Talmudic Literature as a Historical Source

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The main sources for the history of late-Roman Palestine are the rabbinic texts. The problem facing the researcher in dealing with this material is the question of the extent to which it is possible to use this material to extract factual information. Talmudic literature contains by definition historical details only coincidentally. Its aims are not historiographical and it focuses on legislation *(halakhah)* and didactic theology *(aggadah)*, whose purpose is to draw the attention of the reader to the Torah and its study. The associative and anecdotal nature of Talmudic literature also means that one cannot expect to extract from it a clear impression of historical reality. Certainly there is no sense in looking for a systematic historical approach that aims to preserve information about "what really happened." In Talmudic literature there are reflections of contemporary events side by side with anachronistic testimonies dealing with these events and with reports that attempt to justify them at a theological and historiosophical level.

There are various approaches in the scholarly literature dealing with Talmudic literature as historical material. At one extreme is a naive method that attempts to accept the text as it stands and even to reconcile internal contradictions through harmonization. At the other extreme is an approach that considers each passage separately, analyzes the details accurately, and verifies whether it definitely reflects historical reality. Other scholars assume that Talmudic literature does not reveal any historical continuity, but merely provides anecdotes referring to isolated incidents; they conclude that literary, not historical, analysis is required. This literary approach has led to a development that, in fact, denies the value of



Elagabus (218–222)



"Tiberias" and the letters "COL" (for *colonia)*

these sources for historical research altogether and claims that they were produced by a small, marginal group that had no influence on Jewish society of the time. Most Israeli scholars attempt to find historical meaning and kernels of historical reality in a *halakhic* and *aggadic* context. They do not ignore the overall impression that arises from inspection of all relevant sources in relation to each other. The advantage of this approach is that it is based on a vast corpus of sources that can be used in a consistent manner. If this internal coherence is rejected with more or less justification, the alternative—an examination of each source on its own—always leads to a large measure of speculation.

My approach is a more systematic, combined examination of Talmudic sources in which they are read in relation to external, independent sources (when they are available), such as the writings of Roman historians, church fathers, and Persian authors, as well as the archaeological material, notably epigraphic material. This approach should lead to better insight into the value of the Talmudic sources.

TEST CASE: *Rabbi Judah ha-Nasi (circa 175–220) and the Roman Authorities*

A Roman law promulgated by Caesars who lived contemporaneously with Rabbi Judah ha-Nasi corresponds to a number of Talmudic passages regarding an exchange between him and Jewish members of city councils. Septimius Severus and Caracalla passed laws that allowed Jews to hold offices in the city administrations *(Ulpian, Digest L 2, 3, 3)*. This was a change from Hadrian's policy, which had encouraged the hellenization of cities, including Tiberias and Sepphoris, and the transfer of the city administration to the pagan elements of the population. Similarly, the same Severan emperors ruled that Jews who were appointed to these offices were to undertake to pay for official outlays that were not in conflict with their religious observances. Accordingly, the institutions of the city councils were responsible to the authorities for the levying of ordinary and extraordinary taxes. Against this background, there is an interesting request for arbitration that Jews from the city leadership institutions —*boule* and *strategoi*—brought to Rabbi Judah ha-Nasi regarding the division of the tax burden:

When Rav Yitshak bar Yosef came, he said: There was an incident over the crown tax that the house of the emperor levied on the *boule* [city council] and the *strategoi* [the two holders of the highest city office]. Rabbi [Judah ha-Nasi] said: "Let the *boule* [give half] and the *strategoi* give half." (BT *Bava Batra* 143a, according to the Munich ms.)

A parallel source in the Jerusalem Talmud provides important background to this incident. It describes an argument between the members of the *boule* and the *strategoi* on this subject, which was brought before Rabbi Judah ha-Nasi for his decision:

The members of the *boule* and the *strategoi* had a payment [to the authorities] levied on them. The case was brought before Rabbi and he said: Are not the members of the *strategoi* included in the *boule?* And for what reason did he say the members of the *boule* and the *strategoi,* except to say: These shall give half and these shall give half. (JT *Yoma,* 39a, [col. 564 in The Academy of the Hebrew Language edition].)

In these two parallel sources Rabbi Judah ha-Nasi divides the burden of the crown tax *(aurum coronarium)* equally between the two institutions—the *boule* and the *strategoi,* regardless of the number of members in each institution.

There is another case where the Babylonian Talmud mentions the imposition of the crown tax. This too was followed by a request brought to Rabbi Judah ha-Nasi: The crown tax was levied on Tiberias. They came before Rabbi and said to him: The sages should give with us. He said to them: No. (BT *Bava Batra* 8a). There is reason to suppose that this last incident, which concerns Tiberias, refers to the same incident mentioned in the previous sources. If so, we can assume that the first two sources also refer to Tiberias.

There is additional support for the supposition that all the sources mentioning the crown tax relate to Tiberias. The institution of the *strategoi* only existed in cities with the status of a Roman *colonia,* and Tiberias was the only city in the Galilee that seems to have been promoted to this status (according to the account about Rabbi Judah Ha-Nasi and Caesar Antoninus in BT *'Avodah Zarah* 10a).

If Tiberias did in fact become a colony, this would help explain why the leadership institutions moved there from Sepphoris. The route of the moves of the leadership institutions in Galilee from the villages (Usha, Shefaram and Bet Shearim) to the cities (Sepphoris and Tiberias) reflects the inclusion of these cities in the Severan urbanization initiative and the administrative reorganization of the province. At the peak of his years as patriarch, Rabbi Judah ha-Nasi moved the leadership institutions to the polis of Sepphoris/Diocaesarea. About thirty years after the death of Rabbi Judah ha-Nasi, the leadership institutions moved to Tiberias because it became a colony and the capital of the Galilee.

Rabbi Judah ha-Nasi exempted Jews living in cities where most of the inhabitants were non-Jews from observing the *mitsvot* related to the produce of the Land of Israel. This included Jews in Ashkelon, Caesarea, Bet Guvrin /Eleutheropolis, and Bet Shean/Scythopolis. He ruled explicitly that it was not his intention to exclude these towns from the territory of the Land of Israel, and the impurity of the Land of the Gentiles *(Eretz ha-'Amim)* did not apply to them.

It would seem, therefore, that Rabbi Judah ha-Nasi's intention was to join in the Severan urbanization initiative, and his intention in these *takkanot* (rulings), as several scholars have suggested, was to encourage Jews to settle in those cities and help them in their economic competition with their non-Jewish neighbors. Rabbi's *takkanot,* which absolve the inhabitants of mixed cities from observing the *mitsvot* dependent on residence in the Land of Israel, are not mentioned in connection with Tiberias and Sepphoris, the central cities of Galilee. It can be assumed that the exemptions did not apply to them because of their large number of Jewish inhabitants, which meant that there was no need to encourage further Jewish settlement in them.