YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**Talmudic Aggadot**

**By Rav Dr. Yonatan Feintuch**

**Shiur #25: Amon and Moav and the Story of the Roman Officers**

**Part II**

1. **Summary of previous *shiur***

In the previous *shiur,* we reviewed the story of the Roman officers, as recorded in the *Sifri Devarim* and in the *Yerushalmi* in *Massekhet Bava Kama*. We saw that in both sources, the broader contexts of the story reflect negative attitudes towards non-Jews. When the story of the officers is read within either of these contexts, these negative attitudes are amplified and strengthened. In the *Yerushalmi*, the story concludes with a sentence describing how the Roman officers forgot what they had learned on their way back to report to their superiors. This serves to emphasize the negative view and lack of confidence.

1. **The sugya in the Bavli**

**A more complex view**

The *sugya* in the *Bavli* is longer and more complex than its parallel in the Yerushalmi. As we saw in the previous *shiur*, the *sugya* begins with the Gemara questioning the lack of symmetry in the law set down in the Mishna:

“But logically the distinction should either be made in full or not at all: if we insist on the implications of ‘his neighbor’ [in the case that the ox of a Jew gores the ox of a non-Jew], then should there not also be an exception in the case of the ox of the non-Jew goring the ox of the Jew? And if the implications of ‘his neighbor’ are not upheld, then surely in [the case of the ox of a Jew] goring the ox of a non-Jew there should be [the same level of] liability!”

In response to this question, the *sugya* launches into an *aggadic*, ideological discussion. The aggadic discussion is introduced by a series of teachings that parallel those brought at the beginning of the *sugya* in the *Yerushalmi*,[[1]](#footnote-1) providing justification for the law in the Mishna:

“R. Abbahu said: The verse says (Chavakuk 3:6), ‘`He stands and shakes the earth; He beholds, and causes nations to tremble’: [this means that] God beheld the seven commandments which were accepted by all the descendants of Noach, but since they did not observe them, He rose up and made their property permissible to Israel. R. Yochanan said: ‘The same could be inferred from the verse (*Devarim* 33:2), He shone forth from Mount Paran’ – meaning, from Paran He showed their property to Israel.’”

However, the Bavli does not suffice with a discussion of the legal status of non-Jews and their property. It goes on to a broader discussion about non-Jews, bringing additional teachings of Babylonian Amoraim concerning the verses from Chavakuk. These teachings in their entirety offer a more complex view of non-Jews:

“For R. Metana taught: ‘He stands and shakes the earth; He beholds…’ – What did He see? He saw the seven commandments that were accepted by all the descendants of Noach, but they did not observe them. So He arose and exiled them from their land.’

… For R. Yosef taught: ‘He stands and shakes the earth; He beholds…’ – What did He see? He saw the seven commandments that were accepted by all the descendants of Noach, but they did not observe them. So He arose and granted them an exemption…

R. Mar, son of Rabbana, said: ‘This teaches that even if they had observed them, they would receive no reward.’

Would they not? But it has been taught, ‘R. Meir said: From where do we know that even a non-Jew who occupies himself with Torah is comparable to the Kohen Gadol? We find it stated, ‘… which if a man does, he shall live in them’. The verse does not say, ‘[if a] Kohen or Levi or Israelite [does]’, but rather ‘a man’…. What I mean is that they will receive reward not like those who are commanded and who fulfill [the command], but rather like those who are not commanded, but nevertheless fulfill…”.

This part of the discussion is introduced by R. Metana’s teaching concerning the failure of the nations to fulfill the seven Noahide laws, and their punishment as a result. However, as the discussion develops, the negative attitude toward non-Jews seems to undergo a gradual process of moderation. By the end of the discussion in the Bavli, the conclusion is that non-Jews are rewarded for performance of the commandments, on the level of ‘those who are not commanded but nevertheless fulfill….’ Moreover, the discussion includes the opinion of R. Meir, who maintains that a non-Jew who studies Torah is comparable to the *Kohen Gadol*. This statement reflects a rather positive view of non-Jews. This entire section of the discussion is absent from the parallel *sugya* in the Yerushalmi.

 In addition, in terms of the organization of the *sugya* in the Bavli, R. Meir’s teaching about a non-Jew who engages in Torah study is a link to the next subject in the *sugya*: the story of the two officers (which appears, correspondingly, in the second part of the *sugya* in the *Yerushalmi*), which describes the two Roman officers studying Torah.

**The story of the officers in the Bavli**

“Our Sages taught: The government of Rome[[2]](#footnote-2) had long ago sent two officers to the Sages of Israel, requesting, ‘Teach us your Torah’. It was accordingly read to them once, twice, and thrice.

Before taking leave, they remarked: ‘We have gone carefully through your Torah and it is truth – with the exception of this one point, that you say that if the ox of a Jew gores the ox belonging to a non-Jew, [the owner] is exempt from payment, but if [the ox] of a non-Jew gores the ox of a Jew, whether [the ox that gored] was tame or known to be dangerous, [the non-Jewish owner] pays full damages. Logically, the distinction should be made either in full or not at all: if we insist on the implications of ‘his neighbor’ [in the case that the ox of a Jew gores the ox of a non-Jew], then should there not also be an exception in the case of the ox of the non-Jew goring the ox of the Jew? And if the implications of ‘his neighbor’ are not upheld, then surely in [the case of the ox of a Jew] goring the ox of a non-Jew there should be [the same level of] liability! Nevertheless, we shall not report this matter to our government.”

While the story in the Bavli generally parallels the account in the Yerushalmi, there are slight differences. Various details that are not relevant to the *sugya* do not appear in the Babylonian version – for example, Rabban Gamliel’s name and the location of his *beit din*; these are replaced by the brief and more general reference to “the Sages of Israel.” Likewise, the other laws that are not directly related to the *sugya* do not appear here (the law of property stolen from a non-Jew, and the laws pertaining to childbirth and nursing of a non-Jewish infant). Another interesting point is that the question posed by the Roman officers concerning the law of the ox is formulated in exactly the same words with which the Gemara introduced the *sugya*: if the term ‘his neighbor’ is meant to exclude non-Jews, then the law pertaining to the ox of a Jew that gores the ox of a non-Jew should be identical to the laws of an of a non-Jew goring the ox of a Jew.

In light of this, we might point out another difference between the *Sifri* and the *Bavli*: in the *Sifri* (and the *Yerushalmi*), the officers state that “the entire Torah is **fine and praiseworthy**, except for this thing,” while in the *Bavli* the statement is formulated differently: “We have gone carefully through your entire Torah and **it is truth**.” The difference appears to be a fine one, but significant nevertheless. The statement in the *Bavli* occupies the level of logic: “It is truth.” Perhaps this is related to the formulation of the criticism voiced by the non-Jewish officers in the Bavli, which is less a matter of moral outrage at the discrimination against the non-Jewish owner of the ox, and more a matter of logical dissonance. This is also expressed in the Gemara’s own question at the beginning of the *sugya*: “The distinction should be made either in full or not at all.”[[3]](#footnote-3)

In addition to the above differences, the scornful comment at the end of the story in the *Yerushalmi* – “Even if they would, before they reached the upper part of Tyre they had forgotten everything” – does not exist in the *Bavli*. This sits well with the general atmosphere of the *sugya* in the *Bavli*, which is less negative with regard to non-Jews. Even more significant is the juxtaposition to the words of R. Meir, cited in the first part of the *sugya* in the *Bavli*, which illuminate the Torah study of the two non-Jewish officers in a more positive light. It may be for this reason that the *Bavli* finds no need for the detail that appears in the *Sifri’s* version of the story – “… and make yourselves [appear to be] Jews,” since, at least according to R. Meir, they don't necessary have to pretend to be Jews in order to study Torah. As noted, the story provides a basis for the claim by non-Jews, and perhaps through juxtaposition to the words of R. Meir this aspect of the story is awarded greater importance.

**Judging non-Jews by their deeds**

In the continuation of the *sugya*, too, the discussion in the *Bavli* extends further than its counterpart in the Yerushalmi, with another story and additional teachings serving to offer a complex attitude toward non-Jews. After the story of the two officers, the *sugya* brings the story of a Babylonian Amora named Ulla who went to offer consolation to R. Shmuel bar Yehuda, who was mourning the loss of his daughter. In his words of consolation, Ulla cites the teaching we discussed in the previous *shiur*, in which God prohibits Bnei Yisrael from waging war against Moav. Despite the hostility of the Moabites, God is concerned about the “two pearls” who will eventually emerge from Moav and Amon - Rut the Moabite and Na’ama the Amonite:

“Moshe made the following logical deduction: Concerning the Midianites, who came only to lend aid to Moav, the Torah commanded, ‘… and smite them’ (*Bamidbar* 25). Surely, then, this applies to an even greater degree with regard to the Moabites themselves! But the Holy One, blessed be He, told him: The way you see it is not the way I see it. I will still bring forth two pearls from them – Rut, the Moabite, and Na’ama, the Amonite….”[[4]](#footnote-4)

It should be noted that the protection afforded to the nations in question in this teaching is not self-evident, and does not arise from acceptance of their inherent legitimacy. The command not to harm them is based on the fact that in the future, Amon and Moav will each produce a descendant who will leave her nation to join Am Yisrael and contribute, both through her own deeds and through the foundation of the dynasty of David. It is this complex position that is represented by the *Bavli*. While the *Yerushalmi* offers a categorically negative presentation of non-Jews, the *Bavli* offers neither a categorical negative nor an unconditional acceptance: the non-Jews are judged on the basis of the choice of someone among their descendants to join the Jewish People.

Further on, Ulla connects this teaching to the death of the daughter of R. Shmuel bar Yehuda:

“And there is a logical deduction to be made: If, for the sake of two righteous descendants, the Holy One, blessed be He, had mercy on two mighty nations and did not destroy them, then had the daughter of Rabbi been righteous and worthy of producing something good – she certainly would have lived.”

It is difficult to understand what sort of solace the bereaved father is supposed to draw from these words (compare *Ketubot* 8b, with the story of the son of R. Chiyya bar Abba and the Gemara’s remarks), and we shall not attempt to resolve this question here. However, there is also the question of the substance of Ulla’s argument: what prompts him to draw a connection between Amon and Moav and their descendants, on one hand, and R. Shmuel bar Yehuda’s daughter, on the other? If the existence of these nations is dependent on worthy future descendants who will become proselytes, then what does that have to do with the Jewish daughter of a Babylonian Amora, who is deserving of life in her own right?

The answer to this question lies in an interesting biographical detail concerning the father: R. Shmuel bar Yehuda was himself a proselyte. This fact sheds light on our understanding of the story in itself. Moreover, this story now serves as a positive human representation of non-Jews who may in the future become part of the Jewish nation, like some of the descendants of Amon and Moav.

**Positive attitude toward Amon and Moav**

The next part of the *sugya* continues the complex stance in relation to non-Jews. Following the story of the consolation, we find the two statements praising the daughters of Lot (especially the elder one) and learning practical lessons from them:

“Rabbi Chiyya bar Abba said in the name of R. Yochanan: The Holy One, blessed be He, does not withhold from any creature its due reward – even for nothing more than a worthy choice of expression. For concerning the [descendants of Lot’s] elder daughter, who named her son ‘Moav’ [literally, ‘from father’, dishonoring Lot by alluding to the incestuous circumstances of the child’s birth – *Bereishit* 19], the Holy One, blessed be He, told Moshe: ‘…nor contend with them in battle…’ (*Devarim* 2) – implying that while waging war was forbidden, requisitioning from them was permitted. But concerning the [descendants of Lot’s] younger [daughter], who named her son ‘Ben-Ami’ [literally, ‘son of my people’, with no explicit allusion to Lot’s dishonor], the Holy One blessed be He told Moshe, ‘harass them not’ – [meaning,] in any way; [implying] that even requisitioning from them was not permitted.

R. Chiyya bar Abba also said in the name of R. Yehoshua ben Korcha: A person should always try to be first to perform a mitzvah. For on account of the one night that the elder [daughter of Lot] preceded the younger [in her well-intentioned attempt at procreation, believing that her father was the only man left alive], she preceded her by having four generations as part of the Jewish People….”

It seems that these teachings, conveyed by R. Chiyya bar Abba – an Amora of the Land of Israel - in the name of his own teachers, could not have been uttered in response to the words of Ulla (a contemporary of R. Chiyya bar Abba), but rather are cited in the *sugya* within the framework of the positive mention of Moav and Amon and their descendants. However, the statements about Moav and Amon do not appear here on the basis of association alone. As noted at the beginning of the previous *shiur*, there are many other midrashim about the daughters of Lot and their descendants, some of which view them in a negative light, in contrast to the teachings of R. Chiyya bar Abba, who finds something praiseworthy in each daughter. We looked at one example of a different view from the *Sifri Devarim*, at the beginning of *Parashat Vezot Ha-berakha*, which appears amongst the same series of teachings that features the story of the Roman officers:[[5]](#footnote-5)

“[God] went to the children of Amon and Moav. He said to them, ‘Will you accept the Torah?’ They said to Him, ‘What is written in it?’ He said, ‘You shall not commit adultery.’ They replied, ‘We are of the very essence of sexual immorality, as it is written, ‘Thus Lot’s two daughters were pregnant by their father….’”

It seems that the *sugya* in the *Bavli* deliberately chooses to include the teachings of R. Chiyya bar Abba as a continuation of the general attitude of the *sugya*. In fact, these teachings are even more positive than those of Ulla: while in Ulla’s teachings the positive attitude toward Amon and Moav rests upon the two righteous descendants who will become part of the Jewish nation, the teachings of R. Chiyya bar Abba present these nations in a positive light in their own right.

1. **The differences between the Bavli and the Yerushalmi**

We might sum up the difference by saying that in the *Bavli*, the discussion about the status of non-Jews in monetary matters is broadened to a more general discussion of non-Jews. Perhaps the *Bavli* views the monetary laws as a sort of springboard that facilitates a broader perspective. Alternatively, perhaps the *Bavli* seeks to balance the impression arising from the negative attitude toward non-Jews reflected in the monetary laws – although there is no expression of any disagreement with the laws, on either the halakhic or the ideological level. The *Yerushalmi* provides justification for the law, thereby conveying a rather negative attitude toward non-Jews. The *Bavli*, in contrast, sees fit to include additional voices which, while having no direct impact on the specific law in the Mishna, nevertheless introduce some diversity into the general discourse and world-view concerning non-Jews. The position arising from the *sugya* in the Bavli is that the inferior status of non-Jews in monetary matters is completely justified, for the reasons cited in the various teachings (which parallel the teachings in the *Yerushalmi*); nevertheless, there are other avenues of interaction with or positions regarding non-Jews that are more positive, at least with regard to those individuals who justify such a positive attitude. This justification need not necessarily pertain to their interactions with Jews; it may concern their relationship with God. A non-Jew who studies Torah is compared to a *Kohen Gadol*, and the proselyte is viewed here in a positive light, perhaps even shedding a positive light on his nation of origin – like Na’ama and Rut. The message arising from the *sugya* in the *Bavli* as a whole is that the attitude toward non-Jews is not deterministic; rather, it is dependent on their actions and the character of their descendants.

1. **Other examples of differences between the Bavli and the Yerushalmi with regard to the attitude toward non-Jews**

Another interesting example of this difference is discussed in Rabbi Dr. Yehuda Brandes’s article on the introductory *sugya* of *Massekhet Avoda Zara*.[[6]](#footnote-6) The article examines the complex attitude toward non-Jews in the *Bavli,* in contrast to the more one-dimensional and negative attitude reflected in the parallel sources cited in the *Yerushalmi*. A number of the same sources from the *Yerushalmi* are also cited in the *sugya* in the *Bavli*, but the introduction of additional sources and comments there serves to diversify the discussion and the message arising from it.

A similar difference between the *Bavli* and *Yerushalmi* is to be found in the halakhic discussion about Pesach.[[7]](#footnote-7) The Mishna in *Pesachim* (8:6) states that someone who has received a promise that he will be released from prison, even though he is still incarcerated, may be included in a Pesach sacrifice:

“… and likewise we slaughter for someone who has been promised that he will be released from prison, and for someone who is ill, or old, but still able to consume a ‘*ke-zayi*t’ [the requisite volume to be eaten in order to fulfill the obligation]. In each of these cases, we do not slaughter for this person alone, lest the Pesach sacrifice come to be invalidated….”

In the discussion of this Mishna in the *Yerushalmi* (36a), a distinction is drawn, in the name of R. Yochanan, between a prisoner who has been imprisoned by Jews and one who is imprisoned by non-Jews:

“The Mishna is talking about someone imprisoned by Jews. If he was imprisoned by non-Jews, [their promise] is unreliable, as testified by the verse (*Tehillim* 144:8)], ‘Whose mouth speaks falsehood, and their right hand is a right hand of lying.’”

The parallel *sugya* in the *Bavli* (91a) also cites a distinction drawn in the name of R. Yochanan, which is similar but different:

 “Rabba bar Huna said in the name of R. Yochanan: This refers only to a case involving a non-Jewish prison. If it was a Jewish prison, then [a Pesach sacrifice] may be slaughtered for him [the prisoner who has been promised release] in his own right. Since he was promised, he will [certainly] be released, as it is written: ‘The remnant of Israel shall not do iniquity, nor speak lies…’ (*Tzefania* 3:13).”

In the Yerushalmi, the ruling of R. Yochanan is justified on the basis of a verse from *Tehillim* 144, which presents non-Jews as generally deceitful. Concerning Jews, even if their reliability is not explicitly asserted and assured in the *sugya*, their word is sufficient basis for including a Jew currently in prison but due for release as part of a group that will share a Pesach sacrifice. The *Bavli* records a different tradition: here, instead of the harsh verse from *Tehillim*, there is a verse from Tzefania, stressing the reliability and truthfulness of Israel. And this reason suffices for slaughter of a Pesach sacrifice for the prisoner in his own right: we can rely on his certain release, with no fear lest the sacrifice slaughtered for him become invalidated (through his inability to partake of it, being still imprisoned). The promise on the part of the non-Jews is regarded here as somewhat doubtful, and therefore it may not be relied upon for this purpose. Indirectly, then, it turns out that the *sugyot* are also divided in terms of their attitude toward non-Jews and the degree to which their word may be relied upon.

1. **Can we point to a consistent, overall trend?**

There may be those who, in the wake of these and other examples, hurry to point out a consistent discrepancy between the Bavli, on one hand, and the Yerushalmi and other sources from Eretz Yisrael, on the other. However, we propose avoiding generalized statements concerning the differences among the sources in relation to the attitude toward non-Jews. In general, we may say that the attitude towards non-Jews occupied Chazal to a considerable degree in the Talmudic and midrashic literature. However, any attempt to arrive at a reliable all-encompassing description of “*Chazal’s* attitude toward non-Jews” – even in a specific realm, such as legal monetary matters – presents a complex challenge.[[8]](#footnote-8) Chazal offer differing and contradictory opinions in this regard. The attitudes range from categorical rejection and absolute hostility, to tolerance and legitimacy including even some praise.[[9]](#footnote-9) Obviously, the opinions expressed are also sometimes related to the identity and character of the particular non-Jews involved.[[10]](#footnote-10)

Therefore, there is no possibility of arriving at generalized conclusions concerning “*Chazal’s* attitude toward non-Jews” on the basis of a limited selection of midrashim, stories or *sugyot*. Every midrash, story or *sugya* must be evaluated on its own merits, while generalizations can only be reached after careful individual and in-depth study of (at least) most of the relevant sources.

Translated by Kaeren Fish

1. As discussed at length in the previous *shiur*. [↑](#footnote-ref-1)
2. The manuscripts read, ‘the government of wickedness.’ [↑](#footnote-ref-2)
3. Another fine distinction that might be pointed out concerns the description of their study. The *Yerushalmi* describes the officers studying “Torah, Mishna, Talmud, halakha and *aggadot,*” while the *Bavli* describes them “reading once and twice and thrice.” Perhaps the former is a quantitative description of the scope of study, conveyed through enumeration of the different spheres of religious literature (see, for example, *Shabbat* 120a, *Kiddushin* 30a, *Yerushalmi* *Peah* 2:4 [17a] and many other sources). The latter is more indicative of the quality and seriousness of the study. However, in *Bava Batra* 17a, in the story of Rabbi and R. Yonatan ben Amram, both descriptions are used in alternation. [↑](#footnote-ref-3)
4. Ch. Albeck, *Mavo le-Talmidim*, Tel Aviv 5729, p. 311. See also *Yevamot* 77b, where R. Yehuda bar Shmuel discusses the status of Amonite proselytes. [↑](#footnote-ref-4)
5. See also the deliberation as to the attitude toward Moav arising from the discussion in *Bereishit Rabba* 51:36 and in the *Sifri Devarim* 343. [↑](#footnote-ref-5)
6. Y. Brandes, “Petichta le-Perek Yemei Ideihen”, *Akdamot* 5, pp. 9-23. [↑](#footnote-ref-6)
7. My thanks to Ro’i Zack for bringing this example to my attention. [↑](#footnote-ref-7)
8. For the various difficulties involved see M. Kahana, “Ha-Yachas le-Nokhrim bi-Tekufat ha-Tannaim ve-ha-Amoraim”, *Et ha-Da’at* 3 (5760), pp. 22-36. [↑](#footnote-ref-8)
9. For examples of the range of views and their polarity see Kahana (ibid.), pp. 25-26. [↑](#footnote-ref-9)
10. Ibid., pp. 24-25. [↑](#footnote-ref-10)