikrāb* whose names have come down to us, three of them bear a name borrowed from Hebrew or Judaeo-Aramaic. They are (once) *Ṣwry<sup>ʿ</sup>l*,<sup>73</sup> from Hebrew *šūrīʿēl*, ‘God is my rock’, the name of a person in Num. 3.35; and (twice) *Brk* (or *Bryk*), from Aramaic *barik*, ‘blessed’.<sup>74</sup> The *mikrāb* are the only South Arabian buildings for which names of foreign origin are attested.

One of the *mikrāb* is located in a cemetery meant exclusively for Jews. The inscription of Ḥaṣī (220 km southeast of Ṣanʿāʿ, MAFRAY-Ḥaṣī 1, Fig. 13) mentions the transformation of four plots to create a cemetery only for Jews. It details that a fourth plot was added to the three plots and the well already conceded to the *mikrāb* *Ṣūri<sup>ʿ</sup>el*. The *mikrāb*, which is entrusted to a custodian (*ḥazzān*), drawing its subsistence from the revenues of a well, owns landed estates.

70 *Mikrāb* built by rulers: Ja 856 and YM 1200. Most certainly built by princes: Ry 520 and Ry 534 + Rayda 1. Probably by princes: *CIH* 152 + 151 and *GI* 1194.

71 Ry 520 / 9–10: “They have built anew th<sup>(9)</sup>e synagogue Yaʿūq from its foundations until its summit, its meeting room and its galer<sup>(10)</sup>ies” (...w-*hq<sup>2</sup>bw hw<sup>(9)</sup>t mkrb<sup>n</sup> yʿwq bn mwtr-hw ʿdy tfr<sup>c</sup>-hw w-*ms<sup>3</sup>wd-hw w-ʿs<sup>1</sup>q<sup>(10)</sup>f-hw*...).*

72 YM 1200 / 5–7: “[...has built, erected and]<sup>(6)</sup> completed the synago[gue ... ...]<sup>(7)</sup> his ... and the enlargement (?) of the assembly room [ ... ...]” ([...*br<sup>w</sup> w-hq<sup>2</sup>bn w-]<sup>(6)</sup>twbn mkr[b<sup>n</sup> ... 30 caractères ...]<sup>(7)</sup>-hw w-*rḥbn kns<sup>t</sup>* [...30 characters...]).*

73 MAFRAY-Ḥaṣī 1.

74 Ja 856 and Ry 534 + Rayda 1.

The name *mikrāb* is not merely the transposition of one of the Greek terms used to name a synagogue, the *proseuchê*, literally ‘prayer’, or *sunagogê*, literally ‘meeting’. The *mikrāb* would therefore be an original institution and not just a copy of an institution of the Mediterranean Jewish Diaspora.

#### 4.3. A New Social Entity Called ‘Israel’

Together with the new religion, a new social entity called ‘Israel’ appeared for the first time in South Arabia. The authors of three inscriptions mention “their commune Israel.”<sup>75</sup> One is Ḥimyarite and one is apparently of foreign origin. In the third (fragmentary) text, the author’s name is lost. In these inscriptions, the invocation of Israel seems to replace the old invocations of the commune of origin. Thus, one can hypothesize that the Jews—Jews of Judaeen origin as well as converts (or proselytes) and perhaps ‘sympathizers’—were reunited in a new social entity called ‘the commune Israel’.

It is probable that this commune Israel was conceived as a way of unifying tribal society and replacing the old communes. However, as Jérémie Schiettecatte has pointed out to me, it is only attested in the capital’s cosmopolitan environment. In the provinces, local power was always held by princes, who never failed to mention the communes over which these princes exerted authority (communes which, indeed, appear to have still been in existence).

The new entity, whose name suggests it was based on religion, was not a simple copy of the ancient communes. It had a quasi-supernatural dimension since, in the blessing formula introducing a text, it appears between two names for God (CIH 543 = ZM 772 A + B):

[May it bl]ess and be blessed, the name of Raḥmānān, who is in the Sky, Israel and <sup>(2)</sup> their god, the Lord of the Jews, who has helped their servant...

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75 See Garb Bayt al-Ashwal 1, ZM 2000, and Garb Framm. 7, cited §3.1.2. and §3.1.4.

The name Israel is quite significant. It undoubtedly betrays the hope of a restoration of the historical Israel. One also notices that Israel is a name that can only come from Jews of Judaeen origin, since this is how Judaeen Jews designate themselves. Logically, in these invocations, the commune Israel is invoked before the king himself.

#### 4.4. A New Monotheistic Religion Shared by All?

Having examined the main aspects of the new religion, how do we know we are speaking of a single religious creed and not of several?

At first glance, the variety of the names given to God suggests diversity rather than unity. It quickly appears, however, that these names are interchangeable, since two or more are often mentioned together.<sup>76</sup> One can thus find in the same text:

Raḥmānān and 'Lord of the Sky': ZM 5 + 8 + 10; Ry 520; CIH 537 + RES 4919 = Louvre 121; Garb Antichità 9, d

Raḥmānān and 'Lord of the Jews': Ry 515; Ja 1028; CIH 543 = ZM 772 A + B

Raḥmānān and 'God (Īlān) master of the Sky and the Earth': ZM 2000

Raḥmānān and 'God (Īlān) to whom the Sky and the Earth belong': Ja 1028

Raḥmānān and 'God (A'lāhān) who owns the Sky and the Earth': Ry 508

The unity of this corpus is moreover founded on the fact that it presents notable differences not only with respect to the inscriptions that precede it, but also with respect to those that follow, i.e., Christian inscriptions of the period 530–560 CE. These Christian inscriptions can be distinguished by a new way of designating God, a new name for places of worship, and a new place in the inscription for invocations.

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<sup>76</sup> Robin, 'Quel judaïsme en Arabie?', 140–41.

One still notices that the faithful of various tendencies visit the *mikrāb*. This building was intended for observant Jews, since one was located in the Jewish cemetery of Ḥaṣī. It is probable, however, that the *mikrāb* was also open to others, this conclusion deriving from the fact that kings and princes intended to build them everywhere.

Unfortunately, there is no doctrinal term that allows one to isolate a group of inscriptions and contrast it with another, apart from the fact that some royal inscriptions are more laconic than others, an observation to which I shall return. It is true that the corpus is too restricted to make this point imperative.

On these grounds, there is no reason to surmise that the inscriptions of the period 380–530 CE do not form a homogeneous group. In all likelihood, they refer to a single religion.

## 5.0. A Variety of Judaism

If one asks about the nature of this religion, there is no doubt that it is a form of Judaism. Among lexical, onomastic, and doctrinal indexes allowing one to place the new religion within the religious panorama of the Near East (polytheistic, Jewish, Christian, Manichaean, Gnostic, or Zoroastrian), many emphasize proximity with Judaism only; some point towards both Judaism and Christianity; but none suggest a link with Christianity only or with another type of religious worship.

### 5.1. Proofs of Judaism

The most decisive proofs of the proximity to Judaism are the four attestations of the name Israel (*ys<sup>3</sup>r'l*) and the three attestations of the syntagm 'Lord of the Jews', a matter on which I wish to return. One can add to these the discovery of two texts in Hebrew: the already-mentioned Hebrew graffito in the monogram of Yehuda's inscription and the list of priestly families in charge of the divine service in the Temple of Jerusalem (*mishmarōt*) (Fig. 14 ).<sup>77</sup>

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77 DJE 23 (from the village of Bayt Ḥaḍīr, 15 km east of Ṣan'ā') in Maria Gorea, 'Les classes sacerdotales (*mišmarōt*) de l'inscription juive de

The ritual exclamations *amen* (ʾmn) and *shalom* (s<sup>l</sup>lwm) provide another argument in favour of Judaism. *Amen* (ʾmn) and *salām* (s<sup>l</sup>lm), however, can also be found in Christian inscriptions. It is therefore only the spelling s<sup>l</sup>lwm with the *mater lectionis* /w/ that securely points to Judaism.<sup>78</sup>

Most of the lexical borrowings from Aramaic could originate from either Jewish-Aramaic or Syriac and Christian Palestinian Aramaic. Two loanwords, expressing the notions of ‘prayer’ (šlt) and ‘favour, (divine) grace’ (zkt), are particularly interesting because they are also found in the Qurʾān some two hundred years later with the meanings ‘prayer’ (in Arabic, ṣalāt) and ‘legal alms’ (in Arabic, zakāt), names of two of the five pillars of Islam.<sup>79</sup> This does not mean these Aramaic terms were borrowed by Ḥimyar and, from there, passed into Arabic.<sup>80</sup> Patterns of transmission were no doubt diverse. It is remarkable nevertheless that some Qurʾānic loan-words were already rooted in Yemen well before Islam.

The Ḥimyarite anthroponymy has three names that come from the Hebrew Bible. Among them, one, *Yehuda* (yhwdʾ, ywdh), is always Jewish,<sup>81</sup> but two others, *Joseph* (Yūsuf, ys<sup>l</sup>wf or ys<sup>l</sup>f) and *Isaac* (Yiṣḥaq and Ishāq, yṣḥq and ʾṣḥq), can also be Christian. The spelling of Isaac varies by language: in Sabaic, it is yṣḥq, exactly like ancient Hebrew; but in pre-Islamic Arabic, like in Aramaic, it is ʾṣḥq.<sup>82</sup> The most conservative spelling, yṣḥq, is probably evidence of an affiliation with Judaism.

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Bayt Ḥāḍir (Yémen)’, in *Le judaïsme de l’Arabie antique*, ed. by Christian Julien Robin (Turnhout: Brepols), 297–329. See below, §5.2.

78 It does not appear that s<sup>l</sup>lwm can transcribe the Syriac *shlomô* ‘peace’.

79 These are the declaration of faith, the pilgrimage, fasting during Ramadan, prayer (*ṣalāt*), and legal alms (*zakāt*).

80 One should stress that the South Arabian spelling of *šlt* and *zkt* does not have the letter *wāw* appearing in the Aramaic (*šlwtʾ* and *zkwʾ*) and Arabic (*šlwʾ* and *zkwʾ*) spelling.

81 Note that the genealogies of Ibn al-Kalbī do not record any Yahūda, while they mention one Isrāʾīl. See Werner Caskel, *Ġamharat an-nasab*, index.

82 Robin, ‘Quel judaïsme en Arabie?’, 91–92 and 209. To the references one should add the pre-Islamic Arabic Christian ʾṣḥq in Ḥimā-South PalAr 2 (ʾṣḥq br ʾmr).

On this matter, one notices that the conservation of the initial /y/ (replaced by a vocalic glottal stop in Aramaic and Arabic) can also be seen in the spelling of the name Israel as *ys<sup>3</sup>r<sup>l</sup>*.

Mention should lastly be made of epigraphic texts proving people traveled between Ḥimyar and Palestine, and some Ḥimyarites expressed a strong bond with the Land of Israel. First of all, a passing reference should be made to the grave owned by the Ḥimyarites in a collective tomb at Bet She'arim in the Galilee.<sup>83</sup> Another example is a funerary stele written in Aramaic, probably originating from a necropolis close to the Dead Sea, whose author is Yoseh son of Awfā, who

passed away in the city of Ṭafar (= Zafār) <sup>(3)</sup> in the Land of the Ḥimyarites, left <sup>(4)</sup> for the Land of Israel and was buried on the day <sup>(5)</sup> of the eve of the Sabbath, on the 29th <sup>(6)</sup> day of the month of *tammūz*, the first <sup>(7)</sup> year of the week [of years], equivalent <sup>(8)</sup> to the year [400] of the Temple's destruction' (Naveh-Epitaph of Yoseh = Naveh-Šu'ar 24).

Ḥimyar's conversion to Judaism was not a simple parenthesis in time before its very brief conversion to Christianity and then to Islam. It left a durable mark on Yemen. A first proof of this is the importance and influence of Yemen's Jewish community until modern times.<sup>84</sup> A second indication (obviously indirect) is provided by the works of the greatest of Yemeni scholars, al-Ḥasan al-Hamdānī, who lived in the tenth century CE: as opposed to what all of Arab literary production says, he expresses an astonishing religious neutrality when speaking of Yemen and of Arabia, as if he wanted to emphasize that in Yemeni history, Muḥammad and Islam were but one episode following many others.

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83 Ibid. 68 and 193–94.

84 See, for instance, Eraqi Klorman, *The Jews of Yemen in the Nineteenth Century* (Leiden: Brill 1993), who is particularly interested in messianic thought among the Jews of Yemen.

## 5.2. A Non-Rabbinic Form of Judaism

If indeed inscriptions reveal that Ḥimyar converted to Judaism, it is relevant to ask what type of Judaism Yemenis were following. For quite some time, the prevailing opinion was that the various orientations of the Second Temple period (Sadducees, Pharisees, Essenes, Zealots), well-known thanks to Flavius Josephus, did not survive the destruction of the Temple in 70 CE. In recent decades, however, a hypothesis stressing that some older currents survived has become dominant; as a consequence, ‘rabbinization’ would not be an immediate consequence of the Second Temple’s destruction but a long process that concluded only at the very end of Late Antiquity or even in Islam’s early years.

If indeed the existence of several currents of Judaism after 70 CE is generally accepted, opinions differ strongly as to their number, their definition, and their names (rabbinic, scriptural, priestly, Hellenistic, synagogal, etc...). This is not surprising since they diverged on a whole series of central questions relating to Judaism’s history, beginning with the date and composition of the Torah and the origins of the synagogue.

Since I am not a specialist on these matters, I will not give a definite opinion on post-70 Judaism but shall restrict my scope to writing an inventory of characteristics Ḥimyar’s Judaism shared with such-and-such a current.

On at least one point of doctrine (the issue of resurrection after death), Ḥimyar’s Judaism seems to differ from that of rabbis. Five inscriptions conclude with petitions concerning the end of their authors’ lives. And yet none of them mention resurrection.

In one text, certain nobles, who are otherwise unknown and who are commemorating the construction of their palace in Ḥimyar’s capital, conclude their inscription with the following invocation (Garb Nuove icrizioni 4, Bayt al-Ashwal [Zafār]):

...b-(7)rdʔ rḥmn<sup>n</sup> bʿl sʿmy<sup>n</sup> l-ḥmr-(8)ḥmw qdm<sup>m</sup> w-ʿd(r)<sup>m</sup> ksʿḥ(m ʿ)mn

With the help of Raḥmānān, owner of the Sky, so that He may grant

(8) a pure beginning and a pure end, amen



The authors ask God to guard their lives on Earth, particularly their end, but they ask for nothing in the afterlife, which leads to the thought that they do not believe in an existence after death. The same conclusion can be drawn from two other documents cited above. The first of these commemorates the construction of a *mikrāb* by a princely family of the region of Ṣanʿāʾ. The prince provides detailed reasons for his patronage (Ry 520, from the vicinity of Ṣanʿāʾ):

...l-ḥmr-hw w-ʿḥs<sup>1</sup>kt-(<sup>6</sup>)hw w-wld-hw rḥmn<sup>n</sup> hyy hyw ṣdq<sup>m</sup> w-(<sup>7</sup>)mwt mwt  
ṣdq<sup>m</sup> w-l-ḥmr-hw rḥmn<sup>n</sup> wld(<sup>8</sup>)m ṣlḥ<sup>m</sup> s<sup>1</sup>b<sup>m</sup> l-s<sup>1</sup>m-rḥmn<sup>n</sup>

In order that Raḥmānān may grant him, as well as to his wi<sup>(6)</sup>fe and his children, to live a just life and to <sup>(7)</sup> die a just death, and that Raḥmānān may grant him virtuous childre<sup>(8)</sup>n in the service for the name of Raḥmānān<sup>85</sup>

The second document's author was a Jew called Yehuda Yakkuf, already mentioned, who appears to not have been from Ḥimyar. He commemorates the construction of a palace in the capital. In his invocations, Yehuda seeks to give details on the main traits of his God (Garb Bayt al-Ashwal 1 [Zafār]):

...b-rd<sup>ʾ</sup> w-b-zkt mr<sup>ʾ</sup>-hw d-br<sup>ʾ</sup> nḥs<sup>1</sup>-hw mr<sup>ʾ</sup> ḥy<sup>n</sup> w-mwt<sup>n</sup> mr<sup>ʾ</sup> s<sup>1(3)</sup>my<sup>n</sup> w-ʿrd<sup>n</sup>  
d-br<sup>ʾ</sup> kl<sup>m</sup>

With the assistance and grace of his Lord who has created him, the Lord of life and death, the Lord of the S<sup>(3)</sup>ky and the Earth, who has created all<sup>86</sup>

Once more, the afterlife is not mentioned. This is, no doubt, an argument from silence, but it cannot be dismissed since, in principle, the afterlife is a constant preoccupation of those who believe in it.

A third document is more ambiguous. It is a bilingual grave stele, of unknown provenance, written in Aramaic and Sabaic. The fact that the Jewish-Aramaic text is written first (before the

85 Full text quoted §3.1.3.

86 This text is quoted §3.1.2.

one in Sabaic carved underneath) suggests that the stele comes from a Jewish necropolis of the Near East and not from Yemen.<sup>87</sup> The document is ambiguous, because the first text explicitly mentions resurrection, while the second one does not (Naveh-Epitaph of Leah):

The Aramaic text reads:

...nšmt-h l-ḥyy ʿwlm <sup>(3)</sup> w-tnwḥ w-tʿmwd l-gwrl ḥyym lqš <sup>(4)</sup> h-ymyn ʿmn  
w-ʿmn šlwm

May her soul (rest) for eternal life, <sup>(3)</sup> and it will rest and become [ready] for resurrection at the en<sup>(4)</sup>d of days. Amen and amen, *shalom*

The Sabaic text reads:

...l-nḥn-hw rḥmn<sup>n</sup> <sup>(7)</sup> ʿmn sʿlwm

May Raḥmānān grant her rest. Amen, *shalom*

Among the various scenarios that one could contrive to explain this difference in formulation, the most likely is that the stonecutter was content to copy the standard formulae on hand or those provided by Leah's family. This could mean that Ḥimyarite Jews did not believe in an afterlife (or were not in the habit of mentioning it in their grave inscriptions), while the Jews of the Levant did believe in it. We cannot dismiss that one of the two formulae was written or chosen by Leah's family, but if one accepts such a hypothesis, nothing allows favouring one version over the other.

One must set aside the Aramaic grave stele in the name of Yoseh son of Awfā, which has already been mentioned (Naveh-Epitaph of Yoseh = Naveh-Šuʿar 24):

...ttnyḥ nḥšh d-ywsh br <sup>(2)</sup> ʿwfy d-gz b-tḥr mdyntḥ <sup>(3)</sup> b-ʿrḥwn d-ḥmyrʿy  
w-nḥq <sup>(4)</sup> l-ʿrḥ d-yšrʿl

87 The hypothesis that this epitaph is a fake cannot be completely dismissed but seems quite unlikely. The Sabaic text, for which there is no known model, is perfectly acceptable.

May the soul of Yoseh son <sup>(2)</sup> of Awfà, who passed away in the city of Ṭafar <sup>(3)</sup> in the Land of the Ḥimyarites and left <sup>(4)</sup> for the Land of Israel, rest in peace<sup>88</sup>

The deceased passed away in the Land of the Ḥimyarites, yet nothing certifies that he is himself a Ḥimyarite. At most one notes that he bears an Arab patronym. Noteworthy, however, is the fact that no allusion is made to resurrection.

The fifth inscription, Ja 547 + 546 + 544 + 545 = Sadd Maʿrib 6 (Maʿrib, November 558 CE, *dhu-muhlatān* 668), mentioned above, also poses problems of interpretation. Dating from the reign of the Christian king Abraha, it can be considered Christian; in fact, a small cross is carved at the end of lines 10, 13, and 14. One suspects that the authors introduced themselves as Christians without really belonging to the faith. The crosses are very discreet and placed in such manner that they can be thought of as letters. Moreover, the invocations to God make no reference to the Holy Trinity (“In the name of Raḥmānān, Lord of the Sky and the Earth” [*w-ʿl-sʿl m rḥmn<sup>n</sup> mrʾ sʿlmy<sup>(n)</sup> w-ʾrḏ<sup>(8)n</sup>*] and “In the name of Raḥmānān, the King” [*ʿl-sʿl m rḥmn<sup>n</sup> mlk<sup>n</sup>*], line 10). Finally, the authors come from a commune very strongly marked by Judaism. The text ends with the petition:

...l-ḥmr-hmw hyw<sup>n</sup> ksʿḥ<sup>n</sup> <sup>(14)</sup> w-mrḏyt<sup>n</sup> l-rḥmn<sup>n</sup> (cross)

May [Raḥmānān] grant them a life of dignity <sup>(14)</sup> and the satisfaction of Raḥmānān

Once more, life after death is omitted. If the authors are Jews rather than Christians, this silence is not surprising. If the authors are true Christians, however, this could mean that the afterlife is not a topic that one mentions in inscriptions, whatever one’s religious orientation.<sup>89</sup>

88 See above, §5.1.

89 The MAFRAY-Ḥaṣī 1 inscription establishing a cemetery reserved for the Jews is not mentioned in this list because its purpose is essentially juridical. One reckons that this text’s author had no reason to mention the afterlife.

In short, all the texts available seem to show that the afterlife was not a matter of concern for Ḥimyarite Jews, who probably did not believe in the resurrection of the dead. According to the Mishnah, those who denied resurrection belong to the three groups excluded from the world to come: “[Here are] those who have no part in the world to come: the one who says there is no resurrection of the dead, [the one who says] that the Torah does not come from heaven, and the Epicurean” (m. Sanh. 10.1).<sup>90</sup> According to the rabbis, the most severe punishment in the world to come will be meted to:

Those belonging to sects (*minim*), apostates (*meshummadim*), traitors (*mesorot*), Epicureans, those who have denied [the divine origin of] the Torah, who have gone astray from the community’s ways, who have doubted the resurrection of the dead, who have sinned and have made the community (*ha-rabbim*) sin like Jeroboam, Ahab, and those who established a reign of terror over the land of the living and have extended their hand over the House [i.e., the Temple] (t. Sanh. 13.5).

This is therefore a first clue that Ḥimyar’s Judaism was not rabbinic. On this matter, it should be recalled that one of the main reasons Muḥammad, the founder of Islam, reproached his opponents was their disbelief in Judgment Day and in the resurrection. One supposes that these opponents were followers of the old religion of Makka; the example of the Jews of Ḥimyar, however, shows that his opponents were plausibly followers of other religious currents. After Arabia’s conversion to Islam, the change was immediate: in the oldest Islamic inscriptions in Arabic, the author frequently “demands paradise”.

A second point of doctrine that would distinguish Ḥimyar’s Judaism from that of the rabbis is the issue of ‘binitarianism’. This is more problematic, because it mainly rests on a single inscription of somewhat enigmatic meaning (CIH 543 = ZM 772 A + B, Zafār):

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90 I thank José Costa, who kindly drew my attention to this passage and the following.

[b]rk w-tbrk s<sup>1</sup>m rḥmn<sup>n</sup> d-b-s<sup>1</sup>my<sup>n</sup> w-ys<sup>3</sup>r<sup>l</sup> w-(<sup>2</sup>)lh-hmw rb-yhd d-hrd<sup>ṗ</sup>  
 ʿbd-hmw s<sup>2</sup>hr<sup>m</sup> w-(<sup>3</sup>)m-hw bd<sup>m</sup> w-ḥs<sup>2</sup>kt-hw s<sup>2</sup>ms<sup>1m</sup> w-ʾl(<sup>4</sup>)wd-hmy ḏm<sup>m</sup>  
 w-ʾbs<sup>2</sup>ʿr w-mṣr(<sup>5</sup>)m...

[May it bl]ess and be blessed, the name of Raḥmānān, who is in the Sky, Israel and <sup>(2)</sup> their God,<sup>91</sup> the Lord of the Jews, who has helped their servant Shahr<sup>um</sup>, <sup>(3)</sup> his mother Bd<sup>m</sup>, his wife Shams<sup>um</sup>, their chil<sup>(4)</sup> dren [from them both] ḏm<sup>m</sup>, ʾbs<sup>2</sup>ʿr and Mṣr<sup>(5)m</sup>...<sup>92</sup>

The blessing in the introduction associates God (“Raḥmānān, who is in the Sky”) with Israel and the Lord of the Jews (two divine entities and Israel). It is legitimate to ask whether one finds here an instance of deviance denounced by the rabbis, the one that states there are “two powers in heaven”.<sup>93</sup>

This blessing is, therefore, a call to question the relationship between Raḥmānān and the “Lord of the Jews”, who is found in two other invocations:

rb-hd b-mḥmd

Lord of the Jews, with the Praised One (Ja 1028 / 12, Ḥimā, Fig. 7)<sup>94</sup>

rb-hwd b-rḥmn<sup>n</sup>

Lord of the Jews, with Raḥmānān (Ry 515, Ḥimā)<sup>95</sup>

One should first of all notice that the authors of these three texts, who use the title ‘Lord of the Jews’ (*Rabb-Yahūd*, written *rb-yhd*, *rb-hd*, and *rb-hwd*),<sup>96</sup> are proven or plausible Ḥimyarites,

91 The grammar does not allow us to know whether this God is the God of Israel (a collective that agrees in the plural) or only that of the text’s authors.

92 See this text above in §§3.1.4, 3.2, and 4.4.

93 Alan F. Segal, *Two Powers in Heaven: Early Rabbinic Reports about Christianity and Gnosticism* (Leiden: Brill, 1977).

94 See this text above in § 3.1.2. The vocalization of *Mḥmd* can be both *Muḥammad* and *Maḥmūd*.

95 See this text above in § 3.1.2.

96 One sees here a very unusual *mater lectionis*, even for late Sabaic. Rather than the influence of Aramaic orthography, as postulated for Garb

successively invoking the deity under two different names, as if dealing with two gods: the ‘Lord of the Jews’ and Raḥmānān or the ‘Lord of the Jews’ and *Mḥmd*. It is quite unlikely that a title like ‘Lord of the Jews’ would be used by Jews of Judaeen ancestry, since they prefer the self-designation ‘Israel’ to *Yahūd*. The term ‘Jew’ is above all used by Gentiles; when Jews use it, it is in exchanges with people outside the community.

Incidentally, the term *Mḥmd* given to God is intriguing. It perhaps echoes a text invoking “Raḥmānān and *Ḥmd-Rḥb*” since, in the second name (unfortunately, also enigmatic), one finds the same root ḤMD.<sup>97</sup> The spelling of the deity’s name *Mḥmd* seems identical to that of Islam’s prophet. One cannot be sure this identity is significant because the vocalization of these two names may differ (for example, *Maḥmūd* and *Muḥammad*). We know that some reformers were nicknamed after the deity they claimed to worship; this could also have been the case with Muḥammad (whom the Qur’ān also calls Aḥmad).<sup>98</sup>

A second observation is that the name ‘Lord of the Jews’ probably refers to the Jewish *Adonai*, reflected from the outside. The ‘Lord of the Jews’ would therefore be YHWH, the God of the Hebrew Bible, the God who dictated the Law to Moses.

If Raḥmānān is different from the ‘Lord of the Jews’, the first could be the God of those not considered fully Jewish, i.e., the ‘candidates’ who aspire to become Jews and the ‘sympathizers’.<sup>99</sup>

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Bayt-al-Ashwal 1 (see above, §3.1.2), one could suggest here an imitation of Arabic spelling (see, for instance, the name of Moses, *Mūsà*, written *Mwsy* in Ḥimà-South PalAr 8).

97 See *b-nṣr rḥmn<sup>n</sup> w-(<sup>4</sup>)ḥmd-rḥb* ‘with the help of Raḥmānān and of (<sup>4</sup>) *Ḥmd-rḥb*’ (Robin-Viallard 1 = Ja 3205, *Ẓafār*, May 519, *dhu-mabkarān* 629) (see above, § 4.1).

98 Christian Julien Robin, ‘Les signes de la prophétie en Arabie à l’époque de Muḥammad (fin du VI<sup>e</sup> et début du VII<sup>e</sup> siècle de l’ère chrétienne)’, in *La raison des signes: Présages, rites, destin dans les sociétés de la Méditerranée ancienne*, ed. by Stella Georgoudi, Renée Koch Piettre, and Francis Schmidt (Leiden: Brill, 2012), 433–76 (451–52 and 465).

99 On these terms, see below, §6.3.

Or, more doubtfully, the first could be the God of converts—or proselytes—as opposed to the God of Jews of Judaeen origin.

To identify which current of ancient Judaism was practiced in Ḥimyar, we can once more draw attention to the fact that some traits are shared by various kinds of Judaism of the Mediterranean world, while others are not. Ḥimyar's Judaism, like other forms of Judaism in the Mediterranean world, uses the local language and script but not Hebrew, which is strictly confined to symbolic texts.<sup>100</sup> By contrast, Ḥimyar lacks the menorah and other symbols found in the synagogues of Galilee and elsewhere in the Mediterranean world.<sup>101</sup>

Another singular trait of Ḥimyar's Judaism is the famous list of *mishmarot* (or 'guards') of Bayt Ḥāḍir, mentioned above.<sup>102</sup> It enumerates the twenty-four families of the priesthood in charge of the divine service in the Temple of Jerusalem following the Babylonian Exile, and it associates these family names with residences in Galilee. The fact that it originates from social backgrounds vouching for the Temple's restoration is not doubtful; just as secure is the fact that its function was to legitimate the priestly pretensions of lineages then settled in Galilee. Yemen is the only country outside of Palestine where such a list was carved in stone. This is not banal, since the making of such a beautiful inscription was very expensive.

We can only hypothesize as to why such a document was copied and carved in Yemen. It may have had symbolic meaning, like the public statement of an indefectible attachment to the Temple, or the claim that only priests are legitimate to manage the community. It could have also been propaganda benefitting families of the priesthood who were effectively present in Yemen. The list of the Bayt Ḥāḍir *mishmarot*, which is not explicitly dated, certainly goes back to a time when the power stakes were high; it is therefore very likely that it is from the period 380–530 CE.

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100 See above, §5.1, and Robin 'Quel judaïsme en Arabie?', 64–101.

101 Ibid., 151–54.

102 See above, §5.1.

Finally, Ḥimyar's Jews transcribe proper nouns according to Biblical Hebrew (and not according to later texts, notably in Aramaic). The impression is that one is dealing with a conservative form of Judaism, attached not only to the Temple but also to a literal interpretation of the Holy Scriptures. Since Ḥimyarite Jews, like the Sadducees (the priestly party at the end of the Second Temple period), apparently rejected belief in the resurrection, one has good grounds to characterize Ḥimyar's Judaism as 'priestly', all the more so since nothing recalls rabbinic Judaism.

The case of Yathrib—the future al-Madīna—in the seventh century is entirely different. Haggai Mazuz has recently demonstrated in quite convincing fashion that the Judaism of the Yathrib Jews had much in common with that of the rabbis.<sup>103</sup> One could therefore surmise the existence of different orientations in South Arabia and the Peninsula's northwest. Due to the difference in dates, however, this is not the most likely hypothesis.

It is plausible that in the fifth century CE the Judaism of the Ḥijāz was similar to that of Ḥimyar. First of all, Ḥimyar ruled the entire Peninsula. Moreover, it was the only Jewish state, a feature that makes it difficult to believe that Ḥimyarite Judaism was not the reference point and the model for the smaller Jewish communities in the region.

By the seventh century (c. 620 CE), Jewish power in the kingdom of Ḥimyar had long since vanished. The reference points for Judaism were now located in Mesopotamia and Galilee. The radiance of these centres was even at its zenith, since the Sāsānid Persians, having expelled the Byzantines from the Near East in 614 CE, were supported by the Jews as they consolidated their domination of the Levant. It was therefore logical that the small Jewish community of Yathrib was inspired by the teachings of the Sages of Mesopotamia and Galilee, among whom the rabbis already enjoyed a dominant position.

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103 Haggai Mazuz, *The Religious and Spiritual Life of the Jews of Medina* (Leiden: Brill, 2014).



A favourable prejudice towards the priests nevertheless remained. It is the Arab-Muslim Tradition that suggests this, since it systematically ascribes a priestly ascendancy to the Jews occupying eminent positions, as no doubt the Jews of Yathrib themselves did.<sup>104</sup>

## 6.0. The Extent of Ḥimyar's Conversion to Judaism

If indeed Judaism was the primary religion of the kingdom of Ḥimyar for a duration of 150 years, can one say that this kingdom was Jewish or, more precisely, that it converted to Judaism, since the majority of its population was not of Judaeian origin?

Clues indicating Ḥimyar's adherence to Judaism abound. The leaders of the main princely families—or, at least, some of them—wrote inscriptions that included specific signs of conversion. Jews or rabbis belonged to the Ḥimyarite king's entourage who received an embassy led by Theophilus the Indian in a year close to 344 CE and were later counselling the ruler who sentenced the priest Azqir of Najrān to death (c. 470 CE).

Proofs of royal adherence to Judaism, however, are tenuous and fragile. If one puts aside the case of king Joseph, who rebelled against the Aksūmites in 522 CE, the only text explicitly indicating that the Ḥimyarite king was Jewish is the Ethiopian synaxarion, which summarizes the martyrdom of Azqir, but this is not an original source, only a late abridgment.<sup>105</sup> One can also mention that the Arab-Muslim Tradition attributes to king Abikarib the introduction of Judaism to Yemen.<sup>106</sup> Finally, the inscription (YM 1200) of king Ma'dikarib Yun'im (c. 480–485 CE) commemorates the construction of a *mikrāb* while using the

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104 Robin, 'Quel judaïsme en Arabie?', 112–16.

105 Robin, 'Nagrān vers l'époque du massacre', 82; Carlo Conti Rossini 'Un documento sul cristianesimo nello Iemen ai tempi del re Šarāḥbīl Yakkuḥ', *Rendiconti della Reale Accademia dei Lincei* 14 (1910): 747–50 ("Sinassario del ms. etiopico 126 Bibl. Nat. Parigi"). The king of Ḥimyar is called in this text *nagūša ayhūd*, 'king of the Jews'.

106 Robin, 'Le judaïsme de Ḥimyar', 142–45.

term *kneset* (*kns<sup>1</sup>t*), which seems more Jewish than Christian in the fifth century CE.<sup>107</sup>

The political and religious authorities' gradual trend towards radicalism could also be interpreted as increasingly visible adherence to Judaism. Christian sources contain several allusions to a policy of anti-Christian repression that developed from 470 CE onwards. This policy resulted in, first of all, the trial against the priest Azqīr of Najrān, a man accused of "introducing a new religion [into] the country." There are then various allusions to persecutions against the Christians of Najrān prior to those of 523 CE.<sup>108</sup> Finally, onomastics is a clue since only the last Jewish king bears a biblical name.

In fact, the element causing the most difficulties is the absence of royal inscriptions explicitly referring to Judaism.

### 6.1. Stages and Purposes of Conversion

Conversion to a new religion is not an isolated event but the result of a long process, generally extending over several generations. In some measure, one can even say it is a process with no end.

The last centuries of Late Antiquity provide several comparable examples of a foreign religion adopted by marginal groups, which then gained followers in the ruling classes and finally became the established religion. One can distinguish four stages:

1. The hindered diffusion of the new religion among marginal groups.
2. The acceptance by authorities of the new religion as licit.
3. The adherence of the ruling classes to the new religion, which becomes the dominant religion of reference.
4. The elevation of the new religion to official status, more or less exclusively. It is only when the third stage is reached that one can speak of conversion.

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<sup>107</sup> See above, §3.1.1, and notes 70 and 72.

<sup>108</sup> Robin, 'Nagrān vers l'époque du massacre', 67–68.

To better illuminate certain stages in Ḥimyar's conversion to Judaism, I will compare them with those of Christianization in the Roman Empire, close to the conversion of Arabia in both time and space. One must take into account a huge difference in the nature of available sources, since in the case of Ḥimyar we have at hand only a very specific source, epigraphy.

The first stage is the opposition to the spread of the new religion among marginal groups. In the Roman Empire, this was the time of great persecutions, during which Roman authorities fought with determination against the spread of Christianity, all the more so since its followers frequently resorted to provocation.<sup>109</sup> It is moreover frequent that authorities see the introduction of a new religion (a potential source of social disorder) in a negative light.

The second stage corresponds to the acceptance of the new religion by the authorities, who now recognize it as legitimate. As a result, many people close to the circles of power adhere to the new religion. The religion ceases to be perceived as divisive and becomes one of the components of the religious landscape. Such an evolution in the Roman Empire occurred via Galerius' Edict of Serdica (311 CE), later endorsed by Constantine and Licinius in June 313 CE as the Edict of Milan. This put an end to all anti-Christian measures still implemented in the Empire's territory. The Empire was not yet Christian. It was not more so under the reign of Constantine, although he favoured the Christian faith and requested baptism, an event that took place on the eve of his death in the year 337 CE.

The third stage is reached when the new religion becomes the official state religion. In the Roman Empire, this occurred when Constantius II, the son of Constantine (337–361 CE), ascended to power. From then on, one can say that the Empire had become Christian, and therefore it had 'converted'. In 341 CE, Constantius II, who was the first ruler brought up in the Christian faith, forbade sacrifices. In 346 CE, he ordered the closure of pagan

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109 Glen W. Bowersock, *Martyrdom and Rome* (Cambridge: Cambridge University Press, 1995).

temples, whose property was then handed over to the imperial treasury. At the same time, the emperors pampered the Christian clergy. One must not be misled by repressive decisions that were rarely implemented and were mainly political posturing to gain the support of religious authorities. Even though Constantius II was careful to reinforce the Church's unity by firmly intervening in controversies on the nature of the Holy Trinity, the break with the past was not yet consummated: Constantius II was still *pontifex maximus* and fulfilled his duties as a leader of traditional cults when he travelled to Rome.

When the 'conversion' is taken for granted, it must be consolidated and made irreversible by making the new religion compulsory and exclusive. This is the last and fourth stage, whose ultimate goal is the population's unanimous adherence to the new religion.

To convert the stubborn, the use of force and, as a last resort, massacre or expulsion, is quite common. Even in the case of Islam, which historically has rather acted as a protector of minorities,<sup>110</sup> one today notices extreme movements promoting the total eradication of all other religions. What is also observable is that a religion never durably keeps a hegemonic position; in the most monolithic of societies, seeds of dissent swiftly sprout. Total conversion is therefore a goal that one tries to achieve but that is never completely reached.

In the Roman Empire, Christianity became the compulsory religion through the Edict of Thessalonica, enacted on 28 February 380 CE by Gratian (359–383 CE) and Theodosius (379–395 CE). At this point, Gratian resigned from his pagan office of *pontifex maximus*. As a result of this edict, later Christian emperors no longer favoured non-Christian beliefs and avowedly reduced religious diversity within the Roman Empire.

If one looks at the inscriptions only and not at the entire documentation, it is only during the fourth stage that a change

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110 One must exclude 'Arabia', however defined, which, according to Muslim theologians, should be closed to non-Muslims (Robin, 'Quel judaïsme en Arabie?', 42).

in religion appears in a significant manner. Pierre-Louis Gatier has demonstrated this clearly with the example of the land around Antioch, one of the major centres of christianization in the East.<sup>111</sup> Much time was necessary for the new cult, together with its network of specialized constructions and its hierarchy, to organize in cities and then spread to the countryside.

Coinage also reflects new trends after a period of delay. Some coins from the reign of Constantius II include Christian symbols, but one must wait for the advent of Theodosius II (408–450 CE) to see coinage become truly ‘christianized’.

For individuals the adoption of a new religion is also a complex matter. It implies the dismissal and rejection—or at least the abandonment—of the previous religion, the religion of one’s parents and ancestors and many other people to whom one was attached through affection or solidarity. Changing one’s religion constitutes a break with the past, a break that could easily be considered a form of ingratitude or even treason.

This break is most often personal, involving close relatives or other kin. It can also be a spontaneous collective process, following the initiative of a prince, a chief, or a magnate.

The change of religion was certainly a response to the appearance of new moral and spiritual ideals. The idealization of justice led to the expectation of divine judgment, either individual, immediately following death, or collective, at the End of Time. If there were to be a judgment, a punishment or a reward would obviously be necessary: a paradise and a hell were thus needed, and why not even a purgatory for more complicated cases? To implement this judgment, the body of each person had to be resurrected, which raised the question of the state of the body after being resurrected: either as a glorious, eternally young and vigorous body that could be imagined with clothing or as a body completely identical to that of the deceased immediately prior to death.

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111 Pierre-Louis Gatier, ‘La christianisation de la Syrie: L’exemple de l’Antiochène’, *Topoi* 12 (2013): 61–96.

The question of resurrection, judgment, and retribution is one of the greatest issues of Late Antiquity. Judging by the condemnations of the rabbis, it was a matter of debate. According to the Qurʾān and the Yathrib Document, this was the major controversy between the conservatives from Makka and the reformer Muḥammad.<sup>112</sup>

Change of religion has not only a spiritual dimension but also a political one.<sup>113</sup> In short, those in charge of the matter are faced with two options. The first is to reform the religious practices of old, to make them better in order to answer new aspirations. The second option is to abandon these religious practices for an entirely new set of beliefs. This second option was the one frequently chosen for centuries. It had three advantages. First, by choosing a religion originating from outside, the reformer did not leave any space for accusations of partiality. Second, in a kingdom with diversity—and even more so in an empire with multiple traditions—the choice of a new religion could be a unifying factor. Finally, the abandonment of old sanctuaries allowed leaders to seize treasuries that had accumulated there. This factor was probably the most decisive one.

## 6.2. Ḥimyar's 'Discreet Conversion'

The first stage for Ḥimyar, the one of initial diffusion, remains almost completely elusive. At most, what is known is a modest inscription carved on a reused pillar, apparently earlier than the third century CE. This inscription might be Jewish.<sup>114</sup>

In the second stage, the first adherents of the new religion, which can only be Judaism, belonged to the ruling classes. One may suppose they were converted by Judaeans or by the

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<sup>112</sup> See below, §7.2.

<sup>113</sup> See above, §3.3.

<sup>114</sup> MS-Tanʿim al-Qarya 9: Alessia Priolella, 'Le pilier de Tanʿim: La plus ancienne inscription juive du Yémen?', in *Le judaïsme de l'Arabie antique: Actes du colloque de Jérusalem (février 2006)*, ed. by Christian Julien Robin (Turnhout: Brepols, 2015), 331–58.

descendants of Judaeans, people who had taken refuge in Arabia after the disastrous revolts of 70 and 135 CE and who would have quickly ascended to leading positions in the oases of the northern Ḥijāz.<sup>115</sup>

These first followers are known via five ‘monotheistic’ inscriptions carved before 380 CE:

Schiettecatte-Nā‘īṭ 9, around 320, under the reign of Yāsir<sup>um</sup> Yuhan‘im II:

...w-l-ḥmr-hmw mr<sup>3</sup> s<sup>1</sup>(m)[y<sup>n</sup> ...]

May it be granted to them by the **Lord of the Sky** ...]

The authors of this fragmentary text, which invokes the king, are probably the banū Hamdān, princes of Ḥāshid<sup>um</sup>.

Ag 3 = Gorge du Haut-Bura<sup>c</sup> 3, c. 325–350 CE:

...w-ʔ<sup>n</sup> bʔl s<sup>1</sup>my<sup>n</sup> l-yrd<sup>n</sup>-hmw

As for **God (Īlān)**, **owner of the Sky**, may He assist them

The author is a client of the banū Haṣḥbāḥ, princes of Maḍḥā<sup>m</sup>, and belongs to the Ḥimyarite lesser nobility.

Ag 2 = Gorge du Haut-Bura<sup>c</sup> 2, c. 355 (± 11 CE):

...b-rd<sup>3</sup> ʔ<sup>n</sup> bʔl s<sup>1</sup>my<sup>n</sup>

With the assistance of **God (Īlān)**, **owner of the Sky**

This text, written by the son of the author of the previous text (Ag 3), is also by someone belonging to the Ḥimyarite lesser nobility.

YM 1950 (vicinity of Ṣan‘ā’), August 363 or 373 CE, under the reign of Tha’rān Yuhan‘im with one or several of his sons (Fig. 15):

[...w-mr](ʔ)-hmw bʔl s<sup>1</sup>my<sup>n</sup> l-s<sup>1</sup>(mʔ) ‘nt w-[...]

[ ... As for their lor]d, the **Owner of the Sky**, may he answer the plea and [...]

115 Robin, ‘Quel judaïsme en Arabie?’, 162–63.

...w-l-ys<sup>l</sup>m<sup>ʿ</sup>n b<sup>ʿ</sup>l-(s<sup>l</sup>)[my<sup>n</sup> ...]

May he answer, the **Owner of the S[ky ...]**

The authors of this fragmentary text are the princes of Ḥumlān (i.e., the banū Bata<sup>c</sup>, whose name has disappeared in the gap).

CIH 152 + 151 (Najr, near ʿAmrān), of unknown date:

...w-ḥmr-ḥmw ʾl<sup>n</sup> bry ʾḏn<sup>m</sup> w-mqymt<sup>m</sup>

May **God (Īlān)** grant them fullness of capacities and means<sup>116</sup>

The authors of this text originate from the banū Murāthid<sup>um</sup>, princes of Bakīl<sup>um</sup> dhu-ʿAmurān, but they do not mention this title here.

When one examines the entire group of inscriptions of this same period (320–380 CE), it becomes apparent that religious practices of old were undergoing a crisis. Simultaneously, visits to polytheistic temples inexorably declined.<sup>117</sup>

It was during this second stage that Constantius II sent an embassy to the king of the Ḥimyarites.<sup>118</sup> The *Ecclesiastical History* by Philostorgius, which describes this embassy, tells us that Ḥimyarites are polytheists, but “quite a large number of Jews are living among them” (3.4). Because of the Jews, the embassy was unsuccessful in convincing the king to accept baptism. The passage is unfortunately incomplete: “Upon reaching the Sabaeans, Theophilus tried to persuade the ruler of their people to worship Christ and to dissociate themselves from pagan error. But the schemes typical of Jews [... ]” (3.4).

The third stage begins with Ḥimyar’s official conversion to Judaism. Between 380 and 384 CE, royal inscriptions reveal the rulers adhering to a new religion whose nature is not made explicit. In other inscriptions, however, all clues as to the nature of the monotheism practiced by the Ḥimyarites point towards Judaism. As there is no doubt whatsoever that only one religion

116 See above, §3.2 and n. 70.

117 See above, §3.2.

118 See above, §2.2 and §3.2.



had the right to express itself from this date, one can safely conclude that the kingdom of Ḥimyar officially converted to Judaism.

No royal inscription, however, explicitly proclaims this. No Jewish authority is ever invoked. The Bible is never quoted. One is therefore dealing with a conversion whose sole apparent effect in royal propaganda is the rejection of polytheism. This is why one can describe it as 'discreet'. The fourth stage is not yet reflected in the documentation available.

Comparing Ḥimyarite inscriptions with those of the Roman Empire can perhaps fill in the gaps. In the epigraphy of the region of Antioch (the cradle of Christianity), it was only quite late, towards the end of the third stage and at the inception of fourth, that explicit references to Christianity appeared, as we have seen.<sup>119</sup> Due to social inertia, time was necessary for religious innovations to be reflected by epigraphy (just as with coin emissions). If this observation also holds true for Ḥimyar, this would mean that Judaism was more profoundly rooted in Arabia than at a first glance, considering the small number of significant epigraphic texts.

### **6.3. Religious Minimalism in Ḥimyarite Royal Inscriptions**

Monotheistic inscriptions of the period between 380 and 530 CE can be separated into two sets. The first one is made up of texts whose author is the ruler and that, as a result, can be considered official documents; none explicitly states that the ruler adheres to Judaism. The second set, all other texts, presents variable religious formulae. Some are as laconic as those of the royal inscriptions, while others clearly show the mark of Judaism; between the two groups, one finds the entire range of intermediary documents. The most disturbing trait of these inscriptions is the minimalism of official inscriptions.

The variability in religious formulae has been explained by the existence of several possible levels of adherence to Judaism. In

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<sup>119</sup> See above, §6.1.

theory, there must have been three main ones: the ‘sympathizers’, who shared with Jews some fundamental beliefs and some rules of social behaviour, but did not imagine themselves becoming Jews; ‘candidates’, who aspired to become members of the community; and, finally, the faithful who were Jews by birth or by conversion (the latter also called ‘proselytes’).

In the Roman world, sources confirm the existence of several levels. At Aphrodisias, the capital of the province of Caria in Asia Minor, three categories are mentioned in the lists recorded on a stele bearing two inscriptions, dating from the fourth or fifth century CE: sixty-eight Jews, three proselytes, and fifty-four God-fearers (*theosebeis*).<sup>120</sup> Latin literature (e.g., Juvenal) mentions *metuentes*;<sup>121</sup> Greek writers, including Josephus and the author of Luke-Acts, refer to *sebomenoi ton Theon*<sup>122</sup> and *theosebeis*.<sup>123</sup> These different terms, based on verbs meaning ‘to fear’, can be applied to people who ‘fear (God)’ and thus reject polytheism. It is difficult to say whether the God-fearers belong to the category of ‘sympathizers’ or ‘candidates’.

In Yemen, there were certainly observant Jews who respected the Law of Moses and were scrupulous about ritual purity, as shown by the existence of the cemetery reserved for them at Ḥaṣī. One can suppose that these Jews were in part Ḥimyarite converts (or proselytes) and in part foreigners settled in the

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120 See Joyce Marie Reynolds and Robert F. Tannenbaum, *Jews and Godfearers at Aphrodisias: Greek Inscriptions with Commentary* (Cambridge: Cambridge Philological Society, 1987); Angelos Chaniotis ‘The Jews of Aphrodisias: New Evidence and Old Problems’, in *Scripta Classica Israelica* 21 (2002): 209–42.

121 Juvenal, *Satires* 14.96–106 (*mentuentem sabbata*).

122 Josephus, *Antiquities* 14.110; Acts 10.2, 22; 13.16, 26, 43, 50; 16.14; 17.4, 17; 18.7.

123 Mireille Hadas-Lebel, *Rome, la Judée et les Juifs* (Paris: Picard, 2009), 139–43, 215–16. On the issue of the ‘God-fearers’, see Patricia Crone, ‘Pagan Arabs as God-Fearers’, in *The Qur’anic Pagans and Related Matter: Collected Studies in Three Volumes, Volume 1*, ed. by Hanna Siurua (Leiden: Brill, 2016), 315–39.

kingdom of Ḥimyar, even if it is not always easy to distinguish these categories from one another.

There were also people who were inclined towards Judaism. We are not in a position to know whether they were about to convert to Judaism or whether they formed a stable group unwilling to go beyond simple respect for the ‘natural’ morality of the Noahide laws and certain rules of life, since strict observance of the Law (particularly the weekly day of rest and food prohibitions) were hardly compatible with traditional social life. These hypothetical sympathizers had a unique role model in Abraham, the first convert, well before the revelation of the Torah.

Just as in the Roman world, it is possible that these Ḥimyarite sympathizers or candidates may have been called ‘God-fearers’. The notion of ‘fear of God’ is indeed found in an inscription (Ry 534 + Rayda 1), with *šbs<sup>l</sup>*, a loan from Greek *sebas*, ‘reverential fear’, as indicated by the meeting of the consonants *š* and *s<sup>l</sup>* in the same root, which is perfectly irregular in Semitic phonetics:

...w-l-ḥmr-hm <sup>ʔ</sup>l<sup>n</sup> mr<sup>ʔ</sup> s<sup>l</sup>my<sup>n</sup> w-<sup>ʔ</sup>rḏ<sup>n</sup> <sup>(4)</sup> *šbs<sup>l</sup>* s<sup>l</sup>m-hw

And so that God (*Īlān*), Lord of the Sky and the Earth, may grant them <sup>(4)</sup> **fear** of his name<sup>124</sup>

Since this inscription uses a Greek term, it surely reflects a notion Mediterranean in origin. It is not unthinkable that a second inscription (Ry 520, in the vicinity of Ṣan‘ā’) refers to the fear of God in the expression:

...wld<sup>(8)m</sup> ṣḥ<sup>m</sup> s<sup>l</sup>b<sup>ʔm</sup> l-s<sup>l</sup>m-rḥmn<sup>n</sup>

virtuous children,<sup>(8)</sup> in the **service** of the name of Raḥmānān<sup>125</sup>

The difficulty lies here in the meaning of the word *s<sup>l</sup>b<sup>ʔ</sup>*. This word has been at first rendered as ‘fighter, militant’, because *ʔs<sup>l</sup>b<sup>ʔ</sup>* was usually translated as ‘warriors’, but it is surely established today

124 This text has already been quoted above, §3.1.3.

125 Quoted above, §3.1.3.

that *s<sup>1</sup>b* is the plural of *s<sup>1</sup>b<sup>y</sup>* and refers to the ‘Sabaeans’. The meaning of the verb *s<sup>1</sup>b* ‘to go on an expedition’ could point to the idea of ‘being on a mission, in the service of’. Another interpretation is possible, however; one could see in *s<sup>1</sup>b* another Sabaic transcription of the Greek *sebas*. No doubt the transcription of the Greek *sigma* by the Sabaic letter *s<sup>1</sup>* was an irregular occurrence, yet it is attested: ‘Kaisar, Caesar’ is rendered by *Qys<sup>1</sup>r* in MB 2004 I-123, while the Arabic regularly transcribes *Qyṣr* with an emphatic letter.

It is noteworthy that the notions of ‘fear (of God)’ (*taqwà*) and of ‘God-fearers’ (*muttaqūn*) are found not only in the Qur’ān,<sup>126</sup> but also in the Yathrib Document,<sup>127</sup> which I will speak of later.

The two degrees of adherence to Judaism could have given birth to two series of religious rites, some open to all (as part of the official religion), and the others meant solely for Jews, as I have previously suggested.<sup>128</sup>

I would now like to explore another explanation for the minimalism of official inscriptions. These were not attempting to give an exact and faithful picture of the religious situation. They were political propaganda in the service of the ruling power. They are therefore to be interpreted in political terms.

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126 Scott. C. Alexander, ‘Fear’, in *Encyclopaedia of the Qur’ān*, 5 vols. (Leiden: Brill, 2002), II, 194–98.

127 Michael Lecker, *The “Constitution of Medina”: Muḥammad’s First Legal Document* (Princeton, NJ: The Darwin Press, 2004). For a simple translation, one can refer to Fred McGraw Donner, *Muhammad and the Believers at the Origins of Islam* (Cambridge, MA: The Belknap Press of Harvard University Press, 2012), 227–32. See, for example, clause 22: *wa-inna ʿl-Muʿminin al-muttaqin ʿalà aḥsan hādhā wa-aqwami-hi* ‘The faithful God-fearers commit to this in the best and firmest way possible’.

128 Robin, ‘Quel judaïsme en Arabie?’. Another model can be imagined, that of a civic religion of sorts based on a few general principles that appealed to a multi-confessional population, such as the worship of *Sol invictus* in the Roman Empire, Reason during the French Revolution, or God in the United States of America; this nevertheless seems implausible in a tribal society.

One can easily admit that the main preoccupation of the Ḥimyarite ruler was his throne's stability. He therefore needed to be backed by a large base of supporters likely to provide him with troops and other forms of assistance. However, the establishment of another religion, aiming to unite the populace and reduce potential dissidence among followers of other beliefs, was initially a source of division.

The ruler undoubtedly had the active support of the Jewish party and its sympathizers. This party, during the new religion's establishment, was probably a minority, even among the ruling classes. To counter opposition, it was therefore necessary for conversions to increase or, at least, for groups as large as possible to pledge allegiance, even if they did not adopt the new religion.

Late Antiquity provides many examples of religion being used as a tool in political life and international relations. It was therefore logical that religion be used for the formation of political alliances. Since the main fissure placed the backers of ancient rites against supporters of monotheism, one can suppose that the kings of Ḥimyar sought to create a federation of all monotheistic religious currents who would submit to them.

Such a hypothesis is not as gratuitous as it first appears. It is confirmed for at least one reign, that of the Jewish king Joseph, when he seized power and repressed the revolt of the pro-Byzantine Najrān Christians. As this was a period when tensions were exacerbated, the support provided to Joseph by Christians is particularly significant.

Syriac hagiographers celebrating Najrān's victims mention first of all two Christians, the first Ḥimyarite and the second from al-Ḥīra, who assisted king Joseph and acted as emissaries during the violent takeover:

He <and his followers> fought the Ethiopians (*kwšy'*) who were in Zafār (*tyfr*), in the church that the Ethiopians had built there. When he saw that he was no match for their army in war, he sent them a Levite priest from Tiberias (*tyb'ry'*), together with a man of Nagrān (*nygrn*) whose name was 'Abd Allāh (*'bd'lh*), son of Mālik (*mlk*), who was considered a Christian in name, and another man whose name

was Kōnb (*kwnb*), son of Mawhûbâ (*mwhwb'*), from Ḥirtā of Nu'mān (*ḥrt' d-n'mn*), who was also a Christian. He sent with them pledges written to the Ethiopians [saying]: “No harm will befall you if you come forth to me of your own volition and if you surrender to me the city of Ṣafār,” and he promised with oaths that he would send them alive to the king of the Ethiopians. When they received the written oaths, they came out to meet him—three hundred men with the Ethiopian archpresbyter, whose name was Abābawt. This Jew welcomed them, he treated them kindly and distributed them among his chieftains, telling them: “May each of you kill the Ethiopian who is in your home.” On this same night, all were slain. At daybreak, all their corpses were discovered thrown upon one another. He immediately sent men to the city of Ṣafār, who burnt the church where the Ethiopians had gathered, two hundred men. Thus [the number of] all the Ethiopians killed, at the beginning or thereafter, reached five hundred clerics and laymen.<sup>129</sup>

Mālik son of 'Abd Allāh from Najrān (and probably also Kōnb [Kalb?]) son of Mawhûbâ from al-Ḥira) is described as ‘Christian in name’ (*b-šm' krystyn'*).<sup>130</sup> This expression means that the inhabitants of Najrān, for whom the hagiographer is the spokesperson, do not consider him a real Christian. This same expression is used to speak of the Nestorian Christians of the Gulf, who in the seventh century CE rejected the authority of the catholicos: *krstyn' d-šm'*.<sup>131</sup>

129 See Shahîd, *The Martyrs of Najrân*, Shahîd Letter II A and 44 (translation slightly emended). This episode was told again in an incomplete passage of Axel Moberg, *Book of the Ḥimyarites*, 7a and cv.

130 *Book of the Ḥimyarites*, 7a / 6–7 and cv (*hnwn b-šm' krystyn' mtqryn hww*). In the Shahîd Letter II A and 44 the formulation is slightly different: *gbr' ḥd mn nygrn d-šm-h 'bd 'lh br mlk; hw d-b-šm' mthšb krystyn'*.

131 See Mario Kozah, ‘Isho‘yahb of Adiabene’s Letters to the Qataris’, in *An Anthology of Syriac Writers from Qatar in the Seventh Century*, ed. by Mario Kozah, Abdulrahim Abu-Husayn, Saif Shaheen Al-Murikhi, and Haya Al Thani (Piscataway NJ: Gorgias Press, 2015), 68 (English translation) and 88, line 3 (Syriac text). The same passage also speaks of *ʔsqwp' d-šm'* ‘bishops in name’.

A third Christian called Gaḥsanâ saved the life of Joseph during a previous Ethiopian invasion of the land of Ḥimyar. This deed is mentioned by Maḥyâ (*m'hy'*), the “indiscreet and perverted” servant of Ḥārīt (the revolt’s chief) in a speech to king Joseph:

“But as for you [Joseph], all the Ḥimyarites know the shame Gaḥ[sanâ] the merchant of Ḥirtâ of Nu‘mān inflicted upon you, since he saved you from death [at the hands] of the Ethiopians [at the time of battle].” This very same Gaḥsanâ was present in the land of the Ḥimyarites at the moment when Ethiopians had gone out and had persecuted the Ḥimyarites. They had surrounded him [and wanted to kill him]. But this Gaḥsanâ stood up [and] swore by the Holy Gospel that he [Joseph] was a Christian. It was in this way that this Jew escaped death. Now, after having ascended the throne and persecuted the Christians, he [Joseph] sent part of the loot from Christians to the same Gaḥsanâ in Ḥirtâ of Nu‘mān, with a letter and a blessing. This why all the Christians hated this Gaḥsanâ, and it was because of him that the blessed one reviled the king, as has been written above’.<sup>132</sup>

Incidentally, this text indicates that Joseph was not killed during a massacre of Jews because someone guaranteed he was Christian. One can easily suppose that Joseph himself, when he was interrogated and threatened with execution, pretended he was Christian. This observation raises the question of whether Joseph, before his coup, was not officially Christian. Indeed, one must remember that according to the Greek Martyrdom of Arethas, it is the Negus himself who placed him on the throne.<sup>133</sup>

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132 Shahîd, *The Martyrs of Najrân*, Shahîd Letter VI C and 56. The main disagreement concerns the personal name Gaḥsanâ. According to Irfan Shahîd, this would be a common noun he translates as ‘robber’. Françoise Briquel-Chatonnet (in an unpublished translation) reckons it is more likely to be a personal name. The study of Arabic names appears to support this, since in the genealogies of Ibn al-Kalbî (*Caskel*, *Ġamharat an-nasab*, indices), one notes Jaḥsh (six occurrences), Jaḥshana (two) and Jihāsh (three).

133 Detoraki and Beaucamp, *Le martyre de Saint Aréthas*, paragraph 27. This datum seems all the more credible because it does not agree with the

Syriac hagiographers do not explicitly say that Gaḥsanâ was a Ḥimyarite. This nevertheless seems plausible. In any case, hagiographies twice mention that some Christians supported Joseph.

The same sources suggest that Joseph kept good relations with Nestorian Christian authorities. In the Greek Martyrdom of Arethas, the king is supposed to have declared to Arethas and his companions: “Would you therefore be superior to the Romans called Nestorians, who are in our land and teach us this...”<sup>134</sup> The Christians of Najrân belonged to two very distinct and occasionally antagonistic communities. There was, first of all, a community maintaining close links with anti-Chalcedonian Byzantines of North Syria,<sup>135</sup> who are called today ‘Miaphysites’ (or Monophysites). There was also a community attached to the Church of the East (or Nestorian Church) of Sāsānid Persia, whose tutors were in al-Ḥira in the lower valley of the Euphrates.<sup>136</sup> It is not to be doubted that it was the Nestorians who backed the Jewish party and the Miaphysites who opposed to it.

According to the Greek and Syriac sources relating the wars between Byzantium and Sāsānid Persia in the sixth century CE, many Arabs participated in the conflict, either in the Byzantine camp or that of the Persians. Sources call them ‘Arabs of the Romans’ and ‘Arabs of the Persians’.<sup>137</sup> One could likewise state there were ‘Christians of the Romans’ and ‘Christians of the Persians’.

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text’s general tone, which is an uncritical celebration of the Aksūmite ruler.

134 Detoraki and Beaucamp, *Le martyre de Saint Aréthas*, paragraph 6.

135 Christian Julien Robin, ‘La réforme de l’écriture arabe à l’époque du califat médinois’, *Mélanges de l’Université Saint-Joseph* 59 (2006): 319–64 (327–29).

136 Christian Julien Robin, *Najrân. Écritures, langues, religions et tribus à la charnière entre la Sudarabie et l’Arabie désertique à la veille de l’Islam*, forthcoming.

137 ‘Arabs’ is a translation of Greek *Sarakēnoí* and of Syriac *Ṭayayê*. See Christian Julien Robin, ‘Les Arabes des ‘Romains’, des Perses et de Ḥimyar (III<sup>e</sup>-VI<sup>e</sup> s. è. chr.)’, *Semitica et Classica* 1 (2008): 167–202.



If one accepts that in the Jewish kingdom of Ḥimyar there was effectively a coalition of Jews and Nestorian Christians, the minimalism of Ḥimyarite royal inscriptions can possibly be explained by this coalition's existence: when publicly communicating, the ruler took into account the political and religious leanings of his allies. It is not known what this political-religious coalition, uniting those who believed in one God, was called. This interpretation of the minimalism of royal inscriptions is all the more likely since similar or comparable practices are noted in Abraha's Christian kingdom and in the first Muslim State, each time during the years following a new religion's establishment, as we shall see.<sup>138</sup>

The minimalism of Ḥimyarite royal inscriptions is therefore not an argument to be used to deny Ḥimyar's conversion to Judaism. It signals only that the ruler was never capable of publicly stating his adherence to Judaism, no doubt because his power rested on a coalition of groups who were not all Jewish. I suggest describing Ḥimyar's conversion to Judaism as 'discreet' because it was never explicitly translated into royal propaganda.

The religious policy of the kings of Ḥimyar, understood here as a conversion to Judaism, was previously interpreted in a different manner. In 1984, A. F. L. Beeston, from a corpus of texts notably more restricted in quantity, supposed that the Ḥimyarite rulers adhered to a peculiar form of monotheism independent of both Christianity and Judaism.<sup>139</sup> To name this belief, Beeston reemployed the term 'Raḥmānism', coined by D.S. Margoliouth

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138 This observation can be widened to ideological movements. Communist parties often presented themselves as the vanguard of political alliances representing other social classes (called in French *compagnons de route* 'fellow-travellers').

139 Alfred F. L. Beeston, 'Himyarite Monotheism', in *Studies in the History of Arabia II: Pre-Islamic Arabia*, ed. by Abdelgadir Abdalla, Sami Al-Sakkar, and Richard Mortel (Riyadh: King Saud University Press, 1984 / 1404 AH), 149–54; idem, 'The Religions of Pre-Islamic Yemen', in *L'Arabie du Sud, histoire et civilisation I: Le peuple yéménite et ses racines*, ed. by Joseph Chelhod (Paris: Maisonneuve et Larose, 1984), 259–69.

for the monotheism of the (so-called, according to him) Jews of Yathrib.

A. F. L. Beeston admitted that a few inscriptions were indeed Jewish, but this was not the case for every inscription that included monotheistic formulae. This did not prevent him from finding in ‘Raḥmānism’ elements of “Jewish inspiration”<sup>140</sup> confirmed by Arab traditions relating to the conversion of the Ḥimyarites in the days of king Abū Karib.<sup>141</sup> This ‘Raḥmānist’ hypothesis had the advantage of providing a plausible origin for the *ḥanīf* of the Arab-Muslim Tradition, postulating that pre-Islamic Arabs could have chosen monotheism without adhering to one of the great established religions. The few Islamic scholars who paid attention to Beeston hypothesis (like Andrew Rippin) were unconvinced.<sup>142</sup>

## 7.0. A Few Similar Examples

In order to better convince scholars of the plausibility of two of the hypotheses formulated in this paper (the existence of a political coalition around the Jewish ruling elite, based on the belief in one God; a certain form of tribal restructuring on a religious basis, outlined by the creation of the commune Israel), I will show that these have parallels in both Arabia and Ethiopia around the same period.

### 7.1. Minimalist Official or Public Expression

The minimalism of official (or royal) Ḥimyarite inscriptions undoubtedly reflects the beliefs that other members of the

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140 Beeston, ‘Himyarite Monotheism’; idem, ‘The Religions of Pre-Islamic Yemen’, 267–69.

141 This is how scholars of the Arab-Muslim Tradition designate Abikarib As‘ad, reinterpreted as a *kunya*.

142 Andrew Rippin, ‘Rḥmn and the ḥanīfs’, in *Islamic Studies Presented to Charles J. Adams*, ed. by Wael B. Hallaq and Donald P. Little (Leiden: Brill, 1991), 153–68.

coalition backing the ruling elite shared with them. In other words, in its political propaganda, the Jewish ruling class did not impose its own particular convictions, but only those that created a consensus within the coalition.

### 7.1.1. Religious Invocations in Abraha's Inscriptions

In Abraha's kingdom, just like in Ḥimyar's Jewish state, the formulation of religious invocations diverges from what scholars would at first expect.<sup>143</sup>

First of all, it is necessary to summarize the historical context. Following the defeat and death of king Joseph (525–530 CE), the Negus placed on Ḥimyar's throne a Ḥimyarite Christian. The only inscription of this Ḥimyarite proclaims the perfect Trinitarian orthodoxy of the new regime (around 530 CE) with the following introduction (Ist 7608 bis + Wellcome A 103664):

[b-s<sup>1</sup>]m w-s<sup>2</sup>r[h rḥmn<sup>n</sup> w-bn-hw krs<sup>3</sup>ts<sup>3</sup> ḡlb<sup>n</sup> w-mn]fs<sup>1</sup> qds<sup>1</sup>

[In the na]me and with the safe[guarding of Raḥmānān, of His son Christ the Victor, and of the Ho]ly Spirit

And again in the conclusion:

[...]b-s<sup>1</sup>m rḥmn<sup>n</sup> w-bn-hw krs<sup>3</sup>ts<sup>3</sup> ḡlb<sup>n</sup> [w-mn]fs<sup>1</sup> qds<sup>1</sup>

[...] In the name of Raḥmānān, of His son Christ the Victor, [and of the Holy Spirit]

Shortly after, Abraha, general of the Aksūmite occupation troops, seized power by force, perhaps in 532 CE or in the following years. For fifteen years his power was threatened by two punitive expeditions of the Negus of Aksūm and by internal dissent. Only in 547–548 CE did his rule stabilize. Between 548 and 560 CE, he had seven inscriptions made, three containing an opening invocation to God. These three invocations are:

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143 See Robin, 'Ḥimyar, Aksūm and *Arabia Deserta* in Late Antiquity', 153–54.

— CIH 541:

*b-hyl w-[r]d' w-rḥ<sup>(2)</sup>mt rḥmn<sup>n</sup> w-ms<sup>1(3)</sup>ḥ-hw w-rḥ [q]ds<sup>1</sup>*

With the power, assistance, and merci<sup>(2)</sup>fulness of Raḥmānān, of his  
(<sup>3</sup>) Messiah, and of the Spirit of Holiness

— DAI GDN 2002/20 = Sadd Ma'rib 4:

*b-hyl w-n(ṣr)<sup>(2)</sup> w-rd' rḥmn<sup>n</sup> (<sup>3</sup>) mr' s<sup>1</sup>my<sup>n</sup> (<sup>4</sup>) w-ms<sup>1</sup>ḥ-h(w)*

With the power, the support, (<sup>2</sup>) and help of Raḥmānān, (<sup>3</sup>) Lord of the  
Sky, (<sup>4</sup>) and of His Messiah

— Ry 506 = Murayghān 1:

*b-hyl rḥmn<sup>n</sup> w-ms<sup>1</sup>ḥ-hw*

With the power of Raḥmānān and of His Messiah

These inscriptions can be distinguished from the first one by a significant change: the word 'son', designating the second person of the Holy Trinity, is replaced by that of 'Messiah'. This alteration means that the second person of the Trinity is not of divine essence but a human being who received divine anointment. Moreover, one shall note the absence of any reference to the Holy Spirit in two of these three texts of Abraha.

Under the reign of Abraha, Ḥimyar, now an unquestionably Christian state, was certainly leaning towards Miaphysitism (or Monophysitism) and maybe even towards Julianism, its most extreme version, both of which firmly defended the divine nature of the second person of the Holy Trinity.

To explain why dogmatic formulae in Abraha's inscriptions diverge from Miaphysitism, the most plausible explanation is that this inflection is a result of internal policy. One can reckon that a significant part of the population, despite the massacres, remained attached to Judaism and did not accept that God had a son or was constituted of several beings. Abraha displayed a minimalist Christology and sought the support of not only all Christian currents (particularly Najrān Nestorians and those of the Gulf under his control), but also some Jews and perhaps even

other sects. His propaganda shows that he was concerned with obtaining or preserving the adherence of Jews who were ready to take a step in his direction by accepting Jesus as Messiah, even though there is no proven instance of Jews paying allegiance to him or in his service.

The minimalism of Abraha's dogmatic formulations was a response to the same necessities as those of Jewish royal inscriptions. It reflects the fragility of a regime in the third stage of conversion.

### 7.1.2. Religious Invocations in the Inscriptions of ʿĒzānā at Aksūm

The kingdom of Aksūm, not located in the Arabian Peninsula but claiming sovereignty over South Arabia (as shown by the titles of its rulers, which includes 'king of Ḥimyar'), is an interesting case of discrepancy between two official doctrines on display, while the king's true religious beliefs are not known precisely.

King ʿĒzānā, under whose reign Aksūm converted to Christianity (apparently around the early 360s CE), expressed his new beliefs in a very allusive manner in his inscriptions in the local script and language:

[By] the power of the **Lord of the Sky** (ʿagzīʿa samāy), who in the Sky and on the Earth is victorious for me, ʿĒ<sup>(2)</sup>[zā]nā son of ʿĒlē ʿAmīda the man of Ḥalən, king of Aksūm, Ḥəmē<sup>(3)</sup>r, Raydān, Sabaʿ, Salḥēn, Ṣəyāmō, Bəgā,<sup>(4)</sup> [of] Kāsū, king of kings, son of ʿĒlē ʿAmīda, who is not vanquished by the enemy.<sup>(5)</sup> [By the pow]er of the **Lord of the Sky**, who has granted me [kingship], the **Lord of the Universe** in whom I [believe],<sup>(6)</sup> [I] the king who is not vanquished by the enemy, may no enemy place himself in front of me and may no enemy <sup>(7)</sup>follow me. By the power of the **Lord of the Universe**, I waged war on the Noba... (*RIÉth* 189, in vocalized Geʿez).<sup>144</sup>

Further in the same text, God is also called "the Lord of the Earth" (ʿagzīʿa bəḥēr), which later became the name for the One God. Nothing in this text reveals ʿĒzānā's true religious beliefs.

144 See above, §4.1.

ʿĒzānā, however, in a contemporary Greek inscription,<sup>145</sup> announces his adherence to perfect Nicene orthodoxy:

In the faith in God and the power of the Father, the Son and the Holy Spirit, to the one who preserved for me the kingdom through faith in His Son Jesus Christ, to the one who came to my assistance and still does, I, Azana, king of the Axômites, of the Homêrites, of Reeidan, of Sabaeans, of S[il]êel, Kasô, of the Bedja and of Tiamô, bisi Alêne, son of Elle-Amida, and servant of Christ, I thank the Lord my God, and I cannot fully say his graces, for my mouth and spirit cannot [express] all the graces He did for me: He has given me strength and power; He has granted me a great name by His Son in whom I believe; and He has made me guide of all my kingdom because of my faith in Christ, by His will and by the power of Christ. It is He who has guided me, I believe in Him, and He made Himself my guide. I came out to fight the Nôba (*RIÉth* 271, in Greek).

Greek, a language inaccessible to the local population, was nonetheless understood by passing foreign travelers. In this language, the king was presenting himself as an exemplary Christian, watchful of the injunctions of Byzantium's political and ecclesiastical authorities. In Ge'ez, however, it was local politics that took precedence: the king chose formulations that non-Christians could adhere to.

The minimalism of public expression noticed in the earliest Christian inscriptions in local tongues truly seems to be of identical nature to that of Ḥimyarite Jewish royal inscriptions. Once more, inscriptions reflect the regime's fragility, a characteristic typical of the third stage of conversion.

### 7.1.3. The Minimalism of the Oldest Muslim Inscriptions

A last parallel is also quite enlightening. As indicated several times above, Ḥimyar's religious history is known only through inscriptions. It is therefore interesting to examine what a study

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145 *RIÉth* 271 (in Greek) is engraved on a throne that also bears *RIÉth* 190 (in South Arabian alphabet). Now *RIÉth* 190 reports the same events as *RIÉth* 189 (in vocalized Geez).

of Islam's formation through the exclusive prism of inscriptions would produce for scholars.<sup>146</sup>

Islamic inscriptions of the two first centuries of the Hijra, whose number has spectacularly increased during the last decades, reveal several unexpected traits. The most significant is that the name Muḥammad does not appear during the first sixty-six years of the Hijra, and that there is no mention of either an apostle (*rasūl*) or a prophet (*nabī*).<sup>147</sup> During this early phase, the very repetitive formulae implore God's forgiveness and clemency and ask for paradise. Qur'ānic formulations or quotes, which would securely characterize these texts as Muslim, only gradually appear.<sup>148</sup>

For this period, only two inscriptions of a semi-official character are available to us. Both commemorate the construction of dams in the ruler's name, and both date to the reign of Mu'āwiya b. Abī Sufyān (661–680 CE). The one found in al-Ṭā'if, which dates from 58 AH (677–678 CE), soberly indicates that works were carried out “with the permission of God” and asks God to “grant pardon to the servant of God Mu'āwiya, Pr<sup>(5)</sup>ince of the Believers,

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146 See Robert Hoyland, *Seeing Islam as Others Saw It: A Survey and Evaluation of Christian, Jewish and Zoroastrian Writings on Early Islam* (Princeton, NJ: The Darwin Press, 1997), 687–703, Excursus F, ‘Dated Muslim writings AH 1–135 / 622–752’, with dated inscriptions.

147 The oldest references to Muḥammad are found on coins from the year 66 AH (685–686 CE). See John Walker, *A Catalogue of the Arab-Sassanian Coins: Umayyad Governors in the East, Arab-Ephthalites, ‘Abbāsid Governors in Ṭabaristān and Bukhāra* (London: The British Museum, 1941), 97. These are coins of the Arab-Sāsānid type minted in Bishāpūr by ‘Abd al-Malik b. ‘Abd Allāh, on which one reads the caption *bi-sm Allāh Muḥammad rasūl Allāh*. In the case of inscriptions, the oldest references to Muḥammad are found on a grave slab from Egypt, dated to 71 AH (690–691 CE), then on the mosaic of the Dome of the Rock in Jerusalem dated to 72 AH (691–692 CE). See Frédéric Imbert, ‘L’islam des pierres: L’expression de la foi dans les graffiti arabes des premiers siècles’, *Revue des Mondes musulmans et de la Méditerranée* 129 (2011): 57–78 (74, n. 28).

148 Frédéric Imbert, ‘L’islam des pierres’.

strengthen and assist him”.<sup>149</sup> The second text, from al-Madina, is undated but a little more explicit.<sup>150</sup> In it, one finds at the beginning “In the name of God, al-Raḥmān, the merciful”, and, a little further on “O God, bless it for him, Lord <sup>(5)</sup>, master of the Skies and of the Earth”.

A third text cannot be quoted here on account of its Christian environment (as attested by the cross on the top left), its provenance (Ḥammām Gāder or Jādir, in the Yarmūk valley, at the foot of the Jawlān), and finally its language (Greek); it nonetheless dates to 5 December 662 CE, under the rule of ‘Abdalla Maauia Amêra <sup>(2)</sup> al-Moumenêna’.<sup>151</sup>

149 Adolf Grohmann, *Arabic Inscriptions: Expédition Philby-Ryckmans-Lippens en Arabie* (Leuven: University of Leuven, 1962), 56–58 and pl. XII, 6; Robin, ‘La réforme de l’écriture arabe’, 363, Ill. 14. The text reads: ḥq’ ḡl-sd l-ḥd ḡllh m’wyh <sup>(2)</sup> ḡmyr ḡl-mwmnyn bny-h ḥd ḡllh bn ṣhr <sup>(3)</sup> b-ḡdn ḡllh l-snh tmn w-ḥmsyn <sup>(4)</sup> ḡllhm ḡḡfr l-ḥd ḡllh m’wyh <sup>(5)</sup> ḡmyr ḡl-mwmnyn w-tbt-h w-ḡnṣr-h w-mt’ <sup>(6)</sup> ḡl-mwmnyn b-h ktb ḡmrw bn ḡb’b, “This dam belongs to the servant of God Mu‘āwiya, <sup>(2)</sup> Prince of the Believers. Built by ‘Abd Allāh ibn Sakhr <sup>(3)</sup> with the permission of God in the year 58. O <sup>(4)</sup> God, grant a pardon to the servant of God Mu‘āwiya, Pr<sup>(5)</sup>ince of the Believers, strengthen and assist him; and make the <sup>(6)</sup> Believers benefit from it. ‘Amr ibn Ḥabbāb has written”.

150 Sa’d b. ‘Abd al-‘Aziz al-Rāshid, *Dirāsāt fī ḡl-āthār al-islāmiyya al-mubakkira bi-ḡl-Madīna al-munawwara* (Riyadh: Mu’assasat al-Ḥuzaymī, 2000 / 1421 AH), 32–60 (photographs 45 and 60; facsimiles 46 and 53); Robin, ‘La réforme de l’écriture arabe’, 363, Ill. 15. The text reads: b-sm ḡllh ḡl-rḡmn ḡl-rḡym <sup>(2)</sup> ḥq’ ḡl-sd l-ḥd ḡllh <sup>(3)</sup> m’wyh ḡmyr ḡl-mwmnyn <sup>(4)</sup> ḡllhm brk l-h fy-h rb <sup>(5)</sup> ḡl-smwt w-ḡl-ḡrd <sup>(6)</sup> bn-h rd’d mwly <sup>(7)</sup> ḥd ḡllh bn ḡb’s b-ḡw<sup>(8)</sup>l ḡllh w-qwt-h <sup>(9)</sup> w-q’m ḡly-h ktyr bn <sup>(10)</sup> ḡl-slt w-ḡbw mwsy, “In the name of God, al-Raḥmān, the merciful, <sup>(2)</sup> this dam belongs to the servant of God <sup>(3)</sup> Mu‘āwiya, Prince of the Believers. <sup>(4)</sup> O God, bless it for him, Lord <sup>(5)</sup> of the Skies and of the Earth. <sup>(6)</sup> Built by Radād, client <sup>(7)</sup> of ‘Abd Allāh ibn ‘Abbās, with the might<sup>(8)</sup> of God and His power. <sup>(9)</sup> Kathīr ibn a<sup>(10)</sup>l-Salt and Abū Mūsà were in charge”.

151 Yizhar Hirschfeld and Diora Solar, ‘The Roman Thermae at Ḥammāt Gader: Preliminary Report of Three Seasons of Excavations’, *Israel Exploration Journal* 31 (1981): 197–219 (203–4 and pl. 30).



In addition to the already published texts of the first generations of Muslims, it is possible to add about a hundred others showing the same traits, all from North West of Saudi Arabia and the Najrān valley. Now, we know that at Najrān the Christian and Jewish communities (the former from the Church of the East) were both still political forces in the ninth century CE. The inscriptions therefore date to a period when Najrān was enjoying genuine religious pluralism. This raises the question of whether their authors are all Muslims.

The earliest Islamic inscriptions consist of a small core of texts (all after 70 AH and therefore quite late), including explicit adherence to a well-identified and exclusive religion and many more documents that could have been written by adherents of many different religions. One has the impression that public religious expression was as neutral as possible to avoid upsetting a union of all religious currents sharing the belief in one God and Judgment Day.

Until the accession to the throne of ‘Abd al-Malik b. Marwān (685–705 CE), no inscription of a caliph is known, while private texts are plentiful. This strange absence can perhaps be explained in the same way. The ruler did not order any inscriptions because the political situation was unsettled and official phraseology still uncertain. As soon as the regime stabilized, however, change took place immediately, illustrated, for instance, by the inscription on the Dome of the Rock in Jerusalem, from 72 AH (691–692 CE), which solemnly proclaims an official doctrine in breach of all other monotheisms.<sup>152</sup> This is, in fact, the transition from the third stage to the fourth, with peculiarities characteristic of Islam.

These interpretations recall the hypothesis of Fred Donner who, using a completely different approach based on a critical examination of the Qurʾān and the Yathrib Document (or the Constitution of Medina), postulates that Muḥammad founded at the very time of his arrival in Yathrib a ‘Community of Believers’ (*muʾmin*), a federation of the disciples he taught (the *muslim*) and

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<sup>152</sup> See, for instance, Donner, *Muhammad and the Believers*, 233–35, who gives a translation of this inscription.

the adherents of other religions who shared the belief in one God and the ideal of a virtuous life.<sup>153</sup> Fred Donner quotes Q 5.65–66:

[65] Had the People of the Book (*ahl al-kitāb*) believed and been pious, we would have erased for them their evil deeds and would have made them enter the Garden of Delight [on Judgment Day].

[66] Had they abided by the Torah, the Gospel, and what has been given to them from above from their Lord, they would have eaten what is above them and beneath their feet. Among them there is a provident/moderate community walking a straight path (*ummat<sup>um</sup> muqtaṣidat<sup>um</sup>*). [But for] many of them, what evil they do!

He concludes: “This passage implies strongly that those individuals among the *ahl al-Kitāb* who embrace right belief and right action will be welcomed among the Believers”.<sup>154</sup>

Donner accepts that the interpretation of texts with a theological purpose perhaps does not permit drawing conclusions on social and communal organization.<sup>155</sup> Our intention is not to reopen this complex case, but only to show how another approach can lead to a similar result, which evidently strengthens its plausibility.

## 7.2. The Tribal Coalition founded by Muḥammad

I have interpreted the minimalism of official (or royal) Ḥimyarite inscriptions as the formulation of beliefs shared by a political coalition uniting the Jews (adepts and sympathizers) and other groups adhering to various monotheistic beliefs. The existence of such a coalition around Ḥimyarite Jews rests on only a few tenuous clues. By contrast, we are in possession of the founding text by which Muḥammad created a coalition of this type upon his arrival at the oasis of Yathrib in 622 CE.<sup>156</sup>

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153 Fred McGraw Donner, ‘From Believers to Muslims: Confessional Self-Identity in the Early Islamic Community’, *Al-Abhath* 50–51 (2002): 9–53; idem, *Muhammad and the Believers*.

154 Donner, ‘From Believers to Muslims’, 20–21.

155 Ibid., 26.

156 Ibn Ishāq, the biographer of Muḥammad, emphasizes that this document was established in the first year of the Hijra.

The oasis at that time comprised five main tribes (or, more accurately, clans), all of relatively modest size, and many secondary groups. Among the principal ones, three were Jewish (Qurayṣa, al-Naḍir, Qaynuqa'). They were settled on the best land in the centre of the oasis and could be considered local aristocracy. The other two, al-Aws and al-Khazraj, were in principle allies of the Jewish clans, but wished to be emancipated from them and to redistribute the wealth, leading to the invitation of Muḥammad.

Upon his arrival in Yathrib, Muḥammad no doubt had the support of al-Aws and al-Khazraj, but this backing, which was not even unanimous, was evidently insufficient to control the oasis and organize its defence in case of attack from the people of Makka. He therefore decided to conclude an alliance with other groups residing in Yathrib. The founding text of this alliance, which calls itself a *ṣaḥīfa*, 'document', was fully transmitted to posterity via several channels. Two versions are available (with variants that are of little significance) and have been attentively and thoroughly studied, notably by Michael Lecker.<sup>157</sup> Almost all scholars consider the *Ṣaḥīfat Yathrib* (the 'Yathrib Document') to be authentic, despite apparent modifications.

The document includes two sections, which Michael Lecker calls "the treaty with the *mu'min*" and "the treaty with the Jews". The relevant groups are mentioned in the first clause: "This is an agreement written upon the initiative of Muḥammad the prophet between the *mu'min* and the *muslim* originating from Quraysh and from Yathrib and those who follow them, are linked to them, and fight with them."<sup>158</sup> The entire set of parties, called "the people of this treaty" (clause 45),<sup>159</sup> are a tribal coalition (a group linked

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157 Lecker, *The "Constitution of Medina"*; idem, 'Constitution of Medina', in *Encyclopaedia of Islam*, 3rd ed. (Leiden: Brill Online, 2012).

158 Lecker, *The "Constitution of Medina"*, *Ṣaḥīfa*, clause 1: *hādhā kitāb min muḥammad al-nabī bayn al-mu'minīn wa-l-muslimīn min quraysh wa-yathrib wa-man tabi'a-hum fa-laḥiqa bi-him wa-jāhada ma'a-hum*.

159 *Ahl hādhihi 'l-ṣaḥīfa*.

by rules of solidarity) called *umma*, as detailed by clause 2: “They form a single *umma*, to the exclusion of others.”<sup>160</sup>

The treaty with the *mu'min* explicitly mentions that the alliance's ideological basis is “to believe in God and in the end of the world” or “in the day of resurrection.”<sup>161</sup> It is therefore not Muḥammad's teachings that are the point of reference but only two fundamental (or, rather, minimalist) principles. What follows in the text provides some clarifications: participants originating from Quraysh are also called *muhājir* (clause 3); the *mu'min* are twice described as *muttaqūn*, ‘God-fearers’ (clauses 14 and 22). Finally, the adherence to the *umma* implies allegiance to Muḥammad (mentioned in clauses 1, 26, 52, and 63) and the renunciation of previous tribal solidarities.

The treaty with the Jews (*Yahūd*) explicitly mentions seven groups (clauses 28–34). One of the clauses indicates that each party keeps its own rules (strictly linked to religion): “The Jews have their law and the *muslim* theirs” (clause 28).<sup>162</sup>

The concrete meaning of all these terms (*mu'min*, *muslim*, *muhājir*, and *umma*) has been the focus of several studies whose conclusions very much differ. I shall limit myself to a few remarks.

Muḥammad founded a new tribal coalition whose perimeter went beyond that of the followers of his teachings. This coalition, based on adherence to a few fundamental religious principles, is designated by the term of *umma*. The meaning of *umma* is contentious. The Qur'ān gives this noun a mainly religious dimension, but it can also be found in a profane context, with

160 Lecker, *The “Constitution of Medina”*, *Ṣaḥīfa*, clause 2: *inna-hum umma wāḥida min dūn al-nās*.

161 Ibid., *Ṣaḥīfa*, clause 25: *wa-inna-hu lā yaḥillu li-mu'min aqarra bi-mā fī ḥādhihi ʾl-ṣaḥīfa wa-āmana bi-ʾllāh wa-ʾl-yawm al-ākhir...*, “It is not permitted to a *mu'min* who has accepted what is in this document and who believes in God and in the end of the world”. The transgressor risks *la'nat allāh wa-ghaḍab yawm al-qiyāma* “the curse of God and the anger of the day of resurrection”.

162 *Li-l-yahūd dīnu-hum wa-li-l-muslimīn dīnu-hum*.

the meaning of ‘tribe’.<sup>163</sup> It is not yet a proper noun but would become one.

The core of the new coalition appears to be made up of *muslim*, whom the *mu'min* and the Jews have joined. The first are apparently disciples following Muḥammad’s teachings, and the *mu'min* are those who abide only by a few general principles. If this is true, it is not surprising that the latter are described as ‘God-fearers’, like the sympathizers and candidates of Judaism in the Mediterranean world.<sup>164</sup>

Concerning the Jews, one can suppose that these, just like the *mu'min*, believe in the end of the world and in the day of resurrection, while those of Yemen two centuries earlier did not believe in these.

What one sees in the Yathrib Document is therefore an example of a tribal coalition uniting the followers of a new religious orientation and their allies, similar to what one notices in the kingdom of Ḥimyar in the time of Joseph and Abraha.

Tribal restructuring taking place in al-Madīna, with the creation of the *umma*, also recalls the ‘commune Israel’ of Ḥimyar’s Jewish kings.<sup>165</sup> In both cases, the adherents to a new religious orientation break loose of their old tribe to enter into a new structure.

### 7.3. Tribal Restructuring on a Religious Basis: The Example of al-Ḥīra

I have surmised on several occasions that tribal coalitions and restructuring were based on adherence to such-and-such a religion or to common beliefs. To illustrate this process, in addition to the example of Yathrib, we have that of al-Ḥīra, a city on the lower reaches of the Euphrates, where a vassal of the Sāsānid kings resided in the sixth century CE. Al-Ḥīra’s population consisted of three tribal groups:

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163 Lecker, *The “Constitution of Medina”*, 89–91 and 139–47.

164 See above, §6.3.

165 See above, §4.3.

1. Tanūkh, the original tribe, whose kings had dominated the middle Euphrates valley since the end of the third century CE.
2. Al-Aḥlāf, a conglomerate of tribes like those found in various cities, particularly in Najrān.
3. Al-ʿIbād, a second conglomerate uniting Christians of different tribal origins.

Gustav Rothstein collected all meaningful sources on the topic.<sup>166</sup> It is unnecessary to mention them again in this paper. Even though the origin of ʿIbād is not a matter of general consensus, scholars admit that ʿIbād is a new tribal formation. What one sees in this city after the arrival of groups rallying around the king is a process of tribal reorganization, with two tribes uniting foreign groups, the Christians (or some Christians) on one side and various other people on the other.

The patterns of such a trend, which is not exceptional at all, are not usually explained. In the specific case of Ṣanʿāʾ, however, they were examined by the Yemeni Muslim scholar al-Ḥasan al-Hamdānī (d. 945 CE), who explained which tribe newcomers were related to:

Ṣanʿāʾ is divided between the banū Shihāb and the Abnāʾ [the descendants of the Persians who settled in Yemen between 575 and 630 CE]. The man who originates from Nizār [Arabs of the north] is

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<sup>166</sup> Gustav Rothstein, *Die Dynastie der Laḥmidien in al-Ḥīra: Ein Versuch zur arabisch-persischen Geschichte zur Zeit der Sasaniden* (1899; reprint Hildesheim: Georg Olms, 1968), 18–40. See also the more recent compendium written by Isabel Toral-Niehoff, *Al-Ḥīra: Eine arabische Kulturmetropole im spätantiken Kontext* (Leiden: Brill, 2013), particularly chapters III (Tanūkh) and VI (ʿIbād and Aḥlāf), as well as Isabel Toral-Niehoff, ‘The ʿIbād of al-Ḥīra: An Arab Christian Community in Late Antique Iraq’, in *The Qurʾān in Context: Historical and Literary Investigations into the Qurʾānic Milieu*, ed. by Angelika Neuwirth, Nicolai Sinai, and Michael Marx (Leiden: Brill 2009), 323–48.

attached to the Abnā'; but the people of the land, and the man who originates from Qaḥṭān, are attached to the banū Shihāb.<sup>167</sup>

Al-Hamdānī explains that the tribal structuring is fixed; new groups are attached to pre-existing tribes. The tribes themselves, however, are of relatively recent formation: the Abnā' appeared following the Sāsānid occupation in the late sixth and early seventh centuries CE, as al-Hamdānī seems to know; as for the banū Shihāb, one knows nothing of them before the tenth century.

Another enlightening example is the city of Ṣa'da in the tenth century CE, which is also mentioned in al-Hamdānī. Its population is made up of two groups, Ukayl and Yarsum.<sup>168</sup> The banū Ukayl are the chiefs (*sayyid*) of the main sub-fraction of the northern Khawlān, the large tribal confederation of northern Yemen, of which Ṣa'da is the centre;<sup>169</sup> we are therefore dealing with the local population.

Yarsum is a very different case: it is the commune of Sabaean princes who conquered Khawlān and annexed it to Saba' in the second century CE. One could therefore suppose that these princes (the *banū Sukhaym*) settled in Ṣa'da, a garrison composed of men of their commune.<sup>170</sup> Yarsum is therefore at the origin

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167 *Al-Hamdānī's Geographie der arabischen Halbinsel* [*Ṣifat Jazīrat al-ʿArab*], ed. by David Heinrich Müller (Leiden: Brill, 1968), 124, lines 20–21: *Ṣan'ā' bayna ʿl-shihābiyyīn wa-ʿl-Abnā' wa-yadkhulu man tanazzara bi-hā ma'a ʿl-abnā' wa-yadkhulu ahl al-balad wa-man taqaḥṭana bi-hā ma'a banī shihāb.*

168 *Ibid.*, 124, line 23.

169 *Ibid.*, 247, lines 10–11; Christian Julien Robin, 'Saba' et la Khawlān du Nord (Khawlān Gudādān): L'organisation et la gestion des conquêtes par les royaumes d'Arabie méridionale', in *Arabian and Islamic Studies: A Collection of Papers in Honour of Mikhail Borisovich Piotrovskij*, ed. by Alexander V. Sedov (Moscow: Gosudarstvennyj Muzej Vostoka, 2014), 156–203.

170 Compare with Hamdān (the modern tribe northwest of Ṣan'ā'), Sinḥān (the modern tribe southeast of Ṣan'ā'), and the banū ʿl-Ḥārith (the modern tribe northeast of Ṣan'ā') in Christian Julien Robin, 'La mosquée al-ʿAbbās et l'histoire du Yémen', in *De l'or du sultan à la lumière d'Allah: La mosquée*

of a non-native group from the vicinity of Ṣanʿā'. Al-Hamdānī provides us with the detail of its composition in the tenth century CE:

Yarsum, a group made up of thirteen houses who have taken the name of Yarsum from (*tarassamat* ʿalā) Yarsum b. Kathīr and from Yarsum the first (*Yarsum al-ūlā*). ʿAbd al-Malik b. Yağhnām gives details: "There are three houses at the origin of Yarsum. These are al-ʿUmayrāt [uncertain vocalization], from the offspring of dhū Sukhaym, and two other houses of the old Yarsum of Ḥimyar. Within Yarsum, there is a house of the Āl Dhuwād [uncertain vocalization] who belong to al-Abnā', a house of Hamdān, [more precisely of] Ḥāshid, a house of al-Khawli, a house of the banū Hilāl, a house of Kināna, a house of the banū Ḥanīfa, a house of the people of Najrān, a house of Madhḥij, a house of Quḥāfa belonging to Khath'am, a house of ʿUwayr."<sup>171</sup>

One can observe the same process as in Ṣanʿā': the population is divided into two groups, the locals and those who come from elsewhere. Moreover, it is the second group that attracts newcomers: people from Yemen (Yarsum, Hamdān, and the Abnā'), Najrān (Najrān and Madhḥij), and both Western (Kināna) and Central (Ḥanīfa) Arabia.

The examples of Ṣanʿā' and Ṣa'da illustrate the way in which tribal affiliations undergo a process of reformation. The case of al-Ḥīra shows that, as for Ḥimyar, tribal restructuration can be based on religious affiliation.

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*al-ʿAbbās à Asnāf (Yémen)*, ed. by Solange Ory (Damascus: Institut français d'études arabes, 1999), 15–40 (35–36).

171 Al-Hamdānī (Lisān al-Yaman Abū Muḥammad al-Ḥasan b. Aḥmad b. Yaʿqūb), *Kitāb al-Iklīl, al-juzʿ al-awwal*, ed. by Muḥammad b. ʿAlī ʿl-Akwaʿ al-Ḥiwālī (Cairo: al-Sunna al-muḥammadiyya, 1963 / 1383 AH), 294; see also idem, *Al-Iklīl, Erstes Buch, in der Rezension von Muhammed bin Naṣwān bin Saʿīd al-Ḥimyarī*, ed. by Oscar Löfgren (Uppsala: Almqvist & Wiksells, 1954), 118.



#### 7.4. Concerning the *ḥanīf*

In this paper, I have not dealt with the *ḥanīf*, who have at times been considered the heirs of Ḥimyarite monotheism inspired by Judaism. The reason for this resides in the fact that these *ḥanīf* are probably historical ghosts and that the link with Ḥimyarite Judaism rests on an obsolete interpretation of the earliest known Jewish Ḥimyarite inscriptions.

In Muḥammad's Arabia, there were supposedly believers called *ḥanīf* with no specific religious affiliation. Texts of the Arab-Muslim Tradition mention a number of them, particularly in Makka and al-Madīna. They were living at the same time as Muḥammad or slightly earlier. These *ḥanīf* allegedly adhered to a form of monotheism identified with the religion of Abraham.

Many of today's scholars, however, doubt that the *ḥanīfiyya* ever existed. Instead, they are seen as the result of a late reconstruction based on scattered data and the enigmatic Qur'ānic term *ḥanīf*. In the Qur'ān, seven out of twelve occurrences of *ḥanīf* refer to Abraham; the others describe the exemplary behaviour that Muḥammad and true believers must adopt. Tradition may have invented the *ḥanīfiyya* to give more consistency to Abraham's religion and to respond to Muslim fears that their ancestors were damned. On the other hand, Uri Rubin has noted that in the Tradition, the *ḥanīf* are often Muḥammad's opponents, which is incompatible with the hypothesis postulating that they were a late invention.

In any case, in 1984, A. F. L. Beeston connected the religion of the Ḥimyarites, who wrote monotheist inscriptions without indicating adherence to a precise creed, to that of the *ḥanīfs*. Recognizing the same reservations towards foreign beliefs, Beeston surmised that the *ḥanīfiyya* in the days of Muḥammad was a relic of a religious current that developed in the kingdom of Ḥimyar, 250 years earlier. To designate this religious current, he employed the term 'Raḥmānist'.<sup>172</sup>

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<sup>172</sup> See above, §6.3.

Against Beeston, Andrew Rippin emphasized that no tangible evidence supported his hypothesis.<sup>173</sup> One can add that this thesis implies that, after 380 CE, there were two different religious currents in the kingdom of Ḥimyar: Judaism and Raḥmānism. Even now it is difficult, not to say impossible, to distinguish between those two currents. Nothing permits identification of the *ḥanifiyya* with one of the religions attested in Arabia prior to Islam.

## 8.0. Conclusion

At the end of this inquiry, it appears that all power structures behave in the same way after radical religious reform. For one or two generations they advance while remaining undercover, revealing only minimal signs of reform so as not to antagonize potential opponents. This can be seen in the Roman Empire, in Ḥimyar during the Jewish and Christian (Abraha) periods, in Aksūm, and in the Islamic Empire. Official inscriptions do not refer to the new religion but only to a few general principles.

The most apparent of these principles are the uniqueness of God, a God who rules the Sky and the Earth, a God who is the author of Creation, and, finally, a God who metes out reward and punishment at the End of Time. They distinguish between those who have rejected pagan religious practices and those who have preserved them, even under a reformed manner close to monotheism. In Arabia, it is easier to recognize that the same God is worshipped because this God bears the same name whatever the religious beliefs adopted: al-Raḥmān or Raḥmānān.

The powers in place advance surreptitiously because they are a minority and are faced with forms of opposition. They therefore need to gain allies and obtain the support of new groups. In the context of religious reform, it is logical that alliances translate into religious terms.

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<sup>173</sup> Rippin, 'Rḥmnn and the ḥanīfs'.

These alliances were (or could be) formalized with a genuine written contract. This can be seen at al-Madīna, where the contract creating a tribal confederation that included *muslim* and other groups has survived until the present day.

These tribal coalitions were not meant to last. They were typical of a transitory period and were intended to facilitate the strengthening of the newly-founded power structure. Once stability was ensured, they were no longer useful. Nevertheless, in Ḥimyar's Jewish kingdom, this stabilization process did not occur. One may suppose that the regime failed to produce a confederation of new supporters sufficient for it to display its true nature. Hence Ḥimyar's conversion to Judaism, which seems to be proven, was not reflected in royal propaganda and remained 'discreet'. For lack of a stabilizing process, the regime collapsed quite rapidly: around 500 CE, Ḥimyar became a tributary of the Christian kingdom of Aksum. It is hard to doubt that internal divisions provoked this humiliating outcome.

As a final note, I shall return to the initial question of the rabbinization of Ḥimyarite Judaism. Yemenite Judaism was rabbinic from the early days of Islam, but pre-Islamic sources suggest that in the fourth and fifth centuries CE this was not the case. In Late Antiquity, the situation would rather have been similar to that observed in the Mediterranean world but perhaps with a stronger attachment to the priesthood. The rabbinization of Yemenite Jews thus took place at a date later than 520 CE. This date is difficult to pinpoint precisely, but it could be close to the time of Islam's formation.

## 9.0. Addendum

As this contribution was being finalized, Mrs Sarah Rijziger, an independent scholar carrying out epigraphic investigations in Yemen, sent me a photograph of an inscription she discovered in Naḏ, 35 km southeast of Ṣanʿā.<sup>174</sup> The text is particularly

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174 In Christian Julien Robin and Sarah Rijziger, "The Owner of the Sky, God of Israel' in a New Jewish Ḥimyaritic Inscription Dating from the Fifth

interesting, since it mentions for the first time the expression ‘God of Israel’:

- 1 [... ...] *mr w-Yws<sup>3</sup>f w-b(d)ʿlh w-Y(h)* =
- 2 [... ...] *w-hqs<sup>2</sup>bn w-hs<sup>2</sup>q(r)n byt-h* =
- 3 [*mw* ... ...] *b<sup>(l)</sup> S<sup>1</sup>myn ʿlh Ys<sup>3</sup>r* =
- 4 [*ʿl* ... ...] *d mlk<sup>n</sup> w-b-rd(ʿ) mr<sup>ʿ</sup>-(h)* =
- 5 [*mw* ... ... *s<sup>1</sup>](b)ʿy w-hms<sup>1</sup> mʿt<sup>m</sup>* (flower) (or: ... *ʿr](b)ʿy w-hms<sup>1</sup> mʿt<sup>m</sup>*)
  
- 1 [... ...] *mr*, Joseph, ‘Abd’ilān and *Yh* =
- 2 [... have ..., ...], built anew and completed [their] palace
- 3 [... ...].. owner of the Sky, God of Isra =
- 4 [*el* ... ...].... of the king, and with the aid of [their] lord
- 5 [... ... seven]ty and five hundred (or: ... for]ty and five hundred)

(SR-Na‘d 9)

The authors of this text, which dates from 54[.] or 57[.], i.e., 430–440 or 460–470 CE, are all Jewish: they bear, respectively, a name that is certainly biblical (Joseph) and another that is also perhaps related to ancient Israel (*yh*[...], Yoḥannan) and, finally, another which is monotheistic and theophoric (‘Abd’ilān). It is plausible that these people, who built a palace in a small town in the countryside, are princes or local lords.

The name that these people give to God is incomplete: “[...] owner of the Sky.” One can reconstruct it in three different ways, depending on which known texts one uses for extrapolation:

*ʿlh bʿl s<sup>1</sup>my<sup>n</sup>* ‘God (Īlān), owner of the Sky’;

*rḥmn<sup>nn</sup> bʿl s<sup>1</sup>my<sup>n</sup>* ‘Raḥmānān, owner of the Sky’;

or perhaps

*ʿlh<sup>n</sup> bʿl s<sup>1</sup>my<sup>n</sup>* ‘God (Ilāhān), owner of the Sky’ (which is attested only in the more elaborate formula *ʿlh<sup>n</sup> bʿl s<sup>1</sup>my<sup>n</sup> w-ʿrd<sup>n</sup>* ‘God, owner of the Sky and the Earth’).

The expression ‘God of Israel’ is an apposition to the name of God, providing an element of clarification. It is not impossible that ‘Israel’ here refers to the commune Israel discussed above. One cannot exclude, however, the possibility that one is dealing here with something totally different, an identification of the God of the text’s authors with the God of historical Israel.

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## Abbreviations

Ag (Fahmī) al-Aghbarī & Khālīd al-Ḥājj

BSS Bayerische Staatsbibliothek

*CIH Corpus Inscriptionum Semiticarum: Inscriptiones Himyariticas et Sabaeas Continens*

DAI GDN Deutsches archäologisches Institut, Grosser Damm Nord

DJE Deutsche Jemen-Expedition

Fa (Ahmed) Fakhry

FB François Bron

Garb (Giovanni) Garbini

Gl (Eduard) Glaser

Ir (Muṭahhar) al-Iryānī

Ist Istanbul

Ja (Albert) Jamme

L Leiden

MAFRAY Mission archéologique française en République arabe du Yémen

MAFSN Mission archéologique franco-saʿūdienne de Najrān

MAFY Mission archéologique française au Yémen

MIbb Museum of Ibb

MS Mohammed al-Salami

*RES Répertoire d'épigraphie sémitique*

*RIÉth Recueil des inscriptions de l'Éthiopie*

Ry (Gonzague) Ryckmans

SR Sarah Rijziger

YM Yemen Museum

ZM Zafār Museum

## Inscriptions Quoted

### 1. South Arabia

Inscriptions with a paragraph mark (§) are found in Robin, ‘Quel judaïsme en Arabie?’.

Those with a star (\*) are accessible on the DASI website <http://dasi.humnet.unipi.it/>.

\*Ag 2 = Gorge of the Upper-Bura<sup>c</sup> 2.

\*Ag 3 = Gorge of the Upper-Bura<sup>c</sup> 3.

\*al-‘Ādi 21.

\*al-‘Irāfa 1.

\*CIH 152 + 151 (§); 534; 537 + RES 4919 = Louvre 121; 540; 541; 543 = ZM 772 A + B (§); 560; 620.

\*DAI GDN 2002 / 20.

DJE 23 (Hebrew): See most recently Maria Gorea, ‘Les classes sacerdotales (*mišmarôt*) de l’inscription juive de Bayt Ḥādir (Yémen)’, in *Le judaïsme de l’Arabie antique: Actes du colloque de Jérusalem (février 2006)*, ed. by Christian Julien Robin (Turnhout: Brepols, 2015), 297–329.

FB-Ḥawkam 3.

\*Garb Antichità 9 d; Bayt al-Ashwal 1 (§); Bayt al-Ashwal 2 (§); Framm. 3; Framm. 7 (§); BSE ( = Garb Minkath 1); Nuove iscrizioni 4; Shuriḥbi’īl ( = ZM 1 (§)).

\*Gl 1194.

\*Haram 8; 53.

Ḥimā-Sud PalAr 2: Christian Julien Robin, ‘Alī I. al-Ghabbān, and Sa‘īd F. al-Sa‘īd, ‘Inscriptions antiques récemment découvertes à Najrān (Arabie séoudite méridionale): Nouveaux jalons pour l’histoire de l’oasis et celle de l’écriture et de la langue et du calendrier arabes’, *Comptes rendus des séances de l’Académie des Inscriptions et Belles-Lettres* 158 (2014): 1033–128 (1092–93). Ḥimā-Sud PalAr 8: Ibid., 1099–102.

\*Ibrāhīm-al-Hudayd 1 ( = ZM 2000 (§)).

\*Ir 12.

\*Ist 7608 bis + Wellcome A 103664; for a possible reconstruction of the text, integrating the various fragments, see Robin, ‘Joseph, dernier roi de Ḥimyar’, 96–100, and Robin, ‘Ḥimyar, Aksūm and Arabia Deserta in Late Antiquity’, 163–64 (translation only).

\*Ja 516.

\*Ja 547 + 546 + 544 + 545; see most recently Ja 547 + 546 + 544 + 545 = Sadd Ma'rib 6 in Christian Darles, Christian Julien Robin, and Jérémie Schiettecatte, with a contribution by Ghassan el Masri, 'Contribution à une meilleure compréhension de l'histoire de la digue de Ma'rib au Yémen', in *Regards croisés d'Orient et d'Occident: Les barrages dans l'Antiquité tardive*, ed. by François Baratte, Christian Julien Robin, and Elsa Rocca (Paris: de Boccard, 2014), 9–70.

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Khaldūn-ʿIlbij 1: unpublished text, see Khaldon Noman (Khaldūn Hazzā' ʿAbduh Nu'mān), 'A Study of South Arabian Inscriptions from the Region of Dhamār (Yemen)' (PhD diss., Università di Pisa, 2012).

L001: Drewes and Ryckmans, *Les inscriptions sudarabes*, by issue.

Ma'sal 3: Alessia Prioretta and Mounir Arbach, 'Ḥimyar en Arabie déserte au V<sup>e</sup> siècle de l'ère chrétienne: Une nouvelle inscription historique du site de Ma'sal, Arabie saoudite', *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres* 160 (2016): 917–54.

\*MAFRAY-Ḥaṣī 1 (§).

\*MAFY-Banū Zubayr 2.

MB 2004 I-123: unpublished text (American excavations in Ma'rib).

MB 2004 I-147: unpublished text (American excavations in Ma'rib).

\*MIbb 7.

\*Murayghān 1 = Ry 506.

\*Murayghān 3.

\*MS-Tan'im al-Qarya 9.

Naveh-Epitaph of Le'ah (§): Robin, 'Quel judaïsme en Arabie?', 191–92.

Naveh-Epitaph of Yoseh = Naveh-Ṣu'ar 24 (Aramaic) (§): Robin, 'Quel judaïsme en Arabie?', 192–93.

\*RES 3383 (§); 4105; 4109 = M. 60.1277 = Ja 117 = Ghul-YU 35; RES 4176.

Robin-Viallard 1 = Ja 3205.

\*Ry 506 = Murayghān 1; Ry 507; Ry 508 (§); 509; 510; 515 (§); 520 (§); 534 + Rayda 1 (§).

Schiettecatte-Nā'it 9: Robin, 'Le roi ḥimyarite', 62–63 and fig. 20 (93).

\*Shar'abī al-Sawā 1.

SR-Na'd 9: Addendum, above.

X.SBS 141 = Mon.script.sab 6: Stein, *Die altsüdarabischen Minuskelinschriften*, by issue.

YM 327 = Ja 520: Robin, 'Quel judaïsme en Arabie?', 270, fig. 3.

\*YM 1200 (§); 1950; 11733 = X TYA 9; 11738 = X TYA 15; YM 14556 = CSAI 1, 114.

\*ZM 1 (§) (see Garb Shuriḥbi'il); 5 + 8 + 10; 2000 (§) (see \*Ibrāhīm-al-Hudayd 1 (§)).

## 2. Ethiopia

RIÉth 189, 190, 191, 192, 195 (South Arabian and Ge'ez); 271 (Greek): Étienne Bernand, Abraham J. Drewes, and Roger Schneider, *Recueil des inscriptions de l'Éthiopie des périodes pré-axoumite et axoumite, Tome I: Les documents; Tome II: Les planches* (Paris: de Boccard, 1991); idem, *Tome III: Traductions et commentaires A: Les inscriptions grecques* (Paris: de Boccard, 2000).

## Illustrations



Fig. 1: One of the two earliest royal inscriptions invoking the One God; it comes from Ṣafār, Ḥimyar's capital (Garb Bayt al-Ashwal 2, January 384 CE). Photograph by Christian Julien Robin. © All rights reserved.





Fig. 2: Two fragments of the inscription of King Shuriḥbi'īl Ya'fur commemorating an important reconstruction of the Ma'rib Dam (Ma'rib, *CIH* 540, January 456 CE). Photograph by Christian Julien Robin. © All rights reserved.



Fig. 3: Inscription commemorating the building of a royal palace in the capital (Zafar, *ZM* 1 = Garb Shuriḥbi'īl Ya'fur, December 462 CE). Photograph by Christian Julien Robin. © All rights reserved.





Fig. 4: Inscription commemorating the building by a Jew of a palace in the capital (Garb Bayt al-Ashwal 1, between 380 and 420 CE). Photograph by Christian Julien Robin. © All rights reserved.



Fig. 5: Garb Bayt al-Ashwal 1: Hebrew graffito in the central monogram. Photograph by Christian Julien Robin. © All rights reserved.



Fig. 6: Inscription commemorating the blockade of Najrān in June–July 523 CE by the Ḥimyarite army sent by King Joseph (Ḥimā, al-Kawkab, Ry 508, June 523 CE). Photograph by MAFSN. © All rights reserved.



Fig. 7: Inscription carved by the two chiefs of the Ḥimyarite army sent by King Joseph (Ḥimā, al-Kawkab, Ry 515, June 523 CE). Photograph by MAFSN. © All rights reserved.



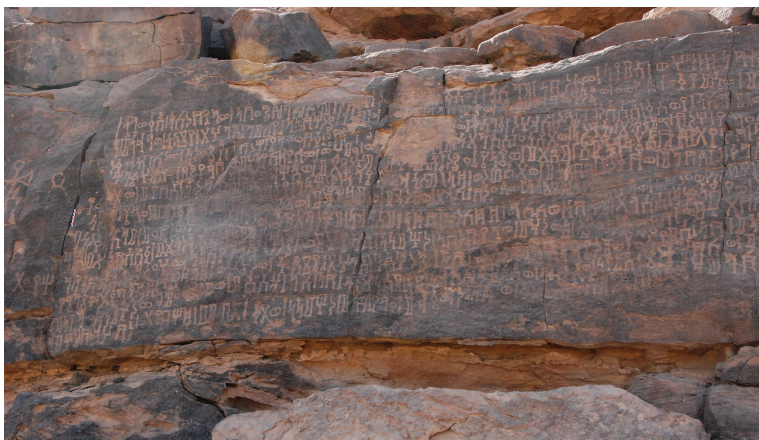


Fig. 8: Another inscription commemorating the blockade of de Najrān in June–July 523 CE by the Ḥimyarite army of King Joseph (Himā, the wells, Ja 1028, July 523 CE). Photograph by MAFSN. © All rights reserved.



Fig. 9: Detail of Ja 1028, July 523 CE: The last line is to be read *rb-hd b-mḥmd*, 'Lord of the Jews with the Praised One'. Photograph by MAFSN. © All rights reserved.

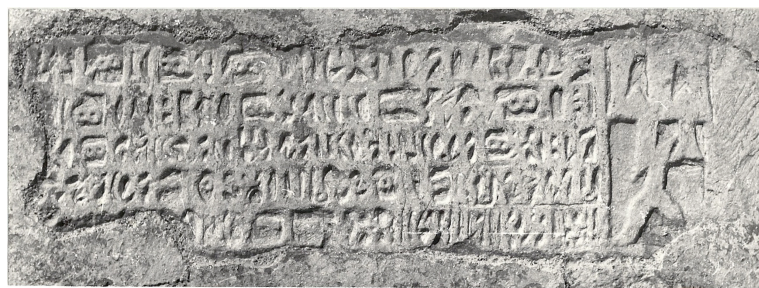
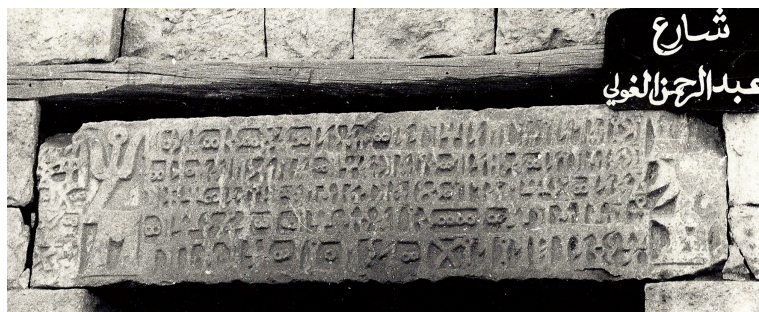


Fig. 10: (above and bottom) Princely inscription commemorating the building of a *mikrāb*: Ry 534 + Rayda 1, reprinted back to front to facilitate reading (Rayda, 55 km north of Ṣanʿāʾ, August 433 CE). Photograph by MAFY.  
© All rights reserved.



Fig. 11: Inscription commemorating the building of two palaces in the capital (Zafār, ZM 5 + 8 + 10, February 432 CE). Photograph by Christian Julien Robin. © All rights reserved.



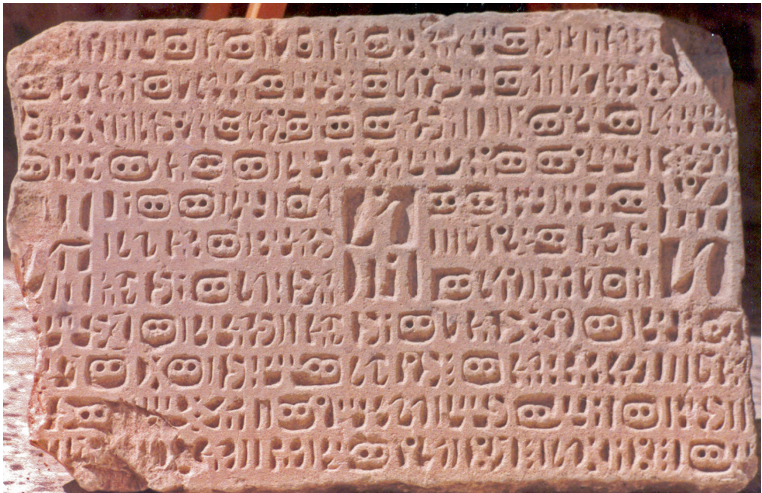


Fig. 12: Another inscription commemorating the building of a palace in the capital; in line 8, its authors claim to belong to the commune Israel (Zafar, *ẒM* 2000, April 470 CE). Photograph by Ibrāhim al-Hudayd. © All rights reserved.

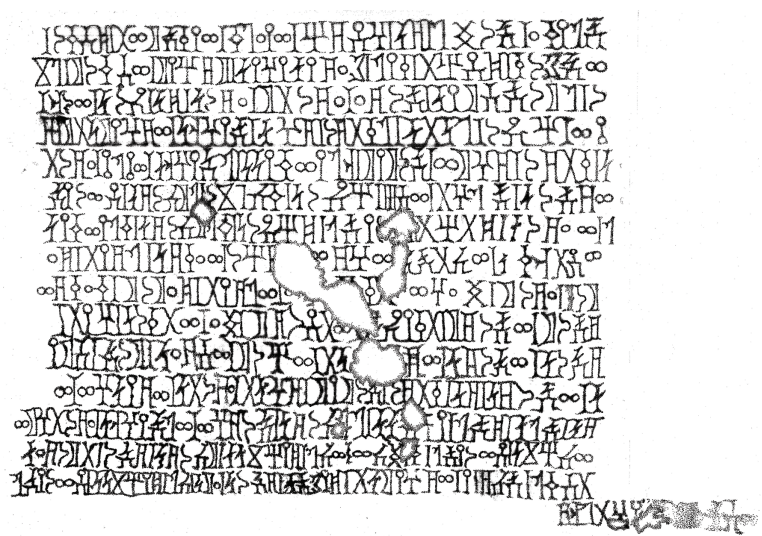


Fig. 13: Princely inscription creating a cemetery intended for Jews (Haṣi, some 220 km southeast of Şan‘a’, MAFRAY-Haṣi 1). Drawing by Maria Gorea. © All rights reserved.

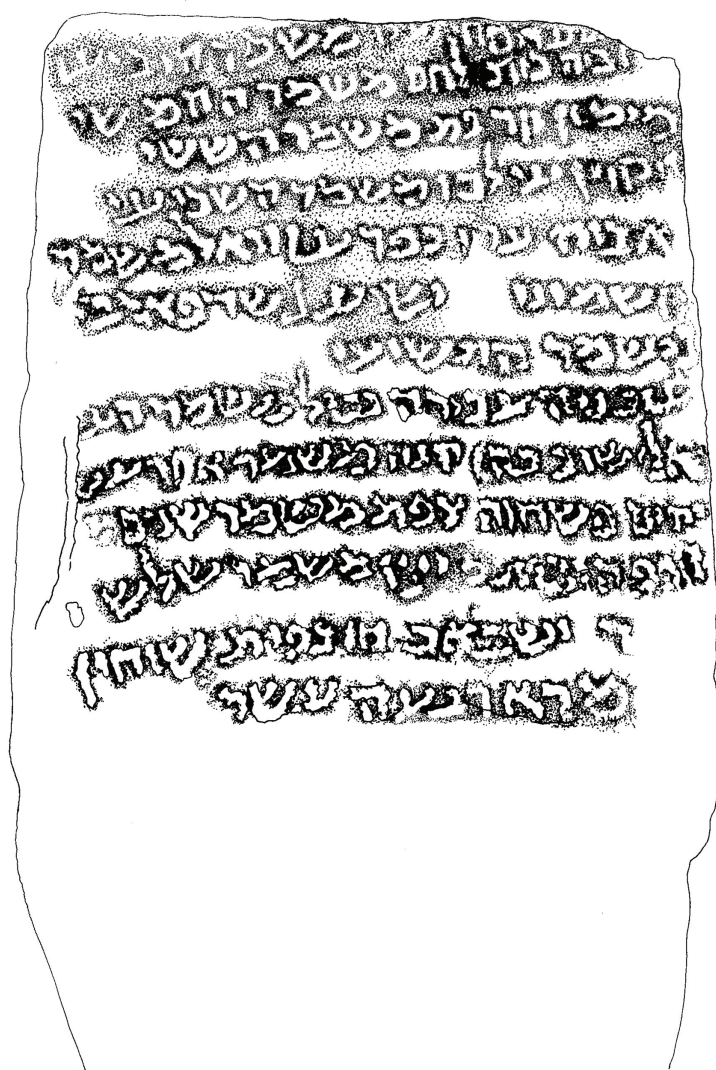


Fig. 14: List of Mishmarot of Bayt Ḥaḍir, 15 km east of Ṣanʿāʾ. Drawing by Maria Gorea. © All rights reserved.



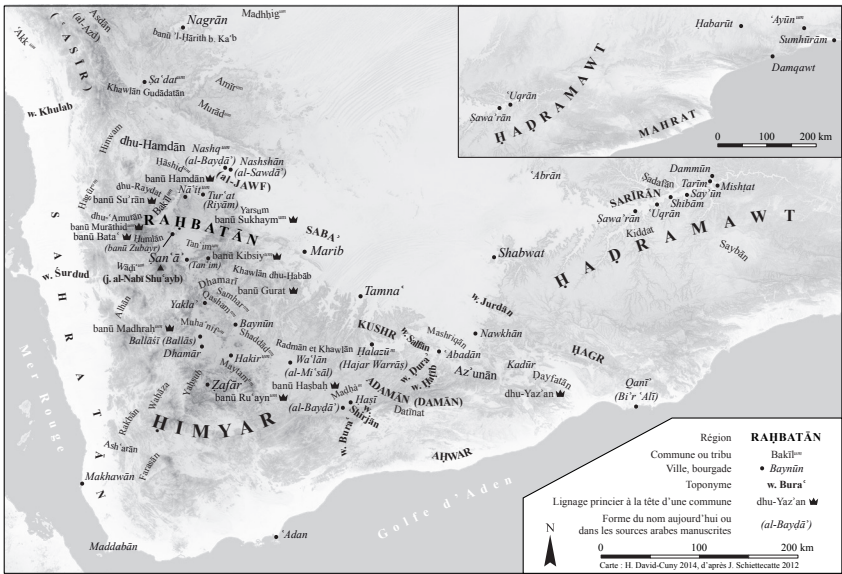
Fig. 15: Princely inscription commemorating the construction of a *mikrāb* in the vicinity of Ṣan‘ā’; dated August [36]3 or [37]3 CE, it is from before the ruler’s conversion to Judaism (YM 1950). Photograph by Iwona Gajda. © All rights reserved.



Fig. 16: Inscription commemorating the construction of a palace at Na‘ḏ, 35 km southeast of Ṣan‘ā’ (SR-Na‘ḏ 9, the date has been mutilated, but it is either 430–440 or 460–470 CE). Photograph by Sarah Rijziger. © All rights reserved.



Maps



Map 1: South Arabia. Drawing by Daniel Stoekl, Hélène David-Cuny, and Astrid Emery (2020).





Map 2: The Arabian Peninsula. Drawing by Daniel Stoekl, H       David-Cuny, and Astrid Emery (2020).

## PART 3. EVIDENCE FOR NON-RABBINIC JUDAISM: EUROPE



## 8. THE *DIDASCALUS* ANNAS: A JEWISH POLITICAL AND INTELLECTUAL FIGURE FROM THE WEST

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*The territory of the Romans has been occupied by foreign peoples and rebels and handed over to those who have surrendered themselves under the guise of peace. We see barbarian nations, and particularly the Jews, living among us, mixed into our armies, our cities, and our provinces, but they do not adopt our customs. And the prophets proclaim that these events are the last days.*

Sulpicius Severus, *Chronica* 2.3<sup>1</sup>

On 10 March 418, the consistory of the imperial palace at Ravenna decided to expel the Jews from the army (*militia armata*). They had to remove their military belt—the *cingulum militiae* which distinguished members of the imperial bureaucracy from the civilians—and no previous merit would plead in their favour. In other words, since the exclusion was not a disciplinary measure, its lawfulness could not be contested. The Jews in the palatine administration (*militia palatina*) were also targeted, as were those who served as *agentes in rebus*, a powerful and fearful body of provincial inspectors whose members, serving directly under the responsibility of the *magister militiae*, enjoyed immunity.

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1 Sulpicius Severus, *Chroniques*, ed. by Ghislaine de Senneville-Grave (Paris: Éditions du Cerf, 1999), 228–29.

The entrance to the State Service shall be closed from now on to those living in the Jewish superstition who attempt to enter it. We concede therefore to all those who took the oath of the Service, either among the Executive Agents or among the Palatines, the opportunity to terminate their service on its statutory term, suffering the deed rather than encouraging it, though what we wish to be alleviated at present to a few shall not be permitted in the future. As for those, however, who are subjected to the perversity of this nation and are proven to have entered the Military Service, we decree that their military belt shall be removed without any hesitation, and that they shall not derive any help or protection from their former merits. Nevertheless, we do not exclude Jews educated in the liberal studies from the freedom of practicing as advocates, and we permit them to enjoy the honor of the curial liturgies, which they possess by right of their birth's prerogative and their family's splendor. Since they ought to be satisfied with these, they should not consider the interdiction concerning the State Service as a mark of infamy (*Codex Theodosianus* 16.8.24).<sup>2</sup>

Apparently, some Jews affected by this imperial constitution protested. The text of the constitution shows some trace of these protests. The debate in the consistory, in the presence of Emperor Honorius—or, rather, before the *de facto* ruler of the empire, General Flavius Constantinus—and of the *praefectus praetorio* Palladius, resulted in the following decisions: the Jews “should not consider the interdiction concerning the State Service as a mark of infamy” affecting their civic rights;<sup>3</sup> the Jewish aristocracies in the cities were thereafter permitted to pursue municipal careers, holding positions in the curias and working as lawyers; at the imperial level, the Jewish palatine obtained a reprieve from these exclusionary measures: they could continue to serve in civil militias until their *stipendium* (service) expired.

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2 *Theodosiani libri XVI: cum Constitutionibus Sirmondianis et Leges novellae ad Theodosianum pertinentes*, ed. by Theodor Mommsen, 2 vols. (Berlin, Deutsche Akademie der Wissenschaften, 1905); translation by Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit, MI: Wayne State University Press, 1987), 281–82.

3 Ibid

It is difficult to assess the number of people affected by these exclusions. Outside the legal sources, the literary and epigraphic sources from the Western Roman Empire rarely mention Jewish military or administrative staff.<sup>4</sup> The scarcity of the sources tends to show that Jewish staff members were relatively few in number compared to pagan and Christian staff.<sup>5</sup> Nevertheless, there must have been a sufficiently large number of them, since they held both imperial and civic responsibilities.<sup>6</sup>

The blow delivered by the March 418 constitution was harsher than previous measures of exclusion. In our opinion, this harshness can be explained by two events in particular.

A month before, from 2–9 February 418, the Jewish aristocracy of the city of Magona in Minorca had suffered a serious humiliation, revealing the vulnerability of the community on the island.<sup>7</sup> Bishop Severus had sent a Christian mob from the city of Jamona to attack the synagogue where the Jews had taken refuge. The crowd, spurred by the arrival of the relics of Stephen the Protomartyr, which had been transported from

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- 4 Jerome, an anonymous anti-Jewish polemic, and Pope Gelasius mention Jewish *clarissimi*. It means that these Jews were (or had been) high-ranking officials. See Jerome, *Commentarium in Isaiam* 66.20 (*Patrologia Latina* 24.698); Pseudo-Augustine, *De Altercatione Synagogae et Ecclesiae Dialogus* (*Patrologia Latina* 42.1131–40); *Canones Gelasio ascripti* (*Patrologia Latina* 59.146). The passage from the *Chronica* of the Aquitanian nobleman Sulpicius Severus (cited above), despite its polemical tone, provides evidence that there were Jews in the Western *militia armata*, i.e., soldiers, typically described as 'barbarians'.
  - 5 See Raban Von Haehling, *Die Religionszugehörigkeit der hohen Amtsträger des Römischen Reiches seit Constantins I* (Bonn: R. Habelt, 1978); Timothy D. Barnes, 'Statistics and the Conversion of Roman Aristocracy', *Journal of Roman Studies* 85 (1995): 135–47.
  - 6 Capucine Nemo-Pekelman, 'The Involvement of Jews in Municipal Life during the Late Roman Empire', in *In the Crucible of Empire: The Impact of Roman Citizenship upon Greeks, Jews and Christians*, ed. by Katell Berthelot and Jonathan Price (Leuven: Peeters, 2019), 249–65.
  - 7 Severus of Minorca, *Letter on the Conversion of the Jews*, ed. by Scott Bradbury (Oxford: Clarendon Press, 1996), 4–5.

Jerusalem by the Spaniard Orosius, violently forced the Jews to abjure Judaism.<sup>8</sup> No doubt Ravenna knew of these unprecedented events. The official from the synagogue, Theodorus, was also the patron of Magona. One of his brothers, Caecilianus, had been elected *defensor civitatis*. In addition, another brother, Meletius, was married to Litorius' daughter Artemisia. Litorius was the former governor (*praeses*) of *Hispania Tarraconensis*. In March–April 418, when Severus wrote the letter relating the events in Minorca, Litorius had just been promoted by the chancery, as he had become count (*comes esse dicitur*).<sup>9</sup> The fate of this converted Hispanic Jewish family may have weakened the position of the Jews in the imperial administration and the army who did not convert.

There is a second factor that may explain the purge of 418. In 415 and 416, synagogue communities had won significant judicial and legal victories in Ravenna. These victories were all the more remarkable because their opponents were Nicene Christians and because the lawsuits involved conversion, a burning issue since the time of Constantine. One name stands out in particular: the *didascalus* Annas, who appears as the principal actor in these Jewish victories. To properly measure the importance of Annas's victories, I will describe them in detail. Then I will hypothesize about his political career, his place in the Jewish community, and his cultural and intellectual profile.

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8 Victoria Leonard, 'The Origin of Zealous Intolerance: Paulus Orosius and Violent Religious Conflict in the Early Fifth Century', *Vigiliae Christianae* 71 (2017): 261–84; Carlo Ginzburg, 'The Conversion of the Jews of Minorca (AD. 417–418)', in *Threads and Traces: True False Fictive* (Berkeley: University of California Press, 2012), 25–33; Peter Brown, *The Cult of the Saints: Its Rise and Function in Latin Christianity* (Chicago: University of Chicago Press, 1981), 103–05.

9 Severus, *Letter*, 115 (*Epistula* 24.2).

## 1.0 Annas's Victories in Ravenna on the Issue of Conversion

Annas's name appears for the first time in an imperial constitution of 6 November 415 (*Cod. Theod.* 16.9.3), which is addressed directly to him, in support of leaders (elders) of one or more synagogue communities.

In 415, one or more synagogue communities complained of what they considered to be judicial harassment, for which they accused members of the Nicene clergy. The ecclesiastics accused Jewish property owners of converting slaves who had been placed under their *mancipium* to Judaism. However, as Annas argued before the chancellery in Ravenna, these accusations were slander:

The two emperors and *augusti* Honorius and Theodosius to the *didascalus* Annas and to the Elders of the Jews.

We command that, with no slanderous accusations, the Jewish masters be permitted to possess Christian slaves, on condition, however, that they allow them to observe their religion. Provincial judges should therefore know that after having investigated the legality of the confiscations, they must stamp out the insolence of those who, with the appropriate supplications, have acted in such a way that they [the Jews] have been falsely accused. We also command that all surreptitious rescripts that have been or should in future be obtained by fraud be considered invalid. Anyone who acts against this law will suffer chastisement as if it were sacrilege (*Cod. Theod.* 16.9.3).<sup>10</sup>

To understand this imperial constitution, we must go back to the sources of the restrictive regime imposed upon Jews regarding the possession of slaves.<sup>11</sup> Since the era of Constantine, there had been significant production of legislation, Christian in inspiration,

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<sup>10</sup> My translation. See Linder, *The Jews in Roman Imperial Legislation*, 272–74.

<sup>11</sup> Giovanni de Bonfils, *Gli schiavi degli ebrei nella legislazione del IV secolo* (Bari: Facoltà giuridica dell'Università, 1992); Capucine Nemo-Pekelman, *Rome et ses citoyens juifs* (Paris: Champion, 2010), 141–55.



against Jewish *mancipium* over Christians and in particular over slaves. The insistence upon this subject throughout the fourth century (a century later, the Theodosian Code even dedicated a special title to it) leads us to believe that Jewish property owners considered slaves a potential pool of new converts to Judaism. These measures permitted the confiscation of slaves, Christian or not, who had undergone circumcision, as well as Christian slaves who had recently been purchased or obtained as a donation. The law of Constantius II of 13 August 339 returned to the traditional solution and proclaimed that slaves would be confiscated by the state.

This legislation therefore offered slaves the hope of escaping their masters to become slaves of the state. The conditions that they had to meet in order to benefit from these measures were broad, since they concerned not only those who had undergone circumcision, but also those who asserted that they had recently been purchased by a Jew while they were Christian, even if they had not been converted, and those who said that they had undergone conversion to Judaism with or without being circumcised, even if they had long been part of the property of the Jewish *dominus*.

Therefore, slaves were required only to denounce their masters, which was tempting! According to Annas, the legislation of Constantine led to numerous illicit confiscations on the basis of false accusations. Using the rescript procedure, public and ecclesiastical accusers had requested that slaves be confiscated.

It should be noted how the rescript procedure worked.<sup>12</sup> Under this procedure, rather than presenting a *libellus* of accusation to the offices of the provincial governor, an accuser would instead submit his case to the imperial chancellery. He explained the nature of the lawsuit through supplication or prayer. Only the legal matter was presented; verifying the truth of the facts was reserved for a later examination by the provincial judge. Assuming that they obtained a favourable rescript, supplicants then had to initiate court proceedings by means of the *editio rescripti*.

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12 Edouard Andt, *La procédure par rescrit* (Paris: Sirey, 1920).

The governor of the province had to verify the accuracy of the allegations in the supplication and, if these facts were verified, would hand down a sentence known as *ex sanctione rescripti*.

The chancellery, convinced by Annas's arguments, judged that the favourable rescripts that had been obtained were surreptitious, i.e., they had been granted based on deceitful information. Provincial governors were accused of not verifying whether the conversions had actually taken place and of being guilty, therefore, of perverting justice. The constitution of 6 November 415 thus decreed the annulment of such surreptitiously obtained rescripts. Even if the fight against slander was always a state priority,<sup>13</sup> Annas obtained a remarkable victory on a subject as crucial for the Church as the struggle against converting pagans and Christians to Judaism.

The following year, Annas won a new lawsuit against ecclesiastical adversaries.

The same two *augusti* to the *didascalus* Annas and the Elders of the Jews.

It has been established both by previous constitutions and our own that, if we learned that in order to escape criminal accusations or various other charges, men of the Jewish religion desired to associate themselves with the assembly of the Church, this would not be done out of devotion to the faith, but by dissimulation. Consequently, judges in the provinces where such acts are reported to have been committed should know that they must respect our rules, such that those for whom it has been established that they adhere to this cult without persisting in the profession of their religion and without being filled with the faith and the mysteries of venerable baptism, it is permitted to return to their own faith, as this is of greater value for Christianity (*Cod. Theod.* 16.8.23).<sup>14</sup>

Jewish individuals used the right of asylum in churches to escape criminal accusations. We do not know whether the accusers were

13 Yann Rivière, *Les délateurs sous l'Empire romain* (Rome: École française, 2002), 355–81.

14 My translation. See Linder, *The Jews in Roman Imperial Legislation*, 275–76.

Jews or not. In any case, Annas supported community leaders in the synagogue in requesting Ravenna to ask governors to use public force to extradite refugee Jews. This was another success, as the chancellery condemned the practice and ordered the removal of those who sought refuge in a church.

Certainly, since the reign of Emperor Theodosius I (r. 379–395), imperial authority tended to restrict the scope of the Christian right of asylum, and the constitution could be explained in this way. It is nevertheless true that this decision could not be taken for granted, as it involved returning Jews who had converted to Christianity to their communities of origin, even if they had already received the sacrament of baptism.

Therefore, Annas won two victories involving the Nicene clergy on the matter of conversion to Judaism. He certainly benefited from a new political and religious climate in Ravenna following the fall of the *magister officiorum* Olympius. In August 408, after the assassination of Stilicho, Olympius, a staunch Nicene Roman, enacted a hostile policy against barbarians in the court of Ravenna and in the army. On 14 November 408, he had a constitution issued to purge the civil militias in the imperial palace of all staff “who disagree with us in faith and religion” (*Cod. Theod.* 16.5.42). A law of 15 February 409 targeted the local non-Nicene elites in the cities, forbidding them from serving as *defensores civitatis* (*Codex Justinianus* 1.55.8). However, after the fall of Olympius in 410, Emperor Honorius decided to pursue a more balanced policy towards Arians and pagans and returned non-Catholics to their positions, as the pagan Zosimus testifies:

Generidus was a barbarian by birth but of noble character, disposed to every virtue and quite above bribery. This man was still an adherent of the ancestral religion and would not hear of abandoning the worship of the gods. Now, a law had been introduced forbidding non-Christians to hold imperial office, and since, at the time it was passed, Generidus held military office in Rome, he resigned and remained at home. When his turn came, as one of the enrolled officers, to be summoned by the emperor to the palace, he said that there was a law which prevented him from holding office and anyone at all not respecting the Christian religion from being enrolled among

the officers. The emperor replied that, although the law applied to everyone else, it did not apply to one who had borne the brunt of so many dangers for the state, but Generidus replied that he could not accept this privilege, which was an insult to all those who had been unable to hold office because of the law. And he would not resume his office until the emperor was forced by a combination of shame and necessity to repeal the law and allow everyone to hold civil and military office regardless of his religious opinions (*Historia Nova*, 5.46.2–4).<sup>15</sup>

Beyond this immediate context, Annas's success leads us to believe that he benefited from powerful connections in the palace and chancellery of Ravenna, and that he himself held a certain amount of power. This is what I will show below.

## 2.0 Annas: Patron, *Didascalus*, and Author of the *Letter of Annas to Seneca*?

We must avoid trying to identify the geographic origin of the *didascalus* Annas using epigraphic sources. According to the survey conducted by David Noy, the name appears in the West only in Venosa (in the province of Apulia), in one or maybe two Greek epitaphs: on the fifth-century tomb of an "officer for life" (δία βίου) named Ana and on the fifth-century or early sixth-century tomb of Faustina, daughter of Ana (if this does not mean Anastasius).<sup>16</sup> As for the title *didascalus*, it is found in Venosa on the early fifth-century tomb of a certain Jacob, father of the deceased Severa, but also in Rome and in Tarragona (province of *Hispania Tarragonensis*).<sup>17</sup> In reality, the *didascalus* Annas is likely to have been from any city that was home to a Jewish community in Suburbicarian or Annonarian Italy, Illyria, Africa,

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15 Zosimus, *New History*, trans. by Ronald T. Ridley (Canberra: Australian Association for Byzantine Studies, 1982), 123–24.

16 David Noy, *Jewish Inscriptions of Western Europe, Volume 1: Italy (excluding the City of Rome), Spain and Gaul* (Cambridge: Cambridge University Press, 1993), no. 72 and no. 65 (hereafter *JWE* I).

17 *JWE* I, no. 48.

Hispania, or even Gaul—and epigraphic evidence shows that there were numerous Jewish households.<sup>18</sup> The use of Greek cannot be used as evidence, since it is also found, although very rarely, on inscriptions in northern Italy.

On the other hand, we can state with certainty that Annas was staying in Ravenna in the years 415–416. By all appearances, he seems to have been a patron of the synagogue communities involved in the lawsuits. He personally supported the requests (supplications, prayers) of the officials of the synagogues to the chancellery, as the imperial responses were addressed specifically to him. The search for a patron was an absolute necessity for those involved in a lawsuit. Jewish epigraphy shows that synagogue communities sought a patron to defend their interests before palatine, provincial or civil authorities.<sup>19</sup>

In Augustine's *Confessions* (6.14), we find a progression that might have resembled the course followed by Annas and the officials in the synagogue. In the 380s, Augustine had left Africa to follow his protector Romanianus, "whom the grievous perplexities of his affairs had brought up to court" to the imperial capital of Milan. However, their stay was extended for several months. As Augustine's correspondence shows, while there, Romanianus had to count on the support of influential inhabitants of Milan to win his case.<sup>20</sup>

It might be that Annas was able to find accommodation in Ravenna. There had been a local Jewish community there since the fifth century, as well as one eight kilometers south of the city in Classis. This port, which would become the largest port on

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18 I.e., according to the *Notitia dignitatum*, the five dioceses of the praetorian prefect in Italy.

19 David Noy and Tessa Rajak, 'Archisynagogoi: Office, Title and Social Status in the Greco-Jewish Synagogue', *Journal of Roman Studies* 83 (1993): 75–93; Francesco Grelle, 'Patroni ebrei in città tardoantiche', *Epigrafia e territorio, politica e società. Temi di antichità romane*, ed. by Mario Pani (Bari: Edipuglia, 1994), 139–58.

20 See Peter Brown, *Augustine of Hippo: A Biography* (London: Faber & Faber, 1967), 112.

the Adriatic, opened the doors of Annonarian Italy to the Orient, Africa, and Spain.<sup>21</sup> We may also suppose that Annas benefited from connections and support among palatine officials. As the March 418 imperial constitution shows, there were Jews in the offices of the chancellery who had probably arrived from Milan with other officials when the imperial court was moved in 402.

How to explain Annas's success in the chancellery in Ravenna? Did he have a political career in a city, like other Jewish patrons? In Minorca, Theodorus chose a municipal career, although as an official from the synagogue, probably an archisynagogue, he could have claimed immunity from *munera civiles*.<sup>22</sup> This was certainly why he was successfully elected *defensor civitatis* by the civic community, Christians included. In the era when Severus was writing, i.e., at the beginning of 418, Theodorus then became patron of the city of Magona, and his brother Caecilianus succeeded him as *defensor civitatis*.<sup>23</sup> We can see that these Jews owed their political power to the fact that they had local careers. In the same way, in Venosa in southern Italy, the Jew Marcellus, *pater pateron* of the Jews, was also involved in municipal life. The citizens of Venosa designated him as their *patronus*.<sup>24</sup> It is possible that Annas also had a municipal career.

Another possibility is that he had a career in the imperial administration, either at the provincial level or in the imperial palace in Rome, Milan, or Ravenna. When they had the means to do so, citizens of cities preferred to take officials as patrons, even senior officials with *dignitas*, who were in the best position to defend them.<sup>25</sup> This second possibility seems less likely, as

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21 Lellia Cracco Ruggini, *Gli ebrei in età tardoantica: Presenze, intolleranze, incontri* (Rome: Edizioni di storia e letteratura, 2011), 228, no. 103; Michael Toch, *The Economic History of European Jews: Late Antiquity and Early Middle Ages* (Leiden: Brill, 2012), 39.

22 On the strategies of choice employed by notable men from the synagogue, see Nemo-Pekelman, 'The Involvement of Jews in Municipal Life'.

23 Severus, *Letter*, 84–85 (*Epistula* 6).

24 *JWE* I, nos. 90 and 114.

25 See Francesco Grelle, 'Patroni ebrei in città tardoantiche', 139–58.

it seems that if Annas had been granted *dignitas*, the imperial constitution would have mentioned him with this title and not with the title of *didascalus*.<sup>26</sup>

It is quite interesting to note that Annas presented himself to the authorities as a *didascalus*, literally, 'a teacher'. In fourth-century Rome, the title was also used by Christians. In western Jewish inscriptions, the titles *mathetes*, *mathetes sophon*, *nomomathes*, and *nomodidaskalos* are also found. The last is the exact equivalent of the title of Theodorus of Minorca, whom Severus called a *doctor legis*. As Scott Bradbury explains: "The variety of titles referring to teachers and students of the Law attests that study of the Law was a central activity for Diaspora Jews."<sup>27</sup> We know that, in the West, there were experts in the Law who did not carry the title of rabbi and who were totally foreign to the Talmudic scholars coming from the schools of Palestine.

Was he an official from the synagogue, just as Theodorus was the archisynagogue of the community in Magona? The addresses of the imperial constitutions of 415 and 416 are ambiguous. They may signify that Annas intervened as archisynagogue, along with the elders of his community, or that he was an outsider patron whose assistance was requested by the synagogue community.

In any case, among the teachers of the Law and the officials from the synagogue, Annas probably had a specific profile insofar as he belonged both to the Jewish world and apparently had the cultural, economic, and social capital to move successfully through the upper echelons of the imperial chancellery in Ravenna. This expert in Mosaic Law was therefore a member of the elite of the synagogue while at the same time he was, in a certain way, also a member of the political elite.

This conclusion leads me to associate Annas with the Jewish milieu that produced the famous *Collatio Legum Mosaicarum et Romanarum*. It appears to be an apologetic work defending Jewish

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26 In other constitutions, Jewish authorities (patriarchs in Palestine) are mentioned with the titles of their dignities. Cf. *Cod. Theod.* 16.8.8 and 16.8.22 (Linder, *The Jews in Roman Imperial Legislation*, 187 and 269).

27 Severus, *Letter*, 30–31.

religious practices against pagan and Christian critics: it stresses the great antiquity of Mosaic Law (from the Pentateuch) and emphasizes its conformity to the Roman legal system. Ever since its publication by Eduardo Volterra in 1930, numerous scholars have attributed this Western work, written in Latin, to a Jewish author.<sup>28</sup> Leonard Rutgers proves this in a particularly interesting manner by placing the work within the larger framework of Jewish and Christian attitudes towards the Torah from the end of the fourth century.<sup>29</sup>

We can also associate Annas with the milieu that produced the *Incipit Epistola Anne ad Senecam de superbia et idolis*. This letter, the end of which is missing, begins with a panegyric to God, continues with an attack against those who believe that they can understand the mysteries of the world without God, and ends with a condemnation of the cult of idols. For this reason, it should be regarded as a treatise designed to carry the sympathy and favour of a pagan audience. Bernhard Bischoff, who discovered the letter and published the *editio princeps*, regards it as a "Jewish-apologetic missionary treatise" of the fourth century. The author may be Jewish, because he refers neither to Jesus nor to Christian theological ideas. The dating is taken from its linguistic characteristics. According to Bischoff, it was written before 325, as from the laws of Constantine onwards, Jewish missionary activities were banned.<sup>30</sup> Rutgers thinks it was possibly composed after 325, because some of the issues it addresses had previously been addressed by Lactantius in his *Divinarum Institutionum*, written at the beginning of the fourth century. Rutgers emphasizes that the biblical passages included in the letter address issues that are not typically Jewish,

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28 Edoardo Volterra, *Collatio Legum Mosaicarum et Romanarum* (Rome: Bardi, 1930).

29 Leonard V. Rutgers, *The Jews in Late Ancient Rome: Evidence of Cultural Interaction in the Roman Diaspora* (Leiden: Brill, 1995), 219–53. See also Cracco Ruggini, *Gli ebrei in età tardoantica*, 301–25.

30 Bernhard Bischoff, *Anecdota Novissima: Texte des vierten bis sechzehnten Jahrhunderts* (Stuttgart: A. Hiersemann, 1984), 1–9.



but rather raise questions recognizable to non-Jews interested in popular philosophic discourse.<sup>31</sup>

The author of the work may have been a cultivated Jew who travelled in mixed intellectual circles. Peter Brown shows how, in cities such as Carthage, Rome, and Milan, the elites from the generation of Augustine shared a common discourse linked by the Greek ideal of *paideia*. The representatives of the Roman traditional religion debated philosophical and religious themes with Neoplatonists, Manicheans, and Christians.<sup>32</sup>

The incipit of the letter refers to the name of Annas. According to Bischoff, the title does not designate the true author of the work, who is anonymous. In fact, this incipit would seem to indicate that Annas was a contemporary of Seneca and thus a man of the first century CE, either the first high priest of the newly formed Roman province of Judaea, who died around 40, or the Annas who was high priest from 62–68. However, Rutgers hypothesizes that only the name of the Stoic philosopher is apocryphal. Annas could therefore be the true author of the work. This Annas, who lived in the fourth century, chose to write a fictitious dialogue with the philosopher. Rutgers identifies him with the man mentioned in the imperial constitutions of 415 and 416.<sup>33</sup>

In a certain sense, what I have said about Annas in the preceding lines may add to this hypothesis. His social and cultural profile seems to match. According to Rutgers, the work may be of uncertain Roman origin, and the Annas mentioned in the imperial constitutions may well have originated from the very important Jewish community in Rome. In particular, it seems that the concerns noted in the letter and in the imperial constitutions are similar. The letter talks about a pagan audience in an apologetic and missionary sense, and the matter leading to both imperial constitutions of 415 and 416 concerns cases of conversion.

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31 Rutgers, *The Jews in Late Ancient Rome*, 255.

32 Brown, *Augustine of Hippo*, chap. 7.

33 Rutgers, *The Jews in Late Ancient Rome*, 254.

Even if this identification depends on rather weak evidence, it is nevertheless likely that the authors of the *Collatio* and the *Epistola Anne ad Senecam* came from a western Jewish literary and political elite, to which the Annas of the imperial constitutions also belonged, a patron of the community, teacher of the Law, and a skilled politician.

In any case, what interests us in terms of the theme of this volume is that the events of 415–418 cast an unexpected light on the sociological and intellectual profile of Jewish elites from the western part of the Mediterranean, who appear as Romanized Jews “instructed in the liberal arts” (*Cod. Theod.* 16.8.24). Thus, as Rutgers notes, the difference between the political and social situation of western Jewish populations and the Jewish populations of Constantinople and the Hellenistic cities of the East—still very powerful in the fifth century, as we know from renewed archaeological research—may not have been as wide as we usually think.<sup>34</sup>

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<sup>34</sup> Ibid., 256.

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# 9. RABBIS IN SOUTHERN ITALIAN JEWISH INSCRIPTIONS FROM LATE ANTIQUITY TO THE EARLY MIDDLE AGES

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## 1.0. Premise

Many questions inherent in the wide catalogue of the so-called epigraphical rabbis in the ancient Mediterranean were already been directly posed more than thirty years ago in an important article by Shaye J. D. Cohen. The very same questions have more recently been reconsidered by Hayim Lapin, building on Cohen’s work, within the framework of a debate that has interested a number of scholars for many years.<sup>1</sup>

In the following pages, I shall not reopen the discussion of earlier conclusions, which are presumed to be well-known to all specialists. Our goal, starting from the preliminary conclusions drawn up by Cohen and Lapin, shall be to focus more closely on the epigraphs of southern Italy where, more than in any other place, the epigraphic evidence shows how, between the fifth and ninth centuries, the title *rabbi* gradually lost its vagueness and became connected, at least in official (funerary) epigraphs, only with people arguably related to rabbinic Judaism.

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1 Shaye J. D. Cohen, ‘Epigraphical Rabbis’, *Jewish Quarterly Review* 72 (1981): 1–17; Hayim Lapin, ‘Epigraphical Rabbis: A Reconsideration’, *Jewish Quarterly Review* 101 (2011): 311–46.

## 2.0. The Rome Anomaly

In the list of epigraphical rabbis drawn up by Cohen, limited to the period between the third and seventh centuries CE, there can be found just five inscriptions covering the Mediterranean, from the Aegean area to the Iberian Peninsula. Among them, one text belongs to Cyprus (Lapethos/Karavas), one to North Africa (Volubilis), one to Spain (Emerita), and two to southern Italy (Naples and Venosa). Lapin's list, slightly more precise, rightly includes in the same entry not only the Western Diaspora, but also the Eastern and collects as a whole a total of ten inscriptions (double Cohen's tally). The *tituli* for southern Italy increase from two to three (Naples, Venosa, Brusciano). An increase to two is also recorded in the case of North Africa (a text from Cyrenaica has been added), while counts of one each persist for Cyprus and Spain (but from Tortosa; indeed, the example from Emerita given by Cohen is excluded as too late). Finally, there is one record in Egypt (a papyrus of unknown provenance); one in Syria (Nawa); and one in Mesopotamia (from Borsippa, on a magic bowl).<sup>2</sup>

In the map resulting from these place-names, it appears that, in the period considered, it is southern Italy—more precisely, the *Regio Prima et Secunda*—which holds the greatest number of attestations. This fact may well be, of course, totally insignificant in itself: following new discoveries, the picture could be completely different in ten years' time, and so it is better not to attribute any particular significance to this circumstance. On the other hand, we can only speculate on the data we have at our disposal and, among these, there is also a negative circumstance, which is worthy of reflection.

In southern Italy alone, about two-hundred Judaic inscriptions have been found. Among these, as we have seen above, three attestations of *rabbi/rebbi* have been found. In the Jewish catacombs of Rome, which have yielded no fewer than six-hundred epigraphs, no such attestations are extant. Indeed, as already stressed by Cohen, in this vast assemblage of inscriptions,

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2 Lapin, 'Epigraphical Rabbis', 333–34.

there are “references to *archisynagogues*, *archons*, *gerousiarchs*, *grammateis*, *patres synagogae*, *matres synagogae*, *exarchons*, *hyperetai*, *phrontistai*, *prostatai*, priests, teachers, and students, but not one with a reference to a rabbi.”<sup>3</sup>

Hundreds of inscriptions are found in a homogeneous context and over a period of several centuries, by no means an insignificant sample. This circumstance, however, does not necessarily lead to the conclusion that in Ancient and Late Antique Rome there were no rabbis. If we look at the epigraphs as bearers of archaeological indications (positive or negative) and not only textual ones, it can be suggested that, for example, in the Eternal City, rabbis—if some people there were designated in this way as bearers of a *rabbinic* title—were not buried in this type of common sepulchral structure, but were buried elsewhere.

The rabbi Mattiah ben Heresh, the founder of a school, lived in second-century Rome. We do not have his epitaph, but various sources deal with his teaching both in Judaea and in Rome.<sup>4</sup> As for the subsequent period, considering the eleven or more different synagogues attested by the Judaic inscriptions of Rome, each bearing a specific designation and possibly suggesting the existence of a plurality of Judaisms practiced there, we should admit that, at least as a realistic possibility, rabbinic Judaism was also represented there.<sup>5</sup> Moreover, the existence of a quarrel

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3 Cohen, ‘Epigraphical Rabbis’, 15.

4 Lester A. Segal, ‘R. Mattiah ben Heresh of Rome on Religious Duties and Redemption: Reaction to Sectarian Teaching’, *Proceedings of the American Academy for Jewish Research* 58 (1992): 221–41; Leonard V. Rutgers, *The Jews in Late Ancient Rome: Evidence of Cultural Interaction in the Roman Diaspora* (Leiden: Brill, 1995), 203–04.

5 On the many synagogues (buildings and/or communities) attested in the epitaphs from the Jewish catacombs of Rome, see Jean-Baptiste Frey, *Corpus Inscriptionum Judaicarum, Volume 1: Europe* (Vatican City: Pontificio Istituto di Archeologia Cristiana, 1936), LXX–LXXXI; Margaret H. Williams, ‘The Structure of Roman Jewry Reconsidered: Were the Synagogues of Ancient Rome Entirely Homogeneous?’, *Zeitschrift für Papyrologie und Epigraphik* 104 (1994): 129–41; Peter Richardson, ‘Augustan-Era Synagogues in Rome’, in *Judaism and Christianity in First-Century Rome*, ed. by Karl P. Donfried and Peter Richardson (Grand Rapids, MI: Eerdmans, 1998), 17–29.



between the Palestinian Sages and the Diaspora religious leaders already in the first century CE can be inferred from the rabbinic criticism of the main Roman Jewish authority, Theudas/Thodos or Theodosius, for a Passover custom not in agreement with that of the Land of Israel. According to the sources dealing with this Theudas, it appears that he was a wealthy man and, at the same time, a renowned scholar: an outstanding personality, whose authority in religious matters relied on something we are not able to discern.<sup>6</sup> A couple of centuries later, a certain Mnaseas, who was buried in Rome in a sumptuous marble sarcophagus, possibly held a similar position. In his Greek epitaph, he flaunted his high status within his Jewish community, both in the social scale, as *pater synagogion* ‘father of the synagogues’ (with a significant plural form) and also, and rather surprisingly, as *mathetes sofou* ‘student of the Sages’.<sup>7</sup> This latter is a precise calque of the Hebrew title *talmid hakhamim* and, perhaps, this qualification was intended to stress his alleged proximity to members of the rabbinic movement.

A similar title, *nomodidaskalos* ‘teacher of the Law’, appears just once in Rome, in Vigna Randanini.<sup>8</sup> Unfortunately, while a rabbi might be, among other things, a *nomodidaskalos*, it is impossible to postulate a rabbi behind every teacher of the Law: this explains why the term is still controversial, even considering that, in the New Testament, *nomodidaskalos* almost always appears in connection with the Pharisees (e.g., Luke 5.17; Acts 5.34; but not in 1 Tim. 1.7).<sup>9</sup> It could be added that *nomodidaskalos* is an

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6 Rutgers, *The Jews in Late Ancient Rome*, 204 and 207. For a recent overview on the rabbinic interest in Italy, see the work of Anna Collar, *Religious Networks in the Roman Empire: The Spread of New Ideas* (Cambridge: Cambridge University Press, 2013), 146–223.

7 David Noy, *Jewish Inscriptions of Western Europe, Volume 2: The City of Rome* (Cambridge: Cambridge University Press, 1995; hereafter, *JIWE II*), no. 544, dated to third–fourth century.

8 *JIWE II*, no. 307, dated again to the third or fourth century (?).

9 Note also, in the above mentioned *JIWE II*, no. 68, Eusebius: both *didaskalos* and *nomomathes*.

equivalent to the Latin *doctor legis* (or *legis doctor*, as in the Vulgate rendition of Acts).<sup>10</sup> The use of *nomodidaskalos* seems, at any rate, somewhat more specific than the more common adjective *nomomathes* ‘student of the Law’, found on three epitaphs from, once again, the catacombs of Vigna Randanini and in a funerary inscription from Monteverde, where the term was apparently used to praise the deceased’s skill in letters or his knowledge of the Law in general.<sup>11</sup>

In summary, while the existence of rabbinic contacts between Galilee/Palestine and the Jewish communities of Rome (as well as a rabbinic presence in Rome) can be taken for granted, the anomaly of the absence of the title *rabbi* in the epigraphs remains.

### 3.0. Campania Felix

The area of the *Regio I* once called Campania, is the one Italic region where the Jewish presence is attested epigraphically before Rome itself. Rather than the dubious testimony from Pompeii, the evidence comes from ancient Puteoli (modern Pozzuoli) and its territory. In a funerary area along the road to Naples, the

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10 A third example of a double titulary with a possible rabbinical flavour can be detected elsewhere in the Western Mediterranean, particularly in the figure of Theodorus, head of the synagogue of Magona (Mahon, Minorca), mentioned in the epistle of the bishop Severus on the conversion of the Jews of Minorca, written in 418: see Severus of Minorca, *Letter on the Conversion of the Jews*, ed. by Scott Bradbury (Oxford: Clarendon Press, 1996), 30–32. Like our Roman Jews Mnaseas and probably Theudas, this Theodorus also had a double title: as a religious leader he was called, in Latin, *legis doctor*, but as leader of the community he was called (this time in Greek) *pater pateron* ‘father of the fathers’. According to Bradbury, this linguistic shift may suggest the persistence of Greek as the liturgical language of Magonian Jewry. The connection does not seem certain, however, since the expression *pater pateron*, also attested in Italy (Venosa), had a civic and not a religious significance.

11 *JlWE* II, no. 68 (Monteverde); *JlWE* II, nos. 270, 374 and 390 (Vigna Randanini).

epitaph of Claudia Aster, *Hierosolymitana captiva* ‘prisoner from Jerusalem’, was found, dating back to the last quarter of first century CE.<sup>12</sup> It is the same period in which the above-mentioned R. Mattiah ben Heresh is said to have spent some time in Puteoli, before establishing himself in Rome (Sifre Deut. 80). Up to the fourth/fifth centuries, Jewish attestations in Campania are limited to scarce epigraphs and various literary sources. Later on, they grew in number—not, however, around the ports, but rather in areas protected from Vandal incursions: well-fortified areas such as Naples or inland places such as Fondi, Terracina, Minturno, Capua, Benevento, and Nola. Here, economies were based not on trade but rather on large-scale agricultural production, in a network of rustic villas and farms scattered over a wide territory, characterized by just a few urban centres with a relatively high population density.

### 3.1. The Epitaph of Rebbi Abba Maris

The first epigraphical attestation of *rabbi* (here spelled, as elsewhere, *rebbi*) emerges from such a context, in the agricultural area surrounding Nola. It is the Greek epitaph of Abba Maris (Fig. 1), which runs as follows:

שלום ענθα χίτε ὁ ῥεββὶ Ἀββᾶ Μάρης ὁ ἐντιμος

*Shalom!* Here lies the *rebbi* Abba Maris, the revered one

In its concision, the epitaph is quite noteworthy, and in modern syntax we should read: “*Shalom!* Here lies the revered *rebbi* Abba Maris.” The epitaph was found in Brusciano and, being written in Greek, it dates, like other inscriptions in the area, to no later than the fourth century. The inscription is a completely isolated finding in Brusciano, and it seems likely

12 Giancarlo Lacerenza, ‘L’iscrizione di Claudia Aster Hierosolymitana’, in *Biblica et semitica: Studi in memoria di Francesco Vattioni*, ed. by Luigi Cagni (Naples: Istituto Universitario Orientale, 1999), 303–13; David Noy, Susan Sorek, ‘Claudia Aster and Curtia Euodia: Two Jewish Women in Roman Italy’, *Women in Judaism* 5 (2007), 2–14.



Fig. 1: Epitaph of Rebbi Abba Maris (Naples, Museo Archeologico Nazionale).  
Photograph by Giancarlo Lacerenza. © All rights reserved.

that it originates from the nearby territory of Nola, an important Roman city, where, however, the use of Greek in epigraphs was rather rare.<sup>13</sup> It probably belonged to an extra-urban burial area, probably exclusively Jewish, as also suggested by the notable distance of Brusciano from the city (c. 10 km). This recalls the similar collocation of the catacombs of Venosa, well outside the town centre (c. 2 km), and the suburban location of the unique Jewish burial site in Naples, far from the centre and even from the most frequented burial places around the city (on which, see below). Finally, the *titulus* of Abba Maris falls in a district, though rural, with other attestations of Jewish presence, both literary

13 David Noy, *Jewish Inscriptions of Western Europe, Volume 1: Italy (excluding the City of Rome), Spain and Gaul* (Cambridge: Cambridge University Press, 1993; hereafter *JWE I*), no. 22.

and archaeological. Not far from there, near the ancient town of Nuceria, two other Jewish funerary inscriptions have been found and, again, both in Greek: one belonging to a certain Pedonius, who is called a scribe (*grammateus*), the other one to his wife, Myrina, who holds the title of priestess, *presbytera*.<sup>14</sup> As is known, various hypotheses have been expressed about the meaning of these as well as other terms. My intuition is that they should be accepted literally but, unfortunately, I cannot deal with such a question here.

The title *rebbe* in the epitaph of Abba Maris has until now been considered merely an appellative, i.e., an honorary title, not indicative of a real function (so Cohen and Lapin). On this point I have some doubts. The distinction between appellative and noun cannot be established through reference to the placement of the term *rebbe*. Examining the list of attestations of epigraphical rabbis in the Diaspora, in practice the term *rebbe* has been understood as an honorific whenever it precedes a name or patronym, as for example in *Benus filia rebbitis Abundanti* from Naples (on which see more details below). Also, when the title follows the name, it was considered an appellative, as in the funerary inscription on a fourth century sarcophagus from Nawa (Syria) where it is written simply Ἀρβιάδες ὁ ῥαββί 'Arbiades the rabbi', with the definite article, which also appears in the inscription of Abba Maris.<sup>15</sup> In isolated cases, most of which lack anthroponyms, *rabbi/rebbe* was considered a noun and an actual rabbinic title.

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14 Maria Conticello de' Spagnolis, 'Una testimonianza giudaica a Nuceria Alfaterna', in *Ercolano 1738–1988: 250 anni di ricerca archeologica*, ed. by Luisa Franchi dell'Orto (Rome: L'Erma di Bretschneider, 1993), 243–52; Noy, 'Jewish Inscriptions of Western Europe: Addenda and Corrigenda', in *Hebraica Hereditas: Studi in onore di Cesare Colafemmina*, ed. by Giancarlo Lacerenza (Naples: Università "L'Orientale", 2005), 123–42 (128, New 41a–b).

15 David Noy and Hanswulf Bloedhorn, *Inscriptiones Judaicae Orientis, Volume 3: Syria and Cyprus* (Tübingen: Mohr Siebeck, 2004), 55–57 (Syr36).

The expression ὁ ἔντιμος, unique in this type of documentation, seems to indicate public rather than private recognition,<sup>16</sup> but we do not know the precise meaning the writers of the epigraph, relatives or disciples of Abba Maris, intended. Should they have had the liturgical (biblical) vocabulary in mind, ἔντιμος in the Septuagint usually indicates a person held in special consideration, esteemed by his people. Indeed, it is by no means rare to find ἔντιμος translating Hebrew *yaqar* (e.g., 1 Sam. 26.21; Isa. 13.12; 43.4). In this case, however, a private connotation of the adjective cannot be excluded and then it would not be inappropriate to translate ἔντιμος as ‘revered’ or even ‘dear, beloved’, very appropriate in a funerary context and semantically connected with ‘precious’.<sup>17</sup> The final point to consider is Abba Maris’s name. In western Jewish inscriptions it appears only here. In general terms, Jewish or Semitic anthroponyms in this kind of document are rare. In some contexts, they are simply non-existent, demonstrating a clear preference for Greek and, to a lesser extent, Latin names. The name Abba Maris can be explained by admitting that its bearer came from abroad, arguably from Palestine.<sup>18</sup>

### 3.2. The Epitaphs of Binyamin from Caesarea and Venus, Daughter of Rebbi Abundantius

Besides the instance of R. Abba Maris, there is additional evidence that at least some of the Jewish elite of Late Antique Campania

16 On the adjective ἔντιμος here, see also Andrew Chester, ‘The Relevance of Jewish Inscriptions for New Testament Ethics’, in *Early Christian Ethics in Interaction with Jewish and Greco-Roman Contexts*, ed. by Jan Willem van Henten and Joseph Verheyden (Leiden: Brill, 2013), 107–45 (114).

17 See, particularly, the use of ἔντιμος in Isa. 43.4 and Luke 7.2.

18 It can be noted that, up to this day, in Western Diaspora epigraphy, the name Abba Maris appears just here. Elsewhere, just to give some examples, we find it three times in Jaffa, according to the *Corpus Inscriptionum Iudaeae/Palestinae, Volume 3: South Coast, 2161–2648*, ed. by Walter Ameling et al. (Berlin: de Gruyter, 2014): (Αββομαρι, 2182; Ἀμβωμαρη, 2187; and Ἀββομαρης, 2230), not to mention the various titles *Abba* and *Mari* appearing individually.



came from abroad, from both Palestine and also North Africa. This emerges from a small collection of Jewish funerary epigraphs found at the beginning of the twentieth century in Naples, in an ancient burial area outside the city (presently within its eastern suburbs).<sup>19</sup>

These inscriptions have no date, but it is reasonable to assume that they all belong to the same period, around the fifth or sixth century. The texts are all in Latin, with appearance and formulae similar to that of contemporary Christian epitaphs. Their Jewishness is marked by the addition of some typical epigraphic Hebrew expressions, such as *שלום*, *על מנוחתך*, *אמן*, *סלה*. Moreover, three out of ten of the individuals mentioned in the epitaphs are qualified as Jews or, more precisely, as “Hebrews.” They are: Numerius, *ebreus* (JIWE I, no. 33); Criscentia, *ebrea* (JIWE I, no. 35); Flaes, *ebreus* (JIWE I, no. 37). Like all the deceased in this cemetery, the three bear Latin names. In the case of Numerius, his name is also transcribed in square Jewish characters. In this handful of Latin inscriptions commemorating both “Hebrews” and Jews,<sup>20</sup> there is one that differs considerably from the others because it is the only one in Greek and the only one where the deceased individual bears a typically Jewish name, Binyamin (Fig. 2; JIWE I, no. 30). The text is very short, if not laconic, and reads:

ἔνθα κίτε Βενιαμὶν ὁ προστάτης ὁ Κεσαρεύς

Here lies Binyamin the *prostates*, the Caesarean.

19 Of the various tombs, inscriptions, and other artifacts found there, only about ten texts survived and are known today. See JIWE I, nos. 27–35.

20 Various hypotheses have been proposed to explain the distinction between *iudaeus* and *ebraeus* in ancient Jewish epitaphs as well as in various literary sources. The only positive conclusion achieved up to this day is that a substantial difference existed between the two terms. See the detailed discussion in David Noy, ‘Letters out of Judaea: Echoes of Israel in Jewish Inscriptions from Europe’, in *Jewish Local Patriotism and Self-Identification in the Graeco-Roman Period*, ed. by Siân Jones and Sarah Pearce (Sheffield: Sheffield Academic Press, 1998), 106–17 (111–15).

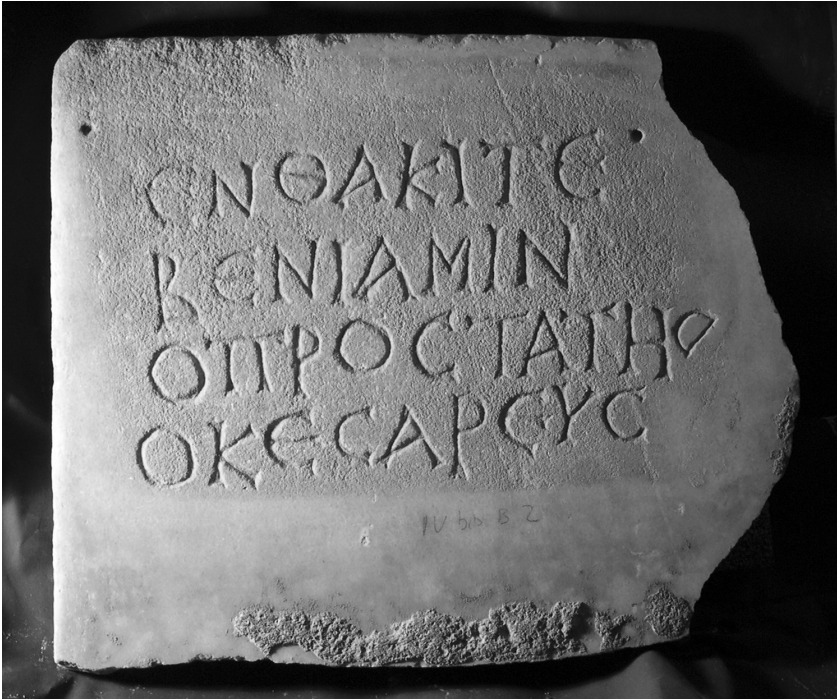


Fig. 2: Epitaph of the *prostates* Binyamin (Naples, Museo Archeologico Nazionale).  
Photograph by Giancarlo Lacerenza. © All rights reserved.

The only title present here is *prostates*, and it is possible that this refers to the head or president of the community. It has been suggested that the city of Caesarea mentioned here could be the one in Mauretania, because there is another inscription in the same cemetery where a *civis Mauritaniae* (JIWE I, no. 31) is commemorated; however, for various reasons—not least of all the use of Greek—I am more inclined to see here Caesarea Maritima.<sup>21</sup> Among these inscriptions the title *rabbi* does not appear, but it is possible, if not probable, that another epitaph mentioning a *rebbe*, found long before the other epigraphs, pertains to the same burial area. It is the Latin epitaph of a young girl, Venus (spelled

21 Other people from Caesarea and other Palestinian locales attested in western Jewish inscriptions are mentioned in Noy, ‘Letters’, *passim*.



Benus, with betacism), daughter of a *rebbe* Abundantius (Fig. 3; *JWE* I, no. 36):<sup>22</sup>

*Hic requiescit in pace Benus filia rebbitis Abundanti qu <a> vixit annis  
pl(us) m(inus) XVII d(e)p(osita) II Id(us) Iun(ias)*

Here lies in peace Venus, daughter of rebbi Abundantius, who lived about seventeen years. Buried on the 12th day of June.

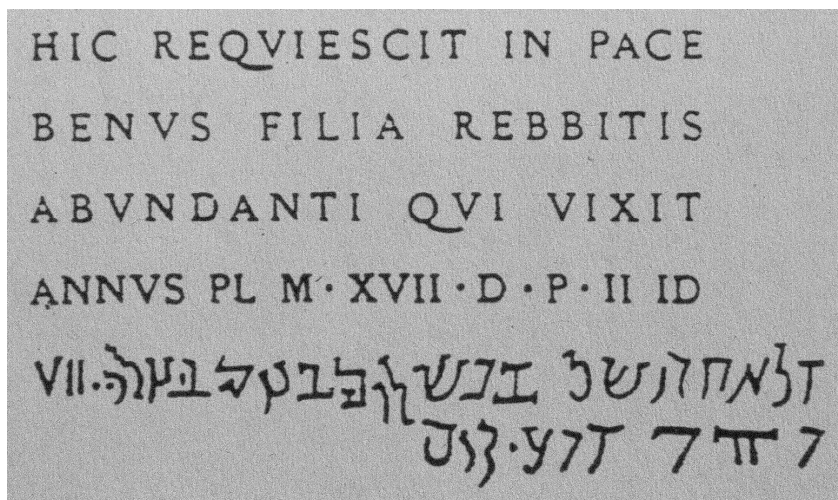


Fig. 3: Epitaph of Venus, daughter of Rabbi Abundantius (*Corpus Inscriptionum Latinarum* X 3303). Public Domain.

There are also two lines in Hebrew following the Latin text, difficult to reconstruct precisely from the old apographs. It is probably just an abridgment of the main text and it is perhaps to be read:

הנה תשכב בשלום בנוס בנוחה / יהי <ה>שלום

Here lies in peace Venus. In her repose / be peace.

22 The epitaph, often and erroneously referred to the city of Salerno, is lost and it is known only from eighteenth-century copies: see Giancarlo Lacerenza, 'Frustula iudaica neapolitana', *Annali dell'Istituto Universitario Orientale di Napoli* 58 (1998): 334–46.

The *rebbe* mentioned in this inscription (the term in this case is the singular genitive *rebbitis*) has been considered solely as an appellative based on the doubtful criteria mentioned above. The name does not help much, since *Abundantius* (probably the form behind the genitive *Abundanti*) is common in Christian contexts, but not at all in Jewish inscriptions. Maybe our *rebbe* converted his original name to a Latin form: if the name was Yosef, an adjective or a predicate related to ‘addition’ appears to be a good choice. As an aside, the coincidence between the adjective *abundans*—whose Greek equivalent is *πολὺς* or *περισσόν*—and the Hebrew *rav* is noteworthy.<sup>23</sup> The name *Abundantius* and the presumed title *rebbe* are, in this perspective, substantially equivalent, but it would be hazardous to venture further.<sup>24</sup> Finally, the name of the deceased daughter, Venus, is of interest. Although apparently pagan, it is also an ancient adaptation of the name Esther, through its more common Greek equivalent *Ἀσθήρ*.<sup>25</sup>

### 3.3. Evidence of Synagogues and Jewish Liturgies in Late Antique Naples

As we have seen, the search for rabbis among the Jews of southern Italy has mainly led to some attestations in funerary epitaphs. These are not, however, the only ones that provide direct information on the religious life of the Jewish communities in the south, particularly in Naples.

Thanks to Procopius of Caesarea, we know that in the first decades of the sixth century the Neapolitan Jewish community was demographically strong and politically influential. They

23 See Est. 1.7: *וַיֵּין מַלְכוּת רַב בֶּן־הַמֶּלֶךְ*; Vulgate: *vinum quoque ut magnificentia regia dignum erat abundans et praecipuum*.

24 On *Abundantius* as a possible translation of *rebbe*, see the ingenious but problematic suggestion of Robert Mowat, ‘L’élément africain dans l’onomastique latine’, *Revue Archéologique* 19 (1869): 233–56 (247–48).

25 Gerard Mussies, ‘Jewish Personal Names in Some Non-Literary Sources’, in *Studies in Early Jewish Epigraphy*, ed. by Jan Willem van Henten and Pieter Willem van der Horst (Leiden: Brill, 1994), 242–76 (247–48). See also Beate Ego, *Targum scheni zu Ester* (Tübingen: Siebeck, 1996), 221.

had an important economic role and were able to guarantee provisions to the city during sieges. This is exactly what happened in May 536, when the Byzantine army came to take the city from the Goths. The Jews played an important role on the eve of the Byzantine victory: Procopius writes that when the town authorities met to decide if the city should surrender immediately to the imperial army or resist and support the Goths, it was the Jewish community that tipped the scales in favour of resistance. Thereafter, the Jews guaranteed grain supplies to the city during the siege and offered to man the most dangerous stretch of the walls, the one facing the sea.<sup>26</sup> As was demonstrated elsewhere, this is probably the same area where their main synagogue was situated.<sup>27</sup> For some decades after this, no further information is available, but at the beginning of the seventh century, the letters of Pope Gregory the Great (591–604) again shed light on the Jews of Naples. In spite of the feared Byzantine domination, the community still had members who were active in foreign trade, especially in the importation of slaves, whom they purchased from merchants in Gaul.<sup>28</sup>

Among the various references in the epistles of Gregory to the Neapolitan Jews—who, in that period, appear to have already suffered from pressure to convert—it is worth mentioning Gregory's last letter, from November 602, also known as *Qui sincera*. Unlike the numerous occasions of conflict between Jews and Christians mentioned in the letters, in this case it was the Neapolitan Jews themselves who turned to the pope, complaining that several citizens, encouraged by Paschasius, the bishop of Naples, regularly interrupted Jewish rites observed during the

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26 Procopius, *Bellum Gothicum*, I.8.41 and I.10.24–26.

27 Giancarlo Lacerenza, 'La topografia storica delle giudecche di Napoli nei secoli X–XVI', *Materia giudaica* 11 (2006): 113–42 (115–18).

28 Gregory the Great, *Epistulae* 4.9 (596 CE), on which see Giancarlo Lacerenza, 'Attività ebraiche nella Napoli medievale: Un *excursus*', in *Tra storia e urbanistica: Colonie mercantili e minoranze etniche in Campania tra Medioevo ed Età moderna*, ed. by Teresa Colletta (Rome: Kappa, 2008), 33–40.

Christian holidays, sometimes violently. Unexpectedly, Gregory intervened in defence of the Jews, and he wrote directly to the bishop to remind him that for a long time (*longis retro temporibus*) Neapolitan Jews had been granted the right to observe their religious holidays (*quibusdam feriarum suarum sollemnibus*) even on Christian feast days.<sup>29</sup>

Who had guaranteed until then, indeed, “for a very long time,” the regular observance of synagogue services in Naples? The letters of Pope Gregory give no answer but, at the very least, their contents lead us to reject a recurrent commonplace, namely, that the Jewish communities at that time in this part of southern Italy were isolated. We know from these letters and various other sources that they were in continual contact—commercial, social, and cultural contact—with the whole of the Mediterranean, from Marseilles to the Balkans, Syria, and Egypt.

#### 4.0. The Epitaph of Faustina: *Apostuli* and *Rebbites* in Sixth-Century Venosa

To avoid excessively broadening this survey, I shall not extend it into the Calabria and Puglia regions, but limit my observations to a single location: the city of Venosa, a town with a high concentration of Jews, at least from Late Antiquity onwards, who perhaps flourished in connection with the spread of local textile manufacturing.<sup>30</sup> Venosa is known for its Jewish catacombs, which stood next to the Christian catacombs. At the time of their discovery, the tombs were still undisturbed, and there were probably hundreds of epitaphs, but only seventy have reached us, painted or scratched on the plaster sealing the tombs (*JJWE* I, nos. 42–112). The inscriptions are dated from the third/fourth centuries onward. The last epitaphs probably do not go beyond

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29 Gregory the Great, *Epistulae*, 13.13 (602 CE).

30 David Noy, ‘The Jewish Communities of Leontopolis and Venosa’, in *Studies in Early Jewish Epigraphy*, ed. by Jan Willem van Henten and Pieter Willem van der Horst (Leiden: Brill, 1994), 162–82.

the sixth century, as indicated by the epitaph of Augusta, the only text with a certain date, from the year 521 (*JIWE* I, no. 107).

Epitaphs show that the Venosian Jews were well-integrated into local society, and some of them even enjoyed high social status. The Jews also had a degree of religious influence on local society, as indicated by the burials of proselytes in a separate cemetery, not far from the catacombs, the so-called “Lauridia hypogeum” (*JIWE* I, nos. 113–16). The titular functions attested at Venosa are the same as in Rome and elsewhere in the West, and the community included presbyters, *gerusiarchs*, *archisynagogoi*, and *patres synagogae*. It seems that also the Venosian Jews preferred non-specifically Jewish names, with some notable exceptions, as in the bilingual (Greek-Hebrew) epitaph remembering a teacher called Jacob (*Iakob didaskalos*; *JIWE* I, no. 48).

Besides teachers, scribes, and other people connected with communal duties, two rabbis appear in the particularly long Latin epitaph of Faustina, the young daughter of Faustinus: *duo apostuli et duo rebbites* ‘two apostles and two rabbis’ are portrayed as reciting dirges for the deceased girl. The text (Fig. 4; *JIWE* I, no. 86) runs as follows:

*Hic cisqued Faustina filia Faustini pat(ris), annorum quattuordecim <m>, m̄nsurum quinque, que fuet unica pare[n]turum. Quei dixerunt tr̄nus duo apostuli e[t] duo rebbites. Et satis grande(m) dolurem fecet parentebus, et lagremas cibitatis(s).*

משכ >ב <ה ש[ל] פווסטינה נוח נפש שלום

*Que fuet pronepus Faustini pat(ris), nepus Biti et Acelli, qui fuerunt maiores cibitatis.*

‘Here rests Faustina daughter of Faustinus, father (of the community), aged fourteen (years and) five months, who was her parents’ only child. Two apostles and two rabbis said the dirges for her, and she had great grief from her parents and tears from the community.

[Hebrew:] Resting place of Faustina, may her soul rest, peace.<sup>31</sup>

31 My translation, slightly different from Noy’s in *JIWE* I.



She was the great-granddaughter of Faustinus, father (of the community), granddaughter of Vitus and Asellus, who were notables of the city.'

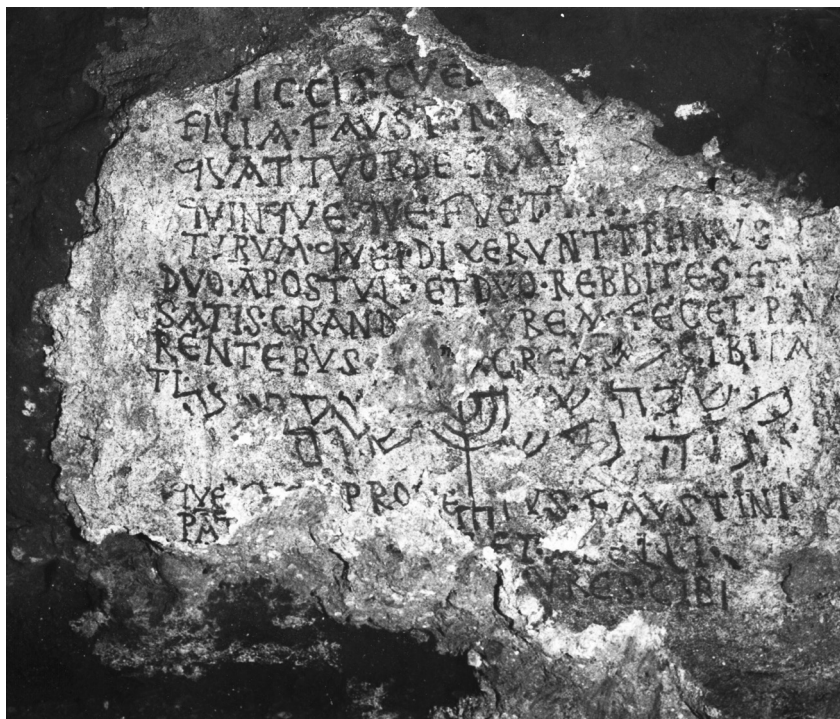


Fig. 4: Epitaph of Faustina, daughter of Faustinus (Venosa, Jewish Catacombs).  
Photograph by Cesare Colafemmina. The University of Naples "L'Orientale"  
Archive. © All rights reserved.

Written in a mixture of late Latin, Greek, and some Hebrew, this text has been the subject of many attempts at dating and interpretation, all instigated by the intriguing phrase *duo apostuli et duo rebbites*, known only in this inscription, which I shall return to later. Before continuing the analysis of the epitaph, I would like to discuss its context. The inscription, currently missing, was almost hidden in a small space between other tombs and epitaphs in a specific *arcosolium* (D7) within the catacomb. As foreseen already in the nineteenth century by Raffaele Garrucci, and then more recently demonstrated by

Margaret H. Williams,<sup>32</sup> this *arcosolium* belonged to members of a single family, the Faustinii, who also owned a second *arcosolium* (D2) nearby. In *arcosolium* D7 there are numerous tombs, some on the pavement and some on the walls; all were originally accompanied by an inscription, but most of the epitaphs have been lost over the course of various attempts to rob the *loculi*. Therefore, today we have a rather distorted picture of the original appearance of this burial place, which—like the whole catacomb—must have once been very different: with the walls covered in light stucco where the inscriptions would stand out, painted or finished in red, often accompanied by Hebrew terms and the symbol of the menorah. The Faustinii family was not an ordinary one. It is said of the two relatives mentioned in Faustina's epitaph, Vitus and Asellus (or Asella), that they were *maiores civitatis*—a title which does not correspond to any specific public office known in the sources, but which denotes the high status enjoyed by the family a few generations prior to Faustina and so, presumably, in the Gothic period. In any case, there is no doubt that, at the beginning of the sixth century, the Jews in Venosa could have access to public office. In the above-mentioned epitaph of Augusta, from 521, the deceased woman is named as the wife of a certain Bonus, whose name is followed by the abbreviation for *vir laudabilis*: He belonged to the rank of *decurions*.<sup>33</sup> Over time and, above all, with the transition to Byzantine domination, the Faustini family must have progressively suffered from a social point of view, probably accompanied by an economic decline. However, it does not seem that it lost its prestige within the

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32 Raffaele Garrucci, 'Cimitero ebraico di Venosa in Puglia', *Civiltà Cattolica* 12 (1883): 707–20; Margaret Williams, 'The Jews of Early Byzantine Venusia: The Family of Faustinus I, the Father', *Journal of Jewish Studies* 50 (1999): 38–52.

33 Francesco Grelle, 'Patroni ebrei in città tardoantiche', in *Epigrafia e territorio, politica e società: Temi di antichità romane*, ed. by Mario Pani (Bari: Edipuglia, 1994), 139–58 (reprinted in idem, *Diritto e società nel mondo romano*, Rome: L'Erma di Bretschneider, 2005, 394–95).

Jewish sphere, if young Faustina's funeral was accompanied by a following that has no parallel in any other inscription, whether in Venosa or elsewhere.

The declared participation of two "apostles" and two rabbis at the girl's funeral can be read in several ways. There is no other testimony for comparison or other sources, so these are, of course, hypotheses. First of all, since the presence of four officiates for the funerary dirges does not correspond to any ritual need, it seems evident that this was perhaps a show of public importance—not for the girl herself, but for her family—even if the days of its greatest splendour had passed.<sup>34</sup> On the other hand, parallel to this general decline one can trace a growing awareness of cultural Jewishness, if the increasing use of Hebrew exhibited in the catacomb can be used as an indicator. This evolution has been also recognized in the two *arcosolia* of the Faustinii, where Williams has revealed a progressive change in the composition of the epitaphs: first, an early phase, with very simple epitaphs in Greek, then an increasing use of Latin, with self-identifying symbols, such as the menorah and, progressively, the use of Hebrew. This passes from the simple use of the word *shalom* to more elaborate texts (see *JIWE* I, nos. 80–82a, 84). Such a cultural 'Hebraization' of these prestigious Jews of Venosa in the mid-sixth century implies a small, though not secondary, cultural revolution. It is reasonable to assume that this development came from outside.

I would like to return to the four guests at Faustina's funeral. The whole passage mentioning them is unique in shape and content, considering the general economy not only of the epitaph in question, but of all the *tituli* in the catacomb of Venosa. This fact alone indicates the exceptional nature of the event, and it is clear that the presence of four officiates at a funeral was by no means a daily occurrence. It is undisputed that the *rebbites* were

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34 Pieter Willem van der Horst, *Ancient Jewish Epitaphs: An Introductory Survey of a Millennium of Jewish Funerary Epigraphy (300 BCE–700 CE)* (Kampen: Kok Pharos, 1991), 100; *JIWE* I, 119; Grelle, 'Patroni ebrei', 152; Williams, 'The Jews'.



rabbis, but rabbis from where? Probably from elsewhere, and this impression is reinforced by the presence of the two “apostles,” whose identification has always been problematic. Many scholars identified them as envoys of the Palestinian patriarchate in Italy who were passing by Venosa at the time of Faustina’s death. The patriarchate was abolished within the first half of the fifth century, and the text appears to be later (in my opinion, it is not earlier than the second half of the sixth century). Trying to resolve this incongruity, I once proposed that the term *apostuli* here could refer simply to representatives of the local assembly (שליחי ציבור).<sup>35</sup> I am no longer convinced by this hypothesis, and I am inclined to consider the *apostuli* to be strangers no less than the *rebbites*. The fact that they were emissaries from outside and not members of the local community is indicated, as well, by the very use of the term *apostuli* or rather *apostoli*: this calque from the Greek ἀπόστολοι appears in late and medieval Latin directly from the Vulgate, while its epigraphic use is recorded only in this case. Semantically speaking, it is hard to think that the term was not used for emissaries originating from elsewhere: Byzantium? Palestine? Mesopotamia?

Finally, it can be no coincidence that Faustina’s epitaph, which records the presence of rabbis and apostles in southern Italy in the mid-sixth century, falls precisely within the period of dispute regarding Greek and Hebrew in the synagogue liturgy, over which the Jewish communities in both the East and the West would split, and indeed someone would decide—most inopportunately—to turn to the emperor to resolve the question. This led, as is known, to the promulgation of the famous Novella 146 in 553, whereby Hebrew was allowed in the synagogues on condition that the officiates did not profit from the occasion to alter the text. It is not without significance that, according to the *prologus*, Justinian issued the Novella as a response to petitions by

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35 Giancarlo Lacerenza, ‘Ebraiche liturgie e peregrini *apostuli* nell’Italia bizantina’, in *Una manna buona per Mantova: Studi in onore di Vittore Colorni per il suo 92° compleanno*, ed. by Mauro Perani (Florence: Olschki, 2004), 61–72.

Jews and not by the *praefectus* Areobindus, the formal recipient of the text. On the meaning and objectives of the Novella, there are already various and authoritative analyses.<sup>36</sup> Nevertheless, it has perhaps not been sufficiently stressed that rabbis as such are not mentioned at all. The only Jewish authorities who could commute punishments or issue anathema, according to the text, are the *archipherecita*, the *presbyterus*, and the *magister*.<sup>37</sup> The reason why the legislator ignored rabbis can be understood in various ways;<sup>38</sup> but it may also be a strong *argumentum ex silentio* that the representatives of the rabbinic movement were not considered, at least in that period, interlocutors with the imperial power.

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- 36 See Vittore Colorni, 'L'uso del greco nella liturgia del giudaismo ellenistico e la Novella 146 di Giustiniano', in *Judaica Minora: Saggi sulla storia dell'ebraismo italiano dall'antichità all'età moderna* (Milan: Giuffrè, 1983), 1–66; Giuseppe Veltri, 'Die Novelle 146 Perì Hebraion: Das Verbot des Targumvortrags in Justinians Politik', in *Die Septuaginta zwischen Judentum und Christentum*, ed. by Martin Hengel and Anna Maria Schwemer (Tübingen: Mohr Siebeck, 1994), 116–30; Leonard V. Rutgers, 'Justinian's Novella 146 between Jews and Christians', in *Jewish Culture and Society under the Christian Roman Empire*, ed. by Richard Kalmin and Seth Schwartz (Leuven: Peeters, 2003), 385–407; Willem F. Smelik, 'Justinian's Novella 146 and Contemporary Judaism', in *Greek Scripture and the Rabbis*, ed. by Timothy Michael Law and Alison Salvesen (Leuven: Peeters, 2012), 141–63.
- 37 *Neque licentiam habebunt hi qui ab eis maiores omnibus archipherecitrae aut presbyteri forsitan aut magistri appellati perinoeis aliquibus aut anathematismis hoc prohibere nisi velint propter eos castigati corporis poenis et insuper haec privationem facultatum nolentes sustinere, meliora vero et deo amabilia volentibus nobis et iubentibus* (Novella 146.1.2).
- 38 See, for instance, the acute examination of Seth Schwartz, 'Rabbinization in the Sixth Century', in *The Talmud Yerushalmi and Graeco-Roman Culture III*, ed. by Peter Schäfer (Tübingen: Mohr Siebeck, 2002), 55–69 (59–61).

## 5.0. Emerging Rabbis: From Late Antiquity to the Middle Ages

The examination of the above-mentioned inscriptions seems to support the impression that, although we cannot prove that these *rebbites* were actually in possession of a rabbinic title (whatever this would imply in that period), it must be accepted that, as suggested by Fergus Millar, these texts confirm the importance of the study of the Law, the gradual revival of Hebrew, and the coming into currency of the term *rabbi*—or rather *rebbi*, now treated as a declinable Latin word with both genitive (*rebbitis*) and plural (*rebbites*) forms.<sup>39</sup>

After the last inscriptions in the Venosa catacombs, there is a gap of nearly two centuries. When Jewish dated texts reappear in Venosa at the beginning of the ninth century, they are no longer paintings or graffiti hidden underground, but epitaphs carefully carved on stones and fixed in the ground, *en plein air*. Most importantly, there are no longer any traces of Greek and Latin: Hebrew appears to be the only language. What happened in the meanwhile? This was, without any doubt, a significant cultural change that can be understood in several ways. Undoubtedly, the fact that the Jews in their inscriptions dropped the use of the common epigraphic languages, Latin and Greek, possibly indicates that they no longer wanted or needed to represent themselves as integrated into the surrounding social context: their cultural identity was felt to be irreversibly different. Who was responsible for this change? It would be tempting to say this happened thanks to a strong rabbinic presence or influence,

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39 Fergus Millar, 'The Jews of the Graeco-Roman Diaspora between Paganism and Christianity, A.D. 312–438', in *The Jews among Pagans and Christians in the Roman Empire*, ed. by Judith Lieu, John North, and Tessa Rajak (London: Routledge, 1992), 97–123 (111), reprinted in *Rome, the Greek World, and the East, Volume 3: The Greek World, the Jews, and the East*, ed. by Hannah M. Cotton and Guy M. Rogers (Chapel Hill, NC: University of North Carolina Press, 2006), 432–56. A similar and reasonable conclusion can be found in Rutgers, *The Jews*, 205.

which could well explain a funerary inscription such as that of Put ben Yovianu of Lavello (near Venosa; undated, possibly late eighth century), which is entirely in Hebrew, full of biblical and midrashic echoes, and following the taste of the times, in rhymed prose. Moreover, it contains the earliest quotations of the Babylonian Talmud (b. Ber. 17a and 58b)—or, at least, the first allusions to it—in the Latin West.<sup>40</sup> This inscription, as well many others from Venosa, cannot be absolutely considered as standardized or formulaic.<sup>41</sup> They are, among other things, clearly aligned with the poetic and literary productions of that time.

The growth of the rabbinic presence in southern Italy is perhaps supported by some epigraphs of the seventh to ninth centuries from Basilicata and Salento, where three tombstones of individuals bear the title *rabbi*. The most ancient is the bilingual epitaph of Anna, daughter of Rabbi Julius, in Latin and Hebrew (undated and probably belonging to the seventh century). The title *rabbi* appears abbreviated as *R.* in the Latin text; the Hebrew version of the epitaph is longer and rhymed, but it lacks the patronym (Fig. 5).<sup>42</sup>

40 Cesare Colafemmina, 'Una nuova epigrafe ebraica altomedievale a Lavello', *Vetera Christianorum* 29 (1992): 411–21; idem, 'Hebrew Inscriptions of the Early Medieval Period in Southern Italy', in *The Jews of Italy: Memory and Identity*, ed. by Barbara Garvin and Bernard Cooperman (Bethesda: University Press of Maryland, 2000), 65–81 (71–77).

41 As they are described (strangely enough, given the rigour and general soundness of the volume) by Hayim Lapin, *Rabbis as Romans: The Rabbinic Movement in Palestine, 100–400 CE* (Oxford-New York: Oxford University Press, 2012), 259, n. 45.

42 *JWE* I, no. 195. Latin text: *Hic requi/scit d(omi)na / Anna fili/a R(abbi) Guliu et/ate LVI ani / {LVI}*. Hebrew: שוכבת פה \ אישה נבונה \ מוכנות בכל \ מצוות אמנה \ ותמצא פני \ אל חנינה \ ליקצת מי \ מנה זו (?) שנפ{ט}רה \ חנה \ בת. A recent re-examination of the epitaph and its dating can be found in Mauro Perani, 'A proposito dell'iscrizione sepolcrale ebraico-latina di Anna figlia di Rabbi Giulio da Oria', *Sefer Yuhasin* 2 (2014): 65–91. For a complete presentation of all the late ancient and medieval Jewish epigraphs in southern Italy, see Giancarlo Lacerenza, 'L'epigrafia ebraica in Basilicata e Puglia dal IV secolo all'alto Medioevo', in *Ktav, Sefer, Miktav: La cultura ebraica scritta tra Basilicata e Puglia*, ed. by Mauro Perani and Mariapina Mascolo (Bari: Edizioni di Pagina, 2014), 189–252.



Fig. 5: Memorial stone of Anna, daughter of Rabbi Julius (Oria, Biblioteca Comunale). Photograph by Giancarlo Lacerenza. © All rights reserved.

Then in Brindisi, not far from Oria, there is the epitaph of a certain Rabbi Barukh ben Rabbi Yonah, in Hebrew, undated but belonging to the first half of the ninth century (Fig. 6).

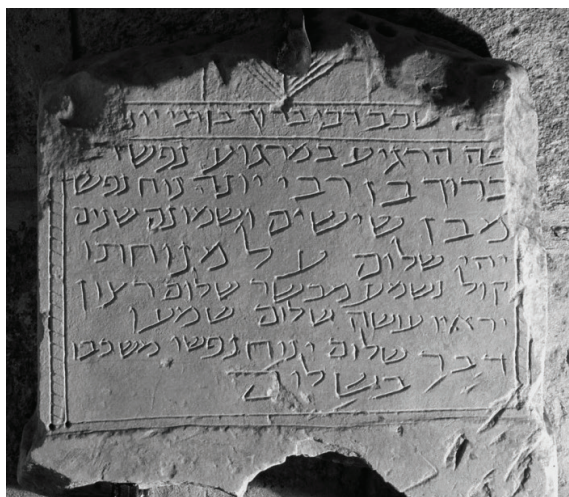


Fig. 6: Epitaph of Rabbi Barukh ben Rabbi Yonah (Brindisi, Museo Archeologico Provinciale). Photograph of the University of Naples "L'Orientale" Archive.

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The second part of the epitaph includes a series of biblical verses (from Isa. 52.7; Nah. 2.1; Ps. 145.19; Job 25.2; Est. 10.3) also known from a *Tziduk Hadin* burial hymn written by Amittay of Oria (grandfather of the more celebrated paytan Amittay ben Shefatyah), and this hymn is still present in the ancient *minhag b'ne Roma*.<sup>43</sup> Finally, back in Venosa, we find the epitaph of a certain Rabbi Abraham. It is also in Hebrew and bears a year, 821 or 822 (Fig. 7).<sup>44</sup> The title *rabbi* appears four times in this epitaph. The renowned scholar and Italian rabbi, Umberto (Mosheh David) Cassuto, once wrote:

In later times [i.e., from the High Middle Ages onwards], it was common in Italy to call all men by the title 'Rabbi', as we say today 'signore'. Here, however, since in this early period they did not preface the proper names of people with any descriptive title, it appears that the word 'Rabbi' is indeed descriptive of a Rabbi, in the sense of a scholar.<sup>45</sup>

Regardless of this conclusion, a stable rabbinic presence in southern Italy can be detected from the tenth century onwards, if not earlier. The progressive rabbinization of Judaism in this territory can therefore be situated between the late sixth and the

43 Cesare Colafemmina, 'Iscrizioni ebraiche a Brindisi', *Brundisii res* 5 (1973): 91–106, no. II; idem, 'L'iscrizione brindisina di Baruch ben Yonah e Amittai da Oria', *Brundisii res* 7 (1975): 295–300. The text of the epitaph runs as follows (line 1 is just a header): רבי מן שכב בן ברוך בן רבי יונה נוח נפש \ מן ברוך בן רבי יונה \ פה הרגיע במרגוע נפש ר [בי] \ ברוך בן רבי יונה נוח נפש \ מן שישים ושמונה שנים \ יהי שלום על מנוחתו \ קול נשמע מבשר שלום רצון \ יראיו עושה שלום שמעו \ דבר שלום ינוח נפשו משכבו \ בשלום.

44 Umberto Cassuto, 'Nuove iscrizioni ebraiche di Venosa', *Archivio Storico per la Calabria e la Lucania* 4 (1934): 1–9 (5 no. 2); idem (as Moshe David Cassuto), 'The Hebrew Inscriptions of Ninth-Century Venosa', *Qedem* 2 (1945): 99–120 (107–8, no. 6; Hebrew): [המצבה (שהוצב) \ קבר(?) \ לרבי אברהם שנפט [ר] \ [וה]וא בן שלשים ושבע שנים \ [בש]נת שבע מאות וחמש [ים] \ [ושל]ש שנים לחרבן בית \ [ה]מקדש שייבנה בימנו \ [אמ]ן המקום יניח נפשו עם \ [ה]צדיקים בגן עדן \ [וכ]ל שיוליך אותו לבית \ [ה]מקדש ויעשה ממי(?) \ [ש]כתוב לחיים בירושלם.

45 Cassuto, 'Nuove iscrizioni' (translated from the Italian).



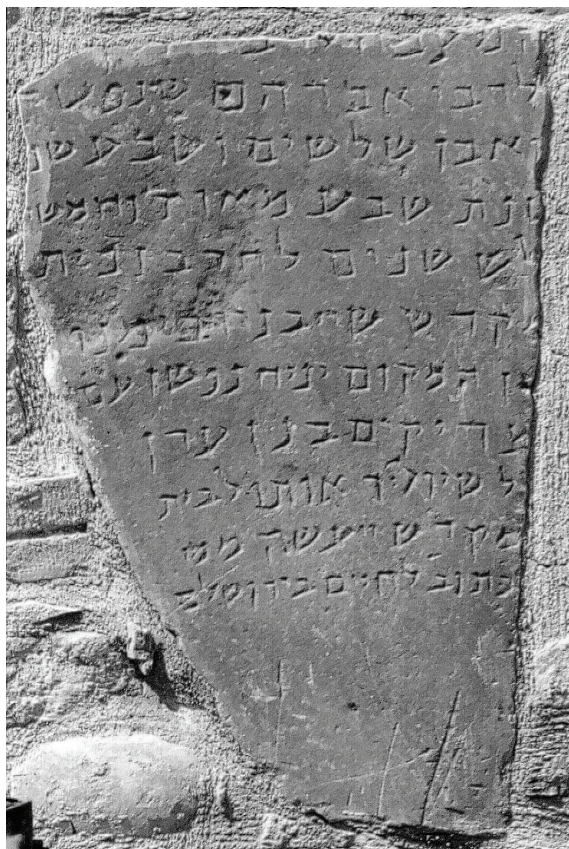


Fig. 7: Epitaph of Rabbi Abraham (Venosa, Abbey of the Most Holy Trinity).  
Photograph by Giancarlo Lacerenza. © All rights reserved.

early ninth centuries. This process accompanied the dominance of Hebrew in every part of written culture, from funerary epigraphy to the emergence of a significant literary production in halakhah, hymnography, secular poetry, historiography, and medicine.<sup>46</sup>

Does this mean that the rabbis in the tenth century triumphed everywhere? On this point wisdom dictates caution. Besides the

<sup>46</sup> In the absence of any complete overview on this literature, see the introductory essay in *Shabbatai Donnolo's Sefer Hakhmoni: Introduction, Critical Text, and Annotated English Translation*, ed. by Piergabriele Mancuso (Leiden: Brill, 2010), 3–40, including a good bibliography.

impact and consequences of the Karaite movement, the episode of Silano, a Venosian scholar, is suggestive. According to a tradition preserved in *Megillat Ahima'az* (c. 1054) referenceing events that took place in the first half of the ninth century, Silano set a trap for an unnamed foreign rabbi during his visit to Venosa by changing the text of his synagogue homily. Consequently, Silano was excommunicated. He was later rehabilitated after changing a verse in another text to condemn the *minim*—probably the Karaites. If Silano was one of the last representatives of the traditions of southern Italian Jews,<sup>47</sup> it seems that the price of his rehabilitation was the recognition of rabbinic Judaism as imported from the East.

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47 On the continuity of this tradition, see already Nicholas de Lange, 'The Hebrew Language in the European Diaspora', in *Studies on the Jewish Diaspora in the Hellenistic and Roman Periods*, ed. by Benjamin Isaac and Aharon Oppenheimer (Tel Aviv: Tel Aviv University, 1996), 111–38 (114) and, in more general terms, Shlomo Simonsohn, 'The Hebrew Revival among Early Medieval European Jews', in *Salo Wittmayer Baron Jubilee Volume on the Occasion of His Eightieth Birthday*, ed. by Saul Lieberman and Arthur Hyman, 3 vols. (Jerusalem: American Academy for Jewish Research, 1974), II, 831–58.



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## 10. JEWISH DEMOGRAPHICS AND ECONOMICS AT THE ONSET OF THE EUROPEAN MIDDLE AGES

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The Jewish nuclei of medieval Europe defined themselves—religiously, culturally and linguistically—as parts of the broader entity of a Jewish people historically anchored in the Middle East. Indeed, most of them can be traced back to the Middle Eastern Jewish populations of antiquity, although nowhere by direct evidence of actual migration, but rather by tenuous lines of ritual and literary traditions that must have been carried abroad by migrants and were often reworked into myth.<sup>1</sup> Against this mainstream approach, a persistent strain in scholarship postulates non-Jewish origins for both Sephardi and Ashkenazi Jews, claiming that communities consist mostly of converts from other faiths, most notably the Khazars.<sup>2</sup> The debate has not been

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- 1 See the chapters by Robert Bonfil, Steven Bowman, and Ivan Marcus in *The Midrashic Imagination: Jewish Exegesis, Thought, and History*, ed. by Michael Fishbane (Albany: SUNY Press, 1993) and, most recently, Robert Bonfil, *History and Folklore in a Medieval Jewish Chronicle: The Family Chronicle of Ahima'az ben Paltiel* (Leiden: Brill, 2009).
  - 2 For the hypothesis of Yitzhak Schipper on the Khazar origins of Polish Jewry and its scholarly criticism, see the sympathetic account by Jacob Litman, *The Economic Role of Jews in Medieval Poland: The Contribution of Yitzhak Schipper* (Lanham, MD: University Press of America, 1984). For a linguistic reworking of this notion, see Peter Wexler, *The Ashkenazic Jews*:

restricted to academia, but resonates strongly with contemporary political contentions. Thus, the origins of the Ashkenazim have been tied to the fight over the legitimacy or illegitimacy of the Jewish claim to the Land of Israel. In the heat of the political argument, the issue of Ashkenazi origins has moved from the fringes into the centre of public debate, for instance, in the writings of Shlomo Sand. A similar assertion of non-Jewish origins has been made for central and northern France, where converts of Late Antiquity and the Early Middle Ages were thought to have been numerous enough to produce the substantial Jewish population emerging there in the eleventh century.<sup>3</sup>

Running parallel to this mainstream/fringe dichotomy of views on the origin of European Jews, there is a similar one concerning the antiquity of their presence. Most scholars, the present one included, see the Jewries of northern Europe as recent—that is, ninth- or tenth-century—arrivals, with no continuity backwards to a sparse and hazy presence in Late Antiquity. In contrast, the Jews of the Mediterranean south are believed to have a much longer history, to the point that Italian Jewry has been called “millenary,” one that “has lived in one of the Diaspora countries for a millennium or more.”<sup>4</sup> To the Italian Jews one must add

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*A Slavo-Turkic People in Search of a Jewish Identity* (Columbus, OH: Slavica Publishers, 1993); idem, *The Non-Jewish Origins of the Sephardic Jews* (Albany: SUNY Press, 1996). The year 2008 saw the publication in Hebrew (English translation 2009) of yet another polemic denying Jewish nationhood, ostensibly on Khazar grounds: Shlomo Sand, *The Invention of the Jewish People*, trans. by Yael Lotan (London: Verso, 2009). In place of the large and usually contentious literature on the subject see now *The World of the Khazars: New Perspectives*, ed. by Peter B. Golden et al. (Leiden: Brill, 2007).

- 3 Robert-Henri Bautier, ‘L’origine des populations juives de la France médiévale: Constatations et hypothèses de recherche’, in *La Catalogne et la France méridionale autour l’an mil*, ed. by Xavier Barral i Altet et al. (Barcelona: Generalitat de Catalunya, 1991), 306–16.
- 4 Moshe Gil, *Jews in Islamic Countries in the Middle Ages* (Leiden: Brill 2004), 579.

their coreligionists in Byzantium. There is considerable overlap between the two in most regions of southern Italy.

Contrary to this majority view, since the nineteenth century (and, lately, with renewed vigour), there has been a tendency to claim significant continuity of the Jewish presence not only in the Mediterranean region, but also north of the Alps, in northern Gaul and even in Germany. Here, too, present day concerns can be discerned behind scholarly opinion, for instance, the desire to present the city of Cologne as “the cradle of Ashkenazic Jewry” in a yet-to-be-built Jewish Museum that will cater to an expected torrent of Jewish tourists.<sup>5</sup> Elsewhere, in Normandy, a sudden bloom of cultural creativity in the twelfth/thirteenth centuries could not be explained except by “a lengthy prehistory of Jewish settlement and legal rights [...] apparently beginning during the period of Roman colonization of Gaul,” one thousand years earlier.<sup>6</sup> In both cases, the evidence proffered for these assertions ranges from flimsy to non-existent.

A short sketch of the general political and economic background of Europe might help flesh out the essential timeline. All regions of Mediterranean Europe (Byzantium, Italy, southern France, and Iberia) experienced a headlong economic and demographic crisis between the sixth and eighth centuries, in which the prime victim was the urban population, among which were, of course, the Jews. Each region variously witnessed slow (and sometimes more rapid) demographic and economic recovery from the ninth century or, in places, from the tenth century onwards.<sup>7</sup> Politically, this means the mid-Carolingian period in France,

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5 For details and critique, see Michael Toch, *The Economic History of European Jews: Late Antiquity and Early Middle Ages* (Leiden-Boston: Brill, 2012), 295–98.

6 Norman Golb, *The Jews in Medieval Normandy* (New York: Cambridge University Press, 1998), 33. For a reasoned critique, see Toch, *Economic History*, 305–06.

7 Of the vast literature, see Michael McCormick, *Origins of the European Economy: Communications and Commerce, AD 300–900* (Cambridge: Cambridge University Press, 2001).



northern Italy, and Catalonia; the Byzantine *reconquista* in the Mediterranean; and the formation of a Muslim state in Iberia. In terms of settlement structure, this was the time of a hesitant re-urbanization in the south—consider Venice and Amalfi—and of an altogether new semi-urban and urban formation in the north—to wit, the numerous commercial *wik* settlements on the northwestern seaboard and in England. It is our thesis that Jews, as with other urban and commercial elements, had little incentive to settle or expand in the crisis-ridden European regions of the first medieval centuries, but good reasons to do so from the ninth century onwards. This is indeed the picture our detailed examination of the evidence has illuminated: a double movement, consisting of re-population in the south and of immigration to the north.<sup>8</sup> Except for Iberia, we have not found evidence for the migratory movement from the Islamic world into Europe that has been alleged in a recent book.<sup>9</sup>

In more detail, the Jewish settlement history in the different regions of Late Antique and Early Medieval Europe can be characterized thus:<sup>10</sup>

In the course of Roman antiquity, Jews came to make up a significant component of some town populations of the Eastern Roman Empire (later Byzantium). Of the one hundred sites of archaeological evidence for Jewish life in the Balkans, Greece, and Asia Minor, more than half are on/near the Mediterranean or Black Sea shores and on islands in the Mediterranean. Of the inland sites, the vast majority are in Asia Minor, mostly on the ancient trans-Anatolian highway leading from Smyrna (Izmir) and Ephesus on the Aegean coast via Iconium (Konya) to Mesopotamia. The archaeological evidence, though considerable,

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8 Toch, *The Economic History*, passim.

9 Maristella Botticini and Zvi Eckstein, *The Chosen Few: How Education Shaped Jewish History, 70–1492* (Princeton, NJ: Princeton University Press 2012), 173–75.

10 For details and references the reader is directed to the first part and the appendices of Toch, *Economic History*. In the appendices, the evidence for each place of settlement is laid out and critically appraised.

in no way supports the widely-held opinion of a vast Jewish population in the Roman Empire, a notion that has lately been subjected to well-deserved criticism.<sup>11</sup>

Seen from the perspectives of extent and numbers of communities, medieval Byzantine-Jewish settlement never reached the Late Antique high point. For the earlier period (sixth to ninth centuries), it is difficult to decide whether only a lack of sources or an actual demographic low is reflected. I tend to accept the second view. For the later part (tenth to twelfth centuries), the decline in numbers, roughly half that of Late Antiquity, is substantial. Still, given the premise of an earlier dramatic drop in the Jewish population, such a ratio implies a remarkable recovery. The evidence also provides a further distinctive and apparently persistent feature—the migratory geography of Jewish Byzantium. It may thus be safely stated that two basic demographic phenomena mark Byzantine Jewry throughout our entire period. First, there was a continuity of Jewish presence in the Eastern Roman Empire from Late Antiquity into the High Middle Ages, though ebbing and surging at a pace apparently attuned to that of the population at large. Second, there was geographical dissemination and a migratory flow throughout the Byzantine space.

Italy presents a complex picture. Home to a sizeable Jewish population in antiquity, especially in Rome, here, too, the beginning of the Middle Ages saw a general retreat of human settlement and of population numbers. In only a small number

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11 Abraham Wasserstein, 'The Number and Provenance of Jews in Graeco-Roman Antiquity: A Note on Population Statistics', in *Classical Studies in Honor of David Sohlberg*, ed. by Ranon Katzoff (Ramat Gan: Bar Ilan University, 1996), 307–17; Brian McGing, 'Population and Proselytism: How Many Jews Were There in the Ancient World?', in *Jews in the Hellenistic and Roman Cities*, ed. by John R. Bartlett (London: Routledge, 2002), 88–106. For the historiographical context of the maximalist view of antique Jewish demographics see the aptly-titled study of Alf Thomas Kraabel, 'The Roman Diaspora: Six Questionable Assumptions', *Journal of Jewish Studies* 33 (1982): 445–64.

of locations—Rome and some towns in the south—is there a continued Jewish presence into the Middle Ages. A similar disparity between the south and the rest of the country holds for the more numerous places where Jews first settled during the Middle Ages. Many of these lay in regions ruled, to varying degrees, by Byzantium until the eleventh century. Culturally and demographically, southern Italian Jewry was much influenced, if not directly derived, from its Byzantine equivalent, and this involved some degree of migration. However, compared to Byzantium, the low rate of continuity indicates a considerable difference in the stability of the Jewish presence.<sup>12</sup> Altogether, the number of communities everywhere in Italy is small, much smaller than in Byzantium. The ecclesiastical reformer Peter Damian (1007–1072), who spent all his life in Italy, remarked in the prologue to his treatise *Against the Jews* (1040–1041) that writing such a tract is barely worth the effort, as “the Jews are now almost deleted from the face of the earth.”<sup>13</sup> This might have been somewhat exaggerated, as witnessed by Benjamin of Tudela’s Italian itinerary a century later. Benjamin’s late-twelfth-century travels were situated in a new era of general demographic growth.

On the Iberian Peninsula, the sparse Jewish population of Roman Late Antiquity seems to have barely survived into subsequent Visigothic times. In contrast, the data available by the late tenth and early eleventh century reflects a different order of magnitude, in terms of both the number of inhabited places and population figures. This appears to parallel the general

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12 For visual confirmation of this finding, see Hanswulf Bloedhorn et al., ‘B VI 18 Israel nach der rabbinischen Literatur: Die jüdische Diaspora bis zum 7. Jh. n. Chr.’, in *Tübinger Atlas des Vorderen Orients, Teil B. Geschichte*, ed. by Horst Kopp and Wolfgang Röllig (Wiesbaden: Ludwig Reichert, 1992).

13 *Die Briefe des Petrus Damiani*, ed. by Kurt Reindel, 4 vols. (Munich: Monumenta Germaniae Historica, 1983–1993), I, 66, no. 1. I owe this reference to my friend Alexander Patschovsky of Munich. Cf. David Berger, ‘St. Peter Damian: His Attitude toward the Jews and the Old Testament’, *Yavneh Review* 4 (1965): 80–112.

demographic curve—upwards—in al-Andalus and is clearly linked to a more favourable Arab regime and to immigration from North Africa. These together produced a Sephardic Jewry showing no visible similarity to, and continuity with, the few indistinctive Jews of the Roman and Visigothic periods. In the Christian north, Barcelona and Gerona were the earliest places of residence (in the ninth century), due to the impetus given these parts by Carolingian colonization in Catalonia. In Leon-Castile, Jews came to be present in the capital during the tenth century and in other places in the course of the following one. In the kingdoms of Aragon and Navarra, they appear not earlier than the eleventh to early twelfth century. They came from the south of the peninsula, where a now highly intolerant Muslim regime caused significant numbers of Jews to flee to the Christian north. According to one opinion, there were also migrants from France. Population growth apparently reached its apogee towards the end of the thirteenth century and the beginning of the fourteenth, making Iberian Jewry the largest of all Europe.

In Gaul, a transient presence can be noticed in the fourth century along the Roman borders, slightly later also in a few towns, primarily in the south. Only in Arles, Narbonne, and possibly Marseilles did Jewish habitation continue uninterrupted into the ninth–eleventh centuries. As in other parts of Europe, the post-Carolingian era saw considerable growth overall. The new communities in northern Gaul became the western branch of Ashkenazic Jewry, with congregations in the Île-de-France, Maine-Anjou, Burgundy, Champagne, Lorraine, and Normandy. As elsewhere, the greatest number and widest distribution was attained during the third quarter of the thirteenth century, surely due in some measure to immigration, which is, however, very hard to discern and could have come only from the Mediterranean south. There is little room for the hypothesis raised some years ago that the French part of Ashkenazic Jewry derived from immigrants from Germany.<sup>14</sup> Given the very small numbers of

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14 Simon Schwarzfuchs, 'L'opposition Tsarfat-Provence: La formation du judaïsme du Nord de la France', in *Hommage à Georges Vajda: Études*

souls in these tiny communities, population expansion is better explained by internal growth.

In Germany, Jewish life was, for a long time, a small-scale affair wholly dependent on immigration. In the ninth century, migrants to Germany cannot have made up more than a few dozen families and, in the tenth century, maybe a few hundred. In the course of the eleventh century there was marked growth in numbers, nourished by ongoing immigration from France and, to a lesser degree, from Italy, in addition to internal demographic growth. It appears that proselytes, though present, contributed only a handful of persons to the early Jewish population.

In Eastern Europe, the sizeable Roman-era Jewish settlement along the shores of the Danube and the Black Sea did not continue into the Early Medieval period. The earliest evidence for renewed presence—in the tenth/eleventh century—speaks of a transient one, of traders coming mostly from the west—Germany—and less frequently from the east—the lands of the Turks. These merchants crossed Bohemia, Hungary, and Poland on their way to and from Russia, but some of them were also active in the former countries. A stable resident community, possibly of Khazar origin, apparently settled in Kiev in the tenth century. In Bohemia, Hungary, and Poland, Jews inhabited individual communities in the eleventh century. Outside of these principal places, further settlement did not occur before the twelfth and thirteenth centuries. Thus, Eastern Europe was populated by Jews considerably later and at considerably lower density than all other regions of Europe. Of a possible pre-Ashkenazic stratum—Byzantine, Turkish-Khazar, or Slavonic—little can be discerned in the sources.

To sum up: population numbers and distribution are a critical factor for realistic assessment of the weight and role of Jews in the economies and politics of medieval Europe. There can be no doubt that in Late Antiquity some groups in southern Europe—in Italy and Byzantium—were quite substantial, even though the millions

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*d'histoire et de pensée juives*, ed. by Gérard Nahon and Charles Touati (Leuven: Peeters, 1980), 135–50.

proffered in scholarship do not stand up to scrutiny. In other parts, such as Spain and southern Gaul, much smaller numbers were present, while northern Gaul had few and the Roman parts of Germany had no Jews, except for some itinerant merchants or craftsmen. The administrative centre of Trier might have been an exception, and the same has been alleged for Cologne. Along the Danube border in eastern Austria and Hungary more Jews were present, in some places amounting to synagogue communities, and the same holds for the Black Sea shores and the Crimea. In Eastern Europe proper, as in Germany beyond the Roman border, no evidence of an antique Jewish presence, however slight, has been found. Not surprisingly, such existence was confined to the urban landscape of the Roman world, in its Western and even more in its Eastern parts.

In the first centuries of the Middle Ages, Jewish life continued on a diminished scale in the Byzantine Empire. Elsewhere, the evidence dwindles to almost nothing, except for a few places in Italy and southern France. In Visigothic Spain, the total absence of archaeological finds and other evidence produced by Jews themselves is difficult to square with the spate of repressive legislation enacted by the Visigothic monarchy and church after the conversion to Catholicism. In a similar way, in northern and central Gaul, our investigation has raised doubts whether ecclesiastical literature can provide confirmation of actual Jews rather than the virtual ones serving polemical or rhetorical purposes. Everywhere, indicators point to a severely restricted Jewish population, although to different degrees in different regions.

By the ninth/tenth centuries, new growth, slow at first and then accelerating, becomes visible everywhere. In Spain and possibly also in Sicily, it is clearly tied to the more favourable Arab regime, to immigration from North Africa, and to new links forged with the Middle Eastern centres of Jewish learning. In Italy and southern France, the factors contributing to growth are still obscure, but trends are similar. In central and northern Gaul and western Germany, the Jewish presence was a new phenomenon, wholly dependent on immigration from the south.

From there it drew demographic and cultural resources, to be transmitted and transformed, with a time lag, to the north. Save for the enigmatic Khazar entity, whose Jewish character is much in doubt and which completely disappeared from the stage, the Jewish population in Eastern Europe began its growth at the very end of the period under consideration. By this time, the eleventh century, both northern and southern Jewries had come of age: part of the European landscape; strong enough to claim intellectual independence from the centres of religious authority in the Middle East; equipped with ready legal procedures to navigate a range of economic pursuits that were very different from the antique ones. In this and many other senses, the medieval Jewries of Europe represent a rupture, a new phenomenon quite dissimilar from the Greek-speaking Mediterranean Diaspora of Late Antiquity.

In this view, the unmistakable demographic decline of the Late Antique Mediterranean Diaspora provided a clean slate for the reconstruction of a new medieval European Jewish population, one that was to exhibit a very different cultural and linguistic profile.<sup>15</sup>

What are the implications for the topic of our conference? As I see it, the main problem is the way demography and culture interact. One example: in a talk at the Jerusalem World Congress of Jewish Studies in August 2013 entitled ‘The Origins of the Halakhic Culture of Ashkenaz: A Proposal’, Hayim Soloveitchik put forward an intriguing hypothesis.<sup>16</sup> It flies in the face of hitherto accepted opinion, which sees southern France, Italy, and ultimately the Land of Israel as the places of origin of Ashkenazic culture: “Given their command of Babylonian Aramaic, their

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15 Shlomo Simonsohn, ‘The Hebrew Revival among Early Medieval European Jews’, in *Salo Wittmayer Baron Jubilee Volume on the Occasion of His Eightieth Birthday*, ed. by Saul Lieberman and Arthur Hyman, 3 vols. (Jerusalem: American Academy for Jewish Research, 1974), II, 831–58.

16 Published as ‘The “Third Yeshiva of Bavel” and the Cultural Origins of Ashkenaz—A Proposal’, in Haym Soloveitchik, *Collected Essays*, 2 vols. (Oxford: Littman Library of Jewish Civilization 2014), II, 150–215.

ignorance of and indifference to the Yerushalmi, and their exclusive preoccupation with the Bavli, the founding fathers of Ashkenazic halakhah hailed from Babylonia rather than from Palestine.” Here Soloveitchik did what most of us also tend to do unhesitatingly: to equate culture with origins. The same problem animates this conference. Rabbinization implies a process, the notion that antique, Mediterranean, Hellenistic Judaism in some way changed, developed, or morphed into rabbinic Judaism. From my point of view, if we accept that large segments of European Jewry had no antique antecedents, at least part of this assumed process of change is not really necessary. If so, we might want to examine methodically the assumption that the development of a culture necessarily needs a demographic carrier, a ‘mule’ (so to speak) on which to travel. To put it in an offhand way, with medieval Judaism being such an elite culture *par excellence*, did these few family groups really need more than a handful of family traditions? A second assumption to be queried says that one needs time for such changes to come into their own. Medieval European Jewish history has a number of examples where a rich local culture came into fruition within a very short time span, for instance the bloom of the German *ShUM* communities that took less than a century. In short, it is possible that Western European communities were never ‘rabbinized’ in the sense that these new Jewries were of the rabbinical persuasion from their very outset. This would still leave the question: where, or rather how, did they acquire this cultural profile?

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## PART 4. RABBINIZATION



# 11. THE RABBINIZATION TRACTATES AND THE PROPAGATION OF RABBINIC IDEOLOGY IN THE LATE TALMUDIC PERIOD

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## 1.0. What is Rabbinization?

The term rabbinization is used in contemporary Talmudic scholarship in two different, but related, senses. First, it denotes a process by which Jewish knowledge of the past is integrated into classical rabbinic literature. Sometimes this process also entails adaptation of the non-rabbinic tradition to rabbinic ideology and interests—in the words of Jacob Neusner, when rabbinic literature “rabbinizes” ancient Jewish traditions (biblical or not), it introduces into them “generative myths and symbols particular to rabbinic Judaism.”<sup>1</sup> In his classic article from 1984, ‘The Significance of Yavneh’, Shaye Cohen, following Jacob Neusner, talked about “the rabbinization of the past”: how the redactors of ancient rabbinic texts depicted people from the past as rabbinic Jews. This is also the way the term is used by Isaiah Gafni and Richard Kalmin, among others.<sup>2</sup>

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1 Jacob Neusner, *A Theological Commentary to the Midrash, Volume Six: Ruth Rabbah and Esther Rabbah I* (Lanham, MD: University Press of America, 2001), 59. See also the discussion in José Costa’s article in this volume.

2 Isaiah Gafni gives the following definition: “By rabbinization I refer to the representation of earlier figures and institutions of Jewish

Next to the meaning of rabbinization as a text-related process, the term can be used in scholarship to denote a sociological process in which Jews accept rabbinic discourse as normative. Seth Schwartz uses it in this sense in an article from 2002 entitled ‘Rabbinization in the Sixth Century’.<sup>3</sup> In general, when historians deal with rabbinization in the sociological sense, they look for the external signs of the phenomenon: whether a certain piyyut, synagogue, or mikveh is constructed according to rabbinic norms. Notwithstanding the difficulty that sometime arises in establishing these norms, we try to use our findings in order to understand the scope of rabbinization, its mechanisms, and dynamics.

The two senses are of course interrelated—the rabbinization of the Jewish past contributes to the rabbis’ claim of authority among Jews.<sup>4</sup> It is the relationship between the sociological and textual facets of this process that is the subject of this article. What I hope to achieve is a glimpse into the actual dynamics of the dissemination of rabbinic knowledge and ideology in Jewish societies during the Talmudic period and later. My question is

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history—primarily biblical but quite a few post-biblical ones as well—in the image of the rabbinic world in which the sages functioned,” in ‘Rabbinic Historiography and Representations of the Past’, in *The Cambridge Companion to the Talmud and Rabbinic Literature*, ed. by Charlotte E. Fonrobert and Martin S. Jaffee (Cambridge: Cambridge University Press, 2007), 295–312 (305). Another example is the rabbinization of the figure of Jesus in the Babylonian Talmud: see Richard Kalmin, ‘Christians and Heretics in Rabbinic Literature of Late Antiquity’, *Harvard Theological Review* 87 (1994): 155–69.

- 3 In *The Talmud Yerushalmi and Graeco-Roman Culture III*, ed. by Peter Schäfer (Tübingen: Mohr Siebeck, 2002), 55–69. Stuart S. Miller in *Sages and Commoner in Late Antique Erez Israel* (Tübingen: Mohr Siebeck, 2006), 299, also uses the term in that sense.
- 4 In this sense, the roots of rabbinization are found already in Tannaitic literature, which describes ancient Jewish institutions and leaders as following rabbinic norms. See, for example, Naftali S. Cohn, *The Memory of the Temple and the Making of the Rabbis* (Philadelphia: University of Pennsylvania Press, 2013).

not if and to what extent a certain (textual) object or a human individual or community was rabbinic. I am more interested in the encounter between the rabbinic texts and the yet-to-be rabbinized person.

This raises a methodological problem, since the encounter has a significant subjective dimension that resists objectification. It can never be fully represented, because it takes place in between a textual tradition that we have today and the person who received it, about whom we know very little. When we choose it as our object of study we have to use our imagination in order to fill in the gaps and to reconstruct the moment where the 'magic' took place and the rabbinic project recruited, perhaps only temporarily and partially, another adept.

To help us to imagine this subjective component, we can think of rabbinization as an ideological process that manipulates knowledge of the past in order to change conception of the present. Thus, even someone who had never been 'rabbinized' knows something essential about it: we all accept and reject preconceived notions about 'our' history that inform our behaviour and understanding of ourselves (our ethos). And we know, from our experience and that of others, and also from our work, that the mere divulgation of true knowledge about the past is not sufficiently effective. In order to produce an ethical effect, this knowledge need not be completely true, but it must be presented as such. The study of rabbinization is also the study of that space between the past and its representation, where the past becomes an agent of power and change.

## **2.0. Between the Talmud and the People**

Where did the encounter between rabbinic knowledge and Jews take place? The synagogue, for example, is a perfectly suitable candidate as a place where Jews gathered to practice their Judaism and rabbis came and presented their version of Jewish knowledge. Another possibility is the Kallah gathering that took place in the Babylonian academies in the late Talmudic and Geonic periods, where many Jews who did not follow the



rabbinic curriculum joined the yeshivot for a limited period of time. We can also think of other types of formal gatherings attested in Geonic sources and in the Talmud itself.

More crucial is the task of identifying the texts that were used in the process. Most of the rabbinic documents from the Talmudic period seem to address an institutionalized rabbinic study group. Their form and format, the way they use technical terms, and the fact that they give a lot of place to discussion or, at least, the presentation of different opinions on the same subject, show that their public had already accepted the authority of rabbinic discourse and was ready to participate in the project of its development and conservation.

There are, however, some exceptions. First, in the more 'scholastic' documents of the corpus we find many stories and legends about the Jewish past that convey a rabbinic worldview. These stories appear already in the Mishnah and the halakhic Midrashim and occupy an important place in the Talmudim. We can consider them texts of rabbinization in the first, textual sense: they produce rabbinic knowledge about the past. As for their use as agents of rabbinization in the sociological sense, it is more complicated. Unless these texts appear in more popular compilations from the period, such as the Targumim or other documents I will discuss later, it is possible that they were developed and consumed only within rabbinic circles.

Other exceptions are the midrashic compilations that seem to have been redacted with a clear intent to propagate rabbinic knowledge. This is the case of at least some of the aggadic Midrashim whose synagogal *Sitz im Leben* is more-or-less clear. Rachel Anisfeld argues that *Pesiqta de-Rav Kahana* is a text meant to propagate rabbinic Judaism.<sup>5</sup> This view may apply to other 'homiletical' compilations from the Amoraic period.

The problem with this solution is that it covers only the Palestinian side and leaves us in the dark with regard to the situation in the other important centre of rabbinic culture. If

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5 Rachel A. Anisfeld, *Sustain Me with Raisin-Cakes: Pesikta deRav Kahana and the Popularization of Rabbinic Judaism* (Leiden: Brill, 2009).

the aggadic Midrashim indeed functioned as textual agents of rabbinization in the Land of Israel, what were the texts used for this purpose in Babylonia?

My hypothesis is that during the Talmudic period Babylonian rabbis produced texts whose function was precisely the dissemination of rabbinic knowledge and ideology. Unlike the Talmudic discourse that was produced and received among rabbinic scholars, these ‘rabbinization tractates’ were produced within rabbinic circles, but circulated among Jews from outside the yeshiva. These tractates are relatively simple to understand and do not require extensive legal knowledge. In general, they focus a lot on the early Tannaitic period and describe the ancient rabbis as mythical figures.

In the following, I will give two examples of rabbinic texts that can be regarded as rabbinization tractates: the ‘minor’ tractate Kallah and the Sar ha-Torah tradition from Hekhalot Rabbati. I will argue that in both cases we find a text redacted by people within or close to rabbinic circles in an attempt to promote rabbinic ideology. They do it either by the redaction of a Mishnah-like text (as in tractate Kallah) or by the creation of a mythical story presenting the foundation of rabbinic Judaism as a messianic event (Sar ha-Torah). Reading these texts as rabbinization tractates can deepen our understanding of the spread of rabbinic discourse among Late Antique and Early Medieval Jewish individuals.

### **3.0. Tractate Kallah**

Let us start with tractate Kallah. As we have it today, the tractate contains one chapter with twenty-five teachings. It is focused on gender relations and sexuality. Almost all of the rabbis cited by name are Tannaim.

The question of the place of tractate Kallah in the corpus of classic Talmudic literature has drawn considerable scholarly attention, perhaps more than in the case of other minor tractates. Whereas there is consensus on the post-Talmudic date of most of the minor tractates, that is not the case with Kallah, mainly

because of three references in the Bavli to a “tractate Kallah” (b. Qidd. 49b, b. Ta’an. 10a, and b. Shabb. 114a). The first two are *baraitot*, and the third is a *memra* attributed to R. Yohanan.

Whether ‘tractate Kallah’ in the Bavli refers to our tractate was already debated by medieval Talmudic scholars. The debates about the date and provenance of the tractate were summarized by David Brodsky in 2006.<sup>6</sup> Brodsky proposes a detailed analysis of the tractate before concluding that according to its current state it was probably redacted towards the end of the second generation of Babylonian Amoraim, that is, the end of the third century.<sup>7</sup> Following Brodsky, I tried to situate the tractate in the social and religious context of the Babylonian rabbinic movement at the turn of the fourth century.<sup>8</sup> The technical simplicity of the tractate, especially when compared to other rabbinic compositions dealing with the same subjects (*niddah*, marriage), as well as other factors, lead me to believe that it was not intended for advanced Talmudic scholars, i.e., *talmide hakhamim*, but rather for Jews who were not well-versed in rabbinic traditions, but who still attributed to the rabbis and their scholarship some sort of authority (perhaps potential new *talmidim*). I suggested reading the tractate as an ideological tool designed to promote rabbinic discourse among Babylonian Jews.

I will focus here on two points. First, the emphasis the tractate puts on marriage and on the possibility of living a ‘holy life’ in this state.

In a well-known passage of his *Demonstrations*, the fourth-century Christian author Aphrahat recalls a conversation that took place between a Christian and a Jew revolving around the question of celibacy. This passage opens a long discourse in

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6 David Brodsky, *A Bride Without a Blessing: A Study in the Redaction and Content of Massekhet Kallah and its Gemara* (Tübingen: Mohr Siebeck, 2006).

7 Ibid., 9–86.

8 Ron Naiweld, ‘Saints et mondains: Le traité *Kallah* et la propagation du mode de vie rabbinique en Babylonie’, *Revue des études juives* 172 (2013): 23–47.

which Aphrahat, who writes in Syriac in the northern part of the Sasanid Empire, promotes the value of celibate life.

According to Aphrahat, the Jew mocked the Christian, telling him that he and his fellows are impure because they live in celibacy, whereas the Jews are holy (*qdishin*) because they marry and procreate and “increase seed in the world.” Aphrahat wrote this discourse around 340 CE, meaning that the conversation was at least imaginable in some parts of the Sasanid Empire.

This conversation, imagined or not, has to be put in the context of Eastern Christianity and its focus on sexual abstinence.<sup>9</sup> It tells us something about the status of the question in an environment geographically and ‘religiously’ close to that of rabbinic Jews. The possibility of living a holy life while participating in a conjugal relationship was a subject of debate in Christian and Zoroastrian circles. It was a conversation in which Jews must have participated.<sup>10</sup> As the dialogue in Aphrahat shows, the different ways of treating the question could also be used as identity markers. It was one of the possible spiritual-ethical discussions where Jews and Christians negotiated their borders.

A large part of tractate Kallah is dedicated to the question of holiness within marriage. It contains a series of very explicit halakhot concerning the pious behaviour in a marriage as well as during the wedding celebration. If indeed tractate Kallah of the Bavli is our tractate and was known among Jews in Babylonia, then its focus on the interaction between marriage and holiness can be understood against the background of the debate on the possibility of living a holy life in marriage. At least, according to Aphrahat, the debate was a key factor in the distinction between Christians and Jews.<sup>11</sup>

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9 Another Christian text from the period, the Acts of Thomas, which enjoyed a broad diffusion among Syriac-speaking Christian, also cites celibacy as a distinguishing feature of Christian identity.

10 See also Naomi Kolton-Fromm, *Hermeneutics of Holiness: Ancient Jewish and Christian Notions of Sexuality and Religious Community* (Oxford: Oxford University Press, 2010).

11 Note also the centrality of the question in the fourth-century Acts of Thomas.

What distinguishes Kallah from other rabbinic texts promoting the value of marriage is that it presents itself as a classical rabbinic text—a Mishnaic tractate—but at the same time it is highly accessible to any Jew with knowledge of Hebrew. For Jews in the Sasanid Empire, for whom the question of holiness was relevant, the tractate could provide good rabbinic advice, a kind of manual on how to live a holy life while remaining married and having children. The question of holiness was the channel through which rabbinic knowledge could reach Jewish subjects.

The second point that allows us to think of Kallah as a rabbinization tractate concerns rabbinic ideology in a stricter sense—the hierarchy inside the Jewish world between rabbis and non-rabbis. Teaching 4 of the tractate reads:

One who reads a verse from the Song of Songs and makes it like a ditty, as well as one who does not read a verse of the Torah at its appropriate time, brings a flood upon the world, because the Torah puts on sackcloth and stands before the Holy One, blessed be he, and says: “Master of the Universe, your sons have made me like a lyre that the gentiles play.” He says to her: “My daughter, if so, what should they do when they are happy?” She replies before him: “Master of the Universe, if he is a disciple of a Sage (*talmid hakham*), let him busy himself with Torah and Talmud and good deeds and aggadot. If he is an ordinary person (*‘am ha-aretz*), let him busy himself with the laws of Passover on Passover, and of Atzeret on Atzeret, and of Sukkot on Sukkot.”<sup>12</sup>

Another version of this teaching is found in b. Sanh. 101a (see also t. Sanh. 12 and Avot R. Nat. A 36). However, in the Bavli version, the Torah distinguishes between different classes of rabbinic students defined according to their field of expertise—Miqra, Mishnah, or Talmud. In the Kallah’s version of the text the distinction is between rabbinic students and *‘am ha-aretz*. The

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12 Translations of tractate Kallah are based on the Munich manuscript, which was also used by Michael Higger for his edition: *Tractate Kallah: Tractate Kallah and Tractate Kallah Rabati* (New York: Deve Rabanan, 1936).

latter are defined here clearly by their relationship to rabbinic discourse. It is very strict—they should study the laws only when they are supposed to follow them. They should not feel free to do whatever they fancy. Compared to them, the rabbinic student has much more freedom in his engagement with the Torah. He can busy himself with any part of it—both intellectually and practically (good deeds)—whenever he likes.

This teaching portrays a mythical image of the hierarchy between rabbis and other Jews based on their relationship to halakhic discourse. However, even though the distinction between the two groups could not be clearer, we do not find here the hostile tone of some Talmudic references to *‘am ha-aretz*. Both classes of Jews—rabbinic or not—are the subject of the conversation between the Torah and God. Both have a place in the intersection between the Law (Torah as it is studied and elaborated by the rabbis) and the Holy One (God, the *Qadosh Barukh Hu*). Thus, especially when compared to its Talmudic parallel, this teaching articulates a hierarchical partnership between rabbis and non-rabbis.

Other teachings of the tractate display a close conception of the relationship between the two groups, but instead of using mythical imagery, they use the early rabbinic period as background. Thus, in teaching 16 we read:

R. Judah says: The bold-faced are destined to hell and the shame-faced are destined to heaven. The bold-faced—R. Eliezer says *mamzer*; R. Joshua says the child of a menstrually impure woman. One time the elders were sitting at the gate, and two children passed before them. One covered his head, but the other uncovered his head. The one who uncovered his head—R. Eliezer says: He is a *mamzer*. R. Joshua says: He is the child of a menstrually impure woman. And R. Akiva says: He is a *mamzer* and a child of a menstrually impure woman. They said to R. Akiva: How dare you contradict the words of your fellows [or masters]? He said to them: I will establish it. He went to the child's mother and saw that she was sitting and selling beans in the market. He said to her: My daughter, if you tell me what I ask you, I will bring you to the life of the world to come. She said to him: Swear it to me. R. Akiva swore to her with his lips,

but nullified the oath with his heart. He said to her: This son of yours, what is his nature? She replied: When I entered the marriage canopy, I was menstrually impure. My husband separated from me, and my groomsman came upon me, and I had this son. It turns out the child is a *mamzer* and a child of a menstrually impure woman. They said: Great is R. Akiva who bested his rabbis. At the same time, they said: Blessed is YY, God of Israel, who revealed his secret to R. Akiva b. Joseph.

A version of the same story is found in another popular Jewish composition, *Toledot Yeshu*. In that narrative, the child is Jesus, and R. Akiva is presented as a Jewish religious hero—not only is he the one who exposes the scandalous circumstances of the birth of the Christian Messiah, but he is also the one who has a special relationship with the God of Israel, akin to the relationship that Christians draw between Jesus and God.

I will not treat here the question of the relationship between the two versions, but would rather like to focus on the image of R. Akiva, especially the way in which his *'azut-panim* or *chutzpah* is described (to some extent the analysis is valid for both versions). The boldness of R. Akiva is a motif that we also find in several Talmudic stories about him—not only his encounter with the Roman governor, but also his relationship with his master, R. Eliezer b. Hyrcanus. In the Talmud, Akiva's boldness is parrhesiastic in nature: it consists of his courage to tell the truth. In the Kallah story, this boldness is explained otherwise: Akiva allows himself to be bold because God has revealed his secret to him.

Obviously, the courage to speak the truth is not something with which the Akiva of the Kallah story preoccupies himself. He has no problem lying to the woman in order to show to his fellows that he was right. Indeed, in the Kallah story, Akiva's power is not to tell the truth, but rather to see it and to use it in order to make a change in the world.

The story of Akiva concludes a thematic section of the tractate that deals with impious sexual relations and how they engender defective sons. The teachings' purpose is to control the sexual behaviour of their readers: they warn the Jew that if he engages

in impious sexual relations, his sons will be sick and crippled. The Akiva story that concludes this section takes the warning to the next level. It presents the rabbi as a holy man whose mission is to control the sexual purity of the Jews. Thus, even if there are no visible signs of the impious condition in which the child was conceived, the rabbi's X-ray eyes allow him to see the truth and to impose rabbinic order on subjects who tried to transgress it.

#### 4.0. Sar ha-Torah

The mystical allure of R. Akiva in the Kallah story brings us to the other composition I wish to deal with here, the Sar ha-Torah (SH) story of Hekhalot Rabbati. Here I would like to present the conclusion of another French article I published in 2012.<sup>13</sup> My analysis of the SH story draws on previous studies, mainly those of Michael Swartz,<sup>14</sup> Moulie Vidas,<sup>15</sup> Ephraim Urbach,<sup>16</sup> and Joseph Dan.<sup>17</sup> Notwithstanding their differences, all seem to agree that the text was written by people who knew the rabbinic academy (yeshiva) from within, a crucial point to which I will return.

Another important source of inspiration was Ra'anan Boustan's 2011 article from the *Jewish Quarterly Review*, 'Rabbinization and the Making of Early Jewish Mysticism'. Although he does not

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13 Ron Naiweld, 'Le mythe à l'usage de la rabbinisation: La tradition de *Sar ha-Torah* dans son contexte historique et social', *Henoch* 34 (2012): 245–69.

14 Michael Swartz, *Scholastic Magic: Ritual and Revelation in Early Jewish Mysticism* (Princeton, NJ: Princeton University Press, 1996).

15 Moulie Vidas, *Tradition and the Formation of the Talmud* (Princeton, NJ: Princeton University Press, 2014).

16 Ephraim Urbach, 'The Traditions about Merkabah Mysticism in the Tannaitic Period', in *Studies in Mysticism and Religion Presented to Gershom Scholem on His Seventieth Birthday by Pupils, Colleagues and Friends*, ed. by Ephraim Urbach, R. J. Zwi Werblowsky, and Chaim Wirszubski (Jerusalem: Magnes Press, 1968), 1–28 (Hebrew).

17 Joseph Dan, *The Ancient Jewish Mysticism* (Tel Aviv: MOD Books, 1993).



directly address the SH tradition, Boustán proposes rethinking the relationship between the Talmudic corpus and Hekhalot literature. The ‘rabbinization’ he deals with is mainly the first kind, that of textual tradition. One of his main arguments is that from the middle of the first millennium onwards we find attempts at harmonization between the two corpora (Talmud and Hekhalot), with the penetration of Hekhalot traditions into the Talmudic corpus to an extent that at some points it is impossible to distinguish between a ‘Talmudic’ and a ‘Mystical’ composition. In my article I proposed that at least some parts of Hekhalot literature were used in order to propagate rabbinic ideology to Jews who were at the margins or completely exterior to the yeshiva.

It was already suggested that the authors of the SH tradition were those members of the yeshiva who oversaw the conservation and transmission of early rabbinic oral teachings. The two groups, Talmudic and Mystical, shared the same body of knowledge, but each one had a different relation to it. Behind the conflictual relationship that must have existed between them, there was also an important basis for collaboration, a common ground or a common general understanding of the religious and national project of Judaism.

The SH tradition joins other Hekhalot stories in which the heroic side of the earliest rabbis is portrayed without the ironic distance we often find in the Talmud. The rabbis in Hekhalot literature are heroes or even superheroes—not only because they can access the divine realm and converse with angels and God himself, but also because of their ability to bring divine wisdom to their fellows in the lower world. What distinguishes the SH narrative from the other stories in Hekhalot literature is the important role it gives to the people of Israel as interlocutors with God. It stages a second national revelation that took place when the Second Temple was built.

The critical tone that our story contains regarding the Talmudic rabbis is not necessarily personal, but may result from a different approach to the rabbinic project. We can imagine the authors of SH (possibly of other Hekhalot stories as well) as rabbis who

wished to provide a more joyful account of the beginning of the rabbinic movement in a way that would also be appreciated by non-rabbis. They wished to take the ancient rabbinic teachings outside the ‘ivory tower’ of the yeshiva and to show the people why rabbinic activity matters—how it can affect their lives in a positive way, how it can provide them with a framework to practice their religion, their spirituality, their Judaism.

For the Tannaitic rabbis of the SH tradition, the essence of rabbinic teaching and activity is not the production of legal/halakhic knowledge or the ‘mystical’ act of communicating with the divine world. Like the other Hekhalot rabbis, they desire to be affected by the Torah, to obtain its secret. And according to the SH story, the secret of the Torah gives not only the intellectual ability to remember it, but also the power to shape people’s minds on the spiritual, ethical, political, economic, liturgical, and aesthetic levels. It is a self-sufficient existential framework, a divinely-designed matrix for Jews to live their lives.

The mythical story of Sar ha-Torah is brought to us through a chain of three rabbis:

R. Ishmael said that R. Akiva said in the name of R. Eliezer that from the day the Torah was given until the day when the last Temple was built—the Torah was given, but its splendour was not. And not only its splendour, but also its greatness, its honour, its beauty, its awe, its fearsomeness [...] were not given until the day when the last Temple was built and the Shekhinah resided in it.<sup>18</sup>

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18 Translations are based on manuscript M40. See also §§281–306 of *Synopse zur Hekhalot-Literatur*, ed. by Philip Schäfer (Tübingen: Mohr Siebeck, 1981). At least two manuscript versions of the story (M22 and B328) add a portion from which one can conclude that the splendour in question is the secret (*raz*) of the Torah, a kind of magic allowing the rabbinic student to remember all the Torah he has learned. But this passage does not appear in the other manuscripts, which give a different understanding of the secret. According to the short version of the story, those who possess the secret (*sod*, *raz*) of the Torah are those who hold the power to apply it as Law.

The point of departure is a situation of deficiency: God communicated his Law to the people of Israel without providing them with its power. The knowledge was there, but it had no aesthetic, ethical, emotional, or psychological effect. It left people indifferent. They acknowledged the Torah's existence and the fact that it came from God, but they were not subjectively invested in it. It was not even a yoke, just a curiosity, an ancient Law to which they were distantly related.

Everything changed when the Second Temple was built. Somehow the deficiency was filled, and the people received the missing element that allowed them to lift the burden and to relate to their Law easily. The story tells us how. While they were building the Temple, the people of Israel complained to "their Father in Heaven": "You have bestowed many troubles upon us [...] you have cast a huge burden on us, a heavy weight. You told us: 'Build me a home and, even while you build it, busy yourself with Torah'."

God answers his people. He accepts that the two dispensations—the Temple and the Torah—are too complicated to be followed simultaneously, and explains the reasons for his demand: "You became idle because of the Exile, and I was yearning to hear you pronounce matters of Torah". He continues by admitting that he did not act correctly when he punished Israel as harshly as he did and that the people proved him wrong by their prayers and by their agreement to rebuild his house. Therefore, he says, he will give them whatever they need. In fact, he knows already what they want:

I know what you are asking for; my heart knows what you desire—you are asking for a multiplied Torah (*torah merubah*) and a lot of Talmud and many traditions (*shmu'ot*) [...] To multiply Talmud outside (*be'utzot*) and *pilpul* in the streets [...] To put *yeshivot* in the gates of the tents, to interpret what is forbidden and what is permitted, to declare the impure impure and the pure pure. The *kasher kasher* and the *pasul pasul*. To know [recognize?] the living, to instruct women in menstruation what to do, to decorate your heads with crowns of kings, to force kings to submit to you [...] You will appoint *nesi'in*, *avot bet-din*, and exilarchs; you will have the

authority to appoint judges of towns; you will pronounce the eternal regulation (*tiqqun 'olam*), and no one will contradict it...

According to the story, the desire of the people is to live in a theological-political order ruled by the rabbis. This is presented as a solution to the problem at the outset: the burdensome nature of the Law. In the utopian rabbinic order, people will not need to busy themselves with Torah, because the rabbis will do it for them. The people will live in a Talmudic universe and be surrounded by agents of rabbinic knowledge. Whatever question or hesitation they will have on how to apply Torah in their daily lives—there will always be a rabbi around the corner to tell them what to do.

The desire is articulated by God in a moment of reconciliation with his people: not only did he forgive them for their sins, he practically asks them to forgive him. It is a rare moment of balance, where the people and their God speak the same language, with which they negotiate their relations. From this rare dialogue emerges an ideal rabbinic world. It allows the people to follow the Law of their God effortlessly. Rabbinization is presented thus as a project both divine and popular. It binds Israel to its God.

This is a very bold way to describe the rabbinic project, especially when compared to the Talmud, which practices a more encyclopedic process of rabbinization. Mythical language is, of course, present in Talmudic discourse, but the framework itself is never mythical—the truth of the story is not presented as complete, as there can always be another version of it, another way to remember what happened. When the Talmud rabbinizes the Jewish past, it does so as part of a discussion about the ideological and legal implications of rabbinic knowledge for Jewish life. It gives an intellectual context to the manipulation of the past. Its aim is the production of new knowledge and the development of new discursive mechanisms to produce this knowledge.

Hekhalot discourse is organized according to a different order. Its function is not to produce new rabbinic knowledge, but to give an image of the world to which the already-existing knowledge applies. It does not busy itself with the establishment of the

discourse, but rather with the conditions that make it viable. It gives a mythical image to the structure that holds the rabbinic world together (God-Law-Israel). This is a completely different horizon from the Talmud, and it dictates the way Hekhalot literature, in general, and the Sar ha-Torah story, in particular, conceives of the project of rabbinization.

Indeed, the messianic horizon of Hekhalot literature expresses itself perfectly in our story. It divides Jewish history in two: the period in which only the Torah was given and the one in which Israel received its power. The present, i.e., the time when the story is told, is already in the new period, after the second revelation of God to his people. It is already messianic—it will end with the end time—*sof kol hadorot*. It is the world to come.

Whatever their intentions, the Hekhalot authors produced a discourse that presented the rabbinic project as a part of the national Jewish myth. Through the myth, rabbinic knowledge could connect to non-rabbinic Jews and participate in the shaping of their ethos. Thus, the difference between the Hekhalot rabbis and those of the Talmud, which was articulated in many ways throughout history, hides an interesting and perhaps unintended collaboration between two different agents of rabbinization: one focused on the production of knowledge and the other on the power of this knowledge to affect lives—its biopower.

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The category of ‘rabbinization tractates’ introduces a distinction within the rabbinic corpus that seems to be relevant to many other textual corpora. It is the distinction between two types of texts: those where knowledge is developed and others that promote the power of this knowledge to affect lives. From this point of view, their study can contribute not only to our understanding of the historical phenomenon of the spread of rabbinic Judaism. It can also enrich a discussion about the epistemological, political, and ethical conditions of our own historiographic enterprise.

Neither the Talmud nor the rabbinization tractates are a historiographic project in the modern sense, but the differences between their conception of the Jewish past resembles a constituent

tension within the project of modern Jewish historiography. These tensions were brought to light by Y. H. Yerushalmi in the famous final chapter of *Zakhor*.<sup>19</sup> The chapter can be read as the confession of a Jewish historian's inability to achieve the goal of the founders of his discipline—healing the Jews by providing them with a new rational collective memory, a universal knowledge of their past. Yerushalmi reminds us that the founders of the discipline believed that scientific historical discourse had the potential to become a living memory of the Jewish people; they wanted their work to influence how Jews remembered their past.

On the one hand, they had immense success. Despite all the difficulties and the obstacles imposed on them because of their Jewishness, they started a machine that, in less than a century, produced an ever-growing scientific discourse about Judaism.<sup>20</sup> On the other hand, their project was doomed to failure, because of the stark opposition between memory and modern historiography that “stand, by their very nature, in radically different relations to the past.”<sup>21</sup> A discourse such as modern historiography cannot do what memory does: generate “a catharsis or reintegration.”<sup>22</sup> On a very basic level it leaves the actual agents of memory indifferent. It has no real power over them and can promise nothing.

What is described as deficiency has its great advantages, as Yerushalmi notes. The popular indifference towards modern historiography provides it with the space it needs to explore the past and to represent it more accurately. The product of historiographical research is always mediated to others in order to become a part of the memory (or not). This process of mediation is done outside the yeshiva of the historians. That is why they cannot prevent the possibility that their findings will be manipulated by agents of interest. Jewish historiography, both traditional and modern, provides us with numerous examples.

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19 Yosef Yerushalmi, *Zakhor: Jewish History and Jewish Memory* (Seattle: University of Washington Press, 1996).

20 Ibid., 87.

21 Ibid., 94.

22 Ibid., 95.

The study of rabbinization is a precious opportunity to renegotiate our rights and duties as producers of knowledge of the past. The attempt to imagine the subjective power of rabbinization, i.e., the modalities of rabbinic knowledge, recalls the conditions of our own intellectual production. It gives us a metaphorical platform to reflect upon the purpose of our project and to deal with at least two important questions: how should we communicate our knowledge of the past, and how should we deal with the possibility of its manipulation?

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## 12. WHO IS THE TARGET OF TOLEDOT YESHU?

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In his groundbreaking study *Verus Israel*, Marcel Simon was the first to recognize the historical value of John Chrysostom's polemical homilies *Adversus Iudaeos* for study of the phenomenon of Judaizing Christians.<sup>1</sup> He, followed by others, such as Robert Wilken, showed that Chrysostom's primary target (much more than the Jews) was undecided pagans hovering between Judaism and Christianity and, even more, members of his own Christian flock who blurred the boundaries by attending ceremonies or taking oaths in synagogues—those whom John Gager called “dangerous ones in between.”<sup>2</sup>

Among the Jewish compositions written between 400 and 1000 CE, the period relevant for this conference, is also the polemical treatise *Toledot Yeshu*.<sup>3</sup> The following lines are an

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- 1 Marcel Simon, *Verus Israel: A Study of the Relations between Christians and Jews in the Roman Empire AD 135–425*, trans. by H. McKeating (London: Littman Library of Jewish Civilization, 1996).
  - 2 Robert Wilken, *John Chrysostom and the Jews: Rhetoric and Reality in the Late Fourth Century* (Berkeley: University of California Press, 1983); John Gager, ‘Jews, Christians and the Dangerous Ones in Between’, in *Interpretation in Religion*, ed. by Shlomo Biderman and Ben Ami Scharfstein (Leiden: Brill, 1992), 249–57.
  - 3 For a recent edition of most of the Hebrew and Aramaic witnesses, along with a very useful introduction, see *Toledot Yeshu: The Life Story of Jesus*, ed. by Peter Schäfer and Michael Meerson, 2 vols. (Tübingen: Mohr Siebeck, 2014). Among the most important classical studies are

attempt to read Toledot Yeshu in a manner similar to the way Marcel Simon and Robert Wilken understood Chrysostom, in order to learn more about a group that has lost its voice.

In its briefest version (the ‘Pilate recension’ in Riccardo Di Segni’s nomenclature), Toledot Yeshu gives a counter-narrative of Jesus’s miracles and his expiatory, vicarious death and resurrection as told in the Gospels: Jesus is depicted as an impostor who is executed and whose corpse is hidden and found again. The other recensions add a birth narrative (where Jesus’s father is a villainous neighbour who rapes Mary during the period of her monthly impurity) and explain Jesus’s miracles as deriving from the power of the Ineffable Name, which was stolen from the Holy of Holies in the Temple.

Most manuscripts also include a sort of ‘Anti-Acts of the Apostles’, with stories about Peter, Paul, and Nestorius.<sup>4</sup> In the first tradition, the rabbis send out an agent, Elijah, alias Paul, to separate Jewish Christians from Judaism by introducing new festivals and ethical standards and abolishing *kashrut* and circumcision. This is followed by the Nestorius episode, where the heresiarch converts some Persian Christians back to pre-Pauline Christianity by reintroducing circumcision.<sup>5</sup> Finally, Simon Kephas turns out to be a famous rabbi and paytan who agrees to become a crypto-Christian, but lives alone in a tower while continuing to compose important piyyutim for the Jewish liturgy.<sup>6</sup>

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Samuel Krauss, *Das Leben Jesu nach jüdischen Quellen* (Berlin: S. Calvary, 1902; reprint Hildesheim: Olms, 1977, 2006); William Horbury, ‘A Critical Examination of the *Toledoth Yeshu*’ (PhD diss., Cambridge, 1970); Riccardo Di Segni, *Il vangelo del ghetto* (Rome: Newton Compton, 1985).

- 4 Daniel Stökl Ben Ezra, ‘On Some Early Traditions in Toledot Yeshu’, in *Toledot Yeshu in Context: Jewish-Christian Polemics in Ancient, Medieval, and Modern History*, ed. by Daniel Barbu and Yaacob Deutsch (TSAJ 182, Tübingen: Mohr Siebeck, 2020), 43–58.
- 5 Stephen Gerö, ‘The Nestorius Legend in the *Toledot Yeshu*’, *Oriens Christianus* 59 (1975): 108–20.
- 6 John Gager, ‘Simon Peter, Founder of Christianity or Saviour of Israel?’, in *Toledot Yeshu (“The Life Story of Jesus”) Revisited*, ed. by Peter Schäfer,

The redaction history of the Toledot is highly complex. We can discern three main recensions and many subdivisions among the principal recensions. Di Segni identifies three: Pilate, Helena, and Herod, named after the ruler of Judaea given in the text. Peter Schäfer and Michael Meerson have modified his model slightly. Only the Pilate recension (Meerson-Schäfer Recension I) is materially attested for the first millennium. The earliest manuscripts in Aramaic from the Cairo Genizah are dated approximately to the tenth century. Two recent linguistic analyses have dated the Aramaic dialect to around 500 CE.<sup>7</sup> The earliest external attestations of Recension I are by Agobard and Amulo, bishops of early ninth-century Lyon, on the opposite corner of the Mediterranean. In their recent edition of the Hebrew and Aramaic versions, Meerson and Schäfer conclude that this was the only recension extant in the first millennium.

Many other scholars, however, would disagree on this dating, which takes the absence of evidence as evidence of absence.<sup>8</sup> In many cases, Jewish compositions of the first millennium are attested only in manuscripts from the first centuries of the second. Many of the largely neglected Judaeo-Arabic manuscripts are in fact very ancient and indicate that the Helena recension is about as old as the Pilate recension.<sup>9</sup> The birth narrative is attested as

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Michael Meerson, and Yaacov Deutsch (Tübingen: Mohr Siebeck, 2011), 221–45.

- 7 Michael Sokoloff, 'The Date and Provenance of the Aramaic *Toledot Yeshu* on the Basis of Aramaic Dialectology', in *Toledot Yeshu ('The Life Story of Jesus') Revisited*, 13–26, who strongly criticizes the slightly earlier study by Willem Smelik, 'The Aramaic Dialect(s) of the *Toldot Yeshu* Fragments', *Aramaic Studies* 7 (2009): 39–73.
- 8 See, e.g., Horbury, 'A Critical Examination of the Toledoth Yeshu'; idem, 'The Strasbourg Text of the *Toledot*', in *Toledot Yeshu ('The Life Story of Jesus') Revisited*, 49–59 (59); Hillel Newman, 'The Death of Jesus in the *Toledot Yeshu* Literature', *Journal of Theological Studies* 50 (1999): 59–79; Philip Alexander, 'The *Toledot Yeshu* in the Context of Jewish-Muslim Debate', in *Toledot Yeshu ('The Life Story of Jesus') Revisited*, 137–58 (157); Stephen Gerö, 'The Nestorius Legend in the *Toledot Yeshu*'.
- 9 The main publication on the Arabic fragments is Miriam Goldstein, 'Judeo-Arabic Versions of *Toledot Yeshu*', *Ginzei Qedem* 6 (2010), 9\*–42\*. See also

part of the Helena recension of *Toledot Yeshu* in a Judeo-Arabic Genizah manuscript<sup>10</sup> dated to around the twelfth century.<sup>11</sup> In a recent article, Michael Rand revealed the influence of *Toledot Yeshu* on a Yom Kippur piyyut by Yosef ibn Abitur from late tenth- or early eleventh-century Spain.<sup>12</sup> The ancient strata of the Genizah manuscripts are not entirely free of Anti-Acts. While they are missing from the Aramaic data, at least one old Judaeo-Arabic manuscript includes passages from Anti-Acts.<sup>13</sup> Several other Arabic fragments belong to the Helena recension.<sup>14</sup>

Furthermore, internal evidence provides good reasons to attribute several stories and motifs of the Helena recension—especially those in the Strasbourg manuscript—to a mid-first-millennium date in a Syriac-speaking environment.<sup>15</sup> As acknowledged also by Meerson and Schäfer from the perspectives of Form Criticism and Tradition Criticism, the narrative of the execution of the disciples of Jesus as reported in the Strasbourg

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Daniel Stökl Ben Ezra, 'On Some Early Traditions in *Toledot Yeshu*' and idem, 'Review of Michael Meerson and Peter Schäfer, *Toledot Yeshu: The Life Story of Jesus, Two Volumes and a Database* (2014)', *Asdiwal* 11 (2016): 226–30.

- 10 Cambridge, University Library, The Taylor-Schechter collection New Series 298, Miscellaneous 57 (henceforth T-S 298.57).
- 11 Miriam Goldstein, 'Judeo-Arabic Versions of *Toledot Yeshu*', dates it to the eleventh or twelfth century. According to a private correspondence, she now dates it later, i.e., to the twelfth or thirteenth century.
- 12 Michael Rand, 'An Anti-Christian Polemical Piyyut by Yosef Ibn Avitur Employing Elements from *Toledot Yeshu*', *European Journal of Jewish Studies* 7 (2013): 1–16. This very explicit anti-Christian piyyut mentions the cross of Jesus on a cabbage stalk, alludes to the five disciples, and refers to Jesus as *ממור ובן נדה*, a term specific to the birth narrative in *Toledot Yeshu*, showing that the motif of Mary's impurity at the time of Jesus' conception was already circulating in the first millennium.
- 13 The National Library of Russia, St. Petersburg EvrArab I 3005.
- 14 For example, NY, ENA 3317.21, eleventh–twelfth century; University of Cambridge T-S 298.57, eleventh–twelfth century; and many more from the twelfth–thirteenth centuries.
- 15 See the publications of Horbury, Gerö, Newman, and Stökl cited above.

manuscript is based on a form that seems earlier than the account in the Talmud (b. Sanh. 43a).<sup>16</sup> Second, the Nestorius legend in Anti-Acts is closely related to legends concerning Barsauma of Nisibis from the fifth century.<sup>17</sup> The *terminus a quo* for this part of the story is Nestorius's death in 451 CE. While the portrait of Nestorius is largely imaginary, it reflects orthodox accusations against Nestorius as a Judaizer.<sup>18</sup> It is also relatively close to the description of the Sabbatians in the heresiology of Marutha from early fifth century. The legend of Barsauma's death was known in the Middle Ages, but only in the Syriac-speaking East, i.e., Bar Hebraeus (d. 1286 CE), not in the West. Third, the calendar of Christian festivals given in the Strasbourg manuscript is not garbled nonsense—as Samuel Krauss thought—but concords rather well with a Christian liturgical calendar from the early fifth century in a Syriac-speaking part of the Roman Empire.<sup>19</sup> As this passage is crucial also for the present paper, I will quickly review the evidence:

Jesus said to you: "Everybody in my possession shall desecrate the Sabbath (which already the Holy One, may he be blessed, hated) and keep the First Day [Sunday] instead, since on this day the Holy One, may he be blessed, enlightened his world; and for [the days of] Passover, which Israel keeps, make them into the festival of the Resurrection (מועדה דקיימתא), since on this [day] he rose from his tomb; and instead of Shavuot (עצרתא), Ascension (סולקא), for this is the day on which he ascended to heaven; and instead of Rosh Hashanah, the Passing Away of the Cross (אשכבתא דצליבא); and

16 Meerson and Schäfer, *Toledot Yeshu: The Life Story of Jesus*, 91.

17 Gerö, 'The Nestorius Legend in the *Toledot Yeshu*'.

18 E.g., *Chronicon Paschale* 1.640, ed. by Ludwig Dindorf, 2 vols. (Bonn: E. Weber, 1832), I.640. Cf. Averil Cameron, 'Jews and Heretics: A Category Error?', in *The Ways that Never Parted: Jews and Christians in Late Antiquity and the Early Middle Ages*, ed. by Adam H. Becker and Annette Yoshiko Reed (Tübingen: Mohr Siebeck, 2003), 345–60.

19 Daniel Stökl Ben Ezra, 'An Ancient List of Christian Festivals in *Toledot Yeshu*: Polemics as Indication for Interaction', *Harvard Theological Review* 102 (2009): 481–96.

instead of the Great Fast, the Circumcision (גזירתא); and instead of Hanukkah, *Kalendae*.<sup>20</sup>

Indeed, some details in this list seem strange. From a modern or medieval perspective, one would expect Pentecost rather than the Ascension to be compared to Shavuot. Moreover, there is no festival of the Passing Away of the Cross; if the Circumcision, commemorated on 1 January, is part of a comparison to Jewish festivals, one would expect a juxtaposition to Hanukkah rather than to Yom Kippur. The *Kalendae*, finally, belong to Roman religion, not Western Christianity.

A close reading in the context of Christian liturgy shows that these comparisons make perfect sense in the late fourth or early fifth century in an eastern part of the Empire. At this time, many places still celebrated the Ascension as part of Pentecost instead of two distinct festivals, which was a very recent innovation and not yet widespread.

The Passing Away of the Cross is a reference to the Invention or Exaltation of the Cross, which takes place on 14 September, around Rosh Hashanah. The word אשכבתא ‘passing away or funeral’ can easily be explained as wordplay on אשכחתא ‘invention’.

The *Kalendae*, meaning the *Kalendae* of January, were celebrated by many people in the Roman Empire—not only pagans—even after the emperors became Christian.

The strangest point is the reference to circumcision, גזירתא. If one changes the *waw* to a *yod*, one of the most common scribal errors, and reads גזורתא, we arrive at a Syriac equivalent for *indictio* ‘decree’. *Indictio* was the Latin *terminus technicus* for the fifteen-year tax cycle. By extension, it also became the name for the festival celebrating the Byzantine New Year in September, as, for example, in a famous Constantinopolitan Typicon of the Great Church from the tenth century.<sup>21</sup> Until 450 CE, this festival was celebrated on 23 September, exactly nine days after the

20 Strasbourg 3974, 174v:7–12.

21 Jerusalem, Patriarchate Library, ms. Ste-Croix 40.

Exaltation of the Cross, comparable to the nine days separating Rosh Hashanah from Yom Kippur. After 450, it was celebrated on 1 September. The cumulative evidence of these observations speaks for an earlier rather than later date. Only before 450 would the comparisons hold, because after 450 the Indiction would always fall before the Exaltation of the Cross, as opposed to the order of festivals given in this list. Furthermore, we have geographical evidence for the origin of this list. The Indiction was celebrated only inside the Roman Empire. The festival names, on the other hand, are not Jewish Aramaic, but Judaeo-Syriac, a fact which limits the possible areas even further.

Meerson and Schäfer agree on the early date of most of these *traditions* from the Helena recension in the Strasbourg manuscript, but consider their incorporation into the *narrative* of Toledot Yeshu late (early second millennium). While this is entirely possible, it is in my opinion highly improbable. If true, why would almost exclusively *early* traditions, and not contemporary ones, serve as building blocks? Why would many of these traditions come from Eastern Christianity rather than the Latin world? The cumulative evidence speaks for an origin of the narrative, including the main traditions of the Strasbourg manuscript, in the early fifth century in the eastern part of the Roman Empire, where Aramaic was spoken.

Toledot Yeshu is not a typical rabbinic composition, though it is sympathetic to rabbinic religion. The ‘good’ Jews are called Sages<sup>22</sup> or rabbis.<sup>23</sup> Jesus studies Bible and Talmud (170r:30), and his fellows are in the midst of studying treatise Neziqin (170v:8). The institutions mentioned include the synagogue of Tiberias (172r:30). An interesting gloss seems to reveal an earlier form of the story of Jesus’s public ministry, because ‘they’ are said to call ‘synagogue’ what the redactor calls ‘(Bet) Midrash’ (170v:4). Also, the geography is rabbinic. The action takes place in Upper Galilee (171v:11.15.16), Tiberias (174r:20), Jerusalem,

22 ‘Sages’ (171v:12, 172r:8, 172v:25, 173v:5.13) or ‘Sages of Israel’ (171v:27, 172r:13.29) or ‘elders of Israel’ (171r:3–4; cf. 173v:14).

23 E.g., the references to R. Simeon ben Shetah and R. Tanhuma (173v:15).



and Babylonia, where Mary's *fiancé* R. Johanan flees after he discovers her infidelity (170r:27). The style is a far cry from a Talmudic *sugya*. Rather than halakhic discussions, the text is replete with proof-text polemics (171r:12–21, 171r:27–171v:9, 172r:7–13, 172v:27–173r:8, 173v:1–10) and miracle stories: two animate copper dogs protect the Holy of Holies (170v:29–171r:12); Jesus works miracles with the stolen Tetragrammaton, including healing (171r:21–27), making clay birds fly (171v:18–19), walking on a floating millstone (171v:20–26), and flying (172r:13–24); finally, Jesus is executed on a cabbage stalk (173r:13–21).

## 1.0. The Adversaries of Toledot Yeshu

Following these prolegomena, we can resume the discussion of the adversaries of Toledot Yeshu. The various recensions of Toledot Yeshu do not all have the same general line or polemicize against the same group. Obviously, Christianity is a central opponent. This is especially true for the Aramaic fragments, but also for all other recensions. Among the principal targets are the Christian doctrines of Jesus's virginal conception, the divine source of his miraculous healing powers, his sinlessness, his resurrection, and the scriptural proofs brought forward for these claims. All these claims are ridiculed, turned upside down, or countered with scriptural proof-texts. Therefore, anyone believing in them is considered a fool.

I would like to argue that Jews—or Muslims—attracted to such Christian claims would also fall in this category. In fact, as with most polemical screeds, Toledot Yeshu is aimed at internal as well as external forces, all people or ideas perceived as menace. This becomes clearest in Anti-Acts:

Many villains among our people (ורבים בני פריצי עמנו) made the mistake of following him, and there was a strife between them and Israel [...] and confusion of prayers (בלבול תפלות), and loss of property (הפסדות), and wherever the villains noticed the people of Israel, they were saying to the people of Israel, "You killed the Messiah of God," while the people of Israel said to them, "You are liable to death,

because you believe in a false prophet.” Despite this, they did not separate themselves from Israel, and there was strife and quarrels among them, and there was no rest for Israel.<sup>24</sup>

In the eyes of the narrator, the main problem is not that Jesus has *followers*, but that these followers are *Jews*. The fact of Christians belonging to Israel causes internal unrest: Christian ideas are much more dangerous if perpetuated by people that have some claim to be Jews. If they are no longer Jews, the problem ends. The first remedy is therefore the separation of Christians from Jews by ‘de-judaizing’ Christianity. The Sages send out one of their own as a mole, Elijah/Paul. “We should rather choose one Sage who will separate those who err from the congregation of Israel [...] Let them perish and let us have some rest.”<sup>25</sup> Elijah introduces a number of laws that distinguish the followers of Christ from Judaism. These laws focus on new festivals replacing the traditional Jewish festivals (as discussed above), the abolition of circumcision and food laws, and non-retaliation.<sup>26</sup> Following these new commandments determines when a Jew ceases to be Jewish. Thus, the fundamental problem, confusion caused by Jews believing in Jesus, is solved by differentiating them externally through observable customs. The narrative ends as follows:

And this [was] Eliyahu who demonstrated to them those laws which are no good, [and] who did [this] for the sake of the religion of Israel, and the Christians call him Paulus. After Paulus established these laws and commandments for them, the erring ones separated from Israel, and the quarrel ceased.<sup>27</sup>

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24 Meerson and Schäfer, I, 179, translating Strasbourg 3974, 174r:1–7.

25 Ibid., I, 180; Strasbourg 3974, 174r:13–16.

26 Daniel Stökl Ben Ezra and John Gager, ‘L’éthique et/de l’autre: Le christianisme à travers les yeux polémiques de *Toledot Yeshu*’, in *L’identité à travers l’éthique: Nouvelles perspectives sur la formation des identités collectives dans le monde gréco-romain*, ed. by Katell Berthelot, Ron Naiweld, and Daniel Stökl Ben Ezra (Turnhout: Brepols, 2015), 73–90.

27 Meerson and Schäfer I, 182; Strasbourg 3974, 174v:23–26.

According to this passage, the main danger posed by Christianity to Judaism is Jews with affinities for Christianity, “the dangerous ones in between,” to use John Gager’s terminology: Jewish Christians (or maybe, more precisely, Christian Jews) and Christianizing Jews. Jewish Christians still existed when this text came into being, that is, in the fifth century. The existence of Jewish Christian groups beyond the sixth century has been argued by Shlomo Pines, Averil Cameron, John Gager, and Guy Stroumsa.<sup>28</sup> According to Stroumsa:

[I]t is probable that some Jewish Christian groups survived until at least the seventh century. The fact that such groups were probably not more than a few marginal communities does not really matter [...] Jewish Christianity seems not only to have survived across the centuries, but also to have retained a really seducing power, and to have been a key element of what one can call *praeparatio coranica*.<sup>29</sup>

While their number may not have been significant, Gager stresses it is not the *number* of Jewish Christians that constitutes a

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- 28 Shlomo Pines, *The Jewish Christians of the Early Centuries of Christianity According to a New Source* (Jerusalem: The Academy of the Sciences and Humanities, 1966); idem, ‘Studies in Christianity and in Judaeo-Christianity based on Arabic Sources’, *Jerusalem Studies in Arabic and Islam* 6 (1985): 107–61; idem, ‘Gospel Quotations and Cognate Topics in ‘Abd al-Jabbār’s *Tathbīt* in Relation to Early Christian and Judaeo-Christian Readings and Traditions’, *Jerusalem Studies in Arabic and Islam* 9 (1987): 195–278; John Gager, ‘Did Jewish Christians See the Rise of Islam?’, in *The Ways that Never Parted*, 363–72; Guy G. Stroumsa, ‘Jewish Christianity and Islamic Origins’, in *Islamic Cultures, Islamic Contexts: Essays in Honor of Professor Patricia Crone*, ed. by Behnam Sadeghi, Asad Q. Ahmed, Adam Silverstein, and Robert Hoyland (Leiden: Brill, 2015), 72–96; idem, ‘Judéo-christianisme et Islam des origines’, in *Comptes rendus de l’Académie des Inscriptions et Belles Lettres* 157 (2013): 479–502; Patricia Crone, ‘Islam, Judaeo-Christianity and Byzantine Iconoclasm’, *Jerusalem Studies in Arabic and Islam* 2 (1980): 59–95; Averil Cameron, ‘Jews and Heretics—A Category Error?’, 345–60. Holger Zellentin, however, is more skeptical; see his *The Qur’an’s Legal Culture* (Tübingen: Mohr Siebeck, 2013), e.g., ix and 175–76.
- 29 Stroumsa, ‘Jewish Christianity and Islamic Origins’, 90.

menace, but their *social position*, which blurs the borders between two larger blocs.<sup>30</sup> To a lesser extent, “the dangerous ones in between” also include Judaizing Christians, who are, however, a more problematic ‘deviation’ for the Christian side. Nevertheless, Judaizing Christians are perceived negatively, especially in the Nestorius passage. Nestorius wants to undo the separation cunningly achieved by Elijah/Paul:

After some time, there arose the kingdom of Persia. One man of the nations came forth from them, [and] he separated from them, like the heretics separated from the Sages. He said to them, “Paulus made a mistake in his writings, saying to you that you should not be circumcised, for Yeshu was circumcised.” Yeshu also said, “I did not come to remove a single word from the teaching of Moses, not even one letter, but rather to affirm all his words, and this is their disgrace what Paulus did to them.”<sup>31</sup>

Unlike Jewish Christians or Christianizing Jews, this third group, Judaizing Christians, does not demand action on the part of the Sages. Waiting suffices, since Judaizing Christians are dealt with by other Christians.<sup>32</sup>

## 2.0. Christianizing Jews

Do we have further evidence for Christianizing Jews in the third quarter of the first millennium? One indication might be conversions from Judaism to Christianity, at least conversions that were ‘unforced’.<sup>33</sup> Most evidence for this phenomenon is

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30 Gager, ‘Jews, Christians, and the Dangerous Ones in Between’, 256.

31 Meerson and Schäfer, I, 182; Strasbourg 3974, 175r.

32 Philippe Gardette, ‘The Judaizing Christians of Byzantium: An Objectionable Form of Spirituality’, in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. by Robert Bonfil, Oded Irshai, Guy G. Stroumsa, and Rina Talgam (Leiden: Brill, 2012), 587–611.

33 The distinction between forced and voluntary conversion is not always clear-cut. While some Jews were forced to convert, others may have been motivated by economic, social, or even religious factors. Christian

highly problematic, because it appears in Christian literature in stereotypical form, e.g., in hagiographical accounts of conversions that resulted from the deeds of this or that saint.

Frequently, Christian sources add that such converts were attacked by Jews. An anonymous chronicler claims that in early sixth-century Ravenna, Jews frequently attacked their former coreligionists.<sup>34</sup> Gregory of Tours mentions a Jew who poured rancid oil over a Jewish convert to Christianity in his baptismal robe in Clermont-Ferrand in 576.<sup>35</sup> In both cases, suspiciously, these attacks serve to explain why Christians subsequently burned

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pressure to convert mounted notably in Clermont-Ferrand, but also in Arles and Marseilles and, in the East, under Emperor Heraclius in 632. The Justinian Code (1.12.1) prohibits conversion for tax evasion or avoidance of punishment: see Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit, MI: Wayne State University Press, 1987), 26.

34 *Anonymous Valesianus* 14.81–82, cited in Bernhard Blumenkranz, *Les auteurs chrétiens latins du Moyen Age sur les juifs et le judaïsme* (Leuven: Peeters, 2007), 61 (no. 45ter).

35 Gregory of Tours, *Historia Francorum* 5.11, cited in Blumenkranz, *Les auteurs chrétiens*, 70 (no. 58). Brian Brennan, 'The Conversion of the Jews of Clermont-Ferrand in 576', *Journal of Theological Studies* 36 (1985): 321–37; Walter Goffart, 'The Conversions of Avitus of Clermont, and Similar Passages in Gregory of Tours', in *'To See Ourselves as Others See Us': Christians, Jews, 'Others' in Late Antiquity*, ed. by Jacob Neusner and Ernst Frerichs (Chico, CA: Scholars Press, 1985), 473–97; Marc Reydellet, 'La conversion des juifs de Clermont en 576', in *De Tertullien aux Mozarabes. Mélanges offerts à Jacques Fontaine*, ed. by Louis Holtz, Jean-Claude Fredouille, and Marie-Hélène Jullien, 3 vols. (Paris: Institut d'Études Augustiniennes, 1992), I, 371–79; Emily Rose, 'Gregory of Tours and the Conversion of the Jews of Clermont', in *The World of Gregory of Tours*, ed. by Kathleen Mitchell and Ian Wood (Leiden: Brill, 2002), 307–20. Cf. the earlier case of Severus of Minorca, *Letter on the Conversion of the Jews*, ed. by Scott Bradbury (Oxford: Clarendon Press, 1996). See David Noy, 'Jews in the Western Roman Empire in Late Antiquity: Migration, Integration, Separation', *Veleia* 30 (2013): 169–77. On Gregory of Tours, see *A Companion to Gregory of Tours*, ed. by Alexander C. Murray (Leiden: Brill, 2016).

the local synagogues. In the second case, the Jewish convert is described as an exception. There are other cases. For example, in 598 Gregory the Great reports the conversion of numerous Jews from Agrigent.<sup>36</sup> Cassiodorus mentions the Jewish convert Sabbatius, who became bishop, but received the permission to celebrate Passover according to the Jewish fashion.<sup>37</sup>

Obviously, we cannot take all of these sources at face value. However, other data suggests that it is unlikely that all of them are inventions. In a letter to Peter, subdeacon in Sicily, Gregory the Great describes the case of a young female convert.<sup>38</sup> In a letter to the subdeacon Anthemius from 594, he stresses that poor converted Jews should be supported financially.<sup>39</sup> In another letter, also from 594, he describes economic advantages promised to Jewish converts in Sicily.<sup>40</sup> The concentration of sources in the late sixth century is noteworthy. It corresponds to the Justinian era and its notable increase in oppressive legislation.<sup>41</sup> If Christian sources were the only evidence, we could shelve the case, but, in

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36 Gregory the Great, *Epistulae* 8.23, cited in Blumenkranz, *Les auteurs chrétiens*, 80 (no. 80). See Robert Markus, *Gregory the Great and His World* (Cambridge: Cambridge University Press, 1997), 76–80, and Bruno Judic, ‘Grégoire le Grand et les juifs: Pratiques juridiques et enjeux théologiques’, in *Jews in Early Christian Law: Byzantium and the Latin West, 6th–11th centuries*, ed. by John Tolan, Nicolas de Lange, Laurence Foschia, and Capucine Némio-Pekelman (Turnhout: Brepols, 2014), 95–118 (111). Other letters of Gregory point to Christian Judaizers: see *Epistulae* 3.37 and 13.3 and Judic’s comments, 111.

37 Cassiodorus, *Historia Tripartita* 9.37, cited in Blumenkranz, *Les auteurs chrétiens*, 57 (no. 39ter).

38 Gregory the Great, *Epistulae* 1.69, cited in Blumenkranz, *Les auteurs chrétiens*, 76 (no. 67).

39 Ibid., *Epistulae* 4.31 = 4.33, cited in Blumenkranz, *Les auteurs chrétiens*, 78 (no. 73).

40 Ibid., *Epistulae* 5.7 = 5.8, cited in Blumenkranz, *Les auteurs chrétiens*, 78 (no. 74). See also Judic, ‘Grégoire le Grand et les juifs’, 110.

41 On this era, see Nicholas de Lange, ‘Jews in the Age of Justinian’, in *The Cambridge Companion to the Age of Justinian*, ed. by Michael Maas (Cambridge: Cambridge University Press, 2005), 401–26.

addition to Toledot Yeshe, there is another, lesser-known Jewish source.

On the Jewish side, *Sefer ha-Ma'asim li-Vne Eretz Israel* 'The Book of the Deeds (or Verdicts or Records) of the Children of the Land of Israel' reinforces the perception that conversions of Jews to Christianity were an important factor in that period.<sup>42</sup> *Sefer ha-Ma'asim* is a halakhic source from late Byzantine or early Muslim Palestine, i.e., the sixth or seventh century CE.<sup>43</sup> The great number of Greek loanwords, several of which are otherwise unknown from classical rabbinic literature and are unattested in Arabic or Syriac, speaks for a time when Arabic had not yet replaced Greek as a language used by Jews. Many rules presume a Christian Byzantine administration. There are neither traces of Umayyad administration nor Arabic loanwords.

*Sefer ha-Ma'asim* devotes an exceptional number of discussions to converts.<sup>44</sup> Two cases address the complications of levirate marriage (*yibbum* and *halitzah*).<sup>45</sup> If the brother-in-law converts,<sup>46</sup> the widow is forbidden to marry the baptized brother-in-law, but

42 See the annotated edition of Hillel Newman, *The Ma'asim of the People of the Land of Israel: Halakhah and History in Byzantine Palestine* (Tel Aviv: Yad Izhak Ben Zvi, 2011) (Hebrew).

43 There is no manuscript with the whole text, only fragments from the Genizah and quotations here and there in Geonic and later sources. Scholars differ as to whether this or that tradition indeed belonged to the *Ma'asim*, Newman has collected seventy-three *Ma'asim* whose origin is almost certainly from the original compilation.

44 In this time and place, almost certainly conversion to Christianity.

45 While later Geonic sources continue the debate about apostate *levirs*, *Sefer ha-Ma'asim* seems to be the earliest source. See Moshe Drori, Menachem Elon, and Louis Rabinowitz, 'Levirate Marriage and Halizah', in *Encyclopedia Judaica*, ed. by Fred Skolnik and Michael Berenbaum, 22 vols. (Detroit, MI: Macmillan Reference USA, 2007), XII, 725–29 (727).

46 M41: "Case: A man had a wife and a brother and dur[ing his lifetime]. His brother converts (יָצָא אֶחָיו לְעוֹלָמוֹ), and then this man dies without a son. Does the wife of the dead need to be released [from levirate marriage] by that brother who con[verted]? Thus, the verdict: She has to ask for release from him and accordingly also with regard to writs of divorce."

she still needs the ritual of *halitzah* to be released from him. The other ruling decides that even if the only son converts, he is still reckoned as valid living offspring, which makes levirate marriage for the widow(s) unnecessary.<sup>47</sup>

A third ruling deals with the status of a Jewish girl whose father dies and whose mother converts and marries a non-Jew.<sup>48</sup> The text tacitly assumes that the daughter did not convert, but lives with a non-Jew in the same house, a status akin to captivity.

Another ruling seems to deal with forced converts.<sup>49</sup> This ruling recognizes the validity of a writ of divorce (*get*) delivered

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47 M42: "A man had [a wife] and a son, whether from this wife or another wife, and [this] man also had a brother, and [the son] converted during the lifetime of this man, and then the man dies. Does the wife of the dead man need to be released [from levirate marriage] by that brother of the dead man, because the [son] converted during the lifetime [of his father]? Our rabbis taught us: Because he had a son, even if he converted, she is not subject to release or levirate marriage and can marry another man and is forbidden to [her levirate/former brother-in-law]."

48 M66: "And their question: A woman whose husband died and left her a daughter, and the mother of the adolescent girl converts (נשתמדה) and marries a non-Jew (גוי) and the daughter lives with her mother together with the non-Jew for a considerable time, and a [Jewish] priest (כהן) comes and takes the girl as a wife. Is she permitted to him? Thus, the verdict: Because the girl has lived together with a non-Jew in the house of the non-Jew, she shall be counted as profaned (חללה) and therefore forbidden to the priest. And if they have sons, they will be profaned but permitted to take wives whether from priestly, levitical, or Israelite families. And if they [the couple] give birth to girls, they are reckoned as profaned and unfit for [marriage with men of] the priesthood, but for Israel they are fit and their daughters with Israelites are fit for [marriage with men of] the priesthood."

49 M25: "The validity of a letter of divorce [*get*] written by a forced convert outside of Palestine who was prohibited to travel, if it was delivered by somebody else who could leave his province to come to Palestine...." Visigothic legislation (*Leges Visigothorum* 12.3.20) limits the rights of (converted) Jews to continue travel before they have passed the Sabbath (or other normal Jewish festivities) without celebrating them, but instead celebrating Christian rites under priestly observation. See Erviga's



by a man who converted to Christianity between engagement and marriage, i.e., a Christian *get*. That the subject is not allowed to travel has been interpreted against the background of the travel interdiction for forced converts. This ruling speaks only of the situation where the woman is not yet married and does not want to convert. The opposite case, i.e., of the bride converting, is not discussed, and indeed does not need to be discussed in this patriarchal society, as only the groom could provide a *get*. Nowhere is the case of the married convert discussed, even though this situation was probably more frequent. Married couples presumably lived in the same place, and it is less probable that only one of the partners underwent forced conversion. The Theodosian Code of 438 CE prohibited intermarriage (*Cod. Theod.* 3.7.2). In imperial legislation, both spouses converted, or the marriage had to be dissolved.

Hillel Newman quotes another ruling from a Genizah text on Palestinian halakhah published by Morderchai Margalioth: "A woman that puts on perfume and goes to houses of idolatry (לבת עבודה זרה) has to be beaten and shaved."<sup>50</sup> Intriguingly, the discussion is limited to Christianizing women under patriarchal control.

With a single exception, all discussions pertain to individual converts. The frequency and the varying contexts seem to imply that conversion was not a rare phenomenon, though such a deduction is always methodologically suspect. Real behaviour can look quite different from legal theory. Still, the *Ma'asim* is the first source to discuss this problem to such an extent. It seems to me, therefore, that such an interpretation and our reading of *Toledot Yeshu* mutually support each other. If a text close to the

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recension from the late seventh century in Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages* (Detroit, MI: Wayne State University Press, 1997), 321–23, no. 562, as well as the Twelfth Council of Toledo from 681 in *ibid.*, 517–18, lines 50–54.

50 Morderchai Margalioth, *The Laws of the Land of Israel from the Geniza* (Jerusalem: Mosad Harav Kook, 1973), 86 (*non vidi*), quoted in Newman, *Ma'asim*, 106.

rabbinic movement sees the need to fight Jewish Christianizing, this may be an indication that Jews less closely related to rabbinic networks may have experienced even more conversions among their flock.

This interpretation may be supported by another observation. Some scholars have tentatively advanced the notion of a very large Jewish presence in the Roman Empire for the first centuries of the Common Era, around ten percent of the total population.<sup>51</sup> At the beginning of the second millennium, the communities in Byzantium and southern Italy were much smaller. Some Jews may have moved to the Abbasid Caliphate. Pogroms may have decimated the Jewish population. The long-term success of forced conversions in Spain, Byzantium, and North Africa is unknown. Other factors, such as mortality rates, are unknown. Therefore, either the current estimates of Jewish populations in the early Roman Empire are too high, as has been argued by Michael Toch,<sup>52</sup> or we have to assume that a considerable number converted to Christianity. Furthermore, the emergence of Christian Palestinian Aramaic in the late fifth century, especially around Jerusalem, has been connected to a significant number of conversions from Judaism or Samaritanism because of its close relationship to Samaritan and Jewish Palestinian Aramaic.<sup>53</sup> However, there are far fewer Hebrew loanwords in Christian Palestinian Aramaic than in Jewish Palestinian Aramaic, which speaks somewhat against this thesis.

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51 E.g., Seth Schwartz, *Imperialism and Jewish Society, 200 BCE to 640 CE* (Princeton, NJ: Princeton University Press 2001), 10–11, 41.

52 Michael Toch, *The Economic History of European Jews: Late Antiquity and Early Middle Ages* (Leiden: Brill, 2012), 38–46. See also his contribution “Jewish Demographics and Economics at the Onset of the European Middle Ages” in the present volume.

53 Friedrich Schulthess, *Grammatik des christlich-palästinischen Aramäisch* (Tübingen: Mohr, 1924), 1.

### 3.0. Conclusion

Toledot Yeshu and Sefer ha-Ma'asim show that rabbinic circles or circles close to the rabbinic movement perceived the possibility of 'unforced' conversions of 'their' Jews as sufficiently real to be considered a threat demanding a literary response. Toledot Yeshu seeks to give male (and, I assume, female) readers possessed of rather superficial Jewish learning ammunition for daily encounters with neighbours in an increasingly Christian world in an entertaining way. While it is impossible to know for certain how widespread the phenomenon of Christianizing Jews or conversions of Jews to Christianity was, we should integrate the *possibility* of a not insignificant number of Jews attracted to Christianity in our reflections on the panoply of Jewish identities. These Christianizing Jews did not, of course, constitute a group with tight boundaries and an internal leadership or hierarchy.

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# 13. RABBINIZATION OF NON-RABBINIC MATERIAL IN PIRQE DE-RABBI ELIEZER

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## 1.0. Introduction

The title *Pirke de-Rabbi Eliezer* (PRE) seems to tell us all we need to know about the religious proclivities of its author.<sup>1</sup> The eighth- or ninth-century work is pseudonymously attributed to a rabbi, one of the most frequently quoted Sages in the Mishnah, R. Eliezer ben Hyrcanus. The work also imitates classical Midrash by placing different traditions in the mouths of various other Sages apart from R. Eliezer, although these are probably also pseudonymous.<sup>2</sup> Many of its traditions have parallels in earlier rabbinic literature, and PRE 46 plainly states that while Moses was on Mount Sinai, he learned the Oral as well as the Written Torah.<sup>3</sup>

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2 Leopold Zunz, *Die gottesdienstlichen Vorträge der Juden* (Hildesheim: Georg Olms Verlagsbuchhandlung, 1966), 286 notes d and e.

3 In the absence of a critical edition, I have used the Yemenite manuscript JTS Enelow 866 (Eliezer Treitl's 1n), available at <https://maagarim.hebrew-academy.org.il/Pages/PMain.aspx?mishibbur=640000&page=1>. I have also consulted the online synopsis of Eliezer Treitl, available at <https://manuscripts.genizah.org/Global/home>. The standard printed edition is *Pirke de-Rabbi Elieser: nach der Edition Venedig 1544 unter Berücksichtigung*



In short, the work quotes rabbinic sources, appeals to rabbinic authority, and is even attributed to an early, authoritative Tanna. The question of who wrote PRE seems like an open and shut case: there can be little doubt that it is a rabbinic composition.<sup>4</sup>

Despite this, PRE remains an unusual work within rabbinic literature. First, most rabbinic works written prior to PRE were collective endeavours, while a good case can be made that PRE is mainly the effort of one author.<sup>5</sup> Second, PRE retells biblical history—at least the story of the Torah—in a more or less chronological order. In this respect, it shares some superficial similarities with Second Temple compositions, such as Jubilees, but also Christian works, such as the Syriac Cave of Treasures (fifth or sixth century).<sup>6</sup> That the closest analogues of this work should be of non-rabbinic origin is unsurprising, since the third

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*der Edition Warschau 1852*, ed. by Dagmar Börner-Klein (Berlin: de Gruyter, 2004). There is also an English translation, *Pirkê de Rabbi Eliezer: The Chapters of Rabbi Eliezer the Great*, trans. by Gerald Friedlander (New York: Hermon Press, 1970), made directly from a European manuscript (and not the printed edition).

- 4 Steven Daniel Sacks, *Midrash and Multiplicity: Pirke de-Rabbi Eliezer and the Renewal of Rabbinic Interpretive Culture* (Berlin: de Gruyter, 2009), dedicates his whole book to showing the various ways in which PRE is a natural successor to classical rabbinic literature.
- 5 See, for example, Jacob Elbaum, 'Rhetoric, Motif and Subject-Matter—Toward an Analysis of Narrative Technique in Pirke de-Rabbi Eliezer', *Jerusalem Studies in Jewish Folklore* 13–14 (1991): 99–126 (Hebrew).
- 6 For a critical perspective on PRE and Jubilees, see Anna Urowitz-Freudenstein, 'Pseudepigraphic Support of Pseudepigraphical Sources: The Case of Pirke de Rabbi Eliezer', in *Tracing the Threads: Studies in the Vitality of Jewish Pseudepigrapha*, ed. by John C. Reeves (Atlanta: Scholars Press, 1994), 35–53. For the Cave of Treasures and PRE, see Emmanouela Grypeou and Helen Spurling, 'Pirke De-Rabbi Eliezer and Eastern Christian Exegesis', *Collectanea Christiana Orientalia* 4 (2007): 217–43. For both, see my thesis, Gavin McDowell, 'L'histoire sainte dans l'Antiquité tardive: les *Pirkê de-Rabbi Eliézer* et leur relation avec le *Livre des Jubilés* et la *Caverne des trésors*' (PhD diss., École pratique des hautes études, 2017).

unique quality of this work is its non-rabbinic source material.<sup>7</sup> In addition to elements from Second Temple literature, PRE is conversant with Christian apocrypha, Qur'anic exegesis, and even a hint of 'Gnostic' mythology. In many cases, PRE marks the first attestation of these traditions in rabbinic literature, but the work was not marginalized on account of these novelties. On the contrary, it was very popular. It is extant in at least a hundred manuscripts, of which approximately eighteen are complete.<sup>8</sup> It was cited by great medieval luminaries, such as Rashi<sup>9</sup> and Moses Maimonides,<sup>10</sup> and large sections are reproduced in medieval midrashic collections, such as Yalqut Shim'oni.<sup>11</sup>

Why was this strange composition welcomed with open arms by rabbinic Jews? I would like to suggest that the solution lies precisely in the 'rabbinization' of this outside material. Although PRE knows many outside legends, they never appear in their original form. They are always adapted to present a coherent worldview with the parallel traditions known from existing rabbinic works, which is why one can say that they are truly 'rabbinized' instead of simply 'judaized'. I propose to look at three

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7 Discussed passim in two recent monographs: Rachel Adelman, *The Return of the Repressed: Pirke de-Rabbi Eliezer and the Pseudepigrapha* (Leiden: Brill, 2009), and Katharina E. Keim, *Pirkei DeRabbi Eliezer: Structure, Coherence, Intertextuality* (Leiden: Brill, 2017).

8 The most detailed manuscript study is Eliezer Treitl, *Pirke de-Rabbi Eliezer: Text, Redaction and a Sample Synopsis* (Jerusalem: Yad Izhak Ben Zvi 2012) (Hebrew). See also Lewis M. Barth, 'Is Every Medieval Hebrew Manuscript a New Composition? The Case of Pirke Rabbi Eliezer', in *Agendas for the Study of Midrash in the Twenty-First Century*, ed. by Marc Lee Raphael (Williamsburg, VA: College of William and Mary, 1999), 43–62. It is also available online: <https://dornsife.usc.edu/pre-text-editing-project/midrash-study-agenda/>.

9 See his comments to Gen. 27.9 (citing PRE 32), Deut. 12.17 (citing PRE 36), and Jon. 1.7 (citing PRE 10).

10 *Guide of the Perplexed* 1.61 (citing PRE 3), 1.70 (citing PRE 19 [printed edition: PRE 18]), and 2.26 (citing PRE 3 again).

11 E.g., Jonah §550 cites the end of PRE 9 and all of PRE 10.

such traditions, all coming from different religious provenances—Christian, ‘Gnostic’, and Muslim.

## 2.0. Christian: The Temple and the Cross

The first tradition involves a curious alteration in PRE’s retelling of the story of Esther (PRE 49–50). In the biblical book of Esther, the villain Haman prepares a gibbet with the intention of executing his Jewish rival Mordechai (Est. 5.14). In the end, Haman is hoisted by his own petard: the Persian king orders that Haman be hanged on the gibbet prepared for his rival (Est. 7.9). This episode plays out differently in PRE 50. In fact, it directly contradicts the Bible. The eunuch Harbonah tells the king about the gibbet in the biblical book. In PRE 50, the eunuch is a disguised Elijah:

The king commanded that they hang him on the wood. What did Elijah, of blessed memory, do at that very moment? He assumed the appearance of Harbonah, one of the king’s servants. He said to him, “My lord the king, there is a beam of wood in the house of Haman from the house of the Holy of Holies, fifty cubits high.” How do we know it came from the house of the Holy of Holies? It is written: “He built the house of the forest of Lebanon one hundred cubits long and twenty [read: fifty] cubits wide and thirty cubits tall” (1 Kgs 7.2). The king commanded that they hang him on it to fulfill what is written, “Let the wood be pulled from his house and hang him on it” (Ezra 6.11).

Instead of using the beam Haman has prepared for Mordechai, the king has a beam from the Temple pulled out of Haman’s house in conformity with a decree cited from Ezra. In the book of Ezra, the verse, from the Aramaic section, is part of a letter permitting the reconstruction of the Temple. Those who oppose this decree are subjected to the punishment outlined in the prooftext: “A beam shall be removed from his house, and, lifted up (זקף), he shall be slain upon it” (Ezra 6.11). The word זקף could also be translated as “crucified”; the Syriac word ܙܩܦ, derived from the same trilateral root (*zqp*), is routinely used for the cross of Christ.<sup>12</sup>

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12 Some examples are cited in the passages below.

With this alteration in the story of Esther, PRE participates in a longstanding Jewish tradition that implicitly identifies Haman with Jesus. The two men have three points in common. The first is, simply, the manner of their deaths. In the Hebrew text of Est. 7.9, the king orders that Haman be hanged (תִּלְוֶהוּ), but in the Greek text (and Josephus, *Antiquities* 11.246, 261, 266, 267, 280), Haman is crucified (σταυρωθήτω). Late Antique Jews did not overlook this coincidence, if the Theodosian Code (*Cod. Theod.* 16.8.18) is any indication: it proscribes the burning of Haman in effigy precisely because it looked too much like a crucifix.<sup>13</sup> The Theodosian Code provides an outsider's perspective, but a Byzantine-era Aramaic piyyut for Purim demonstrates that the resemblance was intentional. In this poem, Haman interviews a succession of villains from biblical history, including Nimrod, Pharaoh, Amalek, Sisera, Goliath, Zerah the Ethiopian, Sennacherib, and Nebuchadnezzar. Between Sennacherib and Nebuchadnezzar, Haman encounters an anonymous individual whose identity is nevertheless quite clear:

You thought to yourself  
That only you were crucified,

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- 13 Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit, MI: Wayne State University Press, 1987), 237: "The governors of the provinces shall prohibit the Jews from setting fire to Aman in memory of his past punishment, in a certain ceremony of their festival, and from burning with sacrilegious intent a form made to resemble the saint cross in contempt of the Christian faith, lest they mingle the sign of our faith with their jests, and they shall restrain their rites from ridiculing the Christian Law, for they are bound to lose what had been permitted them till now unless they abstain from those matters which are forbidden." See also the text and analysis in T. C. G. Thornton, 'The Crucifixion of Haman and the Scandal of the Cross', *Journal of Theological Studies* 37 (1986): 419–26 (423), and, most recently, Hillel Newman, 'At Cross Purposes: The Ritual Execution of Haman in Late Antiquity', in *Between Personal and Institutional Religion: Self, Practice, and Doctrine in Late Antique Eastern Christianity*, ed. by Brouria Bitton-Ashkelony and Lorenzo Perrone (Turnhout: Brepols, 2013), 311–36 (312).

But I share [it] with you.  
 [I was] nailed to wood  
 As my image in [the house of] idolatry<sup>14</sup>  
 Is painted on wood.  
 They nailed me to wood,  
 My flesh lacerated by blows,  
 The son of a carpenter.  
 Afflicted by the scourge,  
 Born of a woman,  
 Yet they called me Christ!<sup>15</sup>

The second point of contact between Haman and Jesus is Edom. Haman is genealogically linked to Edom via Agag (Est. 3.1; 1 Sam. 15) and Amalek, the grandson of Esau (Gen. 36.12), while Jesus is spiritually connected to Edom, since in rabbinic literature Edom is a cipher for Rome, including Christian Rome.<sup>16</sup>

The third point of contact—the one that might be least familiar—is that both men died during Passover. Passover is already a subtext of the biblical book of Esther, although it is easy to miss.<sup>17</sup> After being slighted by Mordechai, Haman casts lots in the month of Nisan (Est. 3.7) to determine when to enact his plan to exterminate the Jews. The lot (*pur*) falls in Adar, when

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14 מרקוליס, literally “Mercury”.

15 Translated from Michael Sokoloff and Joseph Yahalom, *Jewish Palestinian Aramaic Poetry from Late Antiquity: Critical Edition with Introduction and Commentary* (Jerusalem: Israel Academy of the Sciences and Humanities, 1999), 216 (Hebrew). For another translation (and discussion), see Ophir Münz-Manor, ‘Carnavalesque Ambivalence and the Christian Other in Aramaic Poems from Byzantine Palestine’, in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. by Robert Bonfil, Oded Irshai, Guy G. Stroumsa, and Rina Talgam (Leiden: Brill, 2012), 829–43 (832–33).

16 The classic study is Gerson Cohen, ‘Esau as Symbol in Early Medieval Thought’, in *Jewish Medieval and Renaissance Studies*, ed. by Alexander Altmann (Cambridge, MA: Harvard University Press, 1967), 19–48.

17 Israel Jacob Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages*, trans. by Barbara Harshav and Jonathan Chipman (Berkeley: University of California Press, 2006), 166–67, first drew my attention to this significant fact.

Jews now celebrate Purim, but Haman promulgates his edict against the Jews eleven months earlier, on 13 Nisan (Est. 3.12). In response to this edict, Esther, the Jewish queen of Persia, immediately calls a three-day fast (Est. 4.16) before approaching the king. On the third day (Est. 5.1), Esther requests the king's presence at a banquet she will prepare for him and Haman that very night (Est. 5.4). At the banquet, Esther invites the king and Haman to another banquet the next day (Est. 5.8). During this second banquet, Esther exposes Haman's plot, and he is swiftly hanged (Est. 7.9).

Rabbinic tradition clarifies the sequence of events. *Seder Olam Rabbah*, the standard rabbinic chronology, dates the events of Esther precisely, starting with the promulgation of the edict on 13 Nisan. Esther's fast begins immediately and lasts three days, from 13–15 Nisan. On 15 Nisan, the date of Passover, she appears before the king and holds the first banquet in the evening. On 16 Nisan Haman is hanged.<sup>18</sup> This is in fact the date of Easter, the Christian *Pascha*, according to the Johannine chronology.<sup>19</sup> The chronology found in *Seder Olam Rabbah* also appears in the Babylonian Talmud, where Rav indicates that, since the end of Esther's fast coincides with the beginning of Passover, Mordechai did not depart (ויעבר) after hearing Esther's announcement (Est. 4.17) but rather transferred (העביר) the festival to a fast (b. Meg. 15a). The Babylonian rabbis were also aware that Jesus died on the eve of Passover (b. Sanh. 43a), as in the Gospel of John.

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18 See *Seder Olam: Critical Edition, Commentary, and Introduction*, ed. by Chaim Milikowsky, 2 vols. (Jerusalem: Yad Izhak Ben Zvi, 2013), I, 319 (chapter 29).

19 Clemens Leonhard, *The Jewish Pesach and the Origins of the Christian Easter* (Berlin: de Gruyter, 2006), 153, cites Eutychius of Constantinople (d. 582 CE), who writes in his *Sermo de Paschate et de Sacrosancta Eucharistia* 4 (*Patrologia Graeca* 86:2396B–C): “Therefore, Christ’s church also celebrates his holy resurrection, which happened when the sixteenth (day) began. Having driven out the fourteenth of the moon [14 Nisan, the Day of Preparation], she (the church) also does not any more celebrate together with the Jews.”

PRE knows all three connections between Haman and Jesus. First, the opening of the Esther story (PRE 49) is dedicated to the genealogy of Haman, looking backward to his descent from Edom via Amalek and forward to Titus, the Roman conqueror of Jerusalem, who, like Haman, is also a fixture of Jewish-Christian polemics: in the medieval Christian imagination, Titus's campaign against Jerusalem was revenge for the crucifixion of Jesus.<sup>20</sup> Second, PRE 50 addresses the issue of fasting during Passover raised by the Babylonian Sages, citing the same proof-text but offering a different interpretation:

She [Esther] said to him, "Go, gather all the Jews and fast on my behalf. Neither eat nor drink for three days and three nights" (Est. 4.16). Mordechai said to her: "Isn't the third day the day of Passover?!" She said to him, "Elder of the Jews, if there is no Israel, for whom is Passover?" Mordechai understood and did everything that Esther commanded. It is written, "And Mordechai departed" (Est. 4.17). What is the meaning of "And Mordechai departed (ויעבר)"? Rather, he transgressed (עבר) the commandments of Passover.

Later in the same chapter, the narrator specifies that the second banquet—and Haman's death—occurred on 16 Nisan. This is the universal reading of the extant manuscripts, although the *editio princeps* has 17 Nisan.

The final connection is the manner of their deaths, and this is where PRE innovates. Haman is not merely crucified; he is crucified on wood from the Holy of Holies, the inner sanctum housing the Ark of the Covenant, which the high priest entered only once per year, on Yom Kippur, to sprinkle the blood from the atonement sacrifice.

The death of Haman at the end of PRE 50 does not defer to any rabbinic tradition, but it does resemble Jesus's death in the Cave of Treasures, which, like PRE, is a tendentious retelling of biblical history. The Cave of Treasures follows the Johannine chronology and so dates the crucifixion to the eve of Passover, 14 Nisan. At the beginning of the Passion narrative, the narrator reveals that the cross is the Ark of the Covenant:

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20 See Yuval, *Two Nations in Your Womb*, 38–49.

Know, my brothers, that when Pilate compelled them to enter the tribunal, they [the Jews] said to him, “We are unable to enter the praetorium because we have not yet eaten the Passover” (cf. John 18.28). When the sentence of our Lord’s death was handed down from Pilate, they hurried and entered the Temple (ܬܡܢܝܐ) and brought out from there the poles of the Ark. They made from them the cross (ܥܝܠܐ) of Christ. In truth, it was fitting that those beams which once carried the covenant should now carry the Lord of the covenant (Cav. Tr. 50.20–21).<sup>21</sup>

This arresting tradition is not simply mentioned in passing but further developed throughout the Passion narrative. After the death of Jesus, the cross is returned to the Temple: “When he [Joseph of Arimathea] removed the body of the Lord from the cross (ܥܝܠܐ), the Jews ran, took the cross (ܥܝܠܐ), and placed it back in the sanctuary (ܬܡܢܝܐ) because it was the beams of the Ark” (Cav. Tr. 53.6).<sup>22</sup> Finally, at the end of the Passion narrative, Cav. Tr. 53.13 simply states: “His cross [was made] of wood from the Temple” (ܥܝܠܐ ܕܡܝ ܬܡܢܝܐ).<sup>23</sup> Thus Jesus, like Haman, is crucified on beams from the Holy of Holies.

This tradition underlines the connection between Jesus and the Temple which runs throughout the Syriac work. The first half explains how the body of Adam came to be interred at Golgotha, the future site of the crucifixion (Cav. Tr. 23). The work’s description of the binding of Isaac strongly implies that Golgotha and the Temple Mount are the same:

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21 British Museum Add. 25875, 46r:17–46v:8. The versification comes from Alexander Toepel, ‘The Cave of Treasures: A New Translation and Introduction’, in *Old Testament Pseudepigrapha: More Noncanonical Scriptures*, ed. by Richard Bauckham, James R. Davila, and Alexander Panayotov (Grand Rapids, MI: Eerdmans, 2013), 531–84, which is a translation of the same manuscript, generally considered the *codex optimus*. For other textual witnesses (and a dissenting opinion on the value of the British Museum manuscript), see Su-Min Ri, *La Caverne des trésors: Les deux recensions syriaques*, 2 vols. (Leuven: Peeters, 1987).

22 British Museum Add. 25875, 49r:15–21.

23 British Museum Add. 25875, 49v:2–3.



Isaac was twelve years old when his father took him and ascended the mountain of Jebus to Melchizedek, the priest of the Most High God. Mount Jebus is the mountain of the Amorites. On that very spot the cross of Christ (✠) was fixed. And on it sprouted the tree that bore the lamb who redeemed Isaac. This place is the middle of the earth, the grave of Adam, the altar of Melchizedek, Golgotha, the skull, and Gabbatha (cf. John 19.13). There David saw the angel carrying a fiery sword. And there Abraham offered up Isaac, his son, as a sacrifice. He saw the cross (✠), Christ, and the salvation of our father Adam (Cav. Tr. 29.3–8).<sup>24</sup>

The text not only identifies Moriah (Gen. 22.2; cf. 2 Chron. 3.1) with Golgotha, which, by the time the Cave of Treasures was written, had become commonplace in Christian tradition,<sup>25</sup> but also insists that Golgotha is where David saw the angel. In the Hebrew Bible, this location is unambiguously the Temple Mount (2 Sam. 24; 1 Chron. 21). Therefore, in the Cave of Treasures, Jesus is apparently crucified on the Temple Mount, an ‘historicized typology’ emphasizing the sacrificial nature of Jesus’s death as described in the Epistle to the Hebrews: “He entered once for all the holy place and obtained an eternal redemption—not by the blood of goats or calves but by his own blood” (Heb. 9.12). In the Cave of Treasures, Jesus’s blood is literally translated into the Holy of Holies via the cross/Ark of the Covenant. The Cave

24 British Museum Add. 25875, 25v:7–26r:1.

25 From the accounts in John Wilkinson, *Jerusalem Pilgrims before the Crusades* (Warminster: Aris & Phillips, 1977), one can cite the Breviarius of Jerusalem (60: “There Abraham offered Isaac his son in the very place where the Lord was crucified”), Theodosius (65: “In the city of Jerusalem by the Sepulchre of the Lord is the Place of the Skull. There Abraham offered his son as a sacrifice”), the Piacenza Pilgrim (83: “You can see the place where he was crucified, and on the actual rock there is a bloodstain. Beside this is the altar of Abraham, which is where he intended to offer Isaac and where Melchizedek offered sacrifice”), and Adomnan’s description of Arculf’s pilgrimage (97: “And between these two churches [Calvary and the Martyrium] comes that renowned place where the patriarch Abraham set up an altar, and arranged a pile of wood on it, and took up his drawn sword to sacrifice Isaac his son”).

of Treasures is not the only text to identify the wood of the cross as formerly part of the Temple, but it is one of the earliest. Later medieval legends about the wood of the cross would routinely identify the Temple of Solomon as the penultimate destination of the cross prior to the crucifixion.<sup>26</sup>

If the Cave of Treasures places the wood of the cross in the Holy of Holies, then PRE takes it back out. PRE's modification of the death of Haman can be understood as part of an ongoing polemic against Christianity, particularly the Christian appropriation of Temple traditions for their own 'temple', the Church of the Holy Sepulchre.<sup>27</sup> The legend eventually filtered into the Toledot Yeshu tradition (where the cabbage stalk serving as the cross comes from the Temple), completing the hermeneutic circle in which traditions about Jesus inform traditions about Haman and vice versa.<sup>28</sup>

### 3.0. 'Gnostic': Cain, Son of the Devil

The second tradition involves the lineage of Cain. PRE 21, the story of Cain and Abel, opens with the statement that Cain was not the natural son of Adam but instead the offspring of a heavenly being:

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26 Gavin McDowell, 'La Gloire du Liban viendra chez toi (Is 60,13): À l'origine de la légende du bois de la croix', *Apocrypha* 29 (2018): 183–201.

27 See Joshua Prawer, 'Christian Attitudes towards Jerusalem in the Early Middle Ages', in *The History of Jerusalem: The Early Muslim Period, 638–1099*, ed. by Joshua Prawer and Haggai Ben-Shammai (Jerusalem: Yad Izhak Ben Zvi, 1996), 311–47 (326–28).

28 On this theme, see Sarit Kattan Gribetz, 'Hanged and Crucified: The Book of Esther and Toledot Yeshu', in *Toledot Yeshu ("The Life Story of Jesus") Revisited*, ed. by Peter Schäfer, Michael Meerson, and Yaacov Deutsch (Tübingen: Mohr Siebeck, 2011), 159–80. For the cabbage stalk, see Daniel Stökl Ben Ezra, 'On Some Early Traditions in Toledot Yeshu', in *Toledot Yeshu in Context*, ed. by Daniel Barbu and Yaacov Deutsch (Tübingen: Mohr Siebeck), 43–58.

The rider of the serpent had intercourse with her [Eve], and she conceived Cain. After this, Adam came to her, and she conceived Abel, as it is written, “And Adam knew Eve, his wife” (Gen. 4.1). What is the meaning of “know”? He knew that she was with child. She saw that his form was not like those from below but those from above. When she noticed, she said, “I have acquired a man through the LORD” (Gen. 4.1).

The “rider of the serpent” is Samael, the devil, who is introduced in PRE 13. The chapter opens with the ministering angels conspiring to lead Adam astray on account of their jealousy of his wisdom. Samael, their leader, descends to earth, recruits the serpent as a partner-in-crime, and mounts and rides upon it (ועלה ורכב עליו). The chapter goes on to describe Samael’s total possession of the serpent, his instrumental role in the sin of Adam and Eve, and his expulsion from heaven. Samael is therefore the father of Cain.

There is a Jewish tradition which states that the serpent—but not the devil—lusted after Eve. This tradition is older than rabbinic literature and is hinted at already in 4 Maccabees, when the mother of the seven martyred sons makes a final declaration before her own death. She says, “I was a pure virgin and did not even leave my father’s house, but protected the rib that was built [from Adam]. No seducer corrupted me in the wilderness, nor did the destroyer, the deceitful serpent, defile the purity of my virginity” (4 Macc. 18.7–8). These verses allude to Genesis, but the contrast of corruption and defilement with purity and virginity suggests a sexual element not present in the biblical book.

A comparable rabbinic tradition, attributed to R. Yohanan, appears three times in the Babylonian Talmud. “Why are the nations contaminated? Because they did not stand on Mount Sinai. When the serpent came to Eve, he injected filth into her. Israel, who stood on Mount Sinai, their filth departed, but those who did not stand on Mount Sinai, their filth did not depart” (b. Shabb. 145b–146a; cf. b. Yevam. 103b and b. Avod. Zar. 22b). This tradition states outright that Eve slept with the serpent, although it does not equate the serpent with the devil

or even state that the serpent is the father of Cain.<sup>29</sup> The logic of this tradition prevents such an interpretation, since the “filth” which the serpent injected into Eve infected all her descendants, including ones born from Adam, and not just the line of Cain. The Talmud is in keeping with other rabbinic traditions that imply the serpent lusted after Eve while remaining a mere animal (Gen. Rab. 18.6, 20.5; Avot R. Nat. A 1; t. Sotah 4.17–18; b. Sotah 9b). The identification, or at least the association, between Satan and the serpent was extremely common in Christian and Muslim tradition, but this was not the case in rabbinic literature. PRE is, in fact, the first rabbinic work to introduce this motif.

Rabbinic literature prior to PRE does not indicate that anyone but Adam was the father of Cain. PRE, by invoking Samael as the “rider of the serpent”, appears to harmonize two traditions by identifying the rider of the serpent, rather than the serpent itself, as Eve’s sexual partner. The idea that Cain was the son of the devil is not found in the Talmud or Midrash, but it is found in Targum Pseudo-Jonathan’s translation of Gen. 4.1, which, however, has now omitted the serpent from the equation. The sole manuscript of this Targum (British Library Aramaic Add. 27031) reads, “Adam knew his wife Eve, that she was pregnant from Samael, the angel of the Lord.” The printed edition offers a variant: “Adam knew his wife Eve, that she desired the angel, and she conceived and bore Cain. And she said, ‘I have acquired a man, the angel of the Lord’.” The question naturally arises whether Targum Pseudo-Jonathan precedes or follows PRE. Without rehearsing the arguments, there are many cogent reasons for suspecting that the Targum depends on PRE.<sup>30</sup> For the purpose of the present article, we can bracket out the Targum as something technically distinct from rabbinic literature: PRE is still the first rabbinic work to introduce this tradition.

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29 Pace Arnold Goldberg, ‘Kain: Sohn des Menschen oder Sohn der Schlange?’, *Judaica* 25 (1969): 203–21.

30 See Gavin McDowell, ‘The Date and Provenance of Targum Pseudo-Jonathan: The Evidence of *Pirque de-Rabbi Eliezer* and the Chronicles of Moses’, *Aramaic Studies* 19 (2021): 1–34, and the bibliography cited there.

The shared tradition of PRE and the Targum, both dependent on Gen. 4.1, should be carefully distinguished from a New Testament tradition (1 John 3.12) that Cain was “from the evil one” (ἐκ τοῦ πονηροῦ).<sup>31</sup> This verse does not refer to Cain’s ancestry but rather to his moral behaviour. The same Epistle states a few verses earlier that “One who sins is [a child] of the devil, for the devil has sinned from the beginning” (1 John 3.8) and goes on to speak of Cain’s evil *deeds* (his envy, the murder of his brother) rather than his congenital evil *nature*. The same idea is probably present in the infamous declaration in the Gospel of John (8.44):

You are [offspring] of your father the devil, and you desire to carry out the wishes of your father. That one was a murderer from the beginning. He is not established in truth, for truth is not in him. When he speaks falsehoods, he speaks in accordance with his own, for his father is also a liar (ὅτι ψεύστης ἐστὶν καὶ ὁ πατήρ αὐτοῦ).

The Gospel implicitly compares Jesus’s opponents (“the Jews”) to Cain, who is both the first murderer and the first liar (Gen. 4.8–9). The fourth-century heresiographer Epiphanius of Salamis mentions Christian groups (Cainites and Archontics) who interpreted John 8.44 in exactly this way and believed that the last clause (“for his father is also a liar”, more conventionally translated nowadays “for he is a liar and the father of lies”) refers to the father of Cain, whom they understood to be a spiritual power (Panarion 38.4–5 and 40.5–6). The orthodox theologian does not contest the text but only its interpretation. He believes the “devil” (διάβολος) in John 8.44 is Judas, called a devil elsewhere in the Gospel (John 6.70), and Judas’s “father” is Cain. Against Epiphanius, Cain is probably the intended referent

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31 See, for example, Nils Alstrup Dahl, ‘Der erstgeborene Satans und der Vater des Teufels’, in *Apophoreta: Festschrift für Ernst Haenchen* (Berlin: A. Töpelmann, 1964), 70–84, and Jan Dochhorn, ‘Kain, der Sohn des Teufels: Eine traditionsgeschichtliche Untersuchung zu 1. Joh 3,12’, in *Das Böse, der Teufel und Dämonen (Evil, the Devil, and Demons)*, ed. by Jan Dochhorn, Susanne Rudnig-Zelt, and Benjamin G. Wold (Tübingen: Mohr Siebeck, 2016), 169–87.

in John 8.44, but this does not mean he is the child of a spiritual being. When John 8.44 is read in light of 1 John 3.8–12, it is not physical descent but Cain’s *imitatio diaboli* that makes him “of the evil one”.<sup>32</sup> In any case, the *interpretation* of these verses (but not the verses themselves) dovetails with the tradition attested in PRE and the Targum.

What is surprising about the tradition in PRE and the Targum is not what it says about Cain but what it says about God. In both works, the *crux interpretatum* is the divine name in Gen. 4.1, which signifies not God but an angel—and not merely an angel but a fallen angel. In other words, ‘God’ in Gen. 4.1 means ‘the devil’. This brings us into the orbit of ‘Gnostic’ religion. A modern scholarly heuristic, ‘Gnosticism’ does not designate a single movement but is applied to several, including early Christian groups, such as the Sethians and Valentinians, medieval Christian dualists, such as the Bogomils and Cathars, and independent religions, such as Manichaeism and Mandaism.<sup>33</sup> These diverse groups share a belief in a universe where the Creator is not the highest god and in most (not all) cases is actively evil. The tension between the highest god and the Creator constitutes a kind of cosmological dualism. This Creator, identified with the

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32 Similarly, 1 Clement 3.4–4.7 implies that Cain is the “devil” mentioned in Wisdom 2.24 (“By the envy of the devil death entered the world”, etc.) by juxtaposing an allusion to this verse with the moral example of Cain and Abel. I would also argue that Tertullian’s ambiguous phrase in *De Patientia* 5.15 (*Nam statim illa semine diaboli concepta*) is metaphorical; *illa* refers to *impatientia*, not Eve. He goes on to describe Cain as Adam and Eve’s son.

33 Kurt Rudolph, *Gnosis: The Nature and History of Gnosticism*, trans. by Robert McL. Wilson (San Francisco: Harper, 1987), and *The Gnostic Bible*, ed. by Willis Barnstone and Marvin W. Meyer (Boston: Shambhala, 2009), include all of these groups under the ‘Gnostic’ label. It should be noted that few specialists now embrace this maximalist position, and the coherence of Gnosticism as a category is doubtful. See Michael Allen Williams, *Rethinking “Gnosticism”: An Argument for Dismantling a Dubious Category* (Princeton, NJ: Princeton University Press, 1996), and Karen L. King, *What Is Gnosticism?* (Cambridge, MA: Harvard University Press, 2003).

God of Israel, is the supposed father of Cain. Ordinarily, it would be preferable to speak of individual groups or texts rather than placing everything within one broad category, but this particular myth—the one animating PRE and Targum Pseudo-Jonathan—is so pervasive that it cannot be restricted to one group.

The most famous text to promote this belief is undoubtedly the Apocryphon of John, one of the many texts found among the Nag Hammadi codices (NHC II.1, III.1, IV.1) and also one of the few that was known before this discovery (from Berlin Codex 8502, BG 2). The plot of the Apocryphon is a particularly complex retelling of the opening chapters of Genesis. In the frame narrative, the resurrected Christ appears to John the Apostle and elaborates an extensive history ‘before the beginning’, including the origin of the Creator, Yaldabaoth, the misbegotten offspring of the divine being Sophia. Yaldabaoth believes that he is the only deity and sets into motion the events of Genesis. When he perceives light from the heavenly realms residing in Eve, one of his creations, he rapes her:

Then Yaldabaoth saw the virgin who stood by Adam. He was full of ignorance so that he wanted to raise up a seed from her. He defiled her and begot the first child and similarly the second: Yave, the bear-face, and Eloim, the cat-face. The one is righteous, but the other one is unrighteous. Eloim is the righteous one, Yawe is the unrighteous one. The righteous one he set over fire and spirit, and the unrighteous one he set over water and earth. These are called Cain and Abel among all generations of men (BG 62.3–20; cf. NHC II 24.13–25; NHC III 31.10–20; NHC IV 37.23–38.12).<sup>34</sup>

Both Cain *and* Abel, identified with the names of God and angelic beings in their own right, are the children of this demonic entity, who is functionally the devil. Three other texts from Nag Hammadi attribute Cain’s paternity to one or more of the angelic Rulers of the World, including the Hypostasis of

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34 *The Apocryphon of John: Synopsis of Nag Hammadi Codices II,1; III,1; and IV,1 with BG 8502,2*, ed. by Michael Waldstein and Frederik Wisse (Leiden: Brill, 1995), 136–41 (Synopsis 63–65).

the Archons (NHC II.4.89.17–30; 91.12), On the Origin of the World (NHC II.5.116.8–117.18), and the Apocalypse of Adam (NHC V.5.66.25–28).<sup>35</sup> All four of these texts, found in fourth-century manuscripts, are considerably earlier than both PRE and Targum Pseudo-Jonathan. It is striking that Guy Stroumsa, in a monograph arguing for the Jewish origin of this myth, cannot cite any Jewish work earlier than these two.<sup>36</sup>

The Nag Hammadi texts were eventually lost, but the belief persisted. Heresy hunters from the time of PRE and later confirm the ongoing presence of dualist sects and the accompanying belief that a wicked Creator is the true father of Cain. Stroumsa, following the lead of Henri-Charles Puech, identified the obscure sect of Audians as the most important witness to the motif of the seduction of Eve prior to the rediscovery of the Nag Hammadi texts.<sup>37</sup> The Audians are significant because they originated in the fourth century, when the Nag Hammadi texts were still circulating, yet they survived until the end of the eighth century, when PRE was written. They attest to the endurance of ‘Gnostic’

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35 These texts contrast sharply with Logion 61 of the Gospel of Philip: “First adultery came into being, afterward murder. And he [Cain] was begotten in adultery, for he was the child of the serpent. So he became a murderer, just like his father, and he killed his brother” (quoted from James L. Kugel, *Traditions of the Bible: A Guide to the Bible as it Was at the Start of the Common Era* (Cambridge, MA: Harvard University Press, 1998), 147). The Gospel of Philip alludes to the New Testament Johannine tradition (John 8.44; 1 John 3.8–12) and implicitly identifies the serpent with the devil, which the other Nag Hammadi texts never do. Nor is there any indication that the serpent/devil in this case is the Creator of the universe.

36 Guy G. Stroumsa, *Another Seed: Studies in Gnostic Mythology* (Leiden: Brill, 1984), 35–70.

37 Stroumsa, *Another Seed*, 41–42, citing Henri-Charles Puech, ‘Fragments Retrouvés de l’Apocalypse d’Allogène’, in *En quête de la Gnose*, 2 vols. (Paris: Gallimard, 1978), I, 271–300. See also Guy G. Stroumsa, ‘Jewish and Gnostic Traditions among the Audians’, in *Sharing the Sacred: Religious Contacts and Conflicts in the Holy Land, First–Fifteenth Centuries CE*, ed. by Arie Kofsky and Guy G. Stroumsa (Jerusalem: Yad Izhak Ben Zvi, 1998), 97–108.



currents long after the supposed triumph of orthodoxy. The principal sources are Epiphanius (*Panarion* 70) in the fourth century and Theodore bar Koni (*Liber Scholiorum* 11.63) in the eighth. Epiphanius regards the Audians as schismatics rather than heretics and has nothing to say about their ‘Gnostic’ connections. Theodore bar Koni, on the other hand, enumerates the Audians’ reading curriculum, which sounds a great deal like the books that circulated among Epiphanius’s ‘Gnostic’ groups. After citing an Apocalypse of John (which resembles the Apocryphon of John) and an Apocalypse of Abraham (which does not at all resemble the extant work of that name), he mentions a series of books that each contain the key motif:

On reviling God through the coupling with Eve: He [Audi] states in the Book of Strangers, in the description of God: “God said to Eve, ‘Conceive from me before the makers of Adam come to you’.” Regarding the description of the Rulers, he states in the Book of Questions, “Come, let us overtake Eve, so that whosoever is born shall be ours.” Again, he says that the Rulers guided Eve and overtook her before she came before Adam. In the Apocalypse of the Strangers, he says, describing the Rulers, “Come, let us cast our seed into her, and we will have our way with her first, so that those who will be born from her shall be under our subjugation.” Again, he says that they led Eve away from the presence of Adam, and they knew her. The iniquitous Audi produced the same type of filth and wickedness about God, the angels, and the world.<sup>38</sup>

Other Christian ecclesiastics, notably the historian Agapius of Manbij (d. 942) and the polymath Gregory bar Hebraeus (d. 1286), describe the beliefs of the Audians.<sup>39</sup> Their short summaries, which depend on a common source, are distinct from that of Theodore bar Koni. They mention the liaison between God and Eve but do not add any new information.

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38 Theodore bar Koni, *Liber Scholiorum*, ed. by Addaï Scher, 2 vols. (Leuven: L. Durbecq, 1954), II, 320.

39 They are quoted in Henri-Charles Puech, ‘Fragments retrouvés’, 275–76.

Theodore bar Koni's description of the Audians mentions God and other angels fathering children on Eve but does not name Cain specifically. Cain, however, appears in the description of Manichaeism at the end of *Kitāb al-Fihrist*, the monumental book list of Ibn al-Nadim (d. 995 CE). According to him, Mani teaches:

Then Jesus came and spoke to the one who had been born, who was Adam, and explained to him [about] the [Light]-Paradises, the deities, Jahannam [hell], the satans, earth, heaven, sun, and moon. He also made him fear Eve, showing him how to suppress [desire] for her, and he forbade him to approach her, and made him fear to be near her, so that he did [what Jesus commanded]. Then that [male] archon came back to his daughter, who was Eve, and lustfully had intercourse with her. He engendered with her a son, deformed in shape and possessing a red complexion, and his name was Cain, the Red Man. Then that son had intercourse with his mother, and engendered with her a son of white complexion, whose name was Abel, the White Man.<sup>40</sup>

The section occurs in a running commentary on the early chapters of Genesis, which Ibn al-Nadim labels "The Beginning of Sexual Reproduction according to the Teaching of Mani". This is the same context in which the Apocryphon of John and the Audians discuss the birth of Cain and Abel. It goes on to narrate the death of Abel and the birth of Seth, a "Stranger" distinct from the angelic Rulers. The section is valuable as the only extant fragment of Manichaean teaching about Cain. It is partially confirmed by the much earlier report of the fifth-century theologian Theodoret of Cyrrhus (*Haereticum Fabularum Compendium* 1.26), who states that Saklas (another name for Yaldabaoth) slept with Eve and fathered an unnamed child in the form of an animal.<sup>41</sup> Manichaeism is rightfully distinguished

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40 John C. Reeves, *Prolegomena to a History of Islamicate Manichaeism* (Sheffield: Equinox, 2013), 195. For the entire context, see *The Fihrist of al-Nadim: A Tenth-Century Survey of Muslim Culture*, trans. by Bayard Dodge, 2 vols. (New York: Columbia University Press, 1970), II, 773–803.

41 Nils Arne Pedersen et al., *The Old Testament in Manichaean Tradition: The Sources in Syriac, Greek, Coptic, Middle Persian, Parthian, Sogdian, New*

from earlier ‘Gnostic’ movements, but the entire fragment has an undercurrent of the teaching also found in the Apocryphon of John and in the literature of the Audians.

The persistence of this belief knew no geographical limits. A succession of loosely related dualist groups eventually spread into Europe from the Caucasus during the Middle Ages: first Paulicians in Armenia, then Bogomils in Bulgaria, and finally Cathars in southern France.<sup>42</sup> In the twelfth century, the monk Euthymius Zigabenus, at the behest of the Byzantine court, interrogated the Bogomil leader Basil and wrote an account of their beliefs in his *Dogmatic Panoply*. In Euthymius’s retelling of the Bogomil creation myth, Satanael, the firstborn of God the Father, revolts against his Creator and becomes the creator of his own world. Like Adam and Eve in the Apocryphon of John, the first man and woman are imbued with the breath of life from a higher power. Satanael therefore seeks to enslave them, beginning with Eve:

Eve was made similarly then and shone forth with the same splendour. Satanael became envious, repented, and was moved to plot against what he himself had made. He slipped into the inward parts of the serpent, deceived Eve, slept with her, and made her pregnant, so that his seed might [...] master the seed of Adam and, as far as possible, destroy it and not allow it to increase and grow. Soon she fell into labour and brought forth Cain from her coition with Satanael and his sister like him, named Calomena.<sup>43</sup> Adam became jealous and also

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*Persian, and Arabic* (Turnhout: Brepols, 2017), 49, citing Istvan Pasztori-Kupan, *Theodoret of Cyrus* (London: Routledge, 2006), 206.

42 Yuri Stoyanov, *The Other God: Dualist Religions from Antiquity to the Cathar Heresy* (New Haven, CT: Yale University Press, 2000), is a recent and accessible introduction. One should also consult the classic studies of Steven Runciman, *The Medieval Manichee: A Study of the Christian Dualist Heresy* (Cambridge: Cambridge University Press, 1947), and Dimitri Obolensky, *The Bogomils: A Study in Balkan Neo-Manichaeism* (Cambridge: Cambridge University Press, 1948).

43 The name of one of the sisters of Cain and Abel (the other is Lebeda, Deborah, or a similar variant), attested in the Cave of Treasures and repeated in the Apocalypse of Pseudo-Methodius. This latter document

slept with Eve and begot Abel, whom Cain immediately killed, and so brought murder into life. That is why the apostle John says that “Cain was of the evil one” (1 John 3.12).<sup>44</sup>

The passage ends with a citation of the New Testament Johannine tradition, but it has been grafted onto a tradition that is fundamentally similar to the one found in the Nag Hammadi codices. Although a genetic link between the early Christian ‘Gnostics’ and the medieval dualists is usually denied, there is evidence here of a continuous tradition.

The most important conclusion to be drawn from this data is that the basic myth, as found in PRE, is not some piece of *esoterica*. It was a current belief in numerous contemporary religious movements. One final indication of its popularity is the anathema attached to the *Palaea Historica* (ninth or tenth century), a biblical history similar to PRE, Jubilees, and the Cave of Treasures: “To those abominable Phundaitae who say that the adversary had intercourse with Eve and [from him] she gave birth to Cain—anathema” (7.5).<sup>45</sup> The Phundaitae are obscure (they are associated with the Bogomils),<sup>46</sup> but their belief is immediately recognizable. The *Palaea Historica* is not a learned text. It draws on oral tradition, local legends, liturgy,

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was widely translated (Greek, Latin, Slavonic) and spread this tradition to every corner of Europe.

44 Janet Hamilton, Bernard Hamilton, and Yuri Stoyanov, *Christian Dualist Heresies in the Byzantine World, c. 650–c. 1450: Selected Sources* (Manchester: Manchester University Press, 1998), 185 (slightly modified).

45 William Adler, ‘Palaea Historica (“The Old Testament History”): A New Translation and Introduction’, in *Old Testament Pseudepigrapha: More Noncanonical Scriptures*, ed. by Richard Bauckham, James R. Davila, and Alexander Panayotov (Grand Rapids, MI: Eerdmans, 2013), 585–672 (602–03).

46 The classic study with related texts (including Euthymius Zigabenus) is Gerhard Ficker, *Die Phundagiagiten: Ein Beitrag zur Ketzergeschichte des byzantinischen Mittelalters* (Leipzig: Barth, 1908). My knowledge of its contents is secondhand. Even though this book is in the public domain, I have been unable to secure a copy.

and devotional art, and it was apparently intended for popular reading (or reciting). A secret teaching—one that stays secret, in any case—does not need to be anathematized. Cain's demonic paternity was widely believed across a diverse religious spectrum and needed to be contained.

PRE neutralizes the myth by embracing it. The Sages already taught that the serpent had seduced Eve; PRE slightly modifies this tradition through the introduction of another common motif, the presence of the devil in the Garden of Eden. Thus, the devil assumes a role previously attributed to the serpent. The reason for embracing the myth was to protect God's integrity. It was not the LORD (as in Gen. 4.1) but rather Samael, an angel of the LORD, who seduced Eve and fathered Cain.<sup>47</sup>

The very name Samael, though attested in classical rabbinic literature, is infrequent. For example, it appears only once in the Babylonian Talmud (b. Sotah 10b) and sparingly in other works.<sup>48</sup> It is, however, one of the alternative names of Yaldabaoth in the Nag Hammadi texts (Apocryphon of John, NHC II.1.11.16–18; Hypostasis of the Archons, NHC II.4.87.2 and 94.25; On the Origin of the World, NHC II 103.27) as well as a common name for the devil among the Bogomils.<sup>49</sup> Later, Cain's demonic heritage became standard in medieval Jewish mysticism. The Zohar (e.g., 1.54a) and related literature, depending on PRE, transformed the

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47 A similar tactic was applied to Exod. 4.24, where, in the Masoretic Text, the LORD seeks to kill Moses. In the Septuagint (and the Targumim), this entity has become the “angel of the Lord”. The entity is identified as Mastema, a demonic figure (Jub. 48.2–3).

48 For other scattered examples, see Günter Stemberger, ‘Samael und Uzza: Zur Rolle der Dämonen im späten Midrasch’, in *Die Dämonen: Die Dämonologie der israelitisch-jüdischen und frühchristlichen Literatur im Kontext ihrer Umwelt*, ed. by Armin Lange, Hermann Lichtenberger, and K. F. Diethard Römheld (Tübingen: Mohr Siebeck, 2003), 636–61.

49 An alternative version of Euthymius Zigabenus's report substitutes “Samael” for “Sataaniel”: see Janet Hamilton, Bernard Hamilton, and Yuri Stoyanov, *Christian Dualist Heresies*, 204–07.

harmonization of rabbinic and ‘Gnostic’ currents into a wholly Jewish tradition.<sup>50</sup>

#### 4.0. Muslim: The Penitence of Pharaoh

The third tradition comes from the end of PRE 43, a homily on repentance. The chapter cites several biblical kings (and one rabbi) who were terrible, yet penitent sinners, before ending with a strange example, the Pharaoh of the Exodus. Pharaoh, repenting at the moment of the destruction of his army at the Red Sea, is preserved from death by God. PRE then continues the story of Pharaoh and takes it in an unexpected direction:

R. Nehunya b. Haqanah said: “Know the power of repentance. Come and observe the example of Pharaoh, king of Egypt, who rebelled against the Rock, the Most High, many times. Thus it is written, ‘Who is the LORD, that I should heed his voice?’ (Exod. 5.2). He sinned against him with the same language by which he did penance. Thus it is written, ‘Who is like you among the gods, O LORD?’ (Exod. 15.11). The Holy One, Blessed Be He, brought him up from the dead. From where do we learn that he did not die? It is written, ‘For by now [I could have stretched forth my hand and struck you and your people with pestilence, and you would have been effaced from the earth]’ (Exod. 9.15). The Holy One, Blessed Be He, raised him from the dead to recount the power of his might. From where do we learn that he raised him? It is written, ‘And yet for this reason, I will raise you [to show you my power, in order that my name might be proclaimed throughout the earth]’ (Exod. 9.16).

“He departed and ruled over Nineveh. The people of Nineveh were writing fraudulent documents and robbing each other. The men were also sleeping with each other. Such were their evil deeds. When the Holy One, Blessed Be He, sent Jonah to prophesy about the coming destruction, Pharaoh listened. He rose from the throne and tore his clothes and put on sackcloth and ashes. He decreed among all the

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50 Oded Yisraeli, ‘Cain as the Scion of Satan: The Evolution of a Gnostic Myth in the Zohar’, *Harvard Theological Review* 109 (2016): 56–74.

people that anyone who would do these things would henceforth be burnt. The people fasted, from the lowliest to the mighty” (PRE 43).

The concluding example of Pharaoh is an integral part of both the individual chapter and the composition as a whole. It is a direct sequel to PRE 42, which recounts the crossing of the Red Sea (Exod. 14), and it precedes the return to the Exodus narrative in PRE 44, which opens with the next major episode, the battle between Israel and Amalek (Exod. 17). PRE 43 answers the question of what happened to Pharaoh after the Exodus, revealing that he not only survived but was instrumental in the repentance of Nineveh some four hundred years later. The fate of Pharaoh was already a point of contention among the rabbis. Pharaoh’s rule over Nineveh, however, is gratuitous. It has no precedent in rabbinic tradition, and its purpose is not immediately clear.<sup>51</sup>

The Mishnah, the foundational rabbinic document, is also the first to allude to the repentance of Pharaoh (m. Yad. 4.8, citing Exod. 5.2 and 9.27), though briefly and without further specifying his fate. The question of Pharaoh’s survival appears for the first time in the Mekilta de-Rabbi Ishmael (*Beshallah* 6):

“The waters returned and covered the chariots and the horsemen” (Exod. 14.28). “Even Pharaoh”, according to the words of R. Judah. For it is written, “The chariots of Pharaoh and his forces [he cast into the sea]” (Exod. 15.4). R. Nehemiah says: “Except for Pharaoh.” About him Scripture states: “And yet for this reason, I will raise you” (Exod. 9.16). Others say that Pharaoh went down and sank in the end, as it is written, “For the horse of Pharaoh with his chariot and his horsemen went into the sea, and the LORD brought back over them the waters of the sea” (Exod. 15.19).<sup>52</sup>

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- 51 Like the other two examples discussed in this article, the story of Pharaoh’s survival became more common (via PRE) in Jewish literature of the second millennium. See Rachel S. Mikva, *Midrash vaYosha: A Medieval Midrash on the Song of the Sea* (Tübingen: Mohr Siebeck, 2012), 181–89.
- 52 *Mekilta de-Rabbi Ishmael*, ed. by Saul Horowitz and Israel Rabin (Frankfurt am Main: J. Kauffmann, 1931), 111 (Hebrew). This tradition also appears in Midrash Psalms 106.5.

Against the consensus that Pharaoh drowned, there is R. Nehemiah's dissenting opinion that he lived, based on the words of God following one of the plagues. PRE seems conversant with this tradition, as it adduces the same proof-text (Exod. 9.16) to show that Pharaoh survived the waters of the Red Sea. However, the Mekilta mentions neither the repentance of Pharaoh nor any subsequent activities in Nineveh.

The question of Pharaoh's survival also preoccupied Muslim exegetes. The tenth *sūrah* of the Qur'an briefly recounts the Red Sea narrative (Q 10.90–92). In this case, Pharaoh's repentance is part of the canonical text, yet it is not clear whether Pharaoh lived or died following his sudden conversion. The three verses run:

[90] We made the Children of Israel pass through the sea, and Pharaoh and his army followed after them with oppressive enmity until drowning overtook him. He said, "I believe that there is no god except the God in whom the Children of Israel believe, and I am one of those who submits (*muslimin*)."  
 [91] Now? When you had disobeyed before, and you were one of the corrupters?  
 [92] Today We will preserve your body so that you will be a sign to your successor. Indeed, many of the people are heedless of Our signs.

The meaning of the passage depends on whether "preserve your body" means that Pharaoh's life was spared or that his corpse was recovered to serve as a reminder of what happens to those who defy God. The verse is indeed ambiguous, but a commonly-cited tradition attributed to Ibn Abbas (d. 687 CE), the father of Qur'anic exegesis, states that Pharaoh died, but his body was preserved for posterity. The historian al-Tabari (d. 923 CE), in his *Tārīkh al-Rusul wa'l-Mulūk* (*History of Prophets and Kings*), provides a representative example of this tradition:

Pharaoh cried out when he saw what he saw of the power and might of God. He acknowledged his weakness, and his soul forsook him. He called out: "There is no god except the one in which the Children of Israel believe, and I am one of those who submits" (Q 10.90). [...] Ibn Abbas said: Gabriel came to the Prophet (on whom be peace), and said: "O Muhammad! Would that you had seen me when I



stuffed black mud in the mouth of Pharaoh, fearing that mercy would overtake him.” God said: “Now? When you had disobeyed before, and you were one of the corrupters? But today we will preserve your body—which is to say, nothing from you will be missing—so that you will be a sign to your successor” (Q 10.91–92), that is, as an admonition and a clear proof. It was said that if God had not brought out his body so that they recognized him, some of the people would have doubted it.<sup>53</sup>

Muslim exegetes believed that Pharaoh died. The main problem is whether God had killed someone who had repented. Therefore, the problem is resolved through the intervention of Gabriel, who covered Pharaoh’s mouth before he could fully repent and be saved.

Both PRE and the Qur’anic narrative turn on the idea of Pharaoh’s repentance. For this reason, early scholars of Islamic studies considered the two narratives to be linked. Abraham Geiger, in his famous monograph on the elements Muhammad ‘borrowed’ from Judaism, even considered PRE to be the source of the Qur’an.<sup>54</sup> There is no doubt now that PRE was written after the rise of Islam and is therefore the later document, which means that Islamic sources could have inspired the narrative in PRE instead.<sup>55</sup>

Early Muslim exegetes and PRE began with the same motif, the repentance of Pharaoh, but produced opposing narratives. It is reasonable to think that PRE, which was written in Abbasid Palestine, might be responding to the Islamic tradition. However, if we presume that PRE is presenting a counter-narrative to Islamic exegetical tradition, another problem presents itself: why

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53 *Annales quos scripsit Abu Djafar Mohammed Ibn Djarir at-Tabari*, ed. by M. J. de Goeje, 16 vols. (Leiden: Brill, 1879–1901), I, 488.

54 Abraham Geiger, *Judaism and Islam: A Prize Essay by Abraham Geiger*, trans. by F. M. Young (Madras: M.D.C.S.P.C.K. Press, 1898), 127–29.

55 For a criticism of Geiger and others on this specific point, see Nicolai Sinai, ‘Pharaoh’s Submission to God in the Qur’an and in Rabbinic Literature’, in *The Qur’an’s Reformation of Judaism and Christianity: Return to the Origins*, ed. by Holger Zellentin (London: Routledge, 2019), 235–60.

does PRE associate Nineveh with Pharaoh? The answer might lie in the Qur'an. The tenth *sūrah*, in which the motif of Pharaoh's repentance is found, is called *Yūnus*—Jonah—in reference to a verse near the end (Q 10.98): "Why has there not been a city that believed so that their faith benefited them, apart from the people of Jonah? When they believed, We removed the ignominious punishment from them in this worldly existence, and We granted them enjoyment for a time." This is the sole reference to Jonah in his own *sūrah*. The verse is preoccupied with the repentance of the city Jonah visited (as opposed to the story of the fish), and, furthermore, this verse almost immediately follows the contentious verses about Pharaoh's repentance in Q 10.90–92.

I suggest that PRE was inspired by the apparent non-sequitur between Pharaoh and Jonah and searched for a way to fill the gap. If this is the case, PRE would be the first, and perhaps the only, Jewish example of early Qur'anic exegesis.

## 5.0. Conclusion

In each of these examples, I have found some way in which PRE is continuous with a pre-existing rabbinic tradition. I have also found ways in which PRE's version significantly differs from its predecessors. In all three cases, innovations seem to be derived from non-rabbinic—in fact, non-Jewish—sources. PRE has adapted them to seem like variants of older rabbinic teachings. Other religions might even appear to be dependent on rabbinic tradition. This ruse was less an act of deception than an act of survival. The eighth and ninth centuries were a time of great sectarian proliferation among not only Jews but Christians and Muslims as well. In addition to these religions, older dualist groups, such as the Manichaeans and Mandaeans, were thriving, newer groups were developing, and the Samaritans were still a vital force. All of them shared the history of ancient Israel and its ancestral heroes as part of their cultural DNA. Each one, however, had its own distinct version of that history. I propose that PRE, by assimilating such diverse traditions, was attempting to construct a 'correct' version for the faithful against similar

but false interpretations. This explanation accounts for certain peculiar features of PRE, such as its concentration on Genesis and the story of Adam and Eve, by far the most widely diffused cultural myth among the various groups. As a Hebrew book, however, it was intended for internal use. Like the Christian Medieval Popular Bible or the Islamic Stories of the Prophets, the work was not merely polemical but also catechetical.<sup>56</sup> Although pretending to be an ancient book, PRE was in fact ahead of its time.

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56 For the Medieval Popular Bible, see Brian Murdoch, *The Medieval Popular Bible: Expansions of Genesis in the Middle Ages* (Woodbridge: Brewer, 2003). For the Stories of the Prophets, see Roberto Tottoli, *Biblical Prophets in the Qur'an and Muslim Literature* (Richmond: Curzon Press, 2002), 138–64.

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# 14. SEDER ELIYAHU RABBAH: RABBINIC TRADITION FOR A NON-RABBINIC SOCIETY

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Seder Eliyahu Rabbah (SER) is a unique text that was composed at the end of the classical period of rabbinic Judaism, written somewhere around 800 CE by a single author, most probably in Babylonia (though a Palestinian origin cannot be totally excluded). What characterizes this work is not only its unique Hebrew style, but also its use of rabbinic tradition and its general approach to Jewish life, above all, learning. The author is clearly familiar with a wide range of rabbinic texts and traditions. He uses them freely, frequently without indicating them by the use of standard quotation formulas, as “we have learned,” “it has been taught,” and so on. Thus, for example, the author uses the phrase “He is rich and content with his portion” (m. Avot 4.1) twice in the first chapter, but he transfers the saying to God. In the first instance, he uses it for praise of God (here, of course, a quotation formula would be impossible). The second time, he is presenting God’s qualities to a Parsee questioner (חבר). In other cases, he quotes a text from the Mishnah, often not literally. What is more astonishing, he introduces texts with the formula מכאן אמרו or the like, but the citations cannot be found anywhere in rabbinic literature. SER leaves the impression that the author aims at different levels of understanding. In general, the whole text may be understood and appreciated by anybody with only a good knowledge of Scripture; other readers or listeners will recognize



Mishnaic quotations and will not mind that these quotations are not literal, since they know these texts only from oral recitation; others—again, with broad knowledge of rabbinic literature—will appreciate the frequent allusions to a wide range of texts and traditions. The first group of listeners are exactly those whom the author in his text addresses in direct conversation.

## 1.0. Conversations Between the First-Person Narrator and a Second Person

In SER there are thirteen conversations between the first-person narrator and somebody else.<sup>1</sup> Only in two cases is the interlocutor a non-Jew. Thus, in SER 1 (Friedmann, 5–6) a Parsee priest, apparently a person with some influence who could free the narrator from a levy, asks him two questions: 1) Why did God create reptiles? 2) How can you say fire is not God? Is it not written in the Torah “fire eternal” (Lev. 6.6)? The narrator responds with Deut. 4.15: “You saw no manner of form on the day that God spoke unto you at Horeb,” then suggests to his interlocutor that he might cite the following reference: “The LORD thy God is a devouring fire” (Deut. 4.24). This verse is not to be taken literally, but is intended as a description of a mortal king who threatens his servants in case they do not behave well. In spite of the dangerous situation, the narrator addresses the Parsee as “my son” and takes all his time to explain to him the true meaning of biblical texts. It might astonish the reader that the Parsee quotes the Torah, although this is not quite impossible.<sup>2</sup> Both questions

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1 SER is quoted according to the edition of Friedmann with its page numbers (e.g., Friedmann, 5): see Meir Friedmann, *Seder EliyahuRabbah and Seder Eliyahu Zuta* (Warsaw: Achiasaf, 1904); English translations normally follow William G. Braude and Israel J. Kapstein, *Tanna dēbe Eliyyahu: The Lore of the School of Elijah* (Philadelphia: Jewish Publication Society, 1981). Where this translation is too free, it has been changed without notice.

2 See Shai Secunda, *The Iranian Talmud: Reading the Bavli in Its Sasanian Context* (Philadelphia: University of Pennsylvania Press, 2014), 42–43.

address some basic differences between Zoroastrians and Jews, but they are questions any Jew, especially Babylonian Jews in contact with Persians, might ask.<sup>3</sup> The dialogue could attest to the narrator's friendly approach to non-Jewish neighbours on the basis of their common knowledge of the Bible, but it also represents an attempt to answer simple questions within the boundaries of Judaism.

In SER 7 (Friedmann, 35), the narrator, while walking along a road, is accosted by a man who asks him aggressively: "You say that seven prophets have risen to admonish the nations of the world that they must go down to Gehenna. After these seven prophets, the peoples of the world can say: 'You did not give us Torah, and they did not yet admonish us'. Why, then, should we be doomed to go down to Gehenna?" The narrator replies: "My son, our Sages taught in the Mishnah: if somebody comes to be converted, a hand is held out to him to draw him under the wings of the Presence. From then onwards, the proselytes of every generation admonish their own generation." The whole passage is taken over from Lev. Rab. 2.9 (a first-person account in the name of Rabban Simeon ben Gamaliel), including the reference to the Mishnah, but such a text does not exist in the Mishnah; it fits the general tendency of SER, which is very open-minded towards non-Jews.

All the other dialogues are dialogues with Jews, even the quaestor in SER 18 (Friedmann, 95), who invites the narrator to come to his place and teach there. Some of them, such as SER 10 (Friedmann, 51), are placed in the great academy in Jerusalem, where the narrator asks the rabbis permission to speak, proposing a biblical theme (the role of a woman as helper of man), which he illustrates with comparisons from everyday life and some biblical texts. There is nothing halakhic in this speech, not even a complicated derivation from the Torah.

In SER 16 (Friedmann, 80–83), the narrator is sitting in the great academy of Jerusalem when a disciple asks him, as a son

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3 See, e.g., y. Ber. 9.2, 12c: "Elijah of blessed memory asked R. Nehorai: 'Why did God create insects and creeping things in his world?'"

asks his father: "My master, why were the first generations different from all other generations, having the most days and living the longest lives?" The answer is that this was "in order to see whether they would do deeds of kindness for each other," as is then demonstrated from the first ten generations (1 Chron. 1). It is a very general biblical question, not quite the topic of discussion expected in the great academy.

The master goes on to teach the disciple that "there ought to be joy in the world even because of the following three: the angel of death, the evil inclination, and the privy." Answering the question of the disciple, the master indicates the reasons for them: the fear of the angel of death keeps Israel away from sin. More astonishing is the reason why one should rejoice over the evil inclination: since Israel conquers the evil inclination, in the world to come the peoples of the world, as they go up to Jerusalem, "shall bring all your brethren out of all the nations to be an offering unto the Lord" (Isa. 66.20). God will free the righteous of the evil inclination, and "they will come to Scripture and Mishnah, to teach right conduct, and to do the will of their Father in Heaven." As to the necessity of sitting in the privy, the master explains that in the future "the Holy One will redeem Israel from [where it now sits as in a privy among the idols of] the nations and will bring Israel the days of the Messiah and the days of redemption." The privy is simply a symbol of oppression among the gentiles. In the end all three items will be no more, and this is already reason enough to rejoice.

The disciple then asks the master how many prophets prophesied to Israel. The answer is forty-eight, a number corresponding to that of the cities of refuge (Num. 35.7) and implying that "the prophets did not subtract from anything that is written in the Torah, nor did they add anything to what is written in the Torah." An example of this is Isa. 43.8: "Bring forth the people who are blind yet have eyes, those who are deaf yet have ears!"

The master explains: "People who are blind though they have eyes', these are men unlettered in Torah who are obedient to the precepts of

right conduct and to other precepts and stay away from transgression and every kind of indecency.” “Those who are deaf, yet have ears” are “the Sages and their disciples who give themselves utterly to Scripture, to Mishnah, to Midrash of halakhot and aggadot.” Of both groups it is said: “Open the eyes that are blind, etc.” (Isa. 42.7).

Two final questions concern Isaiah. First, the disciple asks what distinguished him “from all other prophets who prophesied all kinds of boons and comforts to Israel?” The narrator replies: “My son, because Isaiah joyfully took upon himself the [decrees of the] kingdom of Heaven.” To conclude this series of questions, he asks: “In what year did Isaiah the son of Amoz prophesy all God’s kindnesses and consolations for Israel?” The reply: “In the twenty-ninth year of Hezekiah, king of Judah.”

This is a quite astonishing study session in the great academy of Jerusalem! It is completely structured by the questions of the disciple, who demonstrates a certain knowledge of the Bible through reference to details raising his curiosity, such as the longevity of the first generations or the number of prophets. Other questions concern popular moral sayings, but none belong to the realm of halakhah or the more difficult problems of biblical interpretation. Men unlettered in the Torah, but observing the commandments, are the equals of the Sages and their disciples, who devote themselves completely to Scripture and to all aspects of halakhah and aggadah. Both elite groups, in fact, are blind and need to have their eyes opened. This chapter leaves the impression that even unlettered Jews who try to live according to the demands of the Torah may come to the Bet Midrash. Their questions will be treated as seriously as those of students completely dedicated to the Torah. The author tries to close the gap between the *virtuosi* of the study-house and ordinary Jews in order to attract these simple people to the House of Study without overburdening them. One might speak of an outreach campaign.

With all his forbearance towards unlettered Jews, the narrator is also concerned about people who have learning in Scripture, but not in Mishnah. SER 15 (Friedmann, 70) tells of a meeting between the first-person narrator and a man who wanted to ask

him something, but was afraid that the master might be angry with him. Encouraged by the master, the man points to the contrast between Ps. 136.25, “He who gives food to all [human] flesh,” and Ps. 147.9, where God “gives the beast his food.” Do not humans need to find food for themselves? The answer is that humans must work, but God blesses all the work of their hands (Deut. 14.29). This blessing, however, does not come to one who sits in idleness, as the verse ends with the words “which you must do” (ibid.). The master then turns to the equally important spiritual aspects of food: “When a man comes to understand Scripture and Mishnah and teaches [himself] out of the fear of Heaven and the practice of doing good, the words of Torah feed, nourish, and sustain him until he goes to his eternal home.” The knowledge of Mishnah is necessary for every Jew to the extent that it teaches piety and good works as the basis for a religious life, but not as an intellectual exercise; Talmud and halakhah are not mentioned at all.

The next questions in the same chapter (Friedmann, 71) first address the relative importance of the Torah and Israel, which are answered with the precedence of Israel over the Torah (based on Jer. 2.3 and 31.2). The next topic is Israel’s two exiles: “Why was the period of Israel’s exile [after the destruction of the First Temple] specified, but not specified after the destruction of the Second Temple?” The answer is that “though those who lived during the days of the First Temple were certainly idolaters, right conduct characterized them [...] charity and loving-kindness.” Some of the children of Israel during the First Temple “possessed no more than Scripture, some no more than Mishnah, some were tradesmen.” Thus, God left them, but he promised to return to them (after seventy years? There is a lacuna in the text).

If this last passage really refers to the time of the First Temple, it is astonishing that knowledge of the Mishnah was already considered a criterion for God remaining with his people. After the Second Temple’s destruction, no time limit for the banishment is specified. The only remedy is for Israel to entreat God “with supplications and prayer and to find a doorway into words of Torah among all the doorways that God opened for us through

His servants the prophets.” Here again the author insists on the study of Torah as a path to redemption. He praises the questioner for his intelligent questions: “I swear by the [Temple] service that all the questions you have put to me, no man ever put to me before. But for you I would not have put my mind to them.” The chapter ends (Friedmann, 72) with a blessing of God “who chose the Sages and their disciples to teach us the Mishnah” and with the admonition of m. Avot 4.14 to go as a voluntary exile to a place where Torah is taught rather than relying on one’s own understanding.

The discussion of the first-person narrator with the questioner is again characterized by a rather simplistic approach to the biblical text. The narrator patiently listens to these basic questions and confesses that he had never thought of them. He insists on the study of Mishnah beyond the mere knowledge of Scripture, but what really counts is the desire to learn at a level appropriate to one’s station in life, so long as one also leads a life of right conduct and loving-kindness.

Only the next chapter, SER 16 (Friedmann, 72–75), introduces questions of halakhah, proposed by a friend of the former questioner, a person who “knew Scripture but not Mishnah.” He asks about the origin of the precept of washing the hands, which was not prescribed at Mount Sinai. The narrator answers:

My son, we have many practices of grave import which Scripture did not think it necessary to prescribe, but instead put upon Israel the obligation of prescribing them, saying: “Let Israel increase their merit by setting out for themselves the precepts governing such practices.”

The precept of washing the hands may be derived from the Torah from Lev. 11.44: “Sanctify yourselves and be holy.”

The next question is about ritual slaughtering: “My master, there is no precept that prescribes the ritual slaughter of an animal by cutting its throat.” The narrator answers that “the very precept of ritual slaughter is derived from the Torah. And the Sages went on to proffer precise requirements for obedience to the precept.” The questioner goes on to provoke the master:

“According to Torah, the eating of human blood is not prohibited,” since Lev. 7.26 does not mention human blood. The master rejects this claim, referring to other biblical texts which imply the prohibition against eating human blood. In a further step, the questioner accepts that eating the fat of an animal from which an offering is made to the Lord is prohibited, but assumes that the eating of fat from other animals is permitted, since Lev. 7.25 does not explicitly prohibit it. The master answers that Lev. 3.17 generally prohibits the eating of blood and fat; both blood and fat are on the same level. A Mishnaic statement is quoted as confirmation: “If he who keeps away from eating blood, which his soul despises, receives a reward, then how much more will he attain merit if he keeps away from robbery and fornication, which his soul desires and after which he lusts” (m. Mak. 3.15).

The reference to robbery in the Mishnah leads the questioner to his next point: is robbing a non-Jew permitted, since it was not forbidden at Mount Sinai? The narrator repeats his earlier answer that “there are many and even grave matters which Scripture did not think it necessary to state explicitly. Instead, responsibility was given to Israel to discern them and thereby increase their merit.” The passage in Exod. 20.12–14 mentions only the neighbour from whom one may not steal and against whom one may not bear false witness. This does not imply that cheating a non-Jew is permitted. “Cheating a non-Jew is cheating.”

The last two questions concern sexual behaviour: “Which is the graver offence—sexual intercourse with a daughter or with a daughter’s daughter?” The questioner is told to draw the proper inference from explicit statements in the Torah; the same answer is applied to the final question: “Which is the graver offence—sexual intercourse of a woman with a man who has a discharge from his member or sexual intercourse of a man with a woman who is menstruating?”

The whole series of seven questions concerns only elementary aspects of halakhah or basic moral behaviour. It is conceivable that the obligation of washing one’s hands or the concrete form of ritual slaughtering were not accepted by every Jew, with or without reference to a clear biblical statement. The prohibition

of the fat of non-sacrificial animals is a comparable case, but the question of whether the consumption of human blood is permitted is hardly serious. The same holds true for the cheating of a non-Jew. A double standard in one's behaviour towards Jews and non-Jews remains conceivable, though not on a theoretical level. The last two questions regarding sexual intercourse cannot be regarded as serious; rather, they make fun of the rabbi. The characterization of the questioner as a man who knew the Bible, but not the Mishnah might hint at somebody with 'proto-Karaite' tendencies, but his questions are rather a caricature of someone who wanted to return to the biblical foundations of Judaism. At least some of the questions may be regarded as intentional provocations of the rabbinic thought-system. They offer the rabbi an opportunity to demonstrate on the basis of straightforward or even popular questions that knowledge of the Bible alone is not sufficient if one wants to lead a truly Jewish life. The whole chapter seems to be addressed at a Jewish public with only basic biblical knowledge, treating the issue of extra-biblical traditions seriously, but also, to some extent, playfully, in order to maintain his public's attention.

## 2.0. Minimal Judaism in *Seder Eliyahu*

The texts of *Seder Eliyahu* discussed so far were dialogues between the first-person narrator (a rabbinic Jew) and non-Jews, or, more commonly, Jews accustomed to a traditional Jewish way of life with some biblical knowledge, but without any formal training in the Oral Law, even though some of these dialogues take place in a rabbinic academy. Only the last interlocutor openly challenges or even ridicules Mishnaic traditions. The author regards it as his duty to argue with these people and to convince them of the correctness of rabbinic teachings, without ever going into technical details and, above all, without ever losing his patience.

The sympathy of the author for uneducated people who nevertheless make every effort to lead a Jewish life becomes even more evident in a few other texts. SER 14 (Friedmann, 66) introduces "a story of a man (מעשה באדם אחד) who neither



read Scripture nor recited Mishnah.” Then the text immediately switches to a first-person account:

Once he and I were standing in the synagogue. When the reader reached the Sanctification of the Divine Name, the man raised his voice, responding loudly to the reader, “Holy, holy, holy is the Lord of Hosts.” People asked him: “What impelled you to raise your voice?” He replied: “Is it not regrettable enough that I never read Scripture and never recited Mishnah? So when I get the opportunity, should I not raise my voice so that my troubled spirit be calmed?”

Instead of repeating silently the Eighteen Benedictions recited aloud by the prayer leader, the humble man responds loudly to the only passage he apparently knows.

The text mentions the astonished reaction of the people in the synagogue, but the narrator seems to approve of the action of the man. As the story continues, the man is soon rewarded for his attitude. He moves from Babylonia to the Land of Israel, then receives a high position in the imperial government and a large tract of land where he builds a city, which, at the end of his life, he leaves to his children and grandchildren. This is an astonishing, happy end. The man is rewarded with a high position in the gentile administration, wealth, and a large family, all purely material and this-worldly rewards. One would expect that the man used his good fortune to spend at least part of his time learning Torah, but there is no word about it. The narrator seems to be content that the man is rewarded for his simple wish that he might have learned Torah. The high respect for Torah learning is sufficient; not everybody can become a Torah scholar.

We encounter this same attitude already in the first chapter of the book (SER 1; Friedmann, 4) in a discussion of the Sabbath, based on Ps. 139.16. The author reads לו ‘for him’ (as in the Masoretic *qere*), instead of the consonantal לֹ ‘not’, thus turning the verse into a reference to the Sabbath: “Among the days that were to be fashioned, one of those days was to be wholly His.” The meaning of the verse thus read is then explained:

In what sense is it to be wholly His? A man labours all six days, rests on the seventh, and so finds himself at peace with his children and

the other members of his household. Likewise, a man labours all six days in the presence of people who are hostile to him, but then, as he rests on the Sabbath, he forgets all the vexation he had previously had. Such is the nature of man: the day of rest brings about his forgetting of evil, and a day of trouble brings about his forgetting of good. Thus said the Holy One to Israel: "My children, have I not written for you in my Torah, 'This book of Torah shall not depart out of thy mouth' (Josh. 1.8)? Although you must labour all six days of the week, the Sabbath is to be given over completely to Torah." From there they said: "A man should rise early on the Sabbath to recite [Mishnah] and then go to the synagogue or to the academy where he is to read in the Torah and recite a portion in the Prophets. Afterwards, he is to go home and eat and drink, thus fulfilling the command: 'Eat thy bread with joy and drink thy wine with a merry heart' (Eccl. 9.7)." For the contentment of the Holy One comes only from those who fulfil the Torah [עושי תורה].

The text of Josh. 1.8, normally understood as a command to permanently study the Torah without interruption, is here reduced to an absolute minimum. A person who has to work for the living of his family all six days of the week, perhaps even under non-Jews ("people who are hostile to him"), cannot afford to sit in the study-house every day. For him it is enough to celebrate the Sabbath in the spirit of the Torah. In the morning he should recite (ישנה). The object of this recitation would normally be the Mishnah. Later on, when he is in the synagogue, the same verb is used of the Prophets, which he is to read after the Torah. Thus, even at home a biblical text might be the object of his 'recitation'. Returning home after the synagogue service, the man is to celebrate the Sabbath with his family, eating and drinking with them. Doing so, he fulfils the Torah. The rabbinic demand of constant and serious study of the Oral Torah is here reduced to its bare minimum. Everybody who must work for his living during the week should learn at least some Torah on the Sabbath before going to the synagogue. Having actively participated in the synagogue service, he should peacefully celebrate the Sabbath and thus fulfil the Torah. As long as somebody does what is possible for him in his personal circumstances, values

the learning of the Torah, and dedicates at least some time to it every Sabbath—but otherwise makes the Sabbath a pleasant day for his whole family—he also fulfils the command of Josh. 1.8: The Torah will not depart from his mouth. The rabbinic ideal of learning is not abandoned, but it is adapted according to the circumstances of every Jew, making each part of the community of Torah students.

We find in the SER several texts that insist on the full curriculum of rabbinic study or, at least, more thorough dedication to study. It remains characteristic of this text how much it values even the smallest effort of ordinary Jews. Thus, we read in SER 2 (Friedmann, 13), where God reassures Israel:

My children, I swear by my throne of glory that even a boy who is busying himself for my sake with Torah in his teacher's house, his reward lies ready before me if only he is kept from transgression. Even for a man who knows no more than how to behave properly and Scripture, his reward lies ready before me if only he is kept from transgression. Even for a man who has neither Scripture nor Mishnah but comes early, mornings and evenings, to the synagogue or to the academy where having in mind my great name he reads the Shema and having in mind my great name recites the Tefillah, his reward lies ready before me if only he is kept from transgression.

Here again a moral life is more important than the study of rabbinic tradition. Everybody should make the effort to learn, but in the end even the knowledge of the principal prayers can be sufficient, as long as somebody tries his best. A last example may suffice (SER 6, Friedmann, 31):

One should do good deeds first and only then ask for Torah from Him whose presence is everywhere. One should first emulate the deeds of those whose lives are righteous and spotless and only then ask for grasp of the reasoning in Torah from Him whose presence is everywhere. One should first hold fast to the way of humility and only then ask for understanding [of Torah] from Him whose presence is everywhere. Thus it is said: "Ask ye of the LORD rain in the time of the latter rain" (Zech. 10.1).

One could cite many other texts to illustrate the understanding of Jewish life propagated by SER. As Lennart Lehmhaus has shown for Seder Eliyahu Zuta, SER also proposes a program of “minimal Judaism.”<sup>4</sup> The author lets himself be drawn into conversation with all kinds of people, non-Jews as well as uneducated Jews. He is critical of people learned in rabbinic tradition, but without proper adherence to strict rules of sexual conduct or even simple *derekh erez*. He sympathizes with poor Jews who work hard among non-Jews to earn a living for their families. Only on the Sabbath are they free to devote themselves to learning, but only a few verses of Torah and a section of the Prophets in place of the Mishnah. Other Jews know even less—only the Qedushah, which they recite in a loud voice, thereby astonishing other participants in the service.

The strict elitism of the earliest rabbinic movement is no longer an ideal, and neither is the Babylonian attempt to encourage the pursuit of the highest intellectual achievements in the study of the Torah. The author of SER favours minimally educated Jews who know only Scripture. He prefers a small Jewish community in a gentile city who earn the respect of their non-Jewish neighbours through their righteousness (SER 18; Friedmann, 93) to a fully Jewish city of higher learning without moral standards (SER 18; Friedmann, 100–1).

In its scale of values, SER reaches out to the non-rabbinic Jewish world, partly criticizes the rabbis, and even establishes a friendly dialogue with non-Jews. Praising everybody who practices *derekh erez*, even non-Jews, the author appeals to all people and represents a certain universalism: “All the inhabitants of the world reside under a single star” (SER 2; Friedmann, 9). In

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4 See Lennart Lehmhaus, “Were not understanding and knowledge given to you from Heaven?” Minimal Judaism and the Unlearned “Other” in *Seder Eliyahu Zuta*, *Jewish Studies Quarterly* 19 (2012): 230–58. Lehmhaus uses the term “minimal Judaism” to describe Seder Eliyahu Zuta, but it fits equally well with Seder Eliyahu Rabbah, which Lehmhaus (230) calls a “cognate tradition.” This is a minimalist statement; the common authorship of both parts is at least highly probable.

this way, the author tries to transmit Jewish values to the many not yet integrated into rabbinic society and shows a way of life outside the world of the academy.

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# AFTERWORD: RABBINIZATION AND THE PERSISTENCE OF DIVERSITY IN JEWISH CULTURE IN LATE ANTIQUITY

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## 1.0. Introduction

The term ‘rabbinization’—much like its sister-concepts Hellenization, Romanization, Christianization, and, for that matter, Minoanization—raises as many problems as it solves. It runs the risk of saddling research into the complex social and cultural processes that shaped Judaism in Late Antiquity and the Early Middle Ages with the unpardonable sins of diffusionism, homogenization, and teleology. The historical transformations that the term is intended to denote might be thought: 1) to emanate top down from a centralized source of power, authority, or prestige; 2) to produce a high degree of cultural uniformity; and 3) to carry an air of self-evident inevitability.<sup>1</sup>

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- 1 See the seminal critique of the category of ‘Romanization’ in Greg Woolf, *Becoming Roman: The Origins of Provincial Civilization in Gaul* (Cambridge: Cambridge University Press, 2000); also, e.g., Rachel Mairs, ‘An “Identity Crisis”? Identity and its Discontents in Hellenistic Studies’, in *Meetings between Cultures in the Ancient Mediterranean: Proceedings of the 17th International Congress of Classical Archaeology, Rome 22–26 Sept. 2008*, ed. by M. Dalla Riva [available at Bollettino di Archeologia Online, Rome]; Cyprian Broodbank, ‘Minoanisation’, *Proceedings of the Cambridge Philological Society* 50 (2004): 46–91.

At the same time, these sorts of terms signify interrelated clusters of phenomena that are so extensive and pervasive that they demand some sort of organizing rubric. Happily, scholars of ancient and medieval Judaism can benefit from several decades of historiographic refinement during which such concepts have been forged into more manageable tools of historical description and explanation.<sup>2</sup> These methodological advances—in conjunction with a century-long broadening of the evidentiary basis for the study of Judaism in Late Antiquity and the Early Middle Ages—have, I think, put us in a better position to capture the dialectical, variegated, and contingent process of rabbinization.

In this Afterword, I would like to accomplish two primary goals. First, I offer a brief survey of the different—and often divergent—uses to which recent scholarship has put the notion of ‘rabbinization’. Second, I present a concise catalog of many, though not all, of the sources at our disposal for studying the various facets of this process. In doing so, I draw heavily on the studies included in this volume. The fact that the sources for the study of rabbinization are as varied as they are fragmentary should not, in my view, be treated as a source of frustration, but rather as an opportunity for scholars to give due weight to the geographic, sociological, and institutional differences that conditioned the pace, extent, and nature of this process. Moreover, these sources attest the diversity of cultural and religious expression that continued to characterize Jewish life in the Mediterranean world during Late Antiquity and into the Early Middle Ages. I, therefore, conclude with some provisional reflections concerning the relationship between this persistent diversity and the growth of rabbinic hegemony in this period.

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2 See the sophisticated approaches to such processes of cultural and religious change in David Frankfurter, *Christianizing Egypt: Syncretism and Local Worlds in Late Antiquity* (Princeton, NJ: Princeton University Press, 2017), esp. 3–20.

## 2.0. Rabbinization: A Brief History of the Concept

The term ‘rabbinization’ has only recently become a recognizable fixture of historical research on Late Antique and Early Medieval Judaism. Despite this short history, the term has undergone a major shift in its primary scholarly usage, which corresponds to developments in historiographic concerns.

From a search in Google Books Ngram Viewer, the term—at least in its English-language variant—does not appear until 1907.<sup>3</sup> From 1907 to 1963, the term appears in merely four books contained in the database. Published in 1907, David Philipson’s *The Reform Movement in Judaism* uses the term to describe the modern process of secularization in nineteenth-century Germany, asserting that “with the de-Orientalization and de-rabbinization has gone hand in hand a de-Judaization.”<sup>4</sup> One of the books from this period is a study of *Karaites in Byzantium*, which refers very broadly to the “ever more engulfing ‘Rabbinization’ of Jewish life.”<sup>5</sup> The last two books are studies of early Christianity, focusing on the Synoptic Gospels and the history of the sacraments, and use the concept in rather problematic theological terms.<sup>6</sup> It would seem that, before the 1960s, no book in English employed the term to describe or analyse the formation of rabbinic hegemony.

From the 1960s until the final years of the twentieth century, scholars began to deploy the concept of ‘rabbinization’ more

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3 As of 10 November 2017, when I accessed the site and compiled this data. For this search, I employed both ‘rabbinization’ and ‘rabbinisation’. The possible alternative spellings ‘rabbānization’ or ‘rabbānisation’ do not appear at all. I cannot comment responsibly on the introduction of equivalents in other languages, especially German, French, and Hebrew.

4 David Philipson, *The Reform Movement in Judaism* (New York: Macmillan, 1907), 535.

5 Zvi Ankori, *Karaites in Byzantium* (New York: Columbia University Press, 1959), 456.

6 *Studies in the Synoptic Problem by Members of the University of Oxford*, ed. by William Sanday (Oxford: Oxford University Press, 1911); Neville Clark, *An Approach to the Theology of the Sacraments* (London: SCM Press, 1956).



readily. Ron Naiweld shows in his contribution to this volume that during this period the term was especially characteristic of the writings of Jacob Neusner, where it generally refers to the ideological aims and rhetorical strategies that the rabbis of Late Antiquity used to project their own institutions, practices, and norms backwards in time.<sup>7</sup> This tradition of scholarship concerning the ‘rabbinization of history’ highlights how frequently rabbinic literature validated its own innovations by transposing scholastic institutions that had only recently developed back to the time of the biblical patriarchs and matriarchs. The rabbis also applied their penchant for creative anachronism to the more recent Jewish past, casting their rabbinic forebears as the most important arbiters of proper ritual protocol in the Jerusalem Temple prior to its destruction. They also sought to neutralize alternative sources of power and authority by, for example, domesticating charismatic figures like Honi the Circle Drawer or Hanina ben Dosa.<sup>8</sup>

From my survey, it would appear that Seth Schwartz’s 2002 essay ‘Rabbinization in the Sixth Century’<sup>9</sup> (prefigured by a few lapidary observations the previous year in his *Imperialism and Jewish Society*<sup>10</sup>) inaugurated a new era in the study of

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7 Beginning with Jacob Neusner, *The Rabbinic Traditions about the Pharisees before 70*, 3 vols. (Leiden: Brill, 1971).

8 See especially William Scott Green, ‘Palestinian Holy Men: Charismatic Leadership and Rabbinic Tradition’, in *Aufstieg und Niedergang der römischen Welt* II 19.2 (1979): 619–47. Ron Naiweld’s paper also points to similar usage of the term in the work of a number of prominent scholars over the course of three decades from the mid-1980s until approximately 2010.

9 In *The Talmud Yerushalmi and Greco-Roman Culture III*, ed. by Peter Schäfer (Tübingen: Mohr Siebeck, 2002), 55–69.

10 Seth Schwartz, *Imperialism and Jewish Society, 200 BC. to 640 CE*. (Princeton, NJ: Princeton University Press, 2001), 250, 260, 264, and 274; idem, ‘On the Program and Reception of the Synagogue Mosaics’, in *From Dura to Sepphoris: Studies in Jewish Art and Society in Late Antiquity*, ed. by Lee I. Levine and Zeev Weiss (Portsmouth, RI: Journal of Roman Archaeology, 2000), 165–81 (181).

‘rabbinization’. The vast majority of the publications since 2005 that employ the term use it to consider the institutionalization and extension of rabbinic norms and forms beyond the limited circles of the rabbis and their retainers.<sup>11</sup> It is noteworthy that the cluster of treatments of ‘rabbinization’ that have appeared over the last decade and a half have largely depended on the close reading of an eclectic range of sources drawn primarily from *outside* the rabbinic corpus, narrowly conceived. Certainly, rabbinic literature does provide evidence, albeit often indirect, regarding the increasing institutionalization of rabbinic academic practices as well as the posture that rabbis assumed vis-à-vis Jews outside of the rabbinic movement.<sup>12</sup> As a partisan literature that, since its beginnings, sought to invest the rabbis, both individually and collectively, with an aura of authority, rabbinic texts have yielded limited insight into the process of rabbinization. The academic study of rabbinization has largely moved away from grappling with the grandiose claims of classical rabbinic literature to consider a far more heterogeneous assortment of sources that might illuminate the gradual and always partial achievement of rabbinic hegemony.

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11 See, e.g., Hayim Lapin, ‘Aspects of the Rabbinic Movement in Palestine, 500–800 C.E.’, in *Shaping the Middle East: Jews, Christians, and Muslims in an Age of Transition, 400–800 C.E.*, ed. by Kenneth G. Holum and Hayim Lapin (Bethesda: University Press of Maryland, 2011), 181–94; idem, *Rabbis as Romans: The Rabbinic Movement in Palestine, 100–400 CE* (Oxford: Oxford University Press, 2012), 151–67; Martha Himmelfarb, ‘Revelation and Rabbinization in Sefer Zerubbabel and Sefer Eliyyahu’, in *Revelation, Literature, and Community in Late Antiquity*, ed. by Philippa Townsend and Moulie Vidas (Tübingen: Mohr Siebeck, 2011), 217–36; Ra’anan Boustan, ‘Rabbinization and the Making of Early Jewish Mysticism’, *Jewish Quarterly Review* 101 (2011): 482–501.

12 See, e.g., Jeffrey L. Rubenstein, *The Culture of the Babylonian Talmud* (Baltimore, MD: Johns Hopkins University Press, 2003).

### 3.0. The Evidence for the Study of Rabbinization

Having attempted to clarify how the ‘rabbinization’ of Jewish society and culture has emerged as such a pressing historiographic problem, I now turn to the sources that can best illuminate the various facets of this process. My treatment of the various types of evidence at our disposal will be both selective and concise.

First, rabbinic literature itself, when read with due caution, can be used to track the process of rabbinization. Thus, for example, scholars have suggested that homiletical Midrashim from the fifth and sixth centuries (e.g., *Pesiqta de-Rav Kahana* and *Leviticus Rabbah*) reflect the activities of rabbinically-oriented preachers who sought to convey rabbinic exegetical traditions and religious norms to synagogue communities in Late Antique Palestine.<sup>13</sup> It has likewise been argued that some rabbinic tractates from a somewhat later period, such as *Seder Eliyahu Rabbah* and *Zuta*, offered their audiences a “minimal Judaism” that sought to popularize rabbinic piety and ethics.<sup>14</sup> Similarly, unconventional midrashic works like *Pirke de-Rabbi Eliezer* incorporated a host of originally non-rabbinic motifs and traditions within the novel form of extended exegetical narration.<sup>15</sup> Taken together, these formal and rhetorical developments within the corpus of midrashic works produced from the fifth to tenth centuries may attest the ever-widening impact of rabbinic teachings and styles of learning, while also demonstrating the increasing malleability of rabbinic literary culture.

This picture may be augmented by the small corpus of rabbinic *responsa* and other halakhic writings that can be located with some degree of certainty in Palestine in the sixth to eighth

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13 See Rachel A. Anisfeld, *Sustain Me with Raisin-Cakes: Pesikta deRav Kahana and the Popularization of Rabbinic Judaism* (Leiden: Brill, 2009).

14 See Lennart Lehmhaus, “‘Were not understanding and knowledge given to you from Heaven?’ Minimal Judaism and the Unlearned ‘Other’ in *Seder Eliyahu Zuta*”, *Jewish Studies Quarterly* 19 (2012): 230–58, as well as Günter Stemberger’s and Ron Naiweld’s contributions to this volume.

15 See Gavin McDowell’s contribution to this volume.

centuries. Most notable is the *Sefer ha-Ma'asim*, which, according to Hillel Newman, indicates the existence of rabbinic courts of some kind prior to the Muslim conquests.<sup>16</sup> Such sources suggest that institutionalized mechanisms were already in place in this transitional period for the dissemination of rabbinic law and custom to other sectors of Jewish society in Palestine, although the exact scope of their reach is difficult to determine.<sup>17</sup>

The remains of monumental synagogues from Late Antique Palestine represent a second body of materials that may help the historian assess the degree, pace, and timing of rabbinization. Lee Levine has argued that these archaeological discoveries attest the limits of rabbinic power as well as the ongoing diversity of Jewish communal life well into the Early Medieval period.<sup>18</sup> Others have been more eager to discover in the synagogue mosaics, especially those depicting scenes from the Hebrew Bible, the active influence of the rabbis on the culture of the synagogue.<sup>19</sup> Still others have seen in the growing discomfort with images, evidenced in the purely inscriptional mosaic from the Jericho synagogue and perhaps in the highly controlled iconoclasm inflicted at nearby Na'aran, and especially in the rabbinic inscription at Rehov,

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16 Hillel Newman, *The Ma'asim of the People of the Land of Israel* (Jerusalem: Yad Izhak Ben Zvi, 2011), esp. 35 (Hebrew). See also the discussion of the *Ma'asim* in the contribution of Daniel Stökl Ben Ezra to this volume.

17 For a note of caution concerning the usefulness of the *Ma'asim* for assessing the social power and prestige of rabbis in the sixth and seventh centuries, see Lapin, *Rabbis as Romans*, 165–67.

18 See his contribution to this volume; also, e.g., Lee I. Levine, *Visual Judaism in Late Antiquity: Historical Contexts of Jewish Art* (New Haven, CT: Yale University Press, 2012), esp. 403–42.

19 See, e.g., Uzi Leibner, 'An Illustrated Midrash of Mekilta de R. Ishmael, *Vayehi Beshalah* 1: Rabbis and the Jewish Community Revisited', in *Talmuda de-Eretz Israel: Archaeology and the Rabbis in Late Antique Palestine*, ed. by Steven Fine and Aaron Koller (Berlin: de Gruyter, 2014), 83–96; Zeev Weiss, 'The Sepphoris Synagogue Mosaic and the Role of Talmudic Literature in its Iconographical Study', in *From Dura to Sepphoris: Studies in Jewish Art and Society in Late Antiquity*, ed. by Lee I. Levine and Zeev Weiss (Portsmouth, RI: Journal of Roman Archaeology, 2000), 15–30.

the growing influence of the rabbis.<sup>20</sup> These are live questions. The recent mosaic discoveries at Wadi Hamam, Horvat Kur, and Huqoq make clear how far we are from a scholarly consensus on this topic. To take but one example: the panel depicting the story of Jonah that was unearthed at Huqoq during the 2017 excavation season, in which the prophet is being swallowed by a succession of three fish, has as its closest parallels—in either image or text—a cluster of early medieval Jewish and Islamic traditions.<sup>21</sup> Should the mosaic be viewed as a reflex of an old midrashic motif that is preserved only in relatively late texts like the Midrash of the Repentance of Jonah the Prophet?<sup>22</sup> Or, as I think more likely, perhaps these medieval sources absorbed an exegetical tradition that was in general circulation in Late Antique Palestine and that did not *per se* originate within the confines of rabbinic Midrash. The complex dynamics of cultural interaction and transmission behind these tantalizing parallels should caution against simplistic readings of rabbinic tradition into the archaeological data.

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20 See, e.g., Schwartz, ‘Rabbinization in the Sixth Century’, 58. Compare Levine, *Visual Judaism*, 240–42, who likewise notes this “shift away from figural representation” and sees it as an indication of “internal Jewish social and religious pressures” (242), but does not attribute this phenomenon to ‘rabbinization’.

21 For preliminary description and analysis, see the mosaic section written by Karen Britt and Ra‘anan Boustán in Jodi Magness et al., ‘The Huqoq Excavation Project: 2014–2017 Interim Report’, *Bulletin of the American Schools of Oriental Research* 380 (2018): 61–131, esp. 111–15.

22 For the motif of the three fish, see the edition of this Midrash in Tamar Kadari, ‘The Repentance of Jonah the Prophet’, *Kobez al Yad: Minora Manuscripta Hebraica* 16 (2002): 67–84 (73) (Hebrew); see also the oblique reference to this tradition in the version of Midrash Jonah in *Bet ha-Midrash*, ed. by Adolf Jellinek 6 vols. (Jerusalem: Wahrmann Books, 1967), II, 99 (Hebrew). For comparative analysis of the Jewish and Islamic sources, see Tamar Kadari, ‘Aggadic Motifs in the Story of Jonah: A Study of Interaction between Religions’, in *Religious Stories in Transformation: Conflict, Revision and Reception*, ed. by Alberdina Houtman, Tamar Kadari, Marcel Poorthuis, and Vered Tohar (Leiden: Brill, 2016), 107–25.

More promising perhaps is the evidence of the vast, if only fragmentarily preserved, corpus of piyyut from Late Antiquity. Piyyut and rabbinic literature exhibit numerous forms of literary and linguistic convergence. To mention only the most uncontroversial: the basic performative contexts and genres of piyyut presume the structures of rabbinic statutory prayer; numerous piyyutim feature exegetical traditions that appear to have originated in rabbinic Midrash; and some refer to rabbinic social types, institutions, or practices and even re-use recognizable blocks of rabbinic text.<sup>23</sup> At the same time, a ‘revisionist’ approach to piyyut has stressed the significant divergences between the two corpora, most notably in their institutional locations and in their attitudes toward the priesthood and the history of the Hasmonaean dynasty.<sup>24</sup> The corpus of piyyut may be more heterogeneous in its institutional and ideological orientation than either the traditionalists or the revisionists have allowed. If we are far from consensus regarding the literary relationships between piyyut and rabbinic literature, we are even further from understanding how these two types of religious specialists—the Sage and the liturgist—might have navigated their competing or complementary communal roles, especially as their social profiles and cultural prestige varied from place to place and evolved over time.

The still-expanding pool of public inscriptions in Hebrew, Aramaic, Greek, and other Jewish languages from across

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23 On the relationship between rabbinic literature and piyyut, see the classic but dated Zvi Meir Rabinowitz, *Halakhah and Aggadah in the Liturgical Poetry of Yannai: The Sources, Language, and Period of the Paytan* (Tel Aviv: Alexander Kohut, 1965) (Hebrew); I would also like to thank Yitz Landes for discussing this issue with me and for sharing his unpublished seminar paper, ‘How “Late Antique” is Late Antique Jewish Poetry?’

24 See Michael Swartz’s assessment of the formal, institutional, and ideological divergences between the producers of piyyut and the rabbinic movement in his contribution to this volume. See also the seminal arguments in Joseph Yahalom, *Poetry and Society in Jewish Galilee of Late Antiquity* (Tel Aviv: Hakibbutz Hameuchad, 1999), 107–36 (Hebrew).

the ancient Mediterranean world has long been studied for information regarding the extent or limitations of rabbinic authority. I will not rehearse here the historiographic debate about the use of the title *rabbi* in the inscriptions.<sup>25</sup> Even if we concede that some or even all of these ‘inscriptional rabbis’ did in fact belong to the rabbinic movement (which is not something I am prepared to do), it nevertheless remains the case that the wider corpus of inscriptions provides indisputable evidence that Jewish communal life throughout the Late Antique Mediterranean generally operated according to structures of patronage and prestige that had little use for a formally recognized rabbinic leadership. If Schwartz is correct, the sixth-century inscription from Venosa, Italy, which employs the term *rebbites* in a new fashion, as a noun rather than as an honorific title, was a bellwether of wider developments.<sup>26</sup> The hagiographic *Actus Silvestri* from late fifth- or early sixth-century Rome, in which the Jewish disputants of Pope Silvester I (314–335 CE) are specifically characterized as a group of twelve learned rabbis, may also reflect the emergence of rabbis as communal leaders in parts of the Italian peninsula in this period.<sup>27</sup> Taken together with a series of later inscriptions from Venosa, Naples, and Brindisi that mention ‘rabbis’ as well as with the colourful account of a family of rabbinically-trained scholars, liturgists, and ritual experts in the eleventh-century *Megillat Ahima‘az*, this evidence may point to a pattern of increasing rabbinic influence in this region from

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25 See the diametrically opposed conclusions reached in Hayim Lapin, ‘Epigraphical Rabbis: A Reconsideration’, *Jewish Quarterly Review* 101 (2011): 311–46, and Fergus Millar, ‘Inscriptions, Synagogues and Rabbis in Late Antique Palestine’, *Journal for the Study of Judaism* 42 (2011): 253–77.

26 Schwartz, ‘Rabbinization in the Sixth Century’, 57.

27 See the brief discussion of the text within the broader pattern of evidence in Vera von Falkenhausen, ‘The Jews in Byzantine Southern Italy’, in *Jews in Byzantium: Dialectics of Minority and Majority Cultures*, ed. by Robert Bonfil, Oded Irshai, Guy G. Stroumsa, and Rina Talgam (Leiden: Brill, 2012), 271–96, esp. 272.

the late fifth century on.<sup>28</sup> While certainly suggestive, this dossier of sources remains slight, raising more questions than it answers concerning the origin, function, and scope of rabbinic leadership within some Jewish communities in Italy toward the end of Late Antiquity.

A fifth source of information about the consolidation of rabbinic authority is the corpus of Patristic writings in Greek, Latin, and Syriac. Regrettably, since Samuel Krauss's seminal multipart study from the early 1890s on 'The Jews in the Works of the Church Fathers', which already surveyed much of the evidence, scholars have most often limited themselves to a restricted set of writers from the second to fifth centuries, such as Justin, Clement, Origen, Eusebius, Ephrem, John Chrysostom, and Jerome.<sup>29</sup> These sources have shed important light on contacts between Christian intellectuals and local Jewish religious experts, rabbis apparently among them.<sup>30</sup> Sources like the *Didache*, the *Didascalia Apostolorum*, and the Pseudo-Clementine Homilies

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28 See the contribution to this volume by Giancarlo Lacerenza.

29 These authors form the basis for Samuel Krauss, 'The Jews in the Works of the Church Fathers', *Jewish Quarterly Review* 5 (1892): 122–57; 6 (1893): 82–99; 6 (1894): 225–61. In addition to the patristic authors treated in detail by Krauss, several others (e.g., Tertullian, Aphrahat, and Augustine) have also received a fair amount of scholarly attention. For an excellent overview of the sources and scholarship, see Paula Fredriksen and Oded Irshai, 'Christian Anti-Judaism: Polemics and Policies', in *The Cambridge History of Judaism, Volume 4: The Late Roman–Rabbinic Period*, ed. by Steven T. Katz (Cambridge: Cambridge University Press, 2006), 977–1034.

30 See, e.g., Gilles Dorival and Ron Naiweld, 'Les interlocuteurs hébreux et juifs d'Origène à Alexandrie et à Césarée', in *Caesarea Maritima e la scuola origeniana: Multiculturalità, forme di competizione culturale e identità cristiana*, ed. by Osvalda Andrei (Brescia: Morcelliana, 2013), 121–38; Paula Fredriksen and Oded Irshai, 'Include Me Out: Tertullian, the Rabbis, and the Graeco-Roman City', in *Identité à travers l'éthique: nouvelles perspectives sur la formation des identités collectives dans le monde greco-romain*, ed. by Katell Berthelot, Ron Naiweld, and Daniel Stökl Ben Ezra (Turnhout: Brepols 2015), 117–32.



and Recognitions may provide some of our earliest non-rabbinic evidence for the emergence of the rabbinic movement as a recognizable social phenomenon.<sup>31</sup>

Still, to my knowledge, ecclesiastical sources from the sixth to eighth centuries that might illuminate the gradual ‘rabbinization’ of Jewish society have gone largely untapped. To take one example that has received some attention: the seventh-century *Doctrina Jacobi nuper baptizati*, set in Africa, offers a starring role to a Palestinian Jew named Justus who brings word of recent developments back home, especially concerning reactions among local scholars to the teachings of “the Saracen prophet.”<sup>32</sup> When read together with the references to *rabbāniyūn* in the Qur’an (3.79; 5.44, 63) and in other early Islamic sources, this passage may contain precious information about the widening scope of rabbinic influence at the advent of Islam.<sup>33</sup> Alas, the *Doctrina Jacobi* also speaks throughout of ‘priests’ occupying leadership positions in the cities of Palestine, which has suggested to some that, at this pivotal historical moment, the rabbis represented at best bit

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31 See Annette Yoshiko Reed, ‘When did Rabbis become Pharisees? Reflections on Christian Evidence for Post-70 Judaism’, in *Envisioning Judaism: Essays in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday*, ed. by Ra’anan Boustan et al., 2 vols. (Tübingen: Mohr Siebeck, 2013), II, 859–96.

32 See now Sean Anthony, ‘Muhammad, the Keys to Paradise, and the *Doctrina Iacobi*: A Late Antique Puzzle’, *Der Islam* 91 (2014): 243–65. For a critical edition, French translation, and historical analysis of the *Doctrina Iacobi*, see Gilbert Dagron and Vincent Déroche, ‘Juifs et Chrétiens dans l’Orient du VII<sup>e</sup> siècle’, *Travaux et Mémoires* 11 (1991): 17–273 (text and translation 70–219).

33 On the text’s seemingly genuine familiarity with contemporary Jewish culture and society more broadly, see now Pieter Willem van der Horst, ‘A Short Note on the *Doctrina Jacobi Nuper Baptizati*’, *Zutot* 6 (2009): 1–6. On the rabbinization of Judaism in Yemen after the middle of the sixth century, most likely immediately prior to the rise of Islam in the early seventh century, see Christian Julien Robin’s contribution to this volume and also Holger Zellentin, *The Qur’an’s Legal Culture: The Didascalia Apostolorum as a Point of Departure* (Tübingen: Mohr Siebeck, 2013).

players in the multipolar world of Jewish religious expertise.<sup>34</sup> More data will be needed to advance our understanding of this landscape.

By contrast, the evidence provided by the Roman legal compendia of the fifth and especially sixth centuries is somewhat less equivocal.<sup>35</sup> Most notably, Justinian's Novella 146, with its proscription of "the *deuterosis*," has figured prominently in accounts of the penetration of rabbinic reading practices into local Jewish communities in the Western Diaspora and a concomitant process of Hebraization.<sup>36</sup> Here, too, the situation is complicated: the ongoing vitality of Greek biblical translation into the Middle Ages, as reconstructed by Nicholas de Lange and others from Genizah documents, suggests that whatever inroads the rabbis made into these communities did not extinguish the local traditions of scriptural recitation cultivated by the so-called Hellenizing faction with whom Justinian had sided.<sup>37</sup> Similarly,

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34 See Oded Irshai, 'The Priesthood in Jewish Society in Late Antiquity', in *Continuity and Renewal: Jews and Judaism in Byzantine-Christian Palestine*, ed. by Lee I. Levine (Jerusalem: Yad Izhak Ben Zvi Press, 2004), 67–106 (Hebrew).

35 For a clear demonstration of how Roman legal sources can illuminate the institutional structures of Jewish communal life in the Mediterranean Diaspora, see Capucine Nemo-Pekelman's contribution to this volume.

36 On Novella 146, which was issued 9 February 9 553 CE, see Vittore Colorni, 'L'uso del greco nella liturgia del giudaismo ellenistico e la novella 146 di Giustiniano', *Annali di Storia del Diritto* 8 (1964): 19–80 (also published as a monograph: Milan: Multa Paucis, 1964), cited approvingly in Schwartz, 'Rabbinization', 67, and Willem F. Smelik, 'Justinian's Novella 146 and Contemporary Judaism', in *Greek Scripture and the Rabbis*, ed. by Timothy Michael Law and Alison Salvesen (Leuven: Peeters, 2012), 141–63. For a brief introduction, Greek text, and English translation, see Amnon Linder, *The Jews in Roman Imperial Legislation* (Detroit, MI: Wayne State University Press, 1987), 402–11.

37 See, e.g., the studies collected in *Jewish Reception of Greek Bible Versions: Studies in Their Use in Late Antiquity and the Middle Ages*, ed. by Nicholas de Lange, Julia G. Krivoruchko, and Cameron Boyd-Taylor (Tübingen: Mohr Siebeck, 2009).

the scheme of rabbinic attribution that was laid over medieval Byzantine compositions in Hebrew, such as the tenth-century Hippodrome of Solomon, lend only a veneer of rabbinic authority to what appears to be an expression of the vibrant indigenous literary culture of Constantinople and its environs.<sup>38</sup> However tempted we are, we should resist historical accounts that lead directly from Novella 146 to the medieval ‘Minor Midrashim’ published by Adolf Jellinek, J. D. Eisenstein, and others.<sup>39</sup>

Even Geonic writings from the eighth to eleventh centuries tell a suitably complex story. On the one hand, we have a sizable corpus attesting the newfound assertiveness of the rabbinic leadership in Iraq and Palestine. On the other, the Geonic *responsa* from before the ninth and tenth centuries show the heads of the *yeshivot* grappling with a wide range of non-rabbinic forms of Judaism, which the Rabbanite leaders had not yet conceptualized as a unified Karaite opposition.<sup>40</sup> Moreover, Marina Rustow’s penetrating analysis of Rabbanite–Karaite relations has taught us that Rabbanism and Karaism are best viewed not as stable sociological or even ideological entities, but as competing discourses of tradition.<sup>41</sup> The vying claims to authority, which Rabbanite and Karaite *literati* never tired of broadcasting, mask

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38 See Ra‘anan Boustán, ‘Israelite Kingship, Christian Rome, and the Jewish Imperial Imagination: Midrashic Precursors to the Medieval “Throne of Solomon”’, in *Jews, Christians, and the Roman Empire: The Poetics of Power in Late Antiquity*, ed. by Natalie B. Dohrmann and Annette Yoshiko Reed (Philadelphia: University of Pennsylvania Press, 2013), 167–82, esp. 171–72 and the literature cited there.

39 Compare the ‘rabbinizing’ discussion of the relationship between ‘medieval’ Midrashim and classical Midrash in Bernard H. Mehlman and Seth M. Limmer, *Medieval Midrash: The House for Inspired Innovation* (Leiden: Brill, 2016), 20–36.

40 See Robert Brody’s contribution to this volume and his earlier studies cited there.

41 On the significant technological, political, and spatial constraints on the extension of rabbinic and especially Babylonian hegemony in the medieval period, see Marina Rustow, *Heresy and the Politics of Community: The Jews of the Fatimid Caliphate* (Ithaca, NY: Cornell University Press, 2008). On

the practical work of competition and cooperation that obtained among various kinds of Jewish elites in their negotiations with each other, with far-flung local communities, and with the Fatimid state. In this respect, the process of rabbinization remained fundamentally incomplete well into the Middle Ages.<sup>42</sup>

The Jewish magical tradition, in all its regional, linguistic, and formal variety, offers scholars a promising body of non- or para-rabbinic materials for tracing the process of rabbinization. Gideon Bohak has persuasively shown that there exists a significant disjunction between the types of magical practice attested in rabbinic literature and the Jewish magical sources themselves.<sup>43</sup> However, the two bodies of evidence intersect at certain points that demonstrate a dynamic relationship between them. It remains to be seen whether scholars can divine patterns in the evidence that might elucidate the processes by which rabbinic authority, texts, and expertise became available or even attractive to larger segments of Jewish society. Among the many examples that I might invoke, perhaps the most promising is the corpus of Aramaic incantation bowls from Late Antique Iraq. The heterogeneity of the bowls presents both challenges and opportunities. Some specimens show no evidence of contact with rabbinic tradition. Others invoke named rabbis, refer to rabbinic traditions, or even incorporate passages from rabbinic literature. Thus, a pair of recently published bowls (MS 1929/6 and MS 2053/170) cite material from chapter five of Mishnah Zevahim.<sup>44</sup> Even in such cases, rabbinic elements are merely one ingredient

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the competing uses of the past in Rabbanite–Karaitic polemics, see Yoram Erder's contribution to this volume.

42 On the belated emergence of rabbinic hegemony among medieval Jewish communities in Europe, see also Michael Toch's contribution to this volume.

43 Gideon Bohak, *Ancient Jewish Magic. A History* (Cambridge: Cambridge University Press, 2008), 417–22.

44 Shaul Shaked, James Nathan Ford, and Siam Bhayro, *Aramaic Bowl Spells: Jewish Babylonian Aramaic Bowls, Volume One* (Leiden: Brill, 2013), 22–23. For discussion, see Geoffrey Herman's contribution to this volume.

within a capacious Mesopotamian religious *koiné*—and not necessarily the most essential. We await systematic assessment of the significance of the rabbinic elements in the bowls and in the magical materials more generally for our understanding of the process of rabbinization.

By way of bringing to a close this rather skeptical sketch of the sources that have been brought to bear on the problem of rabbinization, I turn very briefly to consider how the variety of apocalyptic, cosmological, martyrological, and mystical sources produced between the sixth and eighth centuries might contribute to the picture. Some scholars have proposed seeing in this congeries of sources—often also bundled together with piyyut, Targum, and the remains of public Jewish art and architecture—a more or less unified ‘non-rabbinic Judaism’, which they have variously labeled ‘synagogal’ or ‘priestly’.<sup>45</sup> In my view, we should not lump all Jewish texts or artifacts that appear to fall outside the bounds of rabbinic culture into a unified, overarching category; such grand generalizations ultimately perpetuate a dichotomous view of Late Antique Judaism that assesses all expressions of Jewish culture primarily in terms of their relationship to the rabbis. The realization that we can no longer accept the view that the rabbis served as the leadership of Jewish society in Late Antiquity does not necessitate that we posit the existence of a single class of alternative leaders. Moreover, we need not follow the scholarly habit of viewing the process of rabbinization and the persistence of diversity within Jewish culture in strict opposition to each other.<sup>46</sup> It may be

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45 See the maximalist formulation in Simon C. Mimouni, *Le judaïsme ancien du VI<sup>e</sup> siècle avant notre ère au III<sup>e</sup> siècle de notre ère: des prêtres aux rabbins* (Paris: Presses Universitaires de France, 2012) as well as the contribution to this volume by José Costa, who builds upon Mimouni’s category of ‘synagogal Judaism’. Costa also provides ample bibliography for the line of scholarship that he seeks to advance.

46 See, e.g., Levine, *Visual Judaism*, 425, where Levine’s conclusions regarding the relationship between Jewish art and the rabbis is brought under the rubric “The diversity of artistic remains versus an all-inclusive

that rabbinic expertise and the attendant power it conferred flourished alongside other forms of professional knowledge and knowhow. We must thus reckon with the fundamental autonomy of local Jewish communities and of their primary benefactors and leaders,<sup>47</sup> not to mention the variety of religious specialists—scribes, poets, artists, magicians, and so on—that operated within and across those communities.<sup>48</sup> This process of professionalization was not unique to Jews, but was characteristic of the period of Late Antiquity more broadly.

I would propose that, rather than treating difference from rabbinism as *the* privileged feature of the diverse range of Jewish expressive forms that do not bear the hallmarks of rabbinic culture, we ought to allow for what I would call ‘difference-within-difference’. Thus, for example, the creators of Jewish magical and mystical sources need not have occupied the same institutional locations or served the same social functions simply

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rabbinic umbrella.” For a different understanding of the relationship between ‘pluralism’ and ‘hegemony’ in the study of Jewish culture, see Ra’anan Boustán, Oren Kosansky, and Marina Rustow, ‘Introduction: Anthropology, History, and the Remaking of Jewish Studies’, in *Jewish Studies at the Crossroads of Anthropology and History: Authority, Diaspora, Tradition*, ed. by Ra’anan Boustán, Oren Kosansky, and Marina Rustow (Philadelphia: University of Pennsylvania Press, 2011), 1–28. I would stress that in order to trace the dialectic between the emergence of rabbinic hegemony (however gradual) and the persistent diversity within Judaism in Late Antiquity, we need not posit a single ‘continuum’ within Jewish culture nor diminish the significant differences among its various expressions. On this issue, Costa’s contribution to this volume mischaracterizes my work.

47 On the ‘local factor’ in generating the diversity of the material remains of Late Antique synagogues, see Lee Levine’s contribution to this volume and the citations to his earlier work there.

48 On the importance of moving beyond abstract categories—whether formulated in the singular as ‘Judaism’ or in the plural as ‘Judaisms’—to consider the variety of ritual specialists who operated within Jewish society, see Michael Swartz’s contribution to this volume and the citations there to his earlier and forthcoming work.

because their products are in an important sense ‘non-rabbinic’.<sup>49</sup> At the same time, we should attend to the permeability that existed among these discursive domains. Just as certain rabbis surely came into possession of books of magic, and rabbinic writings appropriated concepts and terminology that originated within the literary context of Hekhalot literature, so too did rabbinic literary forms have an impact on the linguistic idioms and modes of self-authorization employed in many ‘non-rabbinic’ genres.

A proper history of rabbinization still waits to be written. Such a history must go beyond tracing the movement of elements from one literary tradition to another to consider the period-specific conditions that generated this intertextual web.<sup>50</sup> It is only once we have a clearer profile of these structural shifts that we will be able to grasp the emergent appeal that rabbis and rabbinic knowledge apparently held for widening sectors within Jewish society.

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49 See the persuasive comparison of magical, mystical, and rabbinic literatures in Bohak, *Ancient Jewish Magic*, 326–41. See also the similarly nuanced treatment of the relationship between Hekhalot literature and piyyut in Michael D. Swartz, ‘Hekhalot and Piyyut: From Byzantium to Babylonia and Back’, in *Hekhalot Literature in Context: Between Byzantium and Babylonia*, ed. by Ra’anan Boustan, Martha Himmelfarb, and Peter Schäfer (Tübingen: Mohr Siebeck, 2013), 41–64.

50 See Ra’anan Boustan, ‘Introduction: Hekhalot Literature at the Intersections of Jewish Regional Cultures’, in *Hekhalot Literature in Context: Between Byzantium and Babylonia*, ed. by Ra’anan Boustan, Martha Himmelfarb, and Peter Schäfer (Tübingen: Mohr Siebeck, 2013), xi–xxiv.

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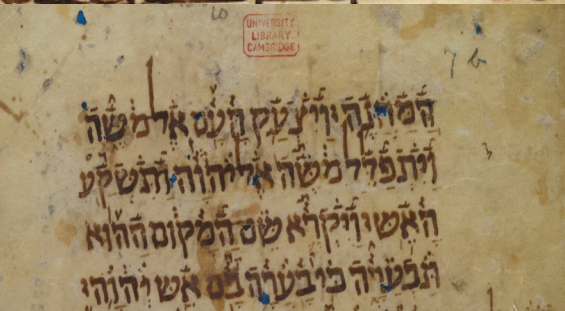
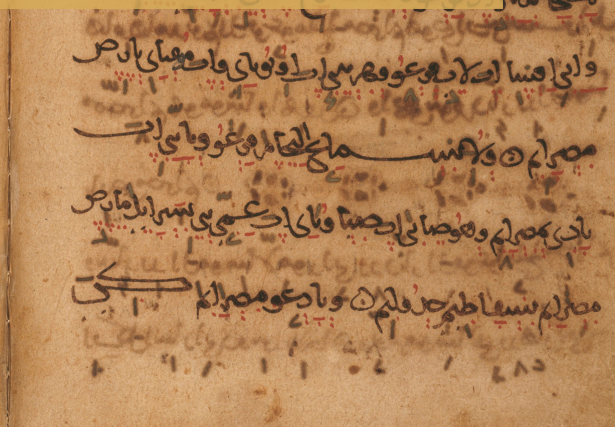
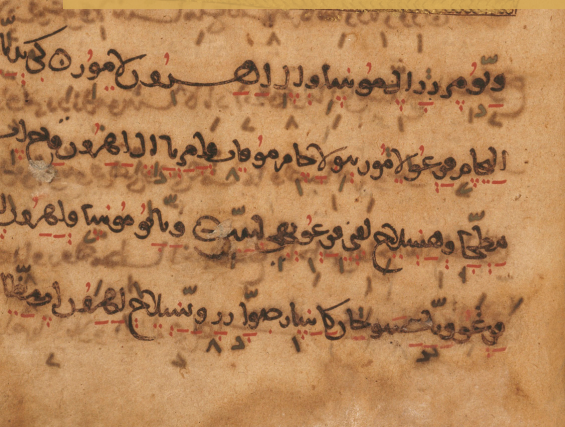
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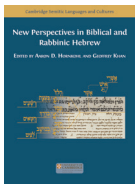
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