

OF CULTURAL INTIMIDATION AND OTHER
MISCELLANEA: BAR-SHESHAKH VS. RABA

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The culture of the spirit is the dominant trait of Judaism; it is through instruction, through the acquisition of science that the Talmudic doctors wished to elevate themselves to the knowledge of God and the great truths that religion teaches.

M.I. Bedarride¹

For brutes, the most effective tactic is to intimidate an opponent into the silence of self-censorship.

Justice Clarence Thomas²

Unlike Western literature, Jewish texts spare details, especially the juicy ones: the reader must function as a writer. In Hebrew literary theory, the “text” is only one dimension of a “book.” The other dimension is the reader. The text is produced by the author. The book is born at “the aesthetic moment,” when the reader “processes” the text and imbues it with meaning.³ This is why the Hebrew Scripture warrants “Oral Law.” It is noteworthy that the Geonim and Maimonides refer to the “Oral Law” as *perush*, “commentary,”⁴ not in a Platonic sense, imposing itself absolutely, inflexibly and unwaveringly—but in the Hebrew sense of unfolding in regard to new situations and contexts. “The Written Law is not in itself complete without the Oral,” wrote R. Elie Benamozegh (1823-1900), “it reaches perfection when complemented by the Oral Law in accordance to the circumstances unfolding day in, day out.”⁵ David Warner Amram (1866-1939), one of those luminous scholars that blessed nineteenth century America, observed that for the Jews the Written

¹ M.I. Bedarride, *Étude sur Le Talmud* (Montpellier, 1869), p. 35.

² Francis Boyer Lecture, American Institute for Public Research, February 13, 2001, p. 5.

³ See José Faur, *Golden Doves with Silver Dots: Semiotics and Textuality in Rabbinic Tradition* (Bloomington, 1986), pp. XX, 122.

⁴ See *ibid.*, pp. 111-112.

⁵ Elie Benamozegh, *Em la-Miqra*, vol. 4 (Leghorn, 1863), pp. 97b-98a.

law of Scripture is the statutory law, whereas the Oral law is what we call today case law.⁶ Accordingly, reading the

... Bible without the use of the Talmud ... is an attempt to understand the character of a nation by reading its statute book, and disregarding the judicial interpretation and application of its laws to the daily life of the people.⁷

Wisely, Rabbinic tradition distinguishes in the realm of law between *halakhah* in the abstract and *halakhah le-ma'ase*—the conduct of law as it applies to the specific case at hand: questions of theory are not necessarily to be equated with questions of practice. Because human society is in constant flux, a legal text or a norm may be vividly clear in the abstract, but it must be always ambiguous when about to be applied. Only torpid minds perceive the dynamics of reality as something static, continuous and contiguous, and find no discrepancy between what may be found in a textbook and the case about to be adjudicated. There is a perennial tension between the “inconstancy” of society and the “constancy” of the law. In the words of Justice Cardozo (1870-1938):

If a body of law were in existence adequate for the civilization of today, it could not meet the demands of the civilization of tomorrow. Society is inconstant. So long as it is inconstant, and to the extent of such inconstancy, there can be no constancy in law. The kinetic forces are too strong for us. We may think the law is the same if we refuse to change the formulas. The identity is verbal only. The formula of the law has no longer the same correspondence with reality. Translated into conduct, it means something other than what it did. . . . The acts and situations to be regulated have a motion of their own. There is a change whether we will it or not.⁸

The chasm between the two is unfathomable. It is the task of the jurist to articulate this chasm and then proceed to bridge it in a quantum jump. This is why every *pesaq* (legal decision) by a rabbi or a judge is in fact a *perush*, a new and fresh analysis of the law. Anticipating human lethargy, even among judges, the first counsel that the Men of the Great Assembly (fourth century B.C.E.) wished to pass on to the future sages of Israel was “to be cautious in judgment” (M. Ab. 1:1). It means

⁶ David Warner Amram, *The Jewish Law of Divorce* (London, 1897), p. 14.

⁷ *Ibid.*, p. 20.

⁸ Benjamin Cardozo, *The Paradoxes of Legal Science* (Union, NJ, 2000), pp. 10-11.

... that if a case came before you once, and twice, and thrice, don't say: "This case had already appeared before me, and I went over it over and over." But, be cautious as you judge.⁹

Because the legislative and the judiciary intertwine in the real, concrete world of *halakhah le-ma'ase*, Rabbinic tradition does not believe that it is reasonable to expect a judge to render a wise decision on the basis of pure "interpretation" without crossing the boundaries of the "legislative." In this sense, the rabbi and *dayyan* (Rabbinic judge) differ from the judiciary in both the civil and the common law systems. In civil law, a judge is basically an expert clerk whose task is to read the law in a most restrictive, uncreative fashion. When facing conflicting or unclear legislation, the judge is expected to refer the matter to the legislature for authoritative interpretation. Since his task is to administer the law and not to innovate, a civil law judge never rises to the rank of a national hero. No layman in France or Italy knows the name of a Supreme Court judge. The situation is different in common law systems. Judges do in fact mold the law and create the building blocks that bind future judges. Often, a judge rises to the rank of national hero. One need not be a legal scholar to know something about Marshal, Holmes, Cardozo, et al. And yet, in deciding a case, a judge in a common law system, too, must be careful not to cross the boundaries of the legislator: he must *interpret* and at the same time be dreadfully cautious not to *legislate*. Does anyone know, precisely and unambiguously, where one ends and the other begins?

Because the rabbi and *dayyan* enjoy broad interpretative powers, without the aforementioned restriction, the Jewish legal system is the oldest *evolving* system in history: it is continuously growing. The Talmud relates, in its own style, that by the time of Aqiba (ca. 50-135), Moses himself could no longer make heads or tails of a halakhah that he himself taught (B. Men. 29b). In this fashion the rabbis were paying the highest compliment that could be paid to a brilliant mind: what you have taught and discovered has been further developed in ways you can hardly recognize! Could the Wright brothers make heads or tails of the "up grading" made in the last century to their original invention?

⁹ *Sifre*, ed. Louis Finkelstein (New York, 5729/1969), #16, p. 25. It is interesting to note that *halakha* implying "walking," "way," rather than "theory," is semantically congruous with "jurisprudence," composed of *jus* and *prudencia* "practical wisdom."

There is a down side to this approach: unbearable doctrines and unreasonable decisions reflect more on the rabbi or *daiyyan* than on the content. The same, to my mind, applies to the narratives, chronicles, and doctrines in Scripture and Rabbinic literature. As a matter of style, the text *omits* details to be filled in by the reader. The book is “born” at the moment the reader becomes the writer; i.e., insipid stories and meaningless doctrines reflect more on the teacher than on the text.

1. *The Background*

The purpose of this paper is to examine a story mentioned in the Talmud. It bears on a central issue: why a Jew would rather live in the Jewish community than as a member of the mighty monarchial Persian Empire under the Sassanides (226-642).¹⁰ The characters are Raba (d. 352) and bar-Sheshakh. Each represented the summit of what their respective cultures could offer. Raba was one of the most successful scholars of the Babylonian Talmud. Above all, he was persistent and unyielding. Once, as a child, his future wife was asked whom she would like to marry, Raba or Rame bar Hama, and she replied: “Both of them!” Raba who was present at the time, snapped: “Let me be the last!” (B. B.B. 12b). When she married Rame bar Hama, he left Sura and went to study at the rival Yeshiba in Pumbedita. At least ten years passed before she became a widow and he could fulfill his wishes and marry her (B. Yeb. 34b). Their feelings were mutual (see B. Yeb. 34b). He trusted her even in matters pertaining to law (see B. Ket. 85a), and together they led a joyous and intense life (cf., B. Ket. 65a).

When it was decided to bestow the presidency of the Pumbedita Yeshiba to Abayye (322), Raba went to Mahoza and founded his own school. Later, after Abayye’s death (338), a large number of students came from Pumbedita to study at his school, and Raba became *de facto* head of that prestigious Yeshiba. Raba had extensive contacts with the royal Persian family (see B. Ta. 24b; B. B.B. 10b-11a; B. Zeb. 116b; B. Nid. 20b) and the exilarch (see B. Ber.

¹⁰ The most comprehensive study of this period is Jacob Neusner, *A History of the Jews in Babylonia* (Atlanta, 1999), vols. 4-5.

50a, B. Pes. 74b, B. Bes. 21b, B. Git. 31b, B. B.B. 22a). He also was a man of considerable wealth. He had asked God three wishes: the wisdom of Hunna, the wealth of Hisda, and the humility of Rabba bar Hunna. Raba acknowledged receiving only the first two (B. M.Q., 28^a). In fact, he was granted all three. The humility that Raba yearned for and that he detected in Rabba bar Hunna is not the feeling of self-delusion that accompanies self-indulgent moralists. Above all, true modesty is not—it cannot be—self-conscious. What was so admirable about Rabba bar Hunna was that he did not *appear* to be meek, that he did not yield to fear or intimidation to *show* civility but rather expressed his views with conviction and fortitude; and, at the same time, he was intellectually honest and able to admit error when it was due. This was precisely what Raba requested of God. The fact that he believed that God did not heed this request may be evidence that it was indeed fulfilled. The story we are about to examine proves this point.

Bar-Sheshakh was the Persian Governor of the Pum be-Dita-Mahoza district. His Semitic name (in Jer. 25:26, 51:41, *sheshakh* is a code-term for “Babel”) indicates that he did not belong to the Persian aristocracy, and it can be safely assumed that he reached his position by his own merits. As we shall see in due course, bar-Sheshakh was an Epicurean in a three-fold sense: he believed in pleasure, he did not worship, and he rejected belief in the world to come. Both men met before and knew each other well. “I am acquainted with him” (*yada’na beh*), said Raba, indicating close contacts between them. Probably they had transacted business together. Because of his business dealings, Raba had expertise in the art of backhanding government officers.¹¹ This must have been one of the reasons the community chose him to bring bar-Sheshakh a present, and he could ascertain that “he does not worship idols.”

The story we are about to examine centers around an eerie clash between bar-Sheshakh and Raba, ending in a bizarrely Freudian way. Underneath the façade of cordiality and good manners, these men loathed each other, not because of what they were but because of what they represented: two furiously opposed ideologies. Both men speak with enormous authority. Each appears well informed, attacking

¹¹ See B. Hag. 5b. This is the only way to accomplish anything in this part of the world, see B. Yeb. 63b.

with skill his opponent's weak points. The dialogue is swift, marvelously lucid, and charged with ferocious intensity. Raba represents the Torah ideology, according to which right is might. Bar-Sheshakh represents pagan political ideology in which might is right. *Pax Romana* presupposes an *Imperium Romanum* establishing peace by virtue of its military supremacy. Within that system, "peace" is a code-term for military surrender: monopoly of power is a *sine qua non* to the *pax Romana*. The Hebrew *shalom* means not only "peace" but primarily "harmony" and "agreement." The guide to *shalom* is the Torah—Law in its total and most comprehensive sense—not the sword. *Shalom* represents the highest form of *political* organization that will render military might useless and unacceptable. The Jewish messiah will be the first *political* leader to raise humanity to that level. Meanwhile, at the pre-eschatological level, advanced talmudic students (*talmide hakhamim*) through Torah teaching, are those who "promote *shalom* in the world."¹²

The occasion for the meeting is depressingly familiar. Raba, who had experience in the art of bribing Persian officers, came to bring bar-Sheshakh a gift on behalf of the Jewish community. The Talmud cites the incident to illustrate a point of law. Jewish law forbids bringing a gift to a pagan in a *public* holiday. What about *yom edo*, "a private holiday"?¹³ The answer is that it is permitted, providing it is

¹² See José Faur, "One-dimensional Jew, Zero-dimensional Judaism," in *The Annual of Rabbinic Judaism* 2 (1999), p. 41.

¹³ For *yom edo* in the singular, as in our manuscript, see Isaac Alfasi, *Hilkhot 'Aboda Zara* I, 1189; *Tosafot* to B. A.Z. 2a, s.v. *asur*; *MT A.Z.* 9:2; (same in the famous Spanish print of *Mishne Torah*, by Moses ben Shealtiel, Facsimile: Jerusalem, 1975); *Yalqut ha-Makhiri*, ed. Salamon Buber (Berdyzew, 1899), p. 256; Isaac bar Sheshat, *Teshubot ha-Ribash* #119; Maran Joseph Caro, *Bet Yosef, Yore De'a* CXLVIII s.v. *wub-'akum*; *Shulhan 'Arukh, Yore De'a* CXLVIII, 5; R. Joseph Sarfati, *Yad Yosef* (Amsterdam, 5460/1680), 216a. Similarly, our manuscript in B. A.Z. 6b (p. 11); and R. Hanan'el, ad loc.; B. A.Z. 50b (p. 106); T. A.Z. 1:2. Later, scribes in Christian lands doctored the text in our story and in B. A.Z. 6b and 50b to read *be-yom edam* in the plural to justify trading with gentiles in their public holidays; cf., Yom Tob as-Sibili, *Hiddushe ha-Ritba* on B. A.Z. 6b, s.v. *hahu*. Remarkably, Maran in his later work, *Kesef Mishne* to M. A.Z. 9:2 and *Ma'akhalot Asurot* 11:7, cites the text in the plural. This basic point escaped the attention of the editors and commentators, see *Mishne Torah* (Katzelenbogen-Lieberman edition) *'Aboda Zara* 9:2. Briefly, according to the original text of the Talmud, we are talking about a private festivity, cf., David Pardo, *Hasde David* (Leghorn, 1790), vol. 2, 88a, s.v. *lo*. E.g., a pagan offering thanksgiving for being saved from drawing, see B. A.Z. 50b. Normally, this kind of celebration involved some form of idolatrous rites. This is why there was a need to ascertain that it was known that the pagan in question did not worship idols; see following note. By changing these texts and paralleling them to public pagan

positively known that the recipient does not worship idols. To substantiate this view, the Talmud cites two incidents, one involving Judah (d. 299) and the other Raba. In both cases, bringing a present on *yom edo* was justified on the ground that it was known that the recipient “did not worship idols.” For the purpose of our discussion, it is important to note that both incidents took place around Pum be-Dita, the Iranian section of Babel.¹⁴ Probably, *yom edo* refers to a special type of celebration, probably on his birthday. “It is a Persian custom,” writes Herodotus, “to regard a person’s birthday as the most important day of the year for him.”¹⁵ It was celebrated with pomp, large banquets, and merry-making. The settings must have been splendid, fitting a man of bar-Sheshakh’s standing.

The characters were larger than life, on the one hand, bar-Sheshakh seated in regal splendor, on the other, Raba, the Jew, paying him homage in the name of the Jewish community. Inebriated with ecstasy, bar-Sheshakh decides to attack. The circumstances were loaded against Raba. However, as we shall see in the course of this examination, the one to blink was bar-Sheshakh.

2. *The Text*

The story appears at B. A.Z. 65a. The printed text is faulty, and our translation proceeds from the Spanish manuscript edited by the late Professor Shraga Abramson, *Tractate ‘Abodah Zarah* (New York: The Jewish Theological Seminary of America, 1957), p. 112. The story is divided into three sections, each subdivided into three brief segments. At the end of the story there is an appendix citing two

holydays, it became impossible for the commentators to come to grips with the legal principles involved in these issues, and they had to indulge in all kinds of speculative twaddle; see Mansur Marzuq, *Qorban Elisur* (Salonika, 5537/1777), pp. 165c-166b.

¹⁴ Herodotus, *The Histories*, trans. Robin Waterfield (Oxford, 1998), I.131, p. 60, observed that Persians sacrifice to the sun, stars, and other powers of nature, but do not “construct statues, temples, and altars; in fact, they count those who do so as fools.” This point has been contested. Probably Herodotus was referring to priests or some other religious group with which he came in contact; see Emile Benveniste, *The Persian Religion* (Paris, 1929), pp. 46-49.

¹⁵ *The Histories*, I. 133, p. 61. Unlike the standard birthdays in M. A.Z. 1:3, see MT A.Z. 9:3 and commentaries, that were celebrated differently and involved different legislation.

alternative answers that could have been given to bar-Sheshakh's question. Since they are not germane to the story proper, they are not studied here.

- [I.a] Raba brought up a gift (*qurbena*)¹⁶ to bar-Sheshakh on a private holiday of his.¹⁷
- [b] He [Raba] ascertained: "I am acquainted with him and know that he does not worship idols."
- [c] He went in and found him sitting and [a garland of] rose(s) over his neck,¹⁸ and naked whores were standing attending before him.
- [II.a] He [bar-Sheshakh] asked him: "Do you have something similar to this in the world to come?"
He [Raba] responded: "Superior¹⁹ to this and to this!"²⁰
- [b] He [bar-Sheshakh] asked him: "Superior to this and to this, how could it be?"
He [Raba] responded: "You bear upon yourself the dread of the imperial kingdom (*emata de-malkhuta*), we do not bear (*havva 'alan*)²¹ the dread of the imperial kingdom."
- [c] He [bar-Sheshakh] told him: "I, however, what dread of the imperial kingdom do I bear upon myself?!"

¹⁶ This is the correct version, also in the printed edition; *Yalqut ha-Makhiri*, p. 256; Isaac bar Sheshat, *Teshubot ha-Ribash* #119. However, Maimonides, *MT A.Z.* 9:2 has *doron*, which is a regular "gift," void of any cultic or religious connotation. I do not think Maimonides had a different version of the text, but he chose this term to clarify that no pagan ritual was involved. However, the text quoted in *Yad Yosef*, 216a, reads *dorona*.

¹⁷ See above, note 13.

¹⁸ There are two different readings. In our MS. we have *'al savare be-vardei* or *be-varde*, and it could be translated either "over his neck a covering of roses," cf., Rabbenu Gershom on B. B.B. 98b, s.v. *be-varde*, or "over his neck a garland of roses," referring to a kind of ritual tiara, cf., Herodotus, *Histories* I.131, p. 61. The printed text and *Yalqut ha-Makhiri*, p. 256, read *'ad savare be-varde* (*Yad Yosef*, 216a: *'ad savare be-varde*). In that case it refers to a pool of rose water (see Jacob Neusner, *A History of the Jews in Babylonia*, vol. 4, p. 63), which was regarded as some sort of aphrodisiac. In either case, the flower in question need not necessarily be the common rose but some odoriferous flower; cf., Targum on Song of Songs 2:1, 2.

¹⁹ To dilute Raba's point and make it dull, the standard edition joins two textual traditions, one as in our manuscript and another reading *didan 'adifa*, "ours is more;" the resulting combination: *didan 'adifa tafe*, "ours is more superior." Bar-Sheshakh's response makes it clear that Raba said only *tafe*.

²⁰ The standard editions have omitted the second "this," thus saving the rabbi from embracement and making the story tame, bland, and meaningless.

²¹ The editor of the standard edition, apparently unhappy with his present condition (wife, children, debts, failing health) must have thought it ridiculous that a Jew could be happier than a gentile. Thus he doctored *havva* present tense, to *lihve*, "shall have," in the future. Probably on account of his mental state, he did not realize that according to the improved version, the Jewish world to come would be

- [III.a] While they were sitting in conference, came the emperor's courier and told him [bar-Sheshakh]: "Stand up! The Emperor is summoning you to *be-kanupia* [a private meeting?]"²²
- [b] As [bar-Sheshakh] was going out he told him [Raba]: "May the eye wishing to see you [the Jews] hurting split open!" Raba responded: "Amen!"
- [c] [At that moment bar-Sheshakh slipped hurt himself and] bar-Sheshakh's eye split open.

3. "Happy Birthday, Mr. Governor!"

The meeting takes place at the governor's residence, where bar-Sheshakh receives Raba in a setting that was deliberately offensive. Whether he was immersed in a pool filled with rose water, as the printed text seems to insinuate, or under some covering or tiara made out of odoriferous flowers as in the manuscript, the mention of "naked whores" is intended to show that the atmosphere was lewd and unbecoming. There is a highly significant detail, shedding light on the circumstances of the meeting. In the manuscript and standard edition the gift presented on *yom edo* is described as *qurbena*—not *dorana* ("gift").²³ Consistently, the Aramaic version of the Torah uses *qurbena* to translate *qorban*, "sacramental sacrifice." A gift presented to a human being *without* religious connotation is translated *taqrubta*.²⁴ It may be, accordingly, that the gift offered to bar-Sheshakh involved some sort of a ritual with religious connotation. Hence the need to verify that the individual receiving the *qurbena* did not worship idols. If the governor did not celebrate his birthday worshipping idols, how did he celebrate "the most important day" of his life?

another of these bar-Sheshakh free-for-all parties, with the additional advantages that the participants will have nothing to fear! It is clear now why the anti-Maimonideans were so annoyed at Maimonides's description of "the-world-to-come." For a realization of this "future world" in "right-now-terms," cf., Shabbetai Zvi's orgies. More prudently, *Yalqut ha-Mekhiri*, p. 256 only has, "You bear upon yourself the dread of the imperial kingdom," and skipped altogether the problematic sentence, "we do not bear the dread of the imperial kingdom."

²² This term does not appear in all other editions, see below note 50.

²³ See above note 16.

²⁴ See Elia Levita, *Meturgeman* (Izne, 5301/1541), p. 138b, s.v. *qerab*. See B. Zeb. 116b, where *qurbena* appear to stand for "sacramental sacrifice." However, in light of the deification of monarchs in antiquity, especially in Persia, a gift to a monarch could be referred to as a *qurbena* even when no actual worship was intended; cf., M. Ned. 2:5. This is reminiscent of the English *deodans* (from the Latin *deo* + *dan-*

Joseph Sarfati (sixteenth century) pointedly noted that the governor was a hedonist for whom pleasure was an end in itself.²⁵ More precisely, he was an Epicurean. By postulating that the gods have no interest in human affairs, Epicureanism hoped to free man from fear (of the gods) and thus help him reach *eudaimonia*, “true, full happiness,” that is, a pure pleasure *free* from pain and fear.²⁶ Epicurean pleasure could be experienced in a state of “mental tranquility,” and it will last forever, continuously, even at old age.²⁷ At this state of mind, when no longer bound to past commitments or troubled by future apprehensions, one could grab the pleasure experienced at the “right-now-moment.” As with Herman Hesse’s *Demian*, it will endure forever in the *mind* of the individual, as he reflects on it and recaptures it.

But mental tranquility means being released from all these troubles and cherishing a continual remembrance of the highest and most important truths.²⁸

It is truly eternal. At any minute it would be possible to close one’s eyes and experience it again and again, in a jiffy. Bar-Sheshakh reached this state of mind in *yom edo*, at the moment that his nemesis Raba brings up to him the *qurbena* of the Jewish community. At that very instant he turns to Raba and challenges him: “Do you have something like *this* in the world to come”?

The good governor was teasing! He *knew* that *right-now* his condition was infinitely superior to that of any Jew. As an Epicurean he rejected the notion of an after-death. One of the objectives of Epicurean philosophy is to free man from such silly concerns.²⁹ For the sake of amusement, rather than to spark a meaningful dialogue, he asked about the *future*: would the ultimate reward that the Jew hopes for in the “world to come” match what bar-Sheshakh was experiencing *right-now*? Intimidation is the earmark of pagan culture. What distinguished the Jew (and made him the object of scorn in

dum, “given to God”), a special kind of a fine to be paid when an animal caused the death of a person; it was abolished only in 1846. Said fine, however, was not to be given to the Church but to the king!

²⁵ See *Yad Yosef*, 215d-217a.

²⁶ This subject is discussed with insight and great authority by Leo Strauss, *Spinoza’s Critique of Religion* (New York, 1965), chapter 1.

²⁷ Cf., *Diogenes Laertius* X,137, (Loeb Classical Library), vol. 2, pp. 661-663.

²⁸ *Diogenes Laertius* X,82 (Loeb Classical Library), vol. 2, p. 611; cf., *ibid.*, 129, pp. 653-655.

²⁹ See *Diogenes Laertius* X,124-127, vol. 2, pp. 651-653.

the pagan world) was the fact that “spiritually superior bullies” did not intimidate him. “[B]y yielding to a false form of ‘civility,’” observes Justice Thomas, “we sometimes allow our critics to intimidate us,” adding “This is not civility. It is cowardice, or well-intentioned self-deception at best.”³⁰ Raba dared the challenge. There is no need to match our *future* to your *present*. The *present* condition of the Jew *right-now* is superior to that of bar-Sheshakh *right now!* Our situation, snapped Raba, is “Superior to *this* and to *this!*” “This” is a deictic pronoun standing for a motion signaling at an object “spatially” *here* and “in time” *now*; in our case, at the prostitutes attending bar-Sheshakh.³¹ Pointing (at least verbally) at the lady(ies) in question, bar-Sheshakh retorted with astonishment: “What can it be superior to *this* and to *this?*,” to which Raba replied: “You bear upon yourselves the dread of the Empire (*emata de-malkhuta*), we do not bear upon ourselves (*havva ‘alan*) the dread of the Empire.”³² In both Hebrew and Aramaic *ema* (“dread”) is not a fear motivated by immediate physical danger but anxiety designed to intimidate and facilitate psychological coercion and manipulation.³³ The association “*emata*-Empire” suggests the kind of psychological exploitation designed to produce anxiety as a matter of government policy. Jewish life *here-now* is superior because it does not inhabit the realm of frenzy and madness imposed by *emata de-malkhuta*. Maimonides, and then Freud at the end of his life, addressed the dynamics of hysteria in pagan civilization.³⁴ Raba was far from being a frigid man.³⁵ However, for

³⁰ Francis Boyer Lecture, American Institute for Public Research, February 13, 2001, p. 7.

³¹ On the deictic character of this pronoun, see my article “*Ma ben ‘hamor ze’ le-ben ‘hamor ha-hu’*,” in *Sinai* 76 (1975), pp. 189-192. Grammatically “to this and to this” could be referring to the prostitutes, assuming that they were only two, or to the breasts of one in particular.

³² *Malkhuta* could be translated as either “kingdom” or “Empire;” in our case “Empire” better fits the political condition of the time.

³³ See Is. 33:18, Prov. 20:2, and Job 39:20. Se’adya Gaon uses the Arabic *hibba*, which is “awe” caused by someone with authority. The same occurs in M. Sot. 1:4, M. San. 4:5; B. Qid. 71a, etc. Incidentally, the famous name “Aboab” is the Castilian pronunciation (it is actually spelled “Abuhib”); it is an Arabic name that should translate something like “Mr. Aura” or “Mr. Presence.” In this sense, Jews of Damascus use *ime* (coming from either Hebrew or Aramaic), e.g., “This person has *ime*,” and consequently “respect,” e.g., “They did not do to him his *ime*,” i.e., they did not treat him with the reverence that his *ime* requires.

³⁴ See José Faur, *Homo Mysticus: A Guide to Maimonides’s Guide for the Perplexed* (Syracuse, 1999), pp. 11-12, 16, 18, 135; cf., pp. 66, 142.

³⁵ See B. Ket. 65a.

people untouched by *emata de-malkhuta*, bar-Sheshakh's hallucinatory excursions and delights are very close to what life in a cage of chimpanzees has to offer a normal human being. (Thus, the Jew chose exile, torture, and death rather than conversion.)

Raba's answer touches the heart of pagan humanity. Fear, more precisely dread in the form of psychic tension and apprehension, is the matrix of pagan civilization. It shapes the consciousness and it structures the patterns of thought and feeling *from within*. *Ema* is the element fueling the inner dynamics of the political, cultural, and social machinery of pagan civilization. Principally, it is the instrument welding *all* hierarchical structures. Concerning this point, the rabbis noted five classes of *ema*. The first one being "the *ema* of the weak over the strong," i.e., the control that the upper strata of society exercise over those below.³⁶ In turn, the *ema* bounces back from the lower strata upwards, creating a state of perennial tension. Addressing himself to the psychological state of European society in the eve of the Second World War, Jung wrote:

There is no civilized country nowadays where the lower strata of the population are not in a state of unrest and dissent. In a number of European nations such a condition is overtaking the upper strata, too. This state of affairs is the demonstration of our psychological problem on a gigantic scale.³⁷

Without dread pagan civilization, including its cultural and religious institutions would collapse. Mostly, when referring to pagan deities, the Aramaic version of the Torah renders "god" *dahala* "psychological terror." This is the spring of pagan religion and devotion. Indeed, the purpose of pagan religion is to instruct people how to placate the gods and avoid their rage. Epicureanism is born out of the same matrix. To save humankind from religion, "the greatest anxiety of the human" and thus allow for "mental tranquility," Epicureanism denied that the gods care about human affairs. Only when "released from all these troubles" would the individual be capable of "cherishing a continual remembrance of the highest and most important truths."³⁸

Raba was telling bar-Sheshakh: "Some, like yourself, may have overcome the fear of gods, but all of you, including the producers

³⁶ B. Shab. 77b. See "One-Dimensional Jew," pp. 31-34.

³⁷ C.G. Jung, *Psychology & Religion* (New Haven, 1938), p. 95.

³⁸ *Diogenes Laertius* X,82, vol. 2, p. 611.

and managers of *ema*, live under the burden of the “imperial *ema*.” In addition to the “natural” *ema* fueling the mental apparatus of pagan humanity in the areas of religion, art, etc., there is an *emata de-malkhuta* wittingly designed to justify government and subjugate the people: without *emata de-malkhuta* there would be no need for *malkhuta!* Political power and authority is grounded on the monopoly of *ema*. This crucial point underlies the intellectual apparatus of Thomas Hobbes (1588-1679), the father of modern political thought. People are willing to curb their passion and submit to a supreme political leader because of fear, specifically, fear of the sword.

For the Laws of Nature (as *Justice, Equity, Modesty, Mercy*, and (in summe) *doing to others, as we would be done to,*) of themselves, without the terror of some Power, to cause them to be observed, are contrary to our naturall Passions, that carry us to Partiality, Pride, Revenge, and the like. And Covenants, without the Sword, are but Words, and of no strength to secure a man at all.³⁹

Translated into more sophisticated terms: without *emata de-malkhuta* the entire edifice of pagan humanity would come to naught.

Properly understood, the conflict between Rome and Jerusalem is *political* through and through; there is nothing “religious” about it. Both systems are broad and all-inclusive and comprehend the realms of the political, the spiritual, the cultural, and the legal. Only one issue stands between them: is the ultimate ground for authority the sword, centered in a monarchial Empire headed by a Cosmocrator ruling the world (Pharaoh, Alexander, Caesar, et al., in antiquity, in modern times Napoleon and more recently Hitler)?⁴⁰ Or the Law?⁴¹ In the Empire ruled by the sword, the law is marginal. The object of those engaged in the legal profession is to circumvent and manipulate it, not to fulfill it. “Nowadays, indeed, violation of the laws has with most nations become a fine art,” writes Josephus, who adds, “Not so with us.”⁴² The choice is either/or: “the sword and the book” are mutually exclusive.⁴³ Those who recognize the “yoke of

³⁹ *Hobbes's Leviathan* (Oxford, 1909), chap. XVII, p. 128.

⁴⁰ On this fundamental issue, see *Homo Mysticus*, pp. 123, 125-126.

⁴¹ In Judaism, Moses is not the incarnation of the *Logos*, as Jesus is in Christian tradition, or a supreme Cosmocrator, as Mohammed is in Islam, or Jesus will be upon his second coming, but first and foremost the first legislator and the head of the first Supreme Court of Israel.

⁴² *Against Apion* (Loeb Classical Library) II,277 (38), p. 403.

⁴³ See B. A.Z. 16b.

the *kingdom* of heaven,” i.e., the supremacy of the Law, will not be subjected to the “yoke of the *kingdom*,” i.e., imperial power, “and the way of the land,” and vice versa (M. Ab. 3:6). Reflecting on this overwhelming principle, Josephus wrote this telling passage:

For those, on the other hand, who live in accordance to our laws the prize is not silver or gold, no crown of wild olive, or of parsley with any such public mark of distinction. No; each individual relying on the witness of his own conscience and the lawgiver’s prophecy, confirmed by the sure testimony of God, is firmly persuaded that to those who observe the laws, and if they must need die for them, willingly meet death, God has granted a renewed existence and in the revolution of the ages the gift of a better life. I should have hesitated thus, had not the facts made all men aware that many of our countrymen have on many occasions ere now preferred to brave all manner of suffering rather than to utter a single word against our Law.⁴⁴

Eventually, as explained in an ancient Aramaic version of the Torah, Israel alone will be saved from among all the nations, precisely because it “is a nation that dwells alone” (Num. 23:9), that is, “because they do not follow the constitutional laws (*nimusaya*) of the nations.”⁴⁵

There is nothing “religious” about anti-Semitism, it is a matter of politics, pure and simple. Hobbes understood this well:

And therefore the Romans, that had conquered the greatest part of the then known World, made no scruple of tolerating any Religion whatsoever in the City of *Rome* it selfe; unlesse it had something in it, that could not consist with their Civil Government; nor do we read, that any Religion was there forbidden, but that of the Jewes; who (being the particular Kingdome of God) thought it unlawfull to acknowledge subjection to any mortal King or State whatsoever. And thus you see how the Religion of the Gentiles was a part of their Policy.⁴⁶

The Jewish people alone perceived the evils of an imperial monarchy and carefully distinguished between a normative government, for whose welfare we must pray (see Jer. 29:7; M. Ab. 2:3) and immoral governments based on violence and psychological terror.⁴⁷ Specifically,

⁴⁴ *Against Apion* II,218-219 (30), p. 381.

⁴⁵ See Targum Neophyti and Pseudo-Jonathan, ad loc. On the niceties of this term, see Daniel Sperber, *A Dictionary of Greek and Latin Legal Terms in Rabbinic Literature* (Ramat Gan, 1984), s.v. *nimus*, pp. 113-117.

⁴⁶ *Hobbes's Leviathan*, chap. XII, p. 90.

⁴⁷ Cf., B. Ket. 51b.

that within the context of imperial *ema*, “religion” would be a *de facto* instrument of politics rather than a mean for human expansion and spirituality. To ascertain this belief, the Jew prays three times a day for the eradication of *malkhut ha-rish'a* (the Empire of Evil). A segment of the eleventh blessing of the daily *Amida* addresses God with this request: “and the Empire of Evil you shall uproot, quickly in our days.” *Galut* (Exile) is a strategic decision. It means, at the barest, that the Jewish people will not surrender themselves and their families to a system permeated by *emata de-malkhuta*. In the words of Josephus:

Robbed though we be of wealth, of cities, of all good things, our Law at least remain immortal; and there is not a Jew so distant from his country, so much in awe of a cruel despot [= *emata de-malkhuta*], but has more fear of the Law than of him.⁴⁸

In our days, too, coercive ideologies, as well as intellectual and cultural intimidation are accepted as civil modes of discourse.

The governor conceded Raba's point. However . . .

The more repressive a regime is the greater its dependence on elites to run the affairs of the state and mediate between masters and dependents. Bar-Sheshakh conceded the supremacy of *emata de-malkhuta*. However, there were exceptions, specifically among the elite in charge of the production and management of *emata*. One would think that bar-Sheshakh, an expert in the art of manipulation, would be aware that he, too, could be disposed of in like manner. To prevent thoughts of this nature, pagan civilization provides special levels of pleasure and different codes of conduct for its elites. These “privileges” are intended not merely to reward but also to control, block introspection, and create the illusion of euphoria and invulnerability. It is not surprising therefore to find bar-Sheshakh confident that *emata de-malkhuta* that he so wittingly designs for others would not touch him. Thus, he retorted at Raba: “I, however, how could the dread of the Empire be upon me?!”

“It does no good to argue ideas with those who will respond as brutes,” remarked Justice Thomas.⁴⁹ This type of controversy is best resolved existentially. Unexpectedly, “While they were seated in con-

⁴⁸ *Against Apion* II,277 (38), pp. 403-405.

⁴⁹ Francis Boyer Lecture, American Institute for Public Research, February 13, 2001, p. 4.

ference,” presumably discussing important issues, “A courier of the emperor came and told him (bar Sheshakh): ‘Stand up! The Emperor has summoned you!’”

In our manuscript it is said that the king had summoned bar-Sheshakh to *be-kanupia*.⁵⁰ In Aramaic this term is used to translate the “tent” in which Abshalom raped his father’s concubine “in the presence of all Israel” (2 Sam. 16:22). I don’t know the specific connotation of this term within the context of our story. Probably, it was a code-term indicating that the king wished to speak to him “in private,” in reference to some serious accusations levied against bar-Sheshakh. He must have taken it as a ghastly ill omen, especially when coming on *yom edo!* Bar-Sheshakh was terrified by the summon. On top of it, he was probably dead drunk. Herodotus tells us that Persians “are extremely fond of wine;” indeed, “it is usual for them to be drunk,” particularly “when they are debating the most important issues.” They attach so much importance to inebriation that “any issues they debate when sober are reconsidered by them when they are drunk.”⁵¹ As bar-Sheshakh was leaving he tells Raba: “May the eye wishing to see you (the Jewish people) hurting, split open!” Raba responded: “Amen!” At that moment bar-Sheshakh lost his poise, fell down, hurting his eye, which split open on impact.

There are three further points to consider. First, under the pretense of lewdness, bar-Sheshakh wished ill on the Jews (permissiveness is a superb camouflage, that is why naked ruffians are harder to spot). Raba knew this when he said “Amen!” Shocked that the rabbi saw through the camouflage, bar-Sheshakh lost his footing, falling and impairing an eye. Raba’s timing was brilliant. Having to rush to see the emperor, bar-Sheshakh would not have a chance to

⁵⁰ From the Latin *conopeum*, English “canopy”—a reference to the fine gauze used about the bed for protection from mosquitoes and other insects.

⁵¹ Herodotus Histories, I, 133, p. 61. It is now clear why Esther had to arrange two separate drinking parties. Since she obtained permission from the king to invite Haman when the king was not inebriated (see Est. 5:4), it was not final. Therefore she organized the first party in order to receive permission from the king to invite Haman when the king *was* inebriated (see Est. 5:7-8). Once official permission was obtained, she organized a second drinking party to present accusation against Haman (see Est. 7:2-5). This is why, although the king had granted Haman permission to kill the Jews (see Est. 3:8-11), he was furious when he learned that Haman wanted to proceed with his plan (see Est. 7:5-7), although permission was granted when he was sober. It is worth noting that the Shiites in Iran reject the tradition ascertaining that Mohamed had forbidden to drink wine.

retaliate. It is safe to assume that this was the last time anyone saw the good governor around.

Second, hatred of Jews has nothing to do with “religion.”⁵² Bar-Sheshakh himself was a hedonist, with little care either for the gods or for the people he governed. The matrix of anti-Semitism is envy: resentment at a group enjoying a superior quality of life, not because they are mightier. For those indoctrinated in the belief that *might* is everything, the sight of a happy Jew is unbearable. The rage intensifies upon discovering that *emata de-malkhuta* cannot reach those refusing to partake in the sweet delights of the chimpanzee’s cage. The ire bursts out into pandemonium upon realizing that from the outside all monkeys look alike, including the ones eating a larger banana and terrifying the little ones. (As we say in Judeo-Spanish: *de noche todos los gatos son pardos*, “at night all cats look black”). Can anyone fault the good governor for making a Freudian slip and losing an eye on the way to the emperor?

Finally, the story-tellers of Mahoza, Pum be-Dita, and even in far away places like Sura, must have had a field-day “filling in the juicy details” of that incident, particularly the governor’s entering the emperor’s canopy with a patch over an eye, trying to explain how he lost it to a rabbi in a brawl that *he* picked on *his* turf during *his* birthday. I would like to propose focusing on an obscure corner of the story. It is pure speculation without textual bases. I bet that the ladies attending bar-Sheshakh felt for a teeny weenie moment that the God of Israel acts in very strange ways and even in stranger places. Encouraged by this, some may have dared exit the cage and discover that there is a beautiful and splendorous world beyond the Planet of the Apes. Would anyone care to fill-in the details?

⁵² Curiously, anti-Jews in modern Israel believe that were it not for these fastidious rites that fellow Jews practice, their moronic pals “all-over-the-world” would regard them as equals.

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