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THE ACTIVITIES OF RAB AND SAMUEL AS SPIRITUAL
LEADERS OF BABYLONIAN JEWRY IN THE FIRST HALF
OF THE THIRD CENTURY

A Thesis

submitted in partial fulfillment of the re-
quirements for the degree of Rabbi at the

Hebrew Union College

by

Ely Emanuel Pilchik

March 25, 1939

Referee: Dr. Jacob Mann

To Mother
ever-patient, self-sacrificing
is this study
humbly dedicated

Said Rab to Rab Kahana: "Deal in carcasses, not in words.
Flay a carcass in the market-place and sell its skin, but
don't say, 'I am Kahana, I am a great man.'" (Pes. 113a)

Said Samuel: "He who judges Israel, judges all the peoples
of the world." (Yer. R. H. I,3)

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PREFATORY

The utterly inexperienced swimmer who suddenly finds himself in the turbulent waves of the ocean presents a somewhat comic and pitiable sight to the observer. Similarly, the tyro who suddenly wades into the sea of the Talmud appears to the experts in that vast anthology of Jewish life and learning as a comic, struggling amateur.

This is our first venture in Talmudic studies. This is our first dive into the sea of the Talmud. As a consequence the results of this study will be peppered with lacunae, and will probably appear extremely sophomoric. Nevertheless, we have attempted to do as best we can, and we sincerely hope that this will mark the beginning of many years of Talmudic study in the future.

Our method in this gigantic task has been to consult the basic secondary sources, to glean from them references to our primary source, the Talmud, and to construct a picture of the activities of Rab and Samuel on the basis of these available Talmudic references. For the general background we have used the classic work of George Rawlinson, "The Sixth Great Oriental Monarchy (Parthia)" and his "The Seventh Great Oriental Empire (Sassania)". For the Jewish background we have followed S. Funk's "Die Juden in Babylonien, 200-500", in addition to the various articles in the Jewish Encyclopedia. For the study of Rab our chief secondary source has been J. S. Zuri's "Rab Ishi'yus'o U'f'ulosov". For Samuel we turned to D. Hoffmann's "Mar Samuel". These secondary sources were supplemented by W. Bacher's

"Die Agada Der Babylonischen Amoraer", I. Halevy's "Dorot HaRishonim", and A. Hyman's "Toldot Tannaim V'Amoraim", and I. H. Weiss's "Dor Dor V'Dorshov".

Within the body of the text will be included all Talmudic references. When the Hebrew citation of a Talmudic passage will be deemed necessary, it will be found in the notes following the text.

References to the Yerushalmi will be cited not according to the Krotoshin edition but according to Perakim and Halachot.

Finally, we wish to acknowledge the ever-ready assistance rendered to us by Dr. Jacob Mann, who gave us a general bibliography and a concept for the construction of this study, and to Dr. Jacob ~~Z~~. Lauterbach who gladly helped us with many a difficult Talmudic passage.

Chapter I: General Background

intime
When the refugees of Nebuchadnezzar's conquest of Judaea hung their harps upon the willows rising above the banks of the rivers of Babylon, and were asked by their tormentors to sing one of the songs of Zion, they mournfully exclaimed, "How can we sing the Lord's song in a foreign land?" (Ps. 137) Such was the hopeless attitude of our exiled ancestors. They seemed to feel that life for them was only in the past. The future, at least until they could return to Palestine, was not to be considered. Into the midst of this blackness came the vocal ray of light uttered by Israel's great prophet of the exile, Jeremiah, who sent a message to these forlorn, saying: "Thus saith the Lord of Hosts, the God of Israel, unto all the captivity who might have cause to be carried away from Jerusalem unto Babylon: Build ye houses, and dwell in them, and plant gardens and eat the fruit of them; take ye wives, and beget sons and daughters; and take wives for your sons, and give your daughters to husbands, that they may bear sons and daughters; and multiply ye there, and be not diminished. And seek the peace of the city whither I have caused you to be carried away captive, and pray unto the Lord for it; for in the peace thereof shall ye have peace." (Jer. 29), *verse 4-7*

Here we have the ^{true} beginning of Jewish life in Babylonia. True, a good many Jews returned to Palestine with Ezra and Nehemiah after Cyrus had performed his great act of mercy for the Jews. But we may safely say that the majority of Jewish people built their houses and their gardens in Babylon where

they have lived until the present time.

The Tigris-Euphrates district occupied first by the Persians, then after Alexander's conquest by the Greeks, ultimately returned to the Persian rule (Parthia) in the year 64 B.C.E. The Parthians, despite their many struggles with the Romans, remained in power over this district until the year 225-26 C.E. When, after the revolution of Artaxerxes, it succumbed to the Sassanians.

During the Parthian rule, Babylon had its chief city in Ctesiphon, which seems to have been the seat of the government.¹ Rawlinson tells us that dispersed colonies of Jews were to be found in Babylonia, Armenia, Media and Mesopotamia.² During the Parthian rule they enjoyed toleration and even the permission to exercise a species of self-government. "They formed a recognized community, and had some cities which were entirely their own, possessed a common treasury, and from time to time sent up to Jerusalem the offerings of the people." Rawlinson observes that the Parthian kings probably valued the Jews as a counterpoise to the disaffected Greeks and Syrians of this part of their empire.

In these very early days we learn that some difficulty arose because of two brothers, Asinai and Anilai, who lived in Nehardea. Somehow these two became the terror of the entire neighborhood. The Babylonian satrap sent out his police force to capture these culprits but they defeated this effort. It seems that nothing could be done to stop their terroristic activities. Recognizing this fact, the Parthian king Artabanus made Asinai the satrap of Babylon. He ruled over this district

from 19 to 34 B.C.E. But even rulership did not stop the obstreperous. Anilai, the satrap's brother in crime, fell in love with the wife of a Parthian commander. He killed this commander and married the woman of his affections. Like Jezebel, Anilai's newly acquired wife began to introduce idolatrous worship in the midst of the Jewish community. The outraged Jews prevailed upon Asinai to compel his brother to divorce this woman. She heard of this, poisoned Asinai, and her husband Anilai became ruler. Somewhat later Anilai began a campaign against a neighboring satrap, Mithridates, who had married one of the daughters of the king Artabanus. Anilai captured Mithridates, took him prisoner but because of Mithridates' relationship to the king, released him. Ultimately Mithridates defeated Anilai. He escaped, ran about loose for a while, and was finally captured and killed.

This account of the two brothers is based upon Josephus' Antiquities XVIII,9 and is accepted by Rawlinson,³ Mann,⁴ and Debevoise (the latter has just published "A Political History of Parthia", in which, for our purpose, he adds very little to the material collected by Rawlinson but makes a significant statement, "Among the classical sources the most valuable for Parthian history are the works of the Jew Josephus. Time after time from numismatic or written sources Josephus can be proved correct, even against such factually accurate writers as Tacitus." He adds that Josephus probably got his account of Anilai and Asinai from Babylonian Jews who were passing to and fro across the border.⁵).

As a result of this confusion ~~Caused~~^{by} the two brothers the Babylonian Jews were subjected to severe difficulties. The Babylonians in the Nehardea district turned upon the Jews, forcing them to retire to Seleucia for a period of five years. New troubles broke out for the Jews in the year 40 C.E. At this time a conflict arose between the Syrians and the Greeks who inhabited Seleucia. The Jews joined the Syrians and the Greeks were subdued. Immediately afterwards the Greeks became reconciled with the Syrians and both groups turned upon the Jews with the result that 50,000 Jews were massacred (the figure is probably a little exaggerated, at least we hope so). The remnant of the Jews living in Seleucia fled to Ct^siphon, but they could not escape the persecution, until they finally retired to provincial towns.

About this time we learn that Izates, sovereign of Adiabene^s, a satrap under Artabanus, became converted to Judaism. He plays an important role in Babylonian history as ruler of the province of Adiabene. When he died his bones were supposed to have been conveyed to the holy soil of Palestine and buried in the vicinity of Jerusalem.⁶

The Jews, like the rest of the Babylonian community, probably were exposed to much suffering during the ~~Roman~~^{Parthian} Parthian campaigns, especially during the reign of Trajan (98-117). We learn that during the rule of the Parthian king Vologases III (149-190-91), Cassius, who was made generalissimo under the Emperor Marcus Aurelius, came down the Euphrates to Sura, where he was victorious in a battle. Seleucia, with its population of 400,000 was burned, and Ct^sephon, the chief city

of the empire was levelled to the ground.⁷ Later a plague broke out and ravaged the Roman army. But this war began Parthia on its certain decline.

The next Parthian emperor, Volagases IV (190-208) engaged in campaign with the Roman, Septimius Severus, with the result that the capitol of Parthia falls. Now ensues a struggle for the crown of Parthia between Volagases V and Artabanus IV, the latter succeeding and ruling from 216 to 226. During his rule he engages in battles with Rome, now under the leadership of Caracalla. This Artabanus is frequently mentioned in the Talmud, as we shall see subsequently.

The results of these many wars with the Romans caused a general weakening of the Parthian rule and the Persian populace arose in rebellion against this dynasty. The Persians resented the rule of the Parthians for these reasons: (1) high offices were held only by Parthians, (2) the Persian priests, i.e. the Magians, were accorded no special honor and enjoyed only those privileges given priests of other faiths, (3) no advantages were extended the Persians despite the fact that they had been supreme in the past.⁸

And so in the year 226 came the revolution against the Parthians under the leadership of the Sassanian, Artaxerxes, known in our Talmud as Ardashir. Some historians (Agathias) maintain that Artaxerxes was himself a Magian and was interested in the deepest mysteries of that order. This religious zeal accounts for a good deal of his conduct. Beginning his rebellious campaign against Artabanus IV in the year 220 he finally succeeded

in becoming Emperor of Persia, 226. Among the principle changes immediately after his success was a religious revolution. To quote Rawlinson, "The substitution for Parthian tolerance of all faiths and worship, of a rigidly enforced uniformity in religion, the establishment of the Magian power and the bloody persecution of all such as declined obedience to the precepts of Zoroaster".⁹

Before we turn to the internal condition of the Jews during this chaotic period let us continue with Rawlinson's account of "The Seventh Great Oriental Empire", which lasted from 226 until 641 when the Mohammedan Arabs conquered that part of the world. As regards this tremendous change in the near east Rawlinson says: "The great Asiatic revolution of the year 226 marks a revival of the Iranic nationality from the depressed state into which it had sunk for more than 500 years, but the revival is not full or complete. The Persians of the Sassanian Kingdom are not equal to those of the time between Cyrus the Great and Darius Codomannus; they had ruder manners, a grosser taste, less capacity for government and organization;they are vigorous, active, energetic, proud, brave; but in civilization and refinement they do not rank much above their Parthian predecessors."¹⁰

Let us now observe the differences ^{in religious attitude} between the religion of the Parthians and that of the Sassanians. The Parthian religion was a combination Dualism, with a qualified creature worship and a special reverence for the elements, i.e. earth, air, water and fire. Zoroastrianism postulates two independent and

contending principles: good, represented by Achura-Mazda, and evil, represented by Angro-Mainyus. These two are co-existent, co-eternal and co-equal struggling for supremacy on the world battle field. Mazda is assisted by thousands of angelic beings; Mainyus by thousands of malignant beings. Mazda is to be worshipped; Mainyus, feared and hated.

Fire is an essential ceremonial element in this religion. A sacred flame, supposedly kindled originally in heaven, was to be kept perpetually burning on the fire alters in the holy places. The intermediaries between deity and worshipper in this religion were the Magians, a priest-caste, organized into a hierarchy claiming possession of prophetic powers and sanctity far above any layman.¹¹

When Artaxerxes came to power his empire included followers of a wide diversity of religions: Sabaism, Magism, Zoroastrianism, Greek Polytheism, Teraphim-worship, Chaldee-Mysticism, Christianity, and Judaism. "Artaxerxes conceived it to be his mission to evoke order out of this confusion, to establish in lieu of this extreme diversity an absolute uniformity of religion."¹² Among the steps he took was to raise the Magian hierarchy to a high and honorable position by giving them financial independence through allocating lands to them, and allowing them the privilege of claiming from the faithful one tithe of all their possessions.

From a statement Artaxerxes is supposed to have said to his son and successor Sapor I, known in our Talmud as Shabbur Malkah, "Never forget, that as king you are at once the protector of your religion and of your country. Consider the

altar and throne as inseparable; they must always sustain each other. A sovereign without religion is a tyrant; and a people who have none may be deemed the most monstrous of society. Religion may exist without a state; but a state cannot exist without religion; and it is by holy laws alone that a political association can be bound."¹³ On the basis of this we can see that the Magians were intimately associated with the king in the administration of the state. An unbridled persecution of other faiths was adopted. Artaxerxes ordered that all places of worship be destroyed except the temples of the fire-worshippers. And indeed we have a reference in the Talmud, Yoma 10a, from which we learn that some of the synagogues in Babylon were burned during this religious fanatical wave. There were, however, few¹⁴ outbreaks because the other faiths yielded.

Artaxerxes I reigned from 226-240, and was succeeded by his son Sapor I, who reigned 240-271.

Let us now look into the internal life of the Jews in Babylonia. First as regards their so-called autonomy. Jacob Mann, in a brief study on "Capital Punishment in This Time"¹⁵ informs us that in the time of Persian rule the leaders of the Jewish community had autonomous rule. But at the beginning of the Sassanian dynasty (226-227) the authority of the Bet-din was revoked. To support this he cites the passage in B. K. 117a.

"A certain man who wanted to show (government officials) another man's straw (that it might be confiscated) appeared before Rab, who said to him: 'Don't show it! Don't show it!' He replied, 'I will show it! I will show it!' Rab Kahana was there, sitting before Rab,

and he tore that man's wind-pipe out of him. Rab thereupon quoted: 'Thy sons have fainted, they lie at the heads of all the streets as a wild bull in a net (Is. 51:20)', just as when a wild bull falls into a net no-one has mercy upon it, so with the property of an Israelite, as soon as it falls into the hands of heathen oppressors no mercy is exercised towards it. Rab therefore said to him, 'Kahana, until now the Greeks (another reading, Persians, i.e. Parthians) who did not take much notice of blood-shed were here (as rulers) but now the Persians (i.e. the Sassanians) who are particular about blood-shed are here, and they will certainly say, 'Mardut! Mardut! (rebellion, rebellion)', arise therefore and go up (flee) to the Land of Israel."

This, says Mann, proves that the Sassanian rule revoked privileges of the Bet-din in Babylon, and seems to show that during the reign of the Parthians the Bet-din had a much wider scope of authority. But this does not necessarily mean that during the Parthian rule the Bet-din had absolute right of capital punishment as they did in Palestine before the destruction. He now proceeds to cite the passage in Ber. 58a.

"Rab Shela (who was in charge of the school of Nehardea when Rab returned to Babylon in 219) flogged a certain man who had indulged in intercourse with a gentile woman; that fellow went and laid a charge against Rab Shela before the

king saying: 'There is a certain Jew who judges without the king's consent.' The king sent an official to summons Shela. When Rab Shela appeared he was asked 'Why did you flog this person?' He replied: 'Because he had intercourse with a she-ass.' (Mann points out that for his own self-protection before the Persian authorities, Shela was compelled to exaggerate the crime.) They said to him, 'Hast thou witnesses?' He answered, 'Yes.' Elijah came in human guise and gave evidence (this, of course, is sheer Haggadah). They said to him, 'In that case his punishment is death.' He said to them, 'From the day we were exiled from out land we have no power to inflict the death sentence; but you do with him as you please.' While they were considering the case, Rab Shela began reciting 'Thine, Oh Lord, is the greatness and the power (I Chron. 29:11).' They asked him, 'What are you saying?' He replied, 'I am saying blessed be the All merciful, who made earthly kingship like the kingship of heaven and hath given you power and the love of justice.' They said, 'The honor of kingship is very dear to him.' They thereupon handed to him the staff (i.e. gave him the right to inflict punishment) and said to him, 'Do thou act as judge.' When he went out the culprit said to him, 'Does the All merciful perform a miracle for such liars?' He replied, 'Thou evil doer, are not they asses? For it is written, whose flesh is as the flesh

asses (Ezek. 23:20).¹ Rab Shela gathered that the man was going to inform the government officials that he had called them asses. He thought to himself, that man is a pursuer and the Torah has stated, "if one seeks to kill, do thou kill him first (deduced from Ex. 22:1. "If a thief be found breaking in, and he is smitten so that he dieth, there shall be no blood guiltiness for him"); so Shela smote him with his staff and killed him."

This incident, Mann believes, occurred in the early days of the Sassanians when the Bet-din didn't even have the power to impose the flogging punishment. And this complaint of Shela (which we underlined above) may be taken to prove that the Babylonian Bet-din did not possess the authority to inflict capital punishment since the exile of Nebuchadnezzar.

Mann goes on to state that herein is contained some historical evidence regarding the founding of the schools of Rab and Samuel. Rab Shela, apparently was still alive when the Sassanians came into power (226-227). After his death, Rab founded his school. Indeed, there is a political factor involved in the founding of the Babylonian academies. Artaxerxes, or Adrashir, the first Sassanian monarch, was a bitter opponent of the Romans. He came to power, as we have already mentioned, in the revolt of the Persians against the Parthians who did not help the Medes fight back the Romans in the struggle over the east. At this time Palestine was under Roman jurisdiction and Babylonia under that of the Persians. For political reasons, therefore, the bond between these two Jewish communities would necessarily

be weakened. And as a matter of fact, the new government was very happy to see that the Babylonian Jews had released their dependence upon Palestine. Therefore a new Jewish cultural center had to be established in Babylon. Though this was accomplished by the institutions at Sura and Nehardea, we know that the bond between Palestine and Babylon was not completely severed.

The Jews enjoyed a large measure of autonomy in Babylon. At the head of the Jewish community was the Exilarch, referred to in the Talmud as Rosh Galuth or in Aramaic, Resh Galutha. This central figure was comparable to the Nasi in Palestine, as we have indicated in the Talmud (Chul. 92a), where we read "the Rosh Galuth who is in Babylon and the Nasi who is in Palestine". The Exilarch traced his descent from the family of David. The first of these was supposed to have been Yehayakin, who was taken into exile during the conquest of Judaea by Nebuchadnezzar. He settled in Nehardea and became head of the Jews. Such is the tradition as based upon the medieval chronicle "Seder Olam Zuta". The later Exilarchs traced their descent from Yehayakin.

The Exilarch was invested with considerable political power and served as the representative of the Jews to the government. He was responsible for all the taxes which were to be collected from the Jews. He was responsible for the canal and irrigation system, he appointed the Jewish judges, known in the Talmud as "Dayana D'Baba", i.e. judges of the gate, he also appointed market supervisors, and seemed to have the authority of fixing commodity prices. Minor cases were handled

and irrigation system, he appointed
in the Talmud as "Dayana D'Baba",
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at court of Taxilarch

by the Exilarch's appointees, but the more important cases, and cases of appeal, were referred to the Exilarch's supreme court, i.e. the Bet Din Hagadol.

From the letter of Sherirah Gaon¹⁷ we learn, "In the days of Rabbi, Rab Hunah was the Resh Galuth in Babylon....and in the days of Rabbi, Rab Hunah died....And after Rab Hunah Mar Rab Ukbah was appointed the Exilarch". Later we shall see the relations of this Mar Ukbah and Rab and Samuel.

ECONOMIC LIFE

Babylon, being the flood plain of the Tigris and Euphrates rivers, was naturally a very fertile country. The chief industry then was agriculture. The fields of Babylon produced fine grain, wine, oil plants, and dates. The majority of the population were peasants. It seems that feudal system dominated the country. The large fiefs rented out fields to the peasants for which they exacted some two-thirds to three-fourths of the produce.¹⁸ As a consequence, the peasants lived in poverty and many of them would have starved were it not for the well organized charities there in Babylon. In addition to these share-cropper farms were also some small land-owners and cooperative groups. Taxes were extremely severe. The Persian government demanded not only a land tax but also a poll tax. The government considered itself owner of all the land in Babylon, and as a consequence felt itself authorized to confiscate land for non-payment of these severe taxes. There were frequent foreclosings. If, on the other hand, a person would not pay his head tax he would be thrown into slavery.

In some instances one rich man was responsible for the entire town. And as we have seen in the case of the Jews it was the Exilarch who was responsible for the entire community.

Although the majority of the Jews were peasants and worked the fields, some of them were professional men and business men. These fared much better than the farmers. There was a large trade on the streams and the canals, caravans would frequently pass through this district, and Jews were engaged in selling cloth, baskets, pearls, furs, etc. The chief wheat market was at Hini Shili, the chief wool markets at Pum-Nahara and Be Husa.

The market-place was the center of town life. Friday was the big market day when the people would buy their week's supply of food. Each trade had its own bazaar in the market. As we shall see later, due to unfair business practices current in the market places, supervisors of markets, and of weights and measures were appointed by the Exilarch.¹⁹

CULTURAL LIFE

Sherirah Gaon tells us that "although there were Exilarchs of Davidic origin in Babylon, there were no 'Roshe M'Sivta' there".²⁰ So we see that there were no schools in Babylon like those in Palestine. Babylon does not become a center of Jewish learning until the arrival of Rab. We know, however, that many students came from Babylon to study in Palestine, among them Hillel, Nachum^{he} Mede and Rabbi Chiyya. We cannot conclude, therefore, that there was no Jewish cultural life whatsoever in Babylon. We can only say that in

comparison with Palestine and the subsequent schools at Sura and Nahardea, Babylon was culturally insignificant.

Sherirah Gaon tells us that "in the days of Rabbi Rab went down to Babylon in the year Ta'Ka'L and there was there Rabbi Shela²¹ the head of the Be Rabanan and he was called the 'Resh Sidra' in Babylon."

It is with the succession of Rab to Rabbi Shelah as spiritual head, that we begin our study. We proceed now with biographies and accounts of the activities of Rab and Samuel.

Chapter II: Rab

*id be
sure*

Rab was born in the year 155 of a distinguished Jewish family, which traced its descent back to David. There are several references in the Talmud alluding to Rab's genealogy. First is the well-known statement in Sanh. 5a:

"When Rabbah bar Chana was about to go to Babylon Rabbi Chiyya said to Rabbi: 'My brother's son is going to Babylon. May he judge in matters of ritual law?' Rabbi answered: 'He may.' 'May he judge in monetary cases?' 'He may.' May he declare first born animals permissible for slaughter?' 'He may.' When Rab went there, Rabbi Chiyya said to Rabbi: 'My sister's son is going to Babylon. May he judge in matters of ritual law?' 'He may.' 'May he judge monetary cases?' 'He may.' 'May he declare first born animals permissible for slaughter?' 'He may not.' Why did Rabbi Chiyya call the former 'brother's son' and the latter 'sister's son'? You cannot say that it was actually so, since a teacher said that Aibu (Rab's father) and Chana (Rabbah's father), Shela and Marta and Rabbi Chiyya were the sons of Abba bar Acha Karsela of Kafri? Rab was also Rabbi Chiyya's sister's son (on his mother's side) while Rabbah was only his brother's son. Or if you prefer, I might say he chose to call him 'sister's son' on account of his eminent wisdom, as it is written, 'say unto wisdom thou art my sister' (Prov. 7:4)."

Again in Pes. 4a we read: "Rab is the son of the brother of Rabbi Chiyya and the son of his sister." Rashi ad/ loc. says: "Rab's mother was Chiyya's sister on their mother's side, while Aibu, Rab's father, was Chiyya's brother on his father's side." To clear up this very complicated relationship: Aibu, Rab's father, was the first son of Rabbi Abba bar Acha Karsela of Kafri, while Rab's mother was the daughter of Abba's second wife, which she had from her first husband. Rabbi Chiyya then from his mother's side was the brother of Rab's father, Aibu, and from his mother's side, the brother of Rab's mother. Consequently Chiyya can refer to Rab both as the son of his brother and as the son of his sister.

Rab is also called in the Talmud 'Abba Arika', as we read:

"He said to him (Rabbi Yochanan to Issi bar Hinni): '

2 'Who is the Rash Sidra in Babylon?' He answered:

'Abba Arika.' He said to him: 'Abba Arika you call him? I remember that I used to sit seventeen rows behind Rab before Rabbi and sparks of fire would fly from the mouth of Rab to the mouth of Rabbi and from the mouth of Rabbi to the mouth of Rab, and I didn't know what they were talking about. And you dare call him Abba Arika (Chul. 137b).'"

all expl. H's. 15 in just over
Rashi ad/ loc. says: "Rab was called Arika because he was the tallest man in his generation."

Rab also bears the name 'Bar Pachte', by which Rabbi M.D. in Chiyya would affectionately address him. We have an instance of this in Ber. 13b, and again in Ber. 43a:

7 some suggest to read in M.D. 13b

"Rab and Rabbi Chiyya were sitting at the table in the presence of Rabbi. Rabbi said to Rab: 'Arise, wash thy hands.' Rabbi Chiyya noticed that Rab was trembling and said to him: 'Bar Pachte (O Son of Princes) see, it is for the privilege of saying grace at meals that Rabbi tells thee to wash.'"

From this statement we can gather two things. In the first place Chiyya indicates what we have already mentioned before, namely that the family of Rab had a distinguished genealogy, and secondly we notice the guardianship which Chiyya assumed over Rab. This leads us to a discussion on the relationship between Rab and his uncle, Rabbi Chiyya.

It was Chiyya with whom Rab originally went up to ²² Palestine. This, scholars say, occurred in the year 175. Chiyya came up to Babylon with his sons Hezekiah and Judah and his nephews Rabbah bar Chana and Rab. He settled in Tiberias. Here he studied under Rabbi Judah and also seems to have been engaged in large mercantile business. Rab not only studied with Chiyya but also participated in this business, as we have indicated in B.K.99b.

"There was a certain woman who showed a dinar to Rabbi Chiyya. He told her it was good. Later she came back and said to him: 'I afterwards showed it to others and they said to me that it was bad, and in fact I could not pass it.' Chiyya therefore said to Rab: 'Go forth and change it for a good one and write down in my

This passage does not warrant your deduction

ledger that this was bad business."

We learn from this that Rab was in Chiyya's business and actually served as his secretary. Chiyya was a well-to-do flax-²³ merchant, and it seems that the entire family was engaged in selling flax and woollens.

But Chiyya was more than a mere job-giver to Rab. He also taught him as we read in Ber. R. 33: "Said Rabbi Jose, son of Rabbi Abin: 'All those thirty days that Rabbi Chiyya was angry with our teacher (Rabbi Judah Hanasi) he spent teaching Rab, his nephew, all of the K'lalim of the Bible.'" And as we have already noticed from the passage in Sanh. 5a Chiyya was very much interested in having Rab ordained. We call attention to one more significant passage which reflects the relationship of Chiyya to Rab. In Pes. 4a we read:

"Rab the son of the brother of Rabbi Chiyya and the son of his sister when he came there (from Babylon to Palestine -- this refers to his second return) Chiyya said to him: 'Is Aibu living?' Rab said to him: 'Did you ask whether my mother was living?' Chiyya said to him: 'Is your mother living?' He said to him: 'Did you ask whether Aibu (the correct reading suggested is Abba, meaning father) is living?' So he said to him: 'Remove my shoes (that I may begin mourning).'"

There is a parallel version of this in Ber. R.92 reading:

"Rabbi Chiyya Rabbah saw a man who came back from Babylon and he said to him: 'What is ~~your~~ father doing?' He answered him:

'Your mother asked about you.' He said to him, 'I ask you about one thing and you answer me about another.' He answered, 'One asks about the living, and not about the dead.'

This undoubtedly refers to the same incident cited in Pes. 4a, although the particulars are not identical.

The relationship between Rab and his uncle Chiyya is further illustrated by the passage in Sanh. 28a,b, which relates that "Rab went out to purchase parchment." Zuri says this passage proves that Rab collaborated with Chiyya in the latter's program for spreading Jewish education in the Palestinian villages. These parchments were used for scrolls, upon which were written Torah and Mishnaic law.²⁴

From all these references we learn that Rab was cared for, both physically and spiritually, by his distinguished uncle Chiyya. He brought Rab to Palestine, took him into the business, enrolled him in the school of the Master, Rabbi Judah Hanasi, and undoubtedly wielded a tremendous influence upon Rab's later life as a cultural leader of Babylonian Jewry.

A word about Rab's family life. It seems that Rab enjoyed little domestic peace. Frequent references in the Talmud indicate that Rab had difficulties with his wife. We quote the most illustrative passage proving this fact:

"Rab was once taking leave of Rabbi Chiyya, who said to him, 'May God deliver you from that which is worse than death.' But is there anything worse than death, Rab wondered. When he went out, he thought about it, then this passage came to his

mind: 'I find more bitter than death the woman (Eccl. 7:26).' Rab was constantly tormented by his wife. If he told her to prepare lentils for him, she would prepare small peas, and if he asked her to prepare small peas, she would prepare lentils....(Yeb. 63a)."

This unfortunate marital relationship probably accounts for Rab's several utterances against the fair sex, such as:

"Rab said: 'A man who follows the advice of his wife will descend into Gehenim.' (B. M. 59a)"

Gehinnom

and:

"R. Samuel b. Unya said in the name of Rab: 'A woman before marriage is a "Golem" (i.e. a shapeless lump) and establishes a covenant with him who transforms her into a useful vessel, as it is written "For thy maker is thy husband" (Is. 54:5).'" (Sanh. 22b)

*Golem
פגול*

The latter idea follows from Rab's general concept that marriages are made in heaven, as the Talmud indicates:

"Did not Rabbi Judah say in the name of Rab: 'Forty days before the embryo is formed, a heavenly voice goes forth and says, "The daughter of so and so for so and so." (Sanh. 22b)

a/

We cannot say categorically, however, that Rab was bitter and unkindly towards women. Notice his compassionate attitude in this statement:

"Rab said: 'A man should always be careful not to hurt his wife, for since she is quick to tears, she must be very sensitive.'" (B. M. 59a)

And, as a matter of fact, if we be pardoned for quoting a rather indelicate passage, we might even feel that Rab's relationship with his wife was not totally unbearable:

"Rab Kahana went and hid himself under Rab's bed and heard him converse with his wife and laugh and have intercourse. Rab Kahana said, 'Abba's mouth is like that of one who has never sipped of a dish' (i.e. Rab in his intimate relations with his wife conducted himself as though this was a new experience to him.)" (Ber. 62a)

This may be used as evidence of Rab's rather happy private life. We conclude that despite the several references exaggerating Rab's incompatibility with his life's-partner, he led a normal married life. At times he quarreled with his wife, and at times they lived happily. There is insufficient evidence to lead us to the accepted tradition that Rab was very unhappily married.

Whatever little unhappiness Rab may have experienced with his wife was well counterbalanced by the joy he must have gathered from his splendid family. To him were born two sons, Aibu and Chiyya, and three daughters. One of the daughters married a distinguished disciple of Rab, Rab Chanan bar Abba. Another daughter intermarried with the Exilarch's family, bearing two sons, Rabban Ukba and Rabbana Nechemya, both of whom later became Exilarchs.²⁵ We find that Rab devoted much time teaching his sons, as in Pes. 70a, Rab is instructing his son Chiyya in the laws of Passover. In another passage we read:

"Said Rab to Chiyya, his son, 'Do not take

drugs (though they may serve for medical purposes, because they are habit-forming), do not leap over a dyke (there may be a symbolic meaning here, but it isn't clear), do not have a molar tooth extracted, do not arouse a serpent, and do not provoke a non-Jewish woman."

(Pes. 113a)

This is a bit of fatherly advice. Rab apparently turned his son Chiyya over to his son-in-law Chanan for instruction, as we find in Yoma 19b, "Rab Chanan b. Abba taught Chiyya the son of Rab in Rab's presence."

Chiyya later followed in the footsteps of his father, becoming a teacher in Israel, although he never seemed to have approached the greatness of his father. Aibu, Rab's other son, went into business, as we read:

"Said Rab to Aibu, his son, 'I labored with you in scholarly matters but it did not work out; come, let me teach you about worldly matters....(Pes. 113a).

Whereupon he proceeds to advise him about business practices.

Rab was very close to his family. As we see he named his children and grandchildren after his relatives. Many of the traditions were passed down directly through Rab's family, for example in Chul 63a we read: "Said Rab Chanan, son of Rab Chisda said Rab Chisda said Rab Chanan son of Rabba said Rab." The tradition went from Rab to his son-in-law through several generations.

you
should
have added
to this

message here which shows that R. Hisha was son-in-law of R. Hanan b. Abba who in his turn was Rab's son-in-law

HIS TEACHERS

As we've already noticed, Rab accompanied his uncle Chiyya to Palestine in about 175. There he began his studies under Israel's outstanding teachers. Beside the great amount of instruction Rab gathered from his uncle, he studied directly under Judah the Patriarch.

"Rab said, 'I was one of the voters in the school of Rabbi and it was with me that the voting began.'" (Sanh. 36a)

A parallel statement of this fact occurs in Git. 59a. Again we learn:

"Rab said, a man should never withhold himself from the house of study even for a single hour. Levi and I studied before Rabbi; in the evening he gave a certain tradition about a thing, in the morning another. I, being at school, revised my knowledge. Levi, who wasn't present, didn't." (Bezah 24b)

Another interesting passage bears this out further:

"Rab was reciting the Sidra before Rabbi. Rabbi Chiyya came in so Rab went back to the beginning. Bar Kappara came in, Rab began again. Rabbi Simon, son of Rabbi, entered, Rab began again. Rabbi Chanina entered then Rab (becoming a bit annoyed) said, 'All of these come in and I must begin over again?' He did not return to the beginning. Whereupon Rabbi Chanina waxed

resentful. Rab went to him thirteen times asking forgiveness, but the latter refused." (Yoma 87a,b)
Even when Rab was in Babylon, he would send questions to Rabbi, as indicated in Ket. 69a.

Chiyya and the Patriarch were Rab's most important teachers. But several other men had considerable influence upon him. Among them Rabbi Eliezer, the son of Simon bar Yochai, as we read:

"Said Rab, 'This law I learned from Rabbi Eliezer the son of Simon bar Yochai.'" (Zeb. 102b)

In Ket. 81a we read: "Rabbi Abba said, 'I asked Symmachus about this.'" Rabbi Abba is identified with Rab according to the Aruch. And Symmachus is Symmachus ben Joseph, a Tanna of the fourth generation, a halachist, and a disciple of Rabbi Meir. It was probably from this Symmachus that Rab learned many of the traditions of Rabbi Meir. For we find that Rab quotes Meir frequently:

"Said Rab Huna said Rab in the name of Rabbi Meir, and there is a Tannaitic statement in the name of Akiba to the same effect, 'A man should always be accustomed to say, "Every-thing that God does, he does for good."'" (Ber. 60b)

Again we read:

"As Rab Huna said, said Rab, and some say said Rab Huna said Rab in the name of Rabbi Meir, 'A man should always teach his disciple in a brief manner.'" (Pes. 3b)

Another teacher of Rab was Rabbi Hoshaiah, son of Chama ben Bisa,

a first generation Palestinian Amora, was both a disciple and a good friend of Rab's uncle, Chiyya. To this group may be added the name of Joshua ben Levi, the great Aggadist.

On the basis of Rab's relationship to Neir, Zuri develops a complete theory about the traditions of Rab and Samuel. Throughout his book, Zuri emphasizes that Rab followed the teachings of Judea, South Palestine, which was dominated by the traditions of Akiba, while Samuel followed the teachings of Galilee, i.e. the traditions of the school of Ishmael. Akiba handed over his traditions to his distinguished disciple Neir, who in turn through Symmachus passed them on to Rab, who carried Akiba's methods into Sura. Thus Akiba's Sifra, which received wide circulation in Southern Palestine, was adopted in the school of Sura. On the other hand, the words of Ishmael are said to have gained wide circulation in Galilee, passed on through Jose b. Chalafta (the Galileean Tanna 130-160) to Samuel who introduced them into the school at Nehardea. This basic difference in traditions, namely Rab's acceptance of Akiba's traditions, and Samuel's acceptance of Ishmael's, are supposed to account for the many differences of opinion between Rab and Samuel.

²⁶

a great deal

This theory, although somewhat overemphasized, is based partially upon these Talmudic citations:

"It was stated, Rab ruled the halachah is in agreement with the practice of the men of Judea; but Samuel ruled, the halachah agrees with the practice of the men of Galilee.. Babylon (i.e. Sura, which was

located in the neighborhood of the old city of Babylon) and all its neighboring towns followed a usage in agreement with the ruling of Rab. Nehardea and all its neighboring towns followed a usage in agreement with Samuel. (Ket. 54a)

Similarly, we find:

"Said Rab Judah (bar Ezekiel) said Rab, 'The men of Judea who were meticulous with their language (Rashi ad, loc. "Spake softly not arrogantly")²⁷ preserved their learning. The men of Galilee who were not careful about their language, failed to preserve their learning. The men of Judah who learned the tradition from one teacher, preserved their learning. The men of Galilee who did not acquire their traditions from one teacher did not preserve their learning.'" (Erub. 53a)

On the basis of these statements one must agree that Rab is more inclined toward the Judean traditions, while Samuel followed those of Galilee. As to whether this difference was as significant as Zuri would have it be, we hardly feel ourselves qualified to say.

In the year 173 Rabbi Judah the Patriarch moved to Sephoris where he remained until his death, 190-193.²⁸ He was succeeded by his son Gamliel III. It is with Gamliel that the question of Rab's ordination comes up again. The first instance of Rab's seeking ordination we've already mentioned, Sanh. 5a.

There Rabbi Chiyya sought Judah's ordination for both Rabbah bar Chanah and Rab. The former received permission to render decisions in religious matters גז'ל, to judge civil cases ל'ג, and to inspect first-born animals for blemishes גז'ל גז'ל. Rab, however, was prohibited the third of these. The Talmud there tries to account for the Patriarch's refusing Rab the permission to inspect first-born animals:

"What was the reason that Rab was not authorized to permit the slaughter of first-born animals?

Was it that he was not learned (or wise) enough?

But have we not just said that he was very learned? Was it because he was not expert

in judging defects? But did not Rab himself

say, 'I spent eighteen months with a shepherd

in order to learn which was a permanent and

which a temporary blemish?' Rabbi withheld

that authorization from Rab as a special mark

of respect to Rabbah bar Chana. (Rashi ad loc.

to establish Rabbah high in the opinion of the

Babylonian Jews, Rab's reputation was already

well established.) Or if you wish, I might say

for the very reason that Rab was a special

expert in judging blemishes, he might conse-

quently declare permissible with a view to

slaughter, permanent defects which to others

might not be known as such. These others might

thus be led to maintain that Rab had passed

cases of such a kind and so to declare permissible temporary blemishes." (Sanh. 5b)

To these reasons might be added that Rabbi simply bore something of a grudge against Rab, as he feared that Rab might set up too authoritative a court in exile (i.e. Babylon). At any rate we notice that Rab received less authority than Rabbah, and that neither was given the title "Rabbi". Both were merely given the "R'shut" to conduct particular activities in Babylon.

Apparently Rab was not satisfied with this limited authority. After Judah died he returned to Palestine to seek fuller authorization from Judah's son.

"Rabbi authorized ר' יהודה Rab to absolve from vows אשר יאמר, and to decide in questions of uncleanness of women. (When Judah died) Rab sought permission from his son to inspect blemishes of first-born animals. The latter replied, 'I shall not supplement the authority my father accorded you.'" (Yer. Hag. I,8)

This passage is obviously a parallel to Sanh. 5a, but it adds the significant experience of Rab with the new Patriarch, probably Gamliel III. Thus Rab was never fully ordained and never had the title "Rabbi", a privation experienced also by his colleague Samuel.

IN BABYLON

The problem of dating Rab's return to Babylon is a very difficult one, and seems to be completely dependent upon the problem of dating Judah Hanasi's death. All scholars agree

where Rab was is Rab?

that he returned during the lifetime of Judah. This, of course, is based upon Sherirah Gaon's statement, "And in the days of Rabbi, Rab went down to Babylon."²⁹ But as we have already noted some scholars maintain that Rabbi died 189-193, others that he was still alive in 219. Thus the scholars who take the earlier date maintain that Rab returned in 189; the proponents of the later date claim Rab returned in 219.

I. Halevy says that Rabbi died in 192 and that Rab didn't leave Palestine until 219. Abraham Epstein, in an article in the "Revue de Etudes Juives" (1902), prepares a case against Halevy.³⁰ Epstein points out that Halevy bases his contention upon an unjustified emendation. Taking Sherira's text רבי רבא, Halevy emends to רבי רבה, and contends that Rab remained in Palestine for thirty years. Mann does not accept the date 189; he believes that a date somewhere between 210-220 is most probable. Zuri takes the date 220 for Rab's return. Thus Rab at the age of sixty-three, well-versed in Judaism, returned to his native land to begin his great work.

Upon his return Samuel and Karna, the Babylonian
judges, greeted him as related in this passage.

"Samuel and Karna were sitting on the banks of
N'har Malkah (The Kings River), ³² and they
saw that the water rose and was turbulent.
Said Samuel to Karna, 'A great man is arriving
from the West, and he is suffering with his
stomach, so the waters have risen to facilitate
his bowel-movement. Go see how much Torah he

knows.' Karna went and asked him (Rab).....
(three questions in halachah). Rab asked him
'What is your name?' 'Karna.' Said Rab,
'May it be God's will that a Karna (horn)
come out between your eyes (Rashi ad loc.
Rab understood that Karna was testing him
and he resented it). Samuel then took Rab to
his home, fed him barley bread, pie of fish
hash and something to drink, but neglected to
show Rab the toilet. Rab was made extremely
uncomfortable, so he cursed Samuel, saying,
'May he who causes me grief be childless',
and so it was (as we shall see later, Samuel
had no sons and his daughters died during his
lifetime). (Rashi ad loc. says that Samuel
did this deliberately, being a doctor he knew
the effect of such a diet.) (Shabb. 108a)

From this passage we may be led to conclude that Rab and Samuel
became personal enemies after this unpleasant experience. But
this is not so. We digress for a moment to point out the cour-
teous relation between Rab and Samuel.

33

"Rab and Samuel and Rab Assi once went to a
circumcision (120 Yab. 26). Rab refused to
enter before Samuel. Samuel refused to before
Rab, and Rab Assi refused to enter before Rab.
They agreed as to who should go in last. Finally
Samuel went in last, and Rab and Rab Assi went
in together. (The Talmud asks) Why did Rab and

Rab Assi want to go in last? Rab was paying a compliment to Samuel because of that incident when Rab let a curse slip from his lips against Samuel." (B.K. 80a,b)

Another instance of the courteous relationship is related in the Yerushalmi:

Samuel and those of Bet Shiloh would inquire about the health of the Nasi (probably means the Babylonian Exilarch) every day. Those of Bet Shiloh entered and sat down in front of him. But they honored Samuel and let him sit in front of them. When Rab came in, Samuel honored him by having him sit in front of him. But those of Bet Shiloh said, 'We are second' (i.e. we won't move back), so Samuel moved into the third seat." (Yer. Taan. IV,2)

We see, therefore, that Samuel paid Rab much respect. And we further gather that somehow the Bet Shiloh were not too courteous to Rab.

Samuel also respected Rab's knowledge; for example he asks Rab Joseph b. Rab Henasiah, "What does Rab say about the placenta?" (Nidd. 26a). Again:

"Samuel asked Rab: 'If a woman (says to her husband) "I am unclean" (menstruating) and then she says, "I am clean", what is the law?' (Is he to believe her second statement and have intercourse with her?) Rab answered him Samuel learned it from him forty

members of Shilo's school didn't want to give up this privilege.

times, and still Samuel did not personally act in accordance with it." (Ket. 22a,b)

Another instance of Samuel's courtesy:

Ungarian
Sacassana
1070 (1111)
"Saknaha was going to the town of Samuel (Mehardea) and planned to do according to Rab. He died on the way. Samuel said about Rab, 'No evil can befall the righteous' (Prov. 12:21). (i.e. Rab, a righteous man, cannot be responsible for this man's death) (Hidd. 65a)." *2*

Passage upon passage might be cited to prove that there was a friendly relationship between the two men. Note especially:

"When Samuel was informed of Rab's death he tore thirteen garments and exclaimed, 'Gone is the man whom I revered.'" (Mo. K. 24a)

When Rab came to Babylon and received this greeting from Samuel he proceeded on to meet Shilah, whom Sherira terms "Resh Sidra". *? you probably refer to p 32-33*

"When Rab came down to Shilah, the latter had no 'amora' (i.e. meturgeman) to recite for him, so Rab rose and expounded before him: 'What is "K'riat HaGeber"? The calling by a man! Shilah corrected him, 'the calling of a cock!'" *by the Herald (see Puck)*

Rab said to him (this is undoubtedly an aside, for Rab would not have insulted Shilah to his face) 'A flute is musical to nobles, give it to weavers and they will not accept it.'

(i.e. According to Jastrow in his Dictionary-fools criticize where sages admire.)" (Yoma 20b)

no, the conversation between the two men was not by this going to each other

you have omitted the continuation.

Q. 110
This passage intimates that Rab did not think very highly of the man who headed the school in Mehardea. After Shilah's death Rab should have succeeded him as director of the school, but he yielded to Samuel. This made the beginning of the academy of Mehardea.

Q. 111
Rab took another position temporarily. The Exilarch, as we have noticed, appointed supervisors of markets, so we read:

"The Exilarch appointed Rab as 'anagromas' *anagromas*
(market supervisor), he watched over weights but not over measures, so the Exilarch imprisoned him. Karna interceded in his behalf."
(Yer. B. B. V, 5)

Graetz says that this position enabled him to visit
³⁴
many of the Jewish communities in Babylon. On his journeys Rab realized how little Torah the Babylonians knew (Erub, 100 b and Yer. Shek. VII, 3). As I. H. Weiss expresses it, "He saw that they did not observe even prohibitions of the Torah, not because they were negligent, but simply because they weren't informed
³⁵
(Chul. 110a). He also saw how they diverged from the Palestinian Jews in their synagogue life (Taan. 28b and Meg. 22a). Then Rab became fully cognizant of the tremendous task before him in his native land.

On his travels Rab became well acquainted with various towns and he at times comments about them:

"Rab said, 'The reason why the inhabitants of Mechuza are so shrewd is because they drink the waters of the Tigris; they are red-spotted because they indulge in sexual-intercourse

during the daytime; and their eyes are unsteady because they dwell in dark houses.'" (Ber. 59b)

2. He also spent some time in Husal at the school of Rab Assi (Sanh. 29b). And Obermeyer points out that it was from here that Rab went directly to Sura.³⁶

SURA

Sura, adjoining Masa-Mechasya, lies south of Nehardea upon the Euphrates River, just at that point where the M'har Sura or Nil Canal like the Euphrates with the Tigris. It has an old and distinguished history in Jewish life, for it was not only the eight hundred year old home of the academy founded by Rab, but also of many Gaonim.³⁷ Sura lies in valley surrounded by many hills, and as a consequence its climate is very hot. The markets of Sura specialized in wheat, wine, beverages, flax and clothes. The city itself had many gardens and parks. The Jews here were merchants and agriculturists. The Rabbis themselves, who came to the academy worked the fields and gardens. We also know that when Rab came the Jews were having difficulties with some non-Jews who seemed to have been robbers. For just outside Sura bands of brigands would find refuge.³⁸

To this town came Rab in about 225 to begin his immortal work. We arrive at this date from the passage:

"Said Rab, 'Samson said before God, "Lord of the Universe, remember that I have judged Israel for twenty years (Rashbam ad loc. says read twenty-two years) and I never said to one of them, 'Move my stick from one place to the next.'" (Sotah. 10a)

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not the
verse

2
This may be taken as an autobiographical note of Rab, late in life, looking back over his twenty-two years of spiritual leadership. If, as is generally accepted, Rab died in 247, then twenty-two years previous gives us the date 225.

Here in Sura Rab built a school in the midst of a large garden. "For Rab planted the garden of Be - Rab in rows" (Kid 39a) and Rashi here comments that the students would eat out of the produce of this garden. Students from all parts came to study here. To emphasize the growth of the school, the Talmud aggadically puts it that at one time 1200 students attended the sessions (Ket. 106a).

Rab instituted a Kallah for his students during the months of Adar and Elul. The other five month periods his students would support themselves while studying at home; but in these two months many of them would come to this seminar. Precisely what is "Kallah"? Lauterbach, in his article, "The Name of Rabbinical Schools and Assemblies in Babylon" ³⁹ develops an excellent theory on this subject. He rejects the two theories previously accepted as to the meaning of the word "Kallah": 1) derived from an Arabic word meaning University or assembly, 2) "Kallah" meaning bride, because the Torah is figuratively called Israel's bride. Because the term "Kallah" is used to designate Babylonian schools exclusively, Lauterbach believes that there was something different about the Babylonian schools, at least at the beginning. Something about their institution or organization must have differed from the Palestinian schools, otherwise the Babylonian would also be referred to as "Yeshivot".

He states that Rab and Samuel were the original

270, assembly, women, certainly, didn't denote men 371/2 270! There are several other objections.

organizers of the assemblies bearing the name "Kallah". Rab and Samuel could not think of organizing authoritative schools or assemblies like those in Palestine because there were no ordained teachers to head a "Yeshivah".⁴⁰ As a matter of fact neither Rab nor Samuel themselves had full ordination. So Rab instituted not a "Yeshivah" or authoritative Sanhedrin but merely a study group. A special name was necessary to designate this group. The name for such an association of unordained students was קללה, and its members were called קללני.⁴¹ But the word קללה merely means "assembly"; a more specific or descriptive term was necessary to indicate the purpose of such an assembly. This is found in the phrase קללה דמדרש, in Aramaic קללה דמדרש. The full name of the student organization formed by Rab was קללה דמדרש קללה, in abbreviated form קללה, or in Aramaic קללה.⁴² This is the origin of the term "Kallah". We feel it is a very plausible explanation.

The smallest "Kallah" consisted of ten members, a "minyan", probably because these study groups would hold a religious service in the very place where they assembled to study.⁴³ The rule was instituted that a study group cannot begin its session with less than ten present.⁴⁴ The head of such a group was called קללה, or קללה.⁴⁵ During the assembly months, Adar and Elul, these heads would preside over the "Kallah" and the days of assembly are called קללה (No. K. 16a).

As Babylonia grew in authority these schools began claiming equal rights with those of Palestine. They began calling their schools "Yeshivot". This change, Lauterbach

thinks, came after Rab's death. For during his lifetime the school is called דב'ר, but when Rab Huna succeeded Rab, the same Sura school is already called דב'ר מ' קאפ'ר (Ket. 106a).

One of the greatest of Rab's achievements in Babylon, therefore, was the establishment of this school at Sura, and the institution of supporting students of the Torah. The academy lasted for some 800 years, and was the cornerstone of the Babylonian Talmud. The institution of supporting, or making possible the support of rabbinical students, has endured unto this day.

INSTRUCTION

Rab's approach and attitude towards instructing the students who came to his school merit some attention. Zuri emphasizes the importance of Rab's methods of instruction, because those who followed him carefully observed his principles. At one point he eulogizes Joshua ben Gamala because he ordained teachers and assigned them to various districts where children of six and seven were solicited. Then he proceeds to tell R. Samuel b. Shilet:

"Before the age of six do not accept pupils; from that age you may accept them and stuff them with Torah like an ox." Rab also said to him, "When you punish a pupil hit him only with a shoe-latch (that it should not be too painful). The attentive pupil will read for himself; but if one is inattentive, seat him next to a diligent pupil." (B.B. 21a)

*Don't hit
him*

Rab was immensely interested in the instruction of the children in Babylon. He probably was inspired to carry on such activity by his uncle Chiyya, whom he helped while still in Palestine. Rab's academy, we notice, trained not only communal leaders but teachers of children. One of Rab's cardinal principles in instruction is reflected in the statement which he learned from Rabbi Meir:

"Said Rab Huna in Rab's name: 'One should always teach his student in a brief (concise) manner.'" (Pes. 3b)

The Fathers Rab advised: "A man should never teach his son in the presence of the other children." (Sob. 10b)⁴⁸ To the teachers

Rab said:

"Everyone who deprives his disciple of a single Halachah, it is as though he has robbed him of the inheritance of his fathers. For it is said, 'The Torah which Moses commanded is the heritage of the Congregation of Jacob' (Deut. 33:4). It is the inheritance of all Israel since the six days of creation.'" (Sanh. 91b)

Rab's own method of instruction draws the following comment from I. H. Weiss.⁴⁹ "Most of Rab's statements are written in the language and style of the Mishnah --- for he learned this from the teachings of his masters Rabbi and Rabbi Chiyya who were editors of the Mishnah.He has many additions." He proceeds to list some of them. These are concise general statements which profoundly affected the laws of Judaism.

1. "Laws of 'Moed' are like those of the Kuthim" (i.e. they are barren, you cannot learn one from the other) (Mok. 12a).
2. "Vegetables which the rabbis designate as usable for fulfilling one's obligation on the Passover, may all be sown in a single row." (Pes. 39a)
3. "Scripture equates men and women as regards all punishment^o of the Torah." (Pes. 42b)

and various others. Rab taught in brief concise statements, statements which bear resemblance to laws.

Regarding language, Rab taught his students the precise meaning of foreign words. Some words and expressions which were current in Palestine but unknown in Babylon needed meticulous explanation.

Finally, with Samuel, Rab established a system of Talmudic discussions known as 51 11b. These formed the beginning of the later Talmudic "pilpul".

Before we conclude our remarks on instruction, let us mention this great ethical principle Rab established:

"Said Rab Judah said Rab: 'A man should always be engaged in Torah and in fulfilling the commandments, even though he do this not for its own sake; because out of this he will come to do it for its own sake.'" (Sotah 47a)

He also tried to elevate the respect for scholars and thus to impress upon the Babylonian community the great service scholars render to the Jewish people.

"Said Rab, 'Scholars have no rest, neither in this world nor in the world to come, as it is said, "They shall go from strength to strength" (Ps. 84:8)'. "(Ber. 64a)

Again:

Hanina
"Epikoros', Rab and Rab Huna both taught, this means one who insults a scholar." (Sanh. 99b)

And finally:

"Everyone who does not give a beautiful eulogy to a scholar at his funeral deserves to be burned alive." (Sab. 105a)

Rab, from his journeys throughout Babylon, came to realize that, unlike the Palestinians, the Babylonians were poorly educated and did not know that scholars deserve respect. This he tried to impress upon his native land, and apparently succeeded.

Another of Rab's great achievements was to spread instruction in Babylon, to set down a code of education for his successors, and to raise the students of Torah to a high and respected level in the land of Babylon.

AUTHORITY

Rab himself had studied under the compiler of the Mishnah, and probably participated in the redaction. Thus he may be regarded as a semi-Tanna. He is recognized as such:

"Shall we say it is a 'Teyubta' against Rab?

52
Rab is a Tanna and may differ." (Erub 50b)

From this statement we gather that Rab was so highly regarded by the later rabbis that he could even differ with a Tannaitic

authority. He is sometimes mentioned in Boraithas (Sab. 53b), others suggest that the reading is not Rab but Rabbi. Weiss says that some scholars hold that every reference to a ḥakam⁵³ in the Boraithas refers to Rab. This is probably an overstatement.

Rab, feeling himself to be a qualified teacher, tried to raise the authority of the Babylonian school. There were two important reasons for this. First, the very cause that led to the establishment of the school, namely the rise of the Sassanians who preferred to have the chain broken between the Babylonian Jews and those of Palestine; since Palestine was under the Roman rule, and the Sassanians were constantly at war with the Romans. Second, an internal reason. Ordination in Palestine had been abused by the successors of Rabbi. This was particularly true during the reign of Judah II (or Judah Nesiah) a younger contemporary of Rab, who is said to have ordained men for money (Yer. Bikkurim III, 3 and Bab. Sanh. 7b).⁵⁴ The former reason was of a compulsory nature. The latter caused the Babylonians to lose much respect for Palestine and its schools. This drive for releasing themselves from the yoke of Palestinian authority is reflected in these statements:

"Said Rab Judah said Rab: 'We have made ourselves in Babylon (as authoritative) as Palestine with regard to small cattle.'

"Said Rab Huna said Rab: 'We have made ourselves in Babylon as they in Palestine -⁵⁵ since the coming of Rab to Babylon.'" (B.K.80a)

Again:

"We have made ourselves in Babylon on an equal footing with Palestine as regards divorces since the coming of Rab to Babylon."
(Git. 6a)

Another manifestation of this movement toward independence of Palestine may be hinted here:

"Rab Judah said in Rab's name: 'Adam (the first man) spoke Aramaic.'" (This he proves by puns on Verse 17 of Psalms 139.)

The statement seems to justify the Babylonian Jews who spoke Aramaic. Rab is perhaps trying to place Aramaic, the language of the Babylonian Jews, on an equal footing with Hebrew, the language of the Palestinians.

In later years Babylon became as authoritative as Palestine and even more so. This is another of Rab's great achievements. There is more significance in Rab's activity along these lines than merely raising Babylon to a status equal to that of Palestine. The far reaching importance lies in the fact that Rab was a pioneer in shifting the center of Jewish authority from Palestine to the exile. Thus schools and scholarly activity could be carried on throughout the ages in the various countries which Jews inhabited.. Rab and Samuel emancipated Judaism from the confining borders of Palestine and permitted it to spread to the four corners of the earth.

LAW

Rab was reputed to have been strict in the Law.

Scholars speak of his LOSHON. Indeed among the indifferent

and negligent Babylonian Jews such strictness was indispensable for the survival of Judaism. The Babylonians were lax in the observance of Sabbath and the "Eruv" (Eruv 6a, 100 b). They thought nothing of mixing milk and meat (Chul 110a). They were lenient with "Terefot" (B.K. 98b). Rab, observing all these manifestations of dejudaization became stringent in Jewish law. Rab tried to build a fence around "the fence around the Torah". In several places the Talmud expresses it as follows: "Rab found an unguarded field and fenced it in" (Eruv 6a, 100b, Chul. 110a).⁵⁶ Jastrow, in his dictionary, explains the statement, "He found people transgressing the law in ignorance and instituted preventive regulations".⁵⁷

His strictness did not conflict with his teaching the true laws to his disciples. We find that when, in his sermons and teachings, he addressed the public he was much more strict than when he addressed his disciples (Chul 15a). Also:

"Rab, when he was among the scholars, held like Rabbi Meir (lighter), but when he was in public he taught (the same law) in accordance with Yochanan the sandal-maker (stricter)." (Yer. Sab. III,1)

This difference in approach also explains the following statement:

"Sometimes Rab said: 'In one Bet-Din it may not be done, but in two or three Beta-Dinim it may be done;' and sometimes Rab said, 'It may not even be done in two or three Beta-Dinim.'" (Sanh. 16b)

At first this may reflect an inconsistency in Rab.

*This whole
point should
be noted
as it was not
of practical nature.*

And, indeed, Zuri discusses the changeability in Rab's attitude; he reconsidered things and gave different decisions. But in the light of the fact that Rab rendered stricter decisions in public and more lenient decisions to his disciples, we can understand this not as a manifestation of changeability or inconsistency but rather as follows: in public he ruled that even two or three course may not do it, but while teaching his disciples, he cited the law in a more lax manner. This may account for practically all his self-contradictions in halpcha.

Rab's strictness in the law penetrated into the marriage relations and sex-life of the people. Not only did the Babylonians practice a laxity in the teachings and ceremonies of Judaism, but there appeared considerable immorality in the Babylonian community.

"Said Rab: 'A person is given stripes (punishment) if a bad report goes out against him.'
(Kid. 81a).

In this stringent manner Rab sought to do away with most of the immorality and to restore sexual purity among the Jews in Babylon. As regards marriage:

"Rab punished a man who betrothed a woman
in the market-place, or by intercourse,
or without previous ^ushiddachin, or who
annulled a divorce (Rashi ad loc., he sent
it to his wife, but he went on and married
before she received it), or who lodged a
protest against a divorce (a divorce had to
be given of the husband's free will), or

harrassed a messenger of the Rabbis (summoners to the Bet-Din), or permitted a ban to remain upon him thirty days (not seeking to rescind it by expressing regret), and a son-in-law who resided in the house of his mother-in-law for thirty days (immorality might result from this). The Mehardeans held that Rab did not inflict punishment for any of these except betrothing a woman by intercourse without shiddschin." (Kidd. 12b)

In this one statement is summarized Rab's gigantic effort to restore domestic purity and order in the Babylonian Jewish community. The place and the time demanded Rab's strictness in this phase of life. Here might be added one of Rab's legal-ethical principles on marriage:

"Rab Judah said in Rab's name: 'One who marries his daughter to an old man, or who takes a wife for his infant son, or returns a last article to a ⁵⁹ Cuthean, concerning his Scripture says, "To add drunkenness to thirst, the Lord will not spare him" (Deut. 29:18)'. (Sanh. 76a) *at*

The above teaching already hints of Rab's attempt to emancipate women. To his may be added:

"Said Rab Huna said Rab: 'A woman may say to her husband, "I do not depend upon you for maintenance nor will I work for you".' (Ket. 58b)

And:

"Said Rab Judah said Rab: 'A daughter who is supported by her brothers may keep what she herself earns.'" (Ket. 43a)

Thus Rab strove to purify the home life and to elevate the position of women almost to independence of and equality with that of men. This, too, was part of Rab's strictness in the law, on what the Yerushalmi calls the AD NID of Rab.

Apropos this strictness, the Talmud laid down a general principle. "In the differences of opinion between Rab and Samuel, the law is according to Rab in prohibitions and according to Samuel with regard to positive laws." (Bekar 49b).⁶⁰

Among the great achievements of Rab in Babylon, therefore, we add his restoration of observance of Jewish law, his efforts to purify the domestic life, and to emancipate womanhood in the Babylonian Jewish community.

IN THE COMMUNITY

Apparently Rab had to deal with a group of wealthy, complacent Babylonian Jews. It was a prosperous district, this Sura, and in every prosperous center one finds the horrible contrast of extreme wealth and extreme poverty. So of these wealthy:

"Said Rab: 'The wealthy of Babylon are destined for Gehennim, for see the case of Sabbatai b. Merenus who came down to Babylon and asked them to start him in business. They refused. He asked them for food. They refused. So he

Gehennim

said, "They (these wealthy) are of the confused multitude (of Israelites coming from Egypt). As it is written 'And he shall grant you compassion and be compassionate to you' " (Deut. 13:18). 'Everyone who exercises compassion upon his fellow beings, it is certain that he is of the seed of Abraham. Everyone who is not compassionate toward his fellow beings, it is certain that he is not of the seed of Abraham.' " (Bezah 32b)

Again:

"Said Rab: 'Because of four things will the well-to-do lose their possessions. Because they suppress the wages of their employees, because they exploit the pay of their employees, because they remove the yoke from their own necks and impose it upon the necks of their fellow-beings, and because of their haughtiness (due to their wealth), and haughtiness is the worst of these. But regarding the humbler it is said: "And the humbler shall inherit the earth and enjoy much peace" (Ps. 37:11);' " (Suk. 29b)

rob/irr.
don't pay
it all!

humble

Here we see Rab crying out, like the prophets themselves, against the exploitation of the poor and the laborer, and demanding social justice. We call attention to some of his labor legislation:

"Rab also said: 'If we engaged laborers for irrigation, and the river (source of water

it's not
hence doesn't belong here!

for the project) failed at midday; if such failure (of the river) is unusual the loss is the laborer's; if usual, then if the laborers are of that locality (and would know this was to happen) the loss is theirs; if not (they wouldn't anticipate the failure of the river) the loss is the employers.'" (B. N. 77a)

This is an example of Rab's absolute fairness to both employer and employee in labor legislation. It also tells us the type of work the inhabitants of Sura were engaged in. Irrigation was indispensable to the agricultural life of that entire district.

Rab respected labor as such. He hated dependence, and fully understood the humiliating effects. Thus he proclaims to the Babylonian Jews:

"Everyone who looks to the table of others,
the world is dark for him." (Bezah 32b)

Similarly, he tells his great friend Kahana:

"Deal in carcasses but not in words; flay a carcass in the market-place and sell the skin, and don't say 'I am Kahana, I am a great man' (therefore support me)." (Pes. 113a)

At the same time he tried to encourage hospitality among the Jews, as he says: "Greater is פירוק אגב than respect for the Shechinah" (Sab. 127a). Of the communal leaders he says:

"Every head of a community who spreads overwhelming fear over the community, which is

not for the sake of heaven, will never live to see his son a scholar." (R. H. 17a)

The same idea he carries into the house:

"Said Rab Judah said Rab: 'He who spreads overwhelming fear into his household commits three transgressions: incest, bloodshed and desecration of the Sabbath (Rashi ad loc. shows how this works out).'" (Git. 6a)

Apparently the Babylonian Jews were as lax in their observance of the Sabbath as they were in observing the other
61
commandments. So Rab made several declarations to impress upon them the significance of sanctifying the Sabbath:

"Said Rab Judah said Rab: 'Everyone who delights in the Sabbath is granted all the requests of his heart;' Said Rab Chiyya, son of Ashi said Rab: 'Even if a man has done but a little thing, if it was to honor the Sabbath, that is tantamount to delighting in the Sabbath.' Said Rab Judah said Rab: 'Had Israel originally observed the Sabbath, no foreign nation and tongues would ever have ruled over them.'" (Sab. 118b)

He further strove to establish absolute honesty in business relations. As inspector of weights and measures in his earlier Babylonian days, he probably saw much dishonesty. He railed against these unfair practices, and went so far as to say:

"A person is forbidden to keep in his house a measure smaller or larger (than normal

capacity) even if it is a urine tub." (B.B. 89a)

The meaning being that even if these unfair measures are not intended for business purposes, an intruder may come upon it by accident and use it for that practice.

To the judges in the community Rab cited hi-self as an example:

"Rab, whenever he would sit in court, used to say, 'Of his own free will does the judge go to his death. He makes no provision for the needs of his household, and empty of hand does he return home. Would that he returned with as clean hands as he came.' When at the entrance to the court he saw a crowd escorting him, he said, 'Though his excellency mount up to the heavens and his head reach unto the clouds, y^et he shall perish forever like his own dung.'" (Job 20:6.7) (Sanh. 7b)

He sought to establish honest justice in the courtroom. He hated pomp and ostentatious pride. The judges were to be the true servants of the people.

RELATIONS WITH NON-JEWS

Of great importance in Rab's work in the community was the relations he established and taught to his people regarding the non-Jews. He was the leader of the Jews, just below the Exilarch; therefore, his conduct among them was of tremendous significance for the welfare and security of the Jewish community. Even in those days Jewry's spiritual leaders

had to act as "ambassadors to the non-Jews". In general, he resigned himself to the Galuth: Said Rab Judah said Rab: ⁶²
"The Galuth atones for three things." (Rashi ad loc. lists them as sword, famine and pestilence.) (Sanh. 37b)

Of prime importance is his relations with the King. We have several passages regarding Rab and Artabanus IV, the last of the Parthian monarchs:

⁶³
"Artabanus sent Rab a very valuable pearl and requested that Rab reciprocate with something as valuable. Rab sent him a Mezuzah. Artabanus exclaimed, 'Why did you send me something so valueless?' Said Rab, 'You and I differ; you sent me something that I must watch very carefully, and I send you something that will guard you.'" (Yer. Peah. I,1)

Apparently there were very cordial relations between the two men. And as Kapaport points out, this took place when Rab had as yet not established himself as a great head of a school. ⁶⁴ For Artabanus was killed in the Sassanian Revolution, 226. When news of this king's death reached Rab, he despairingly cried out: "The bond is snapped." (A.E. 10b) Rashi ad loc. comments that this bond was the bond of friendship between Rab and the King. But, in the light of what took place, we feel that the statement was far more pregnant with meaning. More than a mere bond of friendship snapped when the Sassanians ended the Parthian rule in Babylon. The bond of religious tolerance also snapped. The Parthians, as we've indicated previously, were very kind to the Jews and were not concerned with the variety

of religious faiths in the land. When the Sassanians came to power, their priests, the Magians, instituted a fanatical religious persecution. Theirs was an intolerant faith and they were carried away with a missionary zeal. Rab realized all this, he knew what was coming perhaps just as the rabbis in Vienna in recent times fully knew the meaning of Hitler's coming to Austria. So Rab, recognizing the threat to the Babylonian Jewish community which the Sassanians carried, in deep despair exclaimed, "The bond is broken".

Rab's hatred for the new Sassanian dynasty surpassed even his great hate for Rome:

"Said Rab: 'Under Ismael, but not under a
רומי (Rashi - רומי Romans), under
Romans but not under ססן (Rashi says
ססן - undoubtedly means Sassanids)."
(Sab. 11a)

It is also reported in Rab's name:

"If all the seas were ink, and all the reeds
styli, and all the heavens were scrolls, and
all men scribes, it would not suffice to
write of the perversion (corruption) of
מלכות (i.e. government, undoubtedly re-
ferring to the new Sassanid reign.)."

Of the successor to Artaxerxes, Shapur, with whom Samuel had very cordial relations, Rab remarks:

"He that augments his substance by interest
and increase, gathers it for him that is
gracious to the poor." (Prov. 28:8) "This",

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says Rab, 'refers to the king Shapur.' (Rashi correctly comments that Rab was referring to Shapur's imposing large fines upon the Jews so that he could distribute sustenance to his poor Persians) (B.M. 76a)

As a result of this political upheaval Rab drew inward. He tried to develop an inner-strength and inner-resistance in the Babylonian Jews. He would have little to do with the non-Jews:

"'Amgusha' (Magian), Rab and Samuel. One said it is a magician, the other said it is a blasphemer. Which? (Who said what?) You must conclude that Rab said it was a blasphemer, because Rab said: "Anyone who learns anything from a Magian deserves death.'" (Sab. 75a)

Again:

212 R.
"Rab would not go to a Be-Abidan (i.e. a place where religious discussions were carried on) so much the more to go places of Christian worship. Samuel would not go to the latter, but would attend the former." (Sab. 116a)

The Aggadah has even transferred the old Shamai-Hillel proselyte story to Rab and Samuel. Rab is represented as the impatient one:

"A Persian came to Rab and said to him: 'Teach me Torah.' Rab said: 'Say Aleph.' The Persian said: 'Who said that this was an Aleph, maybe there are some who say it isn't an Aleph.' Rab said to him: 'Say Beth.' He said: 'Who said that this was a Beth.' Rab became very angry and threw him out--" (Koh R. 7.19)

Samuel, the Aggadah goes on to tell, was much more patient, and succeeded in proselytizing the Persian. We see reflected here a

tradition of Rab's dislike for proselytization and general disregard for non-Jews.

Even in matters of law Rab manifested this discrimination. In Sanh. 76a, he condemns a Jew who would return a lost article to a Cuthean. In A.Z. 18a, he forbids Jews to sell cattle to non-Jews. Rab, as some moderns would put it, was a particularist. He was very much afraid of assimilation. Zealously he sought to fortify Judaism within the breasts of his Babylonian Jews, and was not concerned overly with the outside world. This particularism is perhaps his greatest point of difference with his colleague Samuel. And it is this basic difference of viewpoint that ultimately accounts for Rab's several outbursts as in Bezaḥ 16a: "The beginning of that scholar's (Samuel's) teaching is faulty (or disarranged)." Similarly Samuel exclaims of Rab in Sab 53a: "If Abba said this, he knows nothing of matters pertaining to Sabbath, nor anything else."

Rab's attitude toward the non-Jewish world influenced his turning to liturgy. His prime concern was building up Jewish inner-strength and faith in his people. The best medium towards that end was prayer.

LITURGY

Rab not only edited the synagogue services and arranged the Scriptural readings and Haphtorahs for the Sabbath, but also distinguished himself as a composer of prayer. The best known of his original compositions is the one cited in Ber. 16a:

"Rab would conclude his prayers thus: *May it be Thy will, O Lord our God, that thou shalt grant us long life, a life of peace, of good, of blessing, of prosperity, of health, a life filled with fear of sin, a life without shame and

humiliation, a life of wealth and honor; that there may be within us a love of Torah and reverence for Heaven, and that thou mayest fulfill all the desires of our hearts for good."

Within a few sentences, in magnificent and simple Hebrew, Rab sums up all that a man would ask of his God. Indeed, this is a model prayer, unsurpassed in world liturgy.

With Samuel, Rab collaborated in another liturgical masterpiece:

"Rab Joseph reports from Rab and Samuel, 'I know they instituted for us a pearl in Babylon.' "Thou, O Lord our God, has made known unto us the judgment of thy righteousness; thou hast taught us to perform the statutes of Thy will, Thou hast caused us to inherit seasons of joy and feasts of free will gifts, and has given us as a heritage the holiness of the Sabbath, the glory of the appointed season, and the celebration of festivals. Thou has made a distinction between the holiness of the Sabbath and that of the festival, and has hallowed the seventh day above the six working days; Thou has distinguished and sanctified Thy people Israel by Thy holiness." (Ber. 33b)

This "pearl" is our present Habdallah prayer on the festivals.

According to Zuri, it was Rab who instituted the blessing over the Torah, cited by Rab Hammunah, 42 and 44, a disciple of Rab, quoted in Ber. 11b. ⁶⁵ Indeed, in Ned. 81a, we find Rab insisting upon the recitation of a blessing before the reading of Scripture.

Rab's influence manifested itself considerably in our present Rosh Hashonah liturgy. He composed the prayer known as "T'kiata D'Rab":

"This day (R. H.) is the beginning of thy deeds, a remembrance of the first day. It is a statute unto Israel and a judgment unto the God of Jacob.." (Yer. R.H. I, 3) Scholars have also ascribed the famous "Olenu" or "Adoration" prayer to Rab, occurring in the Rosh Hashonah Musaf service. ⁶⁶

In Yoma 87a we find the question: "What is the 'Vidui'?" Samuel says: "From the depths of the heart"; Rab said: "It is 'thou knowest the secrets of the world.'" The latter prayer has been retained in our Yom Kippur liturgy, and Zuri claims Rab is its composer. ⁶⁷ The former seems to have dropped out of circulation. I. Abrahams claims to have found it in the Cairo Genizah, ⁶⁸ and reproduces it in an article. He proceeds to compare the Vidui of Rab and that of Samuel:

Rab's Vidui

"Thou knowest the secrets of eternity and the most hidden mysteries of all living. Thou searchest the innermost recesses, and triest the reins and the heart. Naught is concealed from Thee, or hidden from Thine eye. May it be Thy will, O Lord our God and God of our fathers, to forgive us for all our transgressions, to pardon us for all our iniquities, and to grant us remission for all our sins."

Samuel's Vidui

"Thou knowest the depths of the heart, and are cognizant of the mysteries of the reins. The imaginations of all creatures are revealed before Thee and our devices are not hidden from Thee. Forgiver of iniquity and transgression wast Thou called; Thou art He, O Lord our God who knowest that our end is worm, our iniquities we confess before Thee. O Lord our God, incline Thine ear to our entreaty."

When the discussion in Yoma 87a turns to Ne'ilah, and the question: "What is 'Ne'ilas Shearim'?" is asked, Rab replies: "It is an additional prayer," הוא קריאת ⁶⁹ Zuri says this refers to our "Thou givest a hand unto the transgressors." Rab further said that the Ne'ilah may be substituted for Ma'ariv.

Rab also wielded an influence in the composition of the

2
"Mishna"
"Sura"
"Talmud"
"Rabbi"
"Sage"
"Teacher"
"Leader"
"Head"
"Chief"
"Elder"
"Ancestor"
"Father"
"Mother"
"Son"
"Daughter"
"Brother"
"Sister"
"Uncle"
"Aunt"
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"Great-great-great-grandson"
"Great-great-great-granddaughter"

Passover Haggada. In Pes. 116a, we find his comment on the Mishnaic statement that we should begin the story of the Exodus in a humble and ever shameful manner. Rab says we should begin with "At first our ancestors were idol-worshippers, etc", a prayer which Zuri claims Rab himself composed.⁷⁰ Samuel says we should begin with "We were slaves unto Pharaoh, etc."

From all this we can see how great a role Rab played in the development of our liturgy. So beautiful were his own prayers that many of them have been passed down unto this very day unmodified. Not only is their Hebrew exquisite, but when they are re-cast into English, they retain their divine beauty and appeal.

Zuri observes that one of the distinguishing characteristics of Rab's liturgic compositions is his constant use of the word Adonai "Thou." He always considers himself as a son pleading before his father.⁷¹

Regarding prayer, Rab said:

"Four are obligated to give thanks (in prayer): sea-voyagers, desert-travelers, those who have recovered from illness, and those who have been released from prison." (Ber. 54a)

Zuri states that the school of Sura, bearing this statement of Rab in mind, later composed a special prayer for desert-travelers.⁷²

Rab further said regarding prayers:

"Even though it was said that once should pray for private needs only at 'who heareth prayer', nevertheless if he is disposed to supplement any of the benedictions with personal supplications relevant to the subject of

each particular benediction, he may do so."

"Even though it has been said that one should pray for his own needs only at 'who hearest prayer', yet if one has a sick person at home, he may offer an extempore prayer during the benediction for the sick; or if he is in want of sustenance, he may offer a personal (special) prayer during the benediction for prosperous years."

(A. Z. 8a)

In general terms, Rab held that when man is in great need and feels disposed to ask God for help, the set form of the liturgy should not hinder him.

Finally his great ethical statement concerning prayer:

"Everyone who has the opportunity of prayer for others and does not do so, is called a sinner." (Ber. 12a)

So we may add to Rab's great achievements in Babylon his compositions of prayers, his influence upon the formation of the liturgy, and his philosophy of prayer.

AGGADAH

Bacher believes that as an Aggadist Rab is not surpassed by any of the Babylonian Amoraim. "He is the only one of the Babylonian teachers whose haggadistic utterances approach in number and contents those of the Palestinian Aggadists." ⁷³

Palestine was the home of the Aggadah, but Rab brought much of it into Babylonia. The Palestinian Talmud is replete with Rab's beautiful homilies. Rab would deliver sermons, but in the house of study and in the synagogue. For the most part he would use Biblical texts; he loved to deal with the lives of Biblical characters, David, Solomon, etc., and as Bacher says: "many beautiful and genuinely poetic embellishments of the Biblical

with

record, which have become the common possession of the Aggadah,
are his creations." ⁷⁴ We cite here a few examples of Rab's
Aggadic works.

On Creation:

"When the Holy One, Blessed be He, was about to create man, He first created a company of angels and said to them: 'Is it your desire that We make a man in Our image?' They answered: 'Sovereign of the Universe, what will be his deeds?' 'Such and such will be his deeds', God replied. Thereupon they exclaimed: 'Sovereign of the Universe, what is man that Thou art mindful of him, and the son of man that Thou thinkest of him!' Thereupon He stretched out His little finger among them and consumed them. The identical thing happened to a second company of angels. The third company said to Him: 'Sovereign of the Universe, did it avail the former angels that they spoke to Thee as they did? The whole world is Thine, and whatsoever Thou wishest to do, therein do.' When He came to the generation of the flood and the generation of the confusion of tongues, whose deeds were corrupt, the angels said unto him: 'Lord of the Universe, had not the first company of angels spoken correctly?' He replied: 'Even unto old age, I am the same, and even unto hoary hairs will I carry' (Is. 46,4) (i.e. I shall suffer mankind under all conditions)."(Sanh. 38a)

Of God's working day, Rab says:

"The day consists of twelve hours. During the first three God sits and studies Torah; during the second three, God sits and judges the entire world. When He sees that

Of the world-to-come:

"It was a pearl in the mouth of Rab: ~~Not~~ like this world is the world-to-come. In the world-to-come there is no eating and no drinking, no sexual-intercourse and no business, no envy and no hatred and no antagonism, but the righteous sit with their crowns upon their heads, and delight in the splendor of the Shechinah." (Ber. 17b)

It has been pointed out that this last is not a mere Midrash but is a pointed teaching by Rab distinguishing between the Jewish concept of the future world and that preached by the Magians. The latter approached the lustful idea taught by Mohamed.

These are samples of Rab's delicious imagination and capability for illustrating moral principles and religious truths. To Rab's great achievements we add his planting the Aggadah in Babylon.

ETHICS

From his Aggadah and Halachah we have been enriched with his many ethical statements. Some of these already have been incorporated in previous sections. Without any particular order we here list several of Rab's great ethical teachings:

"The commandments of the Torah were given only to purify men's morals." (Gen. R. 44)

"Whatever may not properly be done in public is forbidden even in the most secret chamber." (Sab. 64b)

"Man will be called to account for having deprived himself of the good things which the world offered."

(Note the love of life and anti-asceticism) (Yer. Kid. end)

"It is better to cast oneself into a fiery furnace than publicly to put to shame one's fellow man."

(B. M. 59a)

"One should never betroth himself to a woman without having seen her; one might subsequently discover in her a blemish because of which one might loath her and thus transgress the commandment: 'Thou shalt love thy neighbor as thyself.'" (Kid. 41a)

"It is forbidden for a man to betroth his daughter while she is still very young. Wait until she grows up and says: 'That's the man I want.'" (Kid. 81b) (Note the extremely modern attitude, and Rab's effort to emancipate women).

Commenting on לעולם לא יקרא Rab says: "This means that Judaism does not rely upon constellations and shouldn't be concerned with them. (Sab. 156a)

"A man should always seek to settle in a newly-inhabited town, for because of its youth, its sins are few."

(Sab. 10b)

"No thing which God created in his world is purposeless. He created the snail as a remedy for scabs, He created the fly to combat the hornet, the gnat to combat the snake, and the snake as a remedy for sores." (This is directed against the teachings of the Persian religion which distinguished between animals created for good and animals created to wreak evil) (Sab. 77b)

"A man should always sell the beams of his house and purchase shoes for himself. If he has let blood and has nothing to eat, let him sell the shoes off his feet,

and purchase food." (Sab. 129a)

Gehinnom
"He who visits the sick will be delivered from the punishments of Gehinnom." (Ned. 40a)

"He who hears his neighbor utter God's name in vain must place him under a ban; otherwise he himself must be under a ban. For the unnecessary utterance of the Divine Name may lead to poverty, and poverty leads to death.

accepted alms (Ned. 7b)
"Had David not exercised an evil tongue (on ill f.p.), the kingdom of David would not have been split, and Israel would not have worshipped idols, nor would we have been exiled from our land." (Sab. 56b)

"Everyone who transgresses and shows that he is ashamed of his act shall be forgiven for all his sins."

(Ber. 12b)

He who gives a gift
"The silence of Babylon is its great destruction." (Kid. 71b)

"He who gives a gift, shall give it (on ill f.p.) willingly." (B. B. 53a)

"A man is forbidden to eat before he has fed his cattle."

(40a)

DISCIPLES

Before Rab was gathered into his eternal home, he left behind many distinguished disciples who snatched the torch of Jewish learning from his failing hands to carry on the great work he had inaugurated. The most distinguished among them were Rab Huna, Rab Judah bar Ezekiel, and Kahana.

"Huna was a disciple of Rab" (B. D. 115a, Sab. 129a) who succeeded him as principal of the college at Sura; and as a

matter of fact was actually Samuel's successor. Immediately after Samuel's death no head of the school was appointed at Nehardea for political reasons.⁷⁵ Many of Rab's teachings are cited by Huna. Huna died^m 297.

also found in the Talmud of Samuel
Judah bar Ezekiel is simply called "Rab Judah" throughout the Talmud. He was the founder of the school at Pumbeditha, which, after the death of Huna, became the most important school in Babylon. To him was applied the epithet KJJIP which Bacher interprets as "brilliant one." Most of Rab's statements are reported by him. Judah died^m 299.⁷⁶

Kahana is frequently found in the company of Rab. He moved from Palestine to Babylon where he joined with Resh Lakish.⁷⁷

DEATH

After a great life of service to Judaism and Jewry, Rab passed away in the year 247. All Babylon mourned over the loss of its great leader.

1.0.11
"When Samuel was informed of Rab's death, he tore thirteen garments and exclaimed: "Gone is the man I revered."
(Mo. K. 24a)

was at
"When Rab died, Rab Isaac bar Bisna decreed that people should not bring Hadassahs or palm leaves to a wedding. And when Bar Kasha, a Pumbedithan, did this, a serpent bit him and he died. (Sab. 110a)

So has tradition sanctified the passing of one of Israel's greatest spirits.

SUMMARY

Abba Arika, known to all generations of our people as Rab,

was a tall, strong and very sensitive man. A man endowed with a pleasant voice which he used for chanting the songs and prayers of Israel, some of which he himself composed and arranged. Possessing a heart of gold and known to be a 'Vatran', liberal, he devoted all his days to his God and his People. Everything he uttered came from the depth of his heart, and all his life was an example of truth, for he imitated his God, the source of all truth.

At the feet of the Palestinian masters he spent his youth gathering in their words of wisdom. Upon his return to his native Babylon he found a Jewry indifferent, lax, and ignorant; a Jewry destined for oblivion. Here he opened a school to which streamed students from all corners of the ancient world for well nigh eight decades. Here he trained teachers of fathers and teachers of sons. Here he laid the foundation of the Babylonian Talmud. Here he lifted Babylonian Jewry from the swamp into which it had sunk, for they had no leaders and guides, to a level as yet unparalleled in Israel's long history. By teaching and preaching, by judging and advising, by guiding and sustaining, Rab transformed Babylon into a cultural "pardes."

.....

And when he passed on, Jewry was bereaved. Their eyes now turned to his distinguished aged colleague for guidance.

Chapter III--Samuel

Samuel was born in the year 165 in the city of Nehardea. Nehardea is located at that point^{ed} on the Euphrates River where the canal "N'har Malka" flows into it. ~~Oberman~~ calls Nehardea "die Hauptstadt der babylonischen Diaspora zur Zeit der Parther-und Sassanidenherrschaft."⁷⁸

His father, Abba bar Abba, known in the Talmud as 'Abuha D'Shmuel', 'the father of Samuel' (Meg. 29a, Bez. 16b) was a silk merchant in this prosperous Babylonian port. Many traditions grew up around the birth of Samuel. The most popular is the account in Mid. Sam. Chap X:

"Rab Judah b. Bathy^{ra} (teacher at Nisib^{is}) ordered a silken garment from the father of Samuel, but after Abba had procured it, Judah refused to take it from him, and when he was asked why he refused, R. Judah answered: 'The commission was only a spoken word, and was not sufficient to make the transaction binding.' Abba thereupon said: 'Is the word of a sage not a better guarantee than his money?' 'You are right,' said R. Judah, 'and because you lay so much stress upon a given word, you shall have the fortune of having a son who shall be like the prophet Samuel, and whose word all Israel will recognize as true.' Soon afterwards a son was born to Abba whom he named Samuel."

He also bears the name "Yarchina'ah" in the Talmud. (B. M. 85b). Some have expressed doubt as to whether "Yarchina'ah" is the same as Mar Samuel. That doubt is principally due to the doubt as to whether this passage B. B. 85b is to be taken as historical. The passage deals with Samuel's visit to Rabbi and his curing Rabbi of an eye-ailment. Mann accepts the

In class I print out the doubt

historicity of this passage. Lauterbach accepts the thesis⁸¹ that Samuel is identified with Samuel Yarchina'ah, as does I. H. Weiss and D. Hoffmann. Weiss says he was called this because "he was a great scholar in astronomy, in the eclipses,⁸² and 'geamatriyot'".

Another name he hears several times is "Aryoch" (Sab. 53a, K.d. 39a, Men. 38b, Chul. 76b). Jastrow, in his dictionary, interprets "Aryoch" as a Persian adaptation for the word "judge". Rashi, commenting on Sab. 53a, says: "Samuel was called 'Aryoch' because he was expert in his judgments, and conducted justice like a king who judged all the land." Weiss says that he was called this after the Sassanian monarchs, Artaxerxes, who were called by the Syrians "Aryoch".⁸³ For, as we shall see later, he was known to be closely associated with the Sassanid kings.^a

To him also is applied the epithet "Shoked", as in Yer. Ket. IV, 2 and its parallel in the Bab. Ket. 43b, "Who is 'Shoked', that is Samuel." Rashi interprets it as "careful with his words"; the meaning is probably "conscientious".

Abba also had another son, Pinchas, of whom we hear very little, and several daughters.⁸⁴

We are even fortunate in having a description of Samuel preserved for us in the Talmud:

"A woman of Nehardea came before Rab Judah (at Pumbeditha) for a law-suit and was declared guilty by the court. 'Would your teacher Samuel have judged thus?' she asked. 'Do you know him, then?' he asked. 'Yes, he is short and big-stomached, black of complexion, and has large teeth...' (Ned. 50b).

With this picture of Samuel's physical appearance we can draw an interesting contrast. Rab, from what we can gather,

was tall and thin. Not only did these two great leaders of Babylonian Jewry differ in their views toward Judaism and its laws, but they were remarkably different in their appearance.

As regards his own family life, he adhered to the customs of the Babylonians, marrying early. Soon after his brief visit to Palestine with his father, Samuel was married. He refused to leave his wife and return to Babylon as the other Babylonian scholars did. He must have been very devoted to his wife, but unfortunately his family gave him little joy. He had no sons, and the Talmud relates:

"The daughters of Mar Samuel were taken captive and brought to the land of Israel. It later became known that they were Samuel's daughters." (Ket. 23a)

Mann holds that this occurred a few years after his death, when Nehardea was sacked.

HIS TEACHERS

Tradition has it that Samuel was a boy prodigy. The Yer. Ket. V,6, quotes him as saying: "I can recognize my wet-nurse." (As the commentator Karban Ha'edah puts it--"when he just came forth from the womb he already had enough intelligence to recognize her"). And in Yer. Peah VIII, 8 we have the story of Samuel's running away from home. Apparently he was known to be a bright and obstreperous youngster.

Another very vivid description of Samuel's youth is told in Chul. 107b:

"The father of Samuel found Samuel crying. He said to him: 'Why are you crying?' He answered: 'Because my teacher hit me.' 'Why did he hit you?' 'For he said to

Samuel's father said:
me, did you feed my son before washing your hands first?' 'Why didn't you wash your hands?' 'He is eating and I should wash?' Samuel said: 'Is it not enough that he shouldn't know the law about the feeder not needing to wash his hands, that he also has to hit me.'"

We see that Samuel was already acquainted with Halacha in his very early days, and that he was annoyed with his incompetent teacher.

Then Abba b. Abba, who himself was quite a scholar, undertook to teach his son. But he too felt himself incompetent of instructing the brilliant youngster. So he sent him to Nisibis to study under Judah b. Bethyra. He left Nisibis very soon and returned to Nehardea. Now he came under the tutelage of Levi b. Sisi. Levi taught him Bible, Mishnayot, Halachot, and traditional oral teachings. Under Levi Samuel made such great progress that he soon become the equal of his teacher in matters of law. ⁸⁷ It was this Levi who exerted the greatest amount of influence over Samuel. ⁸⁸ But, as Graetz says: "Much more original and versatile than Rab was his friend...Samuel." ⁸⁹ Samuel was trained in more than Judaism. From his later life we gather that he acquired a good background in science, medicine, and astronomy.

According to B. M. 85b Samuel took a journey to Palestine where he cured the Patriarch of an eye-ailment:

"Samuel Yarchina'ah was the doctor of Rabbi. Rabbi had an eye-ailment. Samuel offered to bathe it with a lotion, but Rabbi said: 'I cannot bear it.' 'Then I will apply an ointment to it', he said. 'This too I cannot bear,' he objected. So Samuel placed a phial of chemicals under

his pillow and he was healed. (The vapor emanating from the chemicals was sufficient to heal the ailment). Rabbi (as compensation) was very anxious to ordain him, but the opportunity did not present itself. 'Let it not grieve you,' Rabbi said. I have seen it written in the Book of Adam: 'Samuel Yarchina'ah shall be called ⁹⁰ רִשָּׁן 'sage', but not 'rabbi', and 'rabbi's healing shall come through him.'" (B. M. 85b-86a)

While in Palestine, Samuel did not study under Rabbi but under ⁹² Chama b. Chanina. Then he returned to Babylon.

AS DOCTOR

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person*

Let the B. M. 85b reference be discounted as historically untrue, we have considerable evidence of Samuel in the capacity of doctor:

"Samuel said: 'A change of diet is the beginning of bowel trouble.'" (Ket. 110b)

"Said Samuel: 'An open wound is to be regarded as dangerous. And the Sabbath may be profaned to heal it.'" (He proceeds to give the remedy) (A. Z. 28b)

"Samuel said: 'all liquids heal eye-sore but dim the eye-sight except water which heals but does not dim.'" (Sab. 78a)

"The Rabbis would send for Samuel's eye-salve (מִיֵּן).

Said Samuel: 'Better is a drop of cold water on the eye in the morning, and washing the hands and feet in warm water in the evening than all the eye-salve in the world.

(Sab. 108b)

These are a few of the medical statements uttered by Samuel in the Talmud. He seems to have been a specialist on eye, and

diseases

probably was frequently consulted by his students and those of the Rabbis in the vicinity of Nehardea.

ASTRONOMER AND PHYSICIST

His secular learning also embraced the movements of the heavenly bodies and a comprehension of natural phenomena:

"What is thunder? Samuel said: 'The clouds in a whirl.'" 172/3
C. 208

(Ber. 59a)

"What is 'zikin'? Samuel said: 'Kochebe d'shelut' 93

(shooting stars). Samuel also said: 'The paths of the heavens are as familiar to me as the streets of Nehardea,

with the exception of Kochebe d'shelut, for I know not what that is. There is a tradition that it never passes through the constellation of Orion, for if it did, the world would be destroyed. But we see that it does not pass through, though it seems that it does." (Ber. 58b)

This not Samuel text?
"Samuel said: 'It is written 'who maketh the Bear, Orion, and Pleiades' (Job 9.9) and it is written 'that maketh Pleiades and Orion' (Amos 5.8). How is it that the order is reversed? Were it not for the heat of Orion, the world could not exist because of the coldness of Pleiades and vice versa...' What is the meaning of 'Kimah' (Pleiades)? Samuel said: 'About one hundred stars.'" (Ber. 58b)

Thus we find Samuel explaining the Biblical verses dealing with stars and constellations. His knowledge of this field was applied toward enriching Judaism, and teaching his disciples the meaning of difficult Biblical traditions. But he went beyond this. He applied that knowledge to the construction of a

Jewish calendar in Babylon. He reports that he sent a sixty year calendar to Rabbi Yochanan bar Kapocha, the great Palestinian teacher in Tiberias (Chul. 95b). He also set the days of a year to be 365 and 6 hours. An elaborate description of the equinox and the division of the year into four cycles ~~Alp~~^{Alp}, are Samuel's works. These cycles fall in Nissan, Tammuz, Tishre, and Tebet. The time between each cycle is 91 days, $7\frac{1}{2}$ hours. Multiplying this by four, we arrive at the figure for a year, 365 days, 6 hours. (Erub. 56a).

Perhaps Samuel had in mind the establishment of a calendar in Babylon independent of Palestine. As we know, the calendar was one of the great means of authority wielded by the Palestinian schools. The Patriarch in session with his school would announce the new moon, and the 'Sod Ha'Ibbur' (secret of leap month or year) was confined only to ordained scholars. Samuel knew enough about the movement of heavenly bodies to determine the New Moon himself, and thus he could avoid the two-day holidays, an institution necessary only because the exile had to await information about the New Moon from Palestine. When Samuel drew up his own calendar, which he sent to Rabbi Yochanan, he did not dare publish it. This would have meant flying in the teeth of the Palestinian authorities, thus breaking the one bond which united Palestine and Babylon. ⁹⁴

After Samuel's death, the calendar outlined in Erub 56a was called the "T'ku'ah D'Mar Samuel." Hoffmann comments that the Babylonian skies, beautiful and clear, were particularly conducive to astronomical observation and study of the stars. The Rabbis taught that study of the Heavenly bodies was meritorious. The region of Nehardea seemed

to have many inhabitants who were highly proficient in astronomy, and Samuel learned from Jew and non-Jew alike. But he, like Rab, denied the heathen idea that the stars determine the course of life. With all his studies Samuel left no astronomical works behind, with the exception of the calendar.

95

AS JUDGE

One of Samuel's most important students was Mar Ukba, a man who later became Exilarch. The relationship between Samuel and Mar Ukba is well illustrated in this passage discussing the duration of 'Nezifah':

"Like Samuel and Mar Ukba, when they would sit and study, Mar Ukba would sit before Samuel, a distance of four cubits (Rashi ad) "like a pupil of Samuel, for Samuel was superior to Ukba in the law"; and when they would sit in judgment, Samuel would sit in front of Mar Ukba a distance of four cubits (Rashi--because Ukba was the Nasi) and they would set off a place for Mar Ukba, on a mat, and he would sit on it and listen to his words. Every day Ukba would escort Samuel to his inn. One day he was engaged in a law-suit, and Samuel followed after Ukba to his home; when they reached Ukba's home, Samuel said to him: 'Doesn't it dawn upon you to release me' (i.e. get the case over with, so I can go home). Ukba understood what Samuel had on his mind and imposed upon himself a 'Nezifah' lasting one day." (Mo. K. 16b)

This citation includes the entire relations ip between the two men. First Ukba as Samuel's student. Then Samuel as judge appointed by Ukba. In several places we find Ukba quoting

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Samuel, as a disciple would quote a master (Yeb. 12a, 76a).
So it is rather well established that Ukba did study under
Samuel in his earlier years. ⁹⁷ Lauterbach ⁹⁸ and Hoffmann
accept this thesis.

Since Samuel was well versed in the law, this Mar Ukba,
acting as Exilarch, appointed him as 'dayan' at the court of
Nehardea, where he joined with Karna his colleague (Sanh 17b).
The court was considered a very important institution at the
time, respected by both Babylonian and Palestinian Jews.
Samuel and Karna are known as "the judges of the exile"

N. 2 מלך קרנא
Karna is the same gentleman, who with Samuel, met Rab as
he came back from Palestine. Another interlude between Karna
and Samuel is reported in B. B. 89a:

"Our Rabbis teach: 'Thou shalt not have' means market
officers מלך are appointed to superintend measures
but not to superintend prices. Those of the Nasi's house
(the Exilarch) appointed officers to superintend both.
Samuel said to Karna: 'Go forth and teach that market
officers are appointed to superintend markets but not
to superintend (regulate) prices.' Karna went forth and
taught that market officers are to superintend both.
So Samuel said to him: 'Is your name Karna? May a
(Karna) horn grow between your eyes (the same curse
that Rab was supposed to have uttered in Sab. 108b)."

It would appear from this that Samuel was opposed to the
regulation of prices. Yet we find him devoting much of his
time trying to do away with speculation in the market-place, and
actually trying to regulate prices of commodities:

"Samuel said: 'Measures must not be increased (even if all the traders agree to alter them) by more than one-sixth, nor (even by consent) may the value of coins be increased by more than one-sixth, and no profit on sales may exceed one-sixth.'" (B. B. 90b)

To the earthenware merchants before Passover Samuel issued the warning:

"Sellers of earthenware pots, set a fair price, or else I will judge like the decision of R. Simon (Rashi--that the old pots may be used after the Passover)" (Pes. 30a)

The sellers of myrtle before Sukkot, Samuel scorned:

"Set at a fair price (myrtles) or else I will judge in accordance with R. Tarfon (who held that ב'נחל myrtles with broken tips were permissible)" (Suk. 34b)

Samuel's general statement with regard to speculation was:

"There will be no peace in the world until all the prices will be set and no speculation possible." (Sanh 98a)

Not only was it a mere statement, he actually put it into practice:

"Samuel's father used to sell fruit during the early market price at that early price (cheap). Samuel, his son, retained the fruit and sold it when the last market prices were current at an early market price (thus enabling the poor to purchase fruit when prices in the market were prohibitive)." (B. B. 90b)

Thus Samuel exerted every effort to bring about some economic social-justice in the Babylonian community. He fought the speculating and unfair business-men by threat, law, and practice. This was one of his greatest contributions as leader of Babylonian Jewry.

Of his work in law we cite several other quotations:

"Rab Nachman said in the name of Samuel: 'When orphans (minors) wish to divide the property of their deceased father, the Bet-din appoints a guardian for each, and each guardian chooses for his ward a suitable portion. As soon as they reach the majority age, they are entitled to protest (i.e. ask for the reconsideration of the estate).'" (Yeb. 67b)

"Rab Nachman said in the name of Samuel: 'If brothers divide an inheritance, neither has a right of way against the other, nor the right of ladders, nor the right of windows, nor the right of watercourses. And take good note of these rulings for they are definite.' Rab however, said that they have these rights." (B. B. 65a)

Finally, a word about his conduct as judge:

"Our Rabbis taught: 'And thou shalt take no gift' (Ex. 23.8); there was no need to speak of a gift of money, this means even a bribe of words (or acts). Notice what happened to Samuel. He was once crossing a river on a raft (or ferry) when a man came up and offered him his hand (to assist him). 'What is your business here,' asked Samuel. 'I have a lawsuit,' the man replied. 'I am disqualified from judging your suit,' said Samuel."

(Ket. 105b)

Samuel was the exemplar of the 'Shofet' of Israel.

DIRECTOR OF BEHARDEA *Shelah*

2.
sure
When, in the year 219, Rab Shelah, the Resh Sidra of Behardea died, and Rab declined to accept the position, Samuel became head of the school. From this moment the school enters upon a brilliant

period of history.

Using the Mishnah as a basic source, Samuel began his teachings. But he did not merely confine himself to the repetition of Mishnaic teachings, he went beyond the Mishnah. For example, he set up the principle:

"One does not teach from Halachot, nor from Aggadot, nor from Tosafot, but from the Talmud (i.e., the discussion of laws in the school)" (Yer. Peah II, 4; Yer. Chag. I, 8).

He commented upon the older laws and elucidated them, but always so as to create new laws for the new situations which would arise. He contributed tremendously to the Babylonian Jewish knowledge by explaining the many foreign loan words, Greek and Latin, and the archaic expressions used by the Tannaim. He employed a scientific etymological approach to the terminology of the Mishnah. He inquired of travelers as to the meaning of unknown terms (Bechorot 22a), and as he says himself when discussing the Mishnah in Babylonia: "I asked those who travel on the high seas." (Sabb. 20b-21a)

Samuel drew upon his deep insight and knowledge to explain the cryptic Mishnayot. He drove at the principle which motivated each law, he harmonized the contradictions in the Mishnah, and made specific laws of general principles. At this, Samuel was a master. Many of the Mishnah and Boraitha teachings applied only to very specific cases. He explained that same laws were only individual opinions, not majority opinions. This leads us again to the point discussed in the chapter on Reb, the Hava'ot of Reb and Samuel.

He did not always take the majority opinion; occasionally he accepted the individual opinion and developed a law of this.

Not always did he adhere to the old teachings, the shema,
for he felt that by analogy and implication, new teachings,
shema, could be established. This he bases on the premise
that the older teachers left something for their progeny to do.
(Chul. 7a)

"Any new laws and principles were needed for the life of
the Jews in Babylon, and Samuel provided this need. Hoffmann
says that Samuel was superior to Rab in this respect. ¹⁰² Samuel
also overshadowed Rab in questions of 'Terefah' where his med-
ical knowledge was of great service to him. Indeed Rab rec-
ognized this, for he says to Samuel: "The deepest secrets are
open to you." (Chul. 59a and 95b)

Like Rab, Samuel established many "k'lalim", for example:
"With respect to presumptuous (false) witnesses, we cannot learn
one thing from another." (Yer. Ket. II, 10; Yer. Sotah I, 1)
And is great or most popular k'lal is: "The law of the govern-
ment (land) is law." k'lal k'lal k'lal (Git 10b; B. K. 113b;
B. B. 54a). Wherever this principle is cited it refers to a
legal document, a divorce or a property deed, or a business note.
Hann correctly points out that it refers to documents only,
but later it was stretched to include other things. ¹⁰³ Of late,
this statement of "Dine d'Malchuta dine" has been unduly pub-
licized and applied by the Reform movement. ¹⁰⁴

Samuel was also an expert in the Bible, for the Talmud ascribes
to him the title kop (A. Z. 40a). And in his school he collected
Boraithas, as Rashi indicates in his comment on Bez. 29a,

"The Tanna d'Be Samuel is a Tosefta which Samuel compiled
on the basis of statements uttered by the Tannaim who
preceded him. Just as did R. Chiyya and R. Hoshaya; and
R. Judah compiled the Mishnah."

about

As director of Nehardea Samuel tried to establish a high regard for the Babylonian schools, and for Babylonian Jewry. Thus he says:

"Just as it is forbidden to migrate from Palestine to Babylon, so it is forbidden to migrate from Babylon to other countries." (Ket. 111a)

He sought to make of Babylon, as Lauterbach puts it, a sort of ¹⁰⁵ second Holy Land. He further says:

This is done

"All the countries are like dough compared to Palestine, and Palestine is like dough compared to Babylon." (Kid. 71a)

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A difficult statement to interpret, unless it be taken as an attempt to elevate Babylon over Palestine, after the corruption regarding ordination practised by Judah Mesiah, became well known. Otherwise it is merely another attempt to make the two countries equal.

With in Babylon proper, Samuel tried to make the schools of Sura and Nehardea supreme and the sole sources of authority, as he says:

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"We do not make a 'prozbal' except either in the Bet-din of Sura or in the Bet-din of Nehardea." (Git. 36b)

After Rab's death in 247, no new director was chosen for Sura, and Rab Huna, the later successor of Rab, subordinated himself in every respect to Samuel. As we read:

"R. Jeremiah b. Abba said: 'An inquiry was sent from the school of Rab to Samuel'". (Git. 66b)

and the parallel states:

"R. Jeremiah b. Abba said: 'The disciples of Rab sent to Samuel saying...'". (Git. 89b).

Nehardea, in 247, was the only academy in Babylon, and its director Samuel was now regarded as the highest authority

among the Babylonian Jews. Even Rabbi Yochanan b. Napocha, the great teacher at Tiberias, who at first merely regarded Samuel as a colleague in Babylon, now said about him: "I have a teacher in Babylon." (Chul. 95b)

RELATIONS WITH NON-JEWS

If Rab may be called a particularist, then Samuel may be called a universalist. The epitome of Samuel's philosophy in relations with non-Jews is included in his statement:

"He who judges Israel, judges all the nations of the world." (Yer. R. H. I, 3)

The same Aggadah which characterized Rab as Shammai would have Samuel be a reincarnation of Hillel. Rab has just rudely dismissed the Persian who came to him for Jewish instruction:

"He came to Samuel and said, 'Teach me Torah'. Samuel said: 'Say aleph'. The Persian said: 'Who said that this was an Aleph'. Samuel said: 'Say Beth.' The Persian replied: 'Who said that this was a Beth.' So Samuel grabbed his ear, whereupon the Persian exclaimed: 'My ear, my ear!' Said Samuel: 'Who said this was your ear?' Replied the Persian: 'The entire world knows that this is my ear.' Said Samuel: 'Similarly the whole world knows that this is an Aleph and this is a Beth.' The Persian quieted down and was converted to Judaism. Better is the patience Samuel exercised with the Persian, than the impatience which Rab imposed upon him." (Koh. R. 7,19)

As we've already indicated, this account is probably pure Aggadah, substituting the names of Rab and Samuel for Shammai and Hillel, and adding the word 'o'ol, Persian. A more likely

and truer account of Samuel's dealing with non-Jews is herein reported:

"A female slave (undoubtedly a non-Jewess) of Mar Samuel was carried off (by raiders). Some (Israelites) ransomed her and sent her to him, along with a message: 'We hold with Rabban Simon b. Gamliel (that even if we ransomed her for freedom, she must again become a slave), but even if you hold with the Rabbis (who differed with Simon b. Gamliel), (you may accept her) because we have ransomed her as a slave.' They thought that he had not yet give up hope (of recovering her), but this was not so. For Samuel had already given up hope (of recovering her), but he not only refrained from re-enslaving her, he did not even require her to obtain a writ of emancipation. In this he followed his own teaching, that if a man declares his slave common property קרוב (which is equivalent to giving up hope of recovery) he becomes a free man and does not need a writ of emancipation."

(Git. 38a)

This reflects Samuel's attitude toward non-Jews in general, and more particularly to slaves. Of the latter, he also remarks:

"Of them shall they be your עבדים forever! (Lev. 25.46). For labor עבדים have I given them unto you not for humiliation." (Mid. 47a)

When Samuel instructed the judges he said:

"It is forbidden to deceive (לרמות) people, even non-Jews." (Chul. 94a)

Commenting on the Mishnah A. Z. which says that three days pre-

ceding and following the festivals of non-Jews, Jews should not carry on any transactions with them, Samuel says:

"In the Diaspora (Babylon, etc.) the prohibition is limited to their festival day along." (A. Z. 7a)

Thus he even disregards a Mishnaic law to further good-will between Jews and non-Jews.

On several occasions we find him in the company of the non-Jew Ablat with whom he carried on scientific discussions. Rapaport in his "Erech Millin" identifies Ablat as "Name eines Persischen Gelehrten." ¹⁰⁶ He calls him a friend of Samuel who knew a good deal of astrology but not very much astronomy. In A. N. 30a, we find Samuel and Ablat drinking beverage together, and says Rapaport, when two men sit together and drink in Persia, it is a sign of intimate friendship. This same Ablat finds Samuel sleeping in the sun one day, and calls him ר' דן "doctor", and inquires about the healthfulness of such conduct. (Sab. 129a). We again refer to the statement in Sab. 113a which tells that Rab would not attend a place of non-Jewish worship nor a place where religious discussions were carried on. Samuel avoided the former but did attend the forums where religious differences were discussed.

The most important phase of Samuel's relations with non-Jews is, of course, his intimacy with the Sassanian dynasty. When the revolution of 226 came along, and carried with it a wave of fanaticism, which manifested itself in the destruction of synagogues (Yoma 10a) and in compelling Jews to deliver pans of glowing coals to the Magian fire-worshippers (Sanh. 74b), Samuel was not overwhelmed. Unlike Rab, he was courageous in this crisis. He recognized that the fanaticism was only

and
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not so simple.

momentary, and that soon order would be restored. He spent his time teaching the people to adjust themselves to the new conditions. Hoffmann goes so far as to say that it was this readjustment idea which led Samuel to proclaim the principle: "The law of the land is law." He interprets it as applying to
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all civil law.

Things did settle down, and Jewish security was promoted by Samuel when he won himself a place in the Persian court. Samuel had little contact with Artaxerxes, the first Sassaman ruler, because the latter was constantly occupied in wars with the Romans. But when he died and his son Shapur came to the throne in 238, Samuel became intimate with the royal family.

The Roman historians speak derogatorily of Shapur--they make him out to be a "faithless, proud, cruel tyrant." Hoffmann believes that the Romans are being very subjective in their characterization of him. After all, Shapur did inflict defeat after defeat upon the Romans. Graetz, on the other hand, describes Shapur as "a liberal-minded monarch", and "a
109
magnanimous king." The Talmud also speaks very lovingly of him. We find Shapur sitting and eating with two of the Rabbis, Mar Judah and Bati b. Tobi (A. Z. 76b; B. H. 119a). Shapur participates in a Sukkot festival with the Jews. And we have many references reflecting Samuel's friendship with him. In Suk.53a, Samuel is pouring wine before Shapur, in Ber. 56a we read:

"King Shapur said to Samuel: 'You declare that you are very wise. Tell me what I shall see in my dream.' He replied: 'Thou wilt see the Romans come and take thee captive and make thee grind date-stones (into camel

fodder) in a golden mill.' The king reflected upon it the entire day and at night saw it (in a dream)." (Ber. 56a) There is probably very little historical truth to the particular details related, but there is historicity in the relationship between the two men.

More historically true is the passage:

"They told Samuel Shapur killed 10,000 Jews in the battle of Caesarea. Samuel did not tear a garment.

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(showed no signs of mourning) And did Shapur kill Jews, did he not say to Samuel: 'I have never killed a Jew in my life.'" (Mo. K. 26a) *? you mention question*

Samuel appears as a real Persian patriot. He felt that if the Cappadocian Jews joined with the Romans against the Persians, it was war, and there was no reason to mourn. For the welfare of the Jews inside Persia, it was best to play the role of Persian patriot. *but* *give* *The* *unwif.*

Finally:

"Samuel probably had Shapur in mind when he said: 'If royalty says it will uproot mountains, it will uproot them and not go back on its word.'" (J. B. 3a)

Hoffmann believes that Samuel's relationship with the King was a great factor in influencing Shapur's friendly relationship with the Jews. Samuel saw in Shapur the possibility of another Cyrus for the Jews. 110

This ambassadorship to the Persians and their rulers is one of Samuel's outstanding contributions to Jewry. He paved the way for mutual tolerance between Jew and non-Jew. As Graetz so eloquently put it: "To Jeremiah and Bar Samuel Judaism owes the possibility of existence in a foreign land." 111

AGGADAH AND ETHICS

If our picture of Samuel as a person is still incomplete, we might fill it out with a few of his ethical teachings.

Viewing this life as a whole, he said to his disciple Judah:

"Bright one, grab and eat, grab and drink (Rashi-- if you have the means to enjoy yourself, do so, don't wait until tomorrow, you may die). For this world is like a wedding ceremony (Rashi--it goes fast). (Erub. 54a)

To illustrate the virtue of modesty he relates that charming Aggadah:

"For three years the school of Hillel and the school of Shammai engaged in dispute, each said, 'the Halachah is according to us.' Thereupon came forth a bat-kol and said: 'The words of both are those of the living God.' But the Halachah was decided according to the school of Hillel. Now after the bat-kol said that both represented the words of the living God, why did the school of Hillel merit the honor of establishing the Halachah. Because they were soft-spoken and humble, and they would carefully consider the words of their opponents, and what is more, they would even recite the words of the Shammites before their own. (Erub. 13b)

Of dreams it is told:

"Then Samuel had a bad dream he used to say: 'The dreams speak falsely' (Zech 10.2), but when he had a good dream, he would say: 'Do dreams speak falsely? For is it not written, 'I (God) do speak with him in a dream!'" (Nu. 12.6) (Ber. 55b)

Of the individual and the group:

"A man may never exclude himself from the community,
but must seek his welfare in that of society." (Ber. 49b)

For orphans he imposed upon every court the task of acting as
a father to them (Yeb. 67b, Git. 52b). He declared that a
loan taken from an orphan was not cancelled on the Sabbatical
year, even if no prosbul has been made out for it. (Git. 36a)

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Of prayer:

"Whoever enjoys anything in this world without making
a benediction, it is as though he had partaken of the
holy things of heaven." (Ber. 35a)

Of the world to come:

subject
"There is no difference between this world and the next
except persecution (Israel will not be persecuted by the
nations in the world to come). (Sab. 151b; Ber. 34b)

Before Samuel took leave of this world he left behind him
many disciples who carried on his great work. Among them was
Rab Nachman who succeeded him as temporary head of the school.

life
In the year 254 Samuel was gathered unto his fathers after
devoting a life to the very thing he said: "everything is for
the sake of heaven." (Kid. 81a) Three years after his death,
Nehardea was sacked and the school under the leadership of
Judah b. Ezekiel, a disciple of both Rab and Samuel, was moved
to Pumbeditha, where it lived and inspired world-Jewry for many
centuries.

FINAL WORD

We have searched through the Talmudim seeking the material which formed the two great foundation-stones of the Babylonian Talmud, Rab and Samuel. We attempted verbally to re-construct those two pillars; it was a gigantic task, for they are gigantic figures. Indeed, too great a task for an amateur in the Talmud. But we have gained at least an appreciation of the stature of Rab and Samuel, and we have gained a little freer access to the treasures that lie deep in the "Sea of the Talmud." That probably was the great value of our study.

May it lead us to many more years of search and re-search in the lives and deeds of Rab and Samuel and those who followed in their footsteps.

NOTES

Chapter I

1. G. Rawlinson, "The Sixth Great Oriental Monarchy, Parthia" p. 92
2. Rawlinson, p. 240
3. Rawlinson, p. 242
4. J. Mann, Notes to Course A History, Hebrew Union College, p. 34
5. H. C. Devebaise, "A Political History of Parthia," p. XXIX
6. Rawlinson, p. 266
7. Rawlinson, p. 327
8. Rawlinson, p. 362
9. *ibid.*
10. G. Rawlinson, "The Seventh Great Oriental Empire", p. 29
11. Rawlinson, "Seventh", p. 55
12. Rawlinson, "Seventh", p. 56
13. Rawlinson, "Seventh", p. 72
14. Rawlinson, "Seventh", pp. 60-63
15. J. Mann, "Sekirah Historis al Dine Nefashot Bazman Hazeh" in
"Hatsofeh L'Chochmat Yisrael", Vol X, Budapest, 1926
16. W. Bacher, article on "Exilarch", Jewish Encyclopedia, Vol. V
17. Letter of Sherirah Gaon, in Neubauer, "Medieval Jewish
Chronicles", pp. 27-28
18. S. Funk, "Die Juden in Babylonien (200-500)", p. 15
19. Funk, p. 20
20. Letter of Sherirah, p. 27
21. *ibid.*

Chapter II

22. J. S. Zuri, "Rab, Ishyuso U'f'ulosov", p. 53
23. Zuri, p. 67
24. Zuri, p. 108

39. J. Z. Lauterbach, "The Names of Rabbinical Schools and Assemblies in Babylon", Hebrew Union College Jubilee Volume (1925) p. 211

40. Sanh. 14a הכלל דבין דבין דבין

41. The Mishnah Ber V.5 distinguishes between הכלל דבין and the fully ordained teacher דמיה.

42. Lauterbach says it is spelled כלל in Gaonic Responsa, see his "The Names..." p. 218, note 3

43. Ber. 30b hints at this. ?

44. B. B. 12a הכלל דבין דבין דבין

45. Ber. 57a speaks of a הכלל דבין, and significantly enough the passage here makes a distinction between a הכלל דבין and a הכלל דבין. The former being a higher office. This adds to the plausibility of Lauterbach's explanation of the term "Kallah."

46. It should again be mentioned that one of the most important factors in Rab's founding of his school at that particular time, 225-227, was the tremendous political change. The coming of the Sassanians who were hostile to the Romans necessitated such a move. This we have already indicated in Chap. 1, pp. 13-14.

47. Zuri, p. 233

48. Sab. 10b הכלל דבין דבין דבין

49. Weiss, Vol. III, p. 159, note 9

50. Examples of Rab's explaining word meanings to his students:

Yer. Peah V, 1; Bab. Sab. 20a, and 57b; Yoma 23a; Meg. 12a.

51. Examples of "Havayot": Sanh. 106a; Ber. 20a; Taan. 24a ✓

52. Erub. 50b הכלל דבין דבין דבין, its parallel in Chul. 122b

הכלל דבין דבין דבין

53. Weiss, Vol. III, p. 148
54. Lauterbach, "The Names...." p. 220
55. Funk, Note III in back
56. אֵלֶּיךָ יְיָ אֱלֹהֵינוּ
57. Jastrow, Dictionary on word אֵלֶּיךָ
58. This despite the clear Mishnaic teaching, Mish. Kid. I, 1 that אֵלֶּיךָ is one of the three ways a woman may be acquired. But אֵלֶּיךָ יְיָ אֱלֹהֵינוּ. The emergency of the times compelled Rab to disregard that Mishnaic law, for he sought to purify the Babylonian Jewish community.
59. This will be discussed later in the section on "Relations with Non-Jews."
60. Bek. 49a אֵלֶּיךָ יְיָ אֱלֹהֵינוּ
61. This has already been hinted in the section on "Law."
62. The text reads אֵלֶּיךָ יְיָ אֱלֹהֵינוּ, but the correct suggested reading is אֵלֶּיךָ יְיָ אֱלֹהֵינוּ Sanh. 37b.
63. The reading is אֵלֶּיךָ יְיָ אֱלֹהֵינוּ--Graetz in his "Geschichte," Vol. IV, p. 257, note 3 says it should be read אֵלֶּיךָ, and this is accepted by most scholars. Yer. Peah I, 1.
64. J. L. Rapaport--"Erech Millin", p. 194, article on אֵלֶּיךָ
65. Zuri, p. 263
66. Zuri insists on this point, and Bacher says, "He (Rab) is reputed to be the author" of the "Olenu". cf. Jewish Encyclopedia, article on "Abba Arika" by Bacher, Vol. I.
67. Zuri, p. 301
68. I. Abrahams, "The Lost Confessions of Samuel," Hebrew Union College Annual, Vol. I, p. 377
69. Zuri, p. 302
70. Zuri, p. 295
71. Zuri, p. 258

72. Zuri, p. 275
73. W. Bacher, article on "Abba Arika", in "Jewish Encyclopedia", Volume I.
74. *ibid.*
75. Strack, p. 123
76. *ibid.*
77. Strack, p. 122 Chapter III
78. Obermeyer, p. 245ff.
79. D. Hoffmann, "Mar Samuel", p. 9, and Lauterbach, article on "Samuel Yarchina'ah" in "Jewish Encyclopedia", Vol XI.
80. Mann, Notes to History A.
81. Lauterbach in J. E. Vol. XI
82. Weiss, Vol. III, p. 164
83. *ibid.*, note 6.
84. Hoffmann, p. 10
85. Hoffman, p. 16
86. Mann, Notes p. 37
87. Lauterbach in J. E., Vol. XI
88. Hoffmann, p. 70
89. Graetz, "History", Vol. II, p. 518
90. This is not identical with the Apochryphal Book of Adam, discussed in J. E. Vol. I, 179f, but a book which God is supposed to have shown to Adam containing the genealogy of the whole human race, others render this "I have seen this written in the stars."
91. Lauterbach says ר'פון may simply mean "doctor", and is so used in the Talmud. Jastrow translates ר'פון as "scholar inferior to Rabbi." But Lauterbach's rendition appears better, and the passage may be understood as follows: Rabbi simply

thought that Samuel should remain a doctor and not become a Rabbi, especially since Samuel proved his excellency as a physician.

92. Hoffmann, pp. 13, 71-73

93. Ber. 58b אין דין דאלו מילין דאלו מילין

94. Hoffmann, pp. 20-22

95. Hoffmann, pp. 17-18

96. דב"ד -- the lowest degree of excommunication, and therefore of the shortest duration. Mo. K. 16b

97. Lauterbach, in J. E. Vol. XI, "Samuel"

98. Hoffmann, p. 27

99. Hoffmann, O. 30

100. Hoffmann, Note E., p. 77

101. Hoffmann, p. 32

102. Hoffmann, p. 33

103. Mann, Notes, p. 37

104. The "Rabbis Manual" edited and published by the Central Conference of American Rabbis (Cincinnati, 1928), which serves as a sort of דבר דין for American Reform Judaism, has this to say of "dine d'malchuta dine": "Reform Jews, guided by the ancient principle of "Dine d'malchuta Dine" (the (civil) law of the country is the binding law" have conformed to the civil marriage laws of the respective lands whose citizens they are, except where those laws conflict with the moral requirements of Judaism." (p. 157)

In a special note on this subject, the manual says: "The principle of "Dine d'Malchuta dine" as the name signifies, applies only to civil cases. In such cases the law of the land is binding upon the Jewish people. However, in purely ritual or

religious matters, Judaism reserves the right to self-determination. As the records of Jewish martyrdom testify, the binding character of Judaism's strictly religious standards remains valid irrespective of what the temporal power may be."
(p. 159)

Lauterbach, in the discussion following the reading of a paper "Marrying a Deceased Brother's Wife," at the Central Conference of American Rabbis, 1925, says: "The principle 'Dine d'malchuta dine' does not mean that we must do everything that the law of the country permits us to do; it only means that we should not do what the law of the country forbids us to do. There are many things for which the law could not and would not put us into prison if we practised them, but as Jews, as religious and moral persons we should not practise such things. In every case where a marriage is prohibited by the law of the state even though the Jewish religious law has no objection to such a marriage, a rabbi cannot and should not perform such a marriage. If he does he not only violages the law of the state, but he also violates the religious law contained in the principle 'dine d'malchuta dine', which bids every Jew obey the law of the country in which he lives....."
(C. C. A. R. Yearbook, Vol. XXXV, 1925, p. 373)

Throughout these statements is a stretching of the principle, and Samuel himself would probably be amazed at the far reaching effects his innocent statement, applying only to the matter of legal documents, has made. It would be like Moses returning to watch Akiba interpret Moses' Torah.

105. Lauterbach in J. L. Vol. XI, "Samuel"

106. J. L. Rapoport, "Erech Millin", p. 364.

107. Hoffmann, p. 42
108. Graetz, "History", Vol. II, p. 526
109. Graetz, in Vol. II, p. 520 identifies it as Mazaca-Caesarea,
the Cappadocian capital.
110. Hoffmann, pp. 46-47.
111. Graetz, "History", p. 520
112. We have already indicated his contributions to liturgy in
the chapter on Rab, section of "Liturgy."

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