Alexander Macedon and his evil, greed-driven legal system

Date: 360 CE to 400 CE

Place: Syria Palaestina

Language: Hebrew and Aramaic

Category: Jewish

Literary genre: Talmud

Title of work: Jerusalem Talmud

Reference: Baba Metzi’a 2:4, 8c

Commentary:

This sugya (talmudic unit) expounds on Baba Metzi’a 2:4, a mishnah that regulates obligations regarding lost property among Jews. The Talmud, however, dedicates this sugya to tales of Jews who restore lost property to non-Jews. These Aramaic narratives depict pious sages carrying out such actions even when they exceed the requirements of rabbinic law (see Schremer, Brothers Estranged, p. 135, 229 note 75 for tannaitic sources on this issue). By contrast, Alexander Macedon is presented as a leader who operates within a legal system that views greed and bloodshed as normative. The final narrative in this sugya describes Alexander’s visit to King Qatzyya, namely “the king of the edge (of the world),” a narrative that has attracted scholarly attention and has primarily been studied in the context of Jewish attitudes toward Hellenistic culture (see, for example, Wallach, “Alexander,” p. 63-76; Ben Shalom, Hassidut, p. 143-145). In this commentary, I present the possibility that, in this episode, the Talmud also identified Alexander with Rome (for a similar contextualization, see Jerusalem Talmud, Avodah Zarah 3:1, 42c [1]). Even though rabbinic texts sometimes differentiate the Roman Empire from its Hellenistic predecessor, including in depictions of Alexander (see, for example, Jerusalem Talmud, Berakhot 4:1, 7b; Ta’anit 4:6, 68c; Leviticus Rabbah 13:5), this literature also presents these two powers as connected, with the Romans as the heirs of Hellenism. The association of Alexander with Roman emperors and generals is well established in Roman literature (Spencer, The Roman Alexander, p. 168). As Diana Spencer writes, Alexander became “an archetype for power and imperialism in the Roman world” (The Roman Alexander, p. xv). Thus, this critique of Alexander and his legal system may convey anti-Roman sentiments. This reading is not intended to counter previous studies that consider this story a reflection of rabbinic debates with Hellenism but, rather, it offers an additional dimension, in which Alexander represents Rome.

Sections A and F present two narratives that portray mirror images: Shimon ben Shata?, the self-reliant Jewish sage who supports himself through manual labor and refuses to benefit from anything that isn’t rightfully his, versus Alexander, who presents himself as a scholar who explores distant lands to investigate their customs and judicial systems, but ultimately reveals his readiness to benefit from the property of others through his display of greed and desire for gold. These contrasting depictions frame a series of tales about the restoration of lost property by Jews to non-Jews, probably Romans, based on the idea that such actions would prompt gentiles to praise the God of Israel. This goal motivated pious Jews to return lost property to non-Jews, despite the absence of a legal imperative. In this presentation of Shimon ben Shata?, his students purchase a donkey for him, to ease his need to support himself through manual labor. Other passages in the Jerusalem Talmud state that this tanna, who lived during the Second Temple period, was active during the reign of the Hasmonean king Alexander Jannaeus (Yannai) and that he dined at that king’s table. In Section A of our sugya, upon finding a pearl on this donkey, these students inform their master that he will no longer need to work. However, Shimon ben Shata? instructs his students to restore the pearl to the donkey’s previous owner, who is an Arab, even though this was not legally required, since halakha permits the retention of a gentile’s lost property. In this context, Shimon ben Shata?’s dependence on physical labor for his livelihood is not only the catalyst that leads his students to buy the donkey, but it also highlights the significance of his decision to restore the pearl to its owner, for such a treasure would have released him from daily toil. This sage, therefore, represents a stark opposition to greed and attachment to material assets (see more in Ben Shalom, Hassidut, p. 137-142; Wilfand, Poverty, p. 114-115).

Section B opens with a challenge to Shimon ben Shata?’s decision in the name of Rav, known as the first Babylonian amora and who, according to rabbinic tradition, brought the Mishnah from the land of Israel to Babylonia in the first third of the third century. The identities of the sages who transmit this saying are less clear, however. In the passage attributed to Rav, Shimon ben Shata?’s decision is questioned, since all know that it is
permmissible to retain an object that has been lost by a non-Jew. The Talmud then rejects this critique by asking: “Do you think that Shimon ben Shata? was a barbarian (bar-baron)?” The use of the Greek word “barbarian” is noteworthy as a reference to one who is unschooled in rabbinic (or Jewish) law. This term appears in a few amoraic texts that depict Roman discourse, as a label for the peoples that they subjugated. For example, in Leviticus Rabbah 22:3, which describes the adventus ceremony for Titus after he destroyed the Temple in Jerusalem, the inhabitants of Rome welcomed him, acclamation: “O Conqueror of the Barbarians” (niketês tôn Barbarôn – “Victors over the Barbarians”). Our text, however, includes this term in a rhetorical question about Shimon ben Shata? for, by definition, such a prominent sage could not be ignorant of Torah. The Talmud proceeds to suggest that Shimon ben Shata? prioritized giving a gentle reason to praise God over his legitimate claim to substantial material gain. The phrase “Blessed be the God of the Jews” echoes Daniel 3:28, where Nebuchadnezzar proclaims: “Blessed be the God of Shadrach, Meshach, and Abednego” (NRSV). To support this understanding of Shimon ben Shata’s motivation, the Talmud then provides three additional stories (Sections C, D and E) which, according to Catherine Hezser, “contribute to the general theme of the sugya, namely, that although Mishnah and Tosefta do not prescribe the return of lost objects to gentiles, one should do so for the sake of God” (Form, p. 63).

Section C presents a tale of certain rabbis (while most translations read “old rabbis,” Michael Sokoloff, A Dictionary, p. 365, renders this phrase as “carriers of the oral tradition”; both options are possible since the Aramaic word savyya has both of these meanings). After purchasing wheat from military officers (or, “soldiers”), these rabbis discovered a purse of coins in the grain. They returned it and, in response, the sellers indeed proclaimed: “Blessed be the God of the Jews.” This story demonstrates that returning lost property to gentiles may lead them to praise God, thus, supporting this as the motivation for Shimon ben Shata’s decision.

Section D provides another example: Abba Hoshaya of Turya is mentioned in several traditions in the Jerusalem Talmud. Our knowledge of his lifetime is not precise, but he probably lived during the first half of the fourth century. Echoing the story of Shimon ben Shata?, Abba Hoshaya also earns his livelihood through manual labor. He finds and returns an expensive object that the queen has lost (there is little agreement on the nature of this object; see the various possibilities in Hezser, Form, p. 60, note 201). For the queen, the loss is trivial, as she responds to his action by stating that this found item is among the less valuable of its kind in her collection; she should therefore keep it, as she would just as readily give it to a washer. Yet, he refuses, claiming that the Torah requires the return of lost property. This statement conflicts with the Talmud’s assertion in Section B, of a consensus that Jews are not obligated to return a gentile’s lost property. This story may indicate that the earlier law (mentioned in B) was changed later in the amoraic period (Schremer, Brothers Estranged, p. 230, note 83). Nonetheless, this passage demonstrates that, despite her readiness to give him an object that had negligible value for her, the queen was impressed by this element of Jewish law and the sage’s piety; therefore, she proclaims: “Blessed be the God of the Jews.” Once more, we see the depiction of a Jewish sage who not only practices a modest lifestyle, but who shows detachment from material assets.

While the previous sections discuss sages interacting with Roman soldiers (C), and with a queen who is visiting the land of Israel (D), Section E describes a sage who traveled to the city of Rome. This narrative depicts Rabbi Shmuel bar Sosrata, a third-generation amora who was active in the late third- and early fourth centuries. While he was in Rome, the queen lost a valuable object, possibly a bracelet (Jastrow, A Dictionary, p. 300) or precious jewels (for the range of alternatives, see Hezser, Form, p. 61, note 203). A town crier was dispatched throughout the city to announce that whoever would restore her lost object within thirty days would be rewarded, but anyone who turned it in after that time would be beheaded. Although Rabbi Shmuel found the item within the thirty days, he returned it after that timeframe had elapsed. The dialogue that follows between this Jewish sage and the Roman queen emphasizes that he is not afraid of human power. Only God’s power and his fear of violating divine commands leads him to return the object. To demonstrate this point, he deliberately restores it after the allotted thirty-day period, thereby forgoing the promised reward and risking his own life. Here too the queen is impressed by Jewish law and the sage’s piety, and she proclaims: “Blessed be the God of the Jews.” In this story, situated in the city that symbolizes Roman power, a Jewish sage demonstrates to the queen that he only fears God, and thus leads her to appreciate the God of Israel.

The sugya concludes with a narrative about Alexander Macedon and King Qatzyya (F). While Sections C to E provide examples from the contemporary Roman setting, this story and the one about Shimon ben Shata? belong to the Hellenistic period. Furthermore, whereas Sections C to E emphasize the sages’ piety that leads non-Jews to praise the God of Israel without directly criticizing Roman soldiers or queens, Section F explicitly opposes Alexander by presenting him as rapacious, even at the expense of human life. This passage condemns Alexander for operating a legal system that aims to enrich his royal coffers. Alexander represents the antithesis of Shimon ben
Shata? and the other sages, who refuse material gain that they could legitimately claim and, in one case, demonstrate readiness to risk their lives for the sake of God.

The story in Section F begins with Alexander’s arrival at the kingdom of King Qatzyya, which literally means “the king of the end” and probably refers to the edge of the world. In ancient ethnography, the people who resided at the world’s outer reaches were idealized and their society was imagined in utopian terms (Ben Shalom, Hassidut, p. 144). Alexander’s aspiration to journey as far as was humanly possible is also featured in Jerusalem Talmud, Avodah Zarah 3:1, 42c (1). As Diana Spencer argues, “Boundaries (and their transgression) are at the heart of all stories of Alexander” (The Roman Alexander, p. 154). Tales of Alexander as an explorer of distant cultures, based on descriptions of scholars who accompanied his armies, were recounted in the courts of later Hellenistic kings and during the Roman period (on Alexander as an explorer, see Spencer, The Roman Alexander, p. 67, 160-161).

When Alexander arrives, the king offers a display of gold and silver. Alexander explains that he has no need for riches but, rather, he seeks to study the customs of this land, especially its legal system. Alexander presents himself as a philosopher-king and an explorer who is interested in visiting far-flung states and observing their culture and laws, without being lured by their treasures. However, this story exposes his true nature (Fraenkel, Studies, 147; Ben Shalom, Hassidut, p. 145; cf. Kosman, “A Fresh Look,” p. 86). While Alexander converses with the king, two individuals seek a royal judgment to resolve a dispute: one had purchased a ruined building from the other and discovered a treasure in it. The buyer claimed that this find did not belong to him (much like Shimon ben Shata?), and the seller similarly declined any claim on the treasure; thus, they both distance themselves from dependence on possessions that they neither purchased nor toiled to earn. The king solves this problem by proposing a marriage between the children of the buyer and seller, who would then share the treasure. This solution would enable them to unite into a single family, hence creating new life. At that point, Alexander begins to laugh. The king asks how such a case would be decided in his realm, and Alexander responds that both men would be killed and the treasure would be placed in the royal coffers. In relation to this tale, Saul Lieberman cites Philostratus, Lives of the Sophists, II.547-548, who describes how Atticus discovered treasure in a house that he had purchased, then applied to Emperor Nerva for instructions regarding that find. Lieberman views this text as an indication that encountering unassigned valuables could be perilous (“Introduction and Commentary,” p. 136). Catherine Hezser writes that, according to Greek and Roman law, the king or the emperor had the right to any find (Form, p. 64). In the utopian society at the end of world, however, neither the buyer, the seller nor the king is enticed by such assets. Thus, while the king’s verdict is unifying and life-affirming, Alexander’s brings death. Furthermore, whereas Alexander originally stated that he lacked interest in gold or silver, his legal system suggests otherwise. Alexander’s attitude to such riches contrasts sharply with the approach exemplified by Shimon ben Shata?. The king of Qatzyya understands Alexander’s true principles and, therefore, asks him: “Do you love gold that much?”

In the final section of this story, the king discloses his critique of Alexander’s worldview. First, he invites his visitor to a banquet whose cuisine is made entirely of gold. At this point, it is unclear whether the king realizes that Alexander cannot eat gold and, thus, orchestrates this meal to expose Alexander’s character, or whether he naïvely assumes that his love of gold extends to its consumption. When Alexander expresses surprise at this food, the king then exclaims: “May that man’s soul expire! [If] you do not eat gold, why do you love gold so much?” This story echoes the Greek myth of King Midas (Ovid, Metamorphoses 11.100-126; Kosman, “A Fresh Look,” p. 96; Ben Shalom, Hassidut, p. 145, note 81). The king continues by asking Alexander whether the sun shines and the rains fall in his land. When Alexander confirms that sunshine and rain indeed reach his country, the king inquires whether they have young livestock there. Upon hearing Alexander’s affirmative reply, the king states that only for their sake does his land receive sun and rain, concluding with a quotation from Psalms: “[Your righteousness is like the mighty mountains, your judgments are like the great deep;] you save humans and animals alike, O Lord” (36:7; verse 6 in NRSV). For the king, Alexander’s legal system is indefensible because it prioritizes material wealth over human life; according to divine justice, neither sun nor rain should be bestowed on such a society.

Whereas the Jewish sage (in Section A) distances himself from property that does not rightly belong to him (although, according to the halakhah, he is legally allowed to retain it), Alexander presents a legal system that is based on avarice. A close reading of this sugya leads me to question the subject of this critique. These Aramaic narratives were composed at least six centuries after Alexander’s conquest of the land of Israel, and no less than three centuries after the Roman conquest. Nor do earlier rabbinic traditions mention Alexander (the scholium to Megillat Ta’anit speaks of Alexander, but its date is contested). Therefore, I would suggest that this tale may in fact be leveled against Rome, viewed as heir to Alexander and the Hellenistic kingdoms. As Catherine Hezser suggests, in this story, Alexander “became an image for the gentle ruler in general, i.e., for the later Roman emperors as well” (Form, p. 76). Since the Talmud offers a narrative about Alexander rather than an overt attack against Roman rule, such a reading requires further justification.
First, this source is one of only two narratives about Alexander in the Jerusalem Talmud. The other tradition (Jerusalem Talmud, Avodah Zarah 3:1, 42c [1]) is in a context that explicitly criticizes Roman power and emphasizes its limits in comparison to God's capacities. Second, in the fifth-century midrash, Genesis Rabbah 33:1, this tale (in Section F) immediate follows a teaching that emphasizes Rome’s malevolent priorities – in the city of Rome, columns are more important than the poor, indicating that the editor of this midrash read our story as a denunciation of Rome. Third, as mentioned above, certain rabbinic texts identify the Romans as the heirs of Hellenism (Ben-Shalom, The School of Shammai, p. 3). While some rabbinic passages differentiate Rome from the Hellenistic kingdoms, other sources consider Roman rule as an extension Hellenistic dominion. Indeed, in the east, Greek largely remained the language of both the elite and the imperial administration (especially for communication with local populations). In Judea, Roman rule initiated the restoration of older Hellenistic cities and maintained the cult of Hellenistic deities. This Roman association with Hellenism may support the suggestion that the Talmud uses the figure of Alexander to signify Rome. Indeed, the role of Alexander’s image in Rome during antiquity and late antiquity is also significant: Roman writings indicate that a number of emperors and Roman high officials identified themselves with Alexander.

This position is not intended to reject or compete with the suggestion that this tale includes a reproach against Hellenism; rather, I propose that this talmudic narrative should also be considered in a Roman context. As Catherine Hezser notes: “The Yerushalmi editors seem to have added the Alexander-story here to show that Alexander (as representative of later Roman emperors or gentiles in general), who acts strictly according to his rights, is a ‘barbarian,’ while the Jews, featured in the stories before, who go beyond their laws and are conciliatory toward non-Jews, are the truly civilized, and that civility is based on their belief in God. This assumption seems to be supported by the fact that Alexander was seen as the great civilizer by Greco-Roman writers” (Form, p. 64).

Keywords in the original language:

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Thematic keywords in English:

- Alexander the Great
- animals
- banquet
- barbarian
- civilisation
- emperor
- gold
- greediness
- Hellenism
- Hellenistic kingdoms
- honesty
- imperialism
- king
- King Midas
- King Qatzyya
- legal system
- lost property
- piety
- queen
- rain
- Rav
Roman court
Roman legal system
Roman power
Rome (city)
shedding blood
Shimon ben Shatah
sun
treasure

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Jerusalem Talmud Avodah Zarah 3:1, 42c (part one)

Symbols that were associated with Roman power and its limitations relative to God's power

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