The Rabbinic View of Idolatry and the Roman Political Conception of Divinity

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I. BETWEEN BIBLE AND MISHNA

The biblical demand for a struggle against the worship of idols is zealous, even violent in nature; its aim is the eradication of all alternatives to the God of Israel. This struggle, derived from the uniqueness of God, is translated in the Bible into resolute, decisive action, as exemplified in Deuteronomy 12: "You must destroy all the sites, at which the nations you are to dispossess worshiped their gods, whether on lofty mountains and on hills or under any luxuriant tree. Tear down their altars, smash their pillars, put their sacred posts to the fire, and cut down the images of their gods, obliterating their name from that site" (12:2–3). In contrast, second-century rabbinic literature—notably Mishna *Avodah Zarah*, which discusses the encounter with idolatry—does not mandate zealous action against it. Though the Mishna does demand the "distancing" of objects connected with idolatry, and their transfer to the Dead Sea, this demand does not constitute an aggressive attack on idolatry or the elimination of its memory. This distancing, rather, is intended only to prevent Jews from making secondary use of such objects.

The considerable disparity between the requirement of the Bible, as well as some zealous traditions from the Second Temple Period,[1] and the absence of such a requirement in the Mishna, has led to a variety of scholarly responses. A number of attempts have been made to explain this interesting shift. One such explanation relates to the sense

[1] The Hasmoneans attempted to purify the land of idolatry, as attested in 1 Macc. 5:68. Also, as the rumors of Herod's death spread, a plan was made to destroy the golden eagle at the gate to the Temple (Josephus, *The Jewish War* 1.648–59). In preparation for the Great Revolt, a similar occurrence took place in the destruction of the palace of Herod Antipater because of the images of animals that were inside it (Josephus, *Life* [of Flavius Josephus] 65). It is worthy of note that the implementation of these actions was made possible only in the context of the appropriate political conditions.

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of security felt by Jews and the lack of any fear of idolatrous influences.[2] A second explanation points to the historical situation, under Roman rule, in which an active struggle for the elimination of idolatry was not a possibility.[3] In line with these historical circumstances, the focus of activity shifted from active struggle to protection of the private sphere from the use of idolatry. Both of these approaches make the assumption that the power dynamic between Jews and their milieu was the central factor in the formation of rabbinic attitude toward the struggle against idolatry.

In this article, I wish to reexamine the disparity between the Bible and the Mishna through the wider lens of the theological-political discourse of the Greco-Roman world in which the rabbis were operating. Zealotry (such as that of the biblical call for the eradication of idolatry) demands action within existing, current political conditions, on the basis of particular theological postulations. As such, it is not possible to understand the normative shift in this area without placing it in its wider context: Greco-Roman paganism. Change within the pagan theological worldview, as well as the influence of that worldview on the formation of political power in that period, was liable to lead to a refashioning of the methods for dealing with idolatrous worship. And indeed, the *halakhah* as it was formulated at the end of the Tannaitic period (late second to early third century CE) corresponds to features of Greco-Roman paganism, with which it was familiar and alongside which it was created.

In light of the above, two central innovations in Mishna *Avodah Zarah*, both tied closely to the religious discourse of the period, will stand at the center of the present investigation. The first innovation is legal in

[2] This position is outlined in E. E. Urbach, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts," in *Collected Writings in Jewish Studies*, ed. R. Brody and M. D. Herr (Jerusalem: Magnes Press, 1999), 151–93. He writes, for example, that "the vacillations between severity and leniency, which are such a striking feature of the laws of idolatry, can only be explained by the different ways in which different Tannaim and Amoraim estimated the danger to Judaism presented by any given situation" (160). See also S. Lieberman, "Rabbinic Polemics against Idolatry," in *Hellenism in Jewish Palestine* (New York: Jewish Theological Seminary of America, 1950), 115–27. An opposing perspective can be found in E. Friedheim, *Rabbinisme et paganisme en Palestine romaine: Étude historique des Realia talmudiques* (Leiden: Brill, 2006), especially the second chapter.

[3] This situation is reflected in the words of Rabban Yohanan ben Zakkai, as quoted in *Midrash Tannaim* (ed. D. Z. Hoffman [Berlin: Ittsekovski, 1908], 58): "Do not hasten to destroy the altars of the gentiles, so that you will not come to rebuild them with your hands; that you will not destroy those of bricks and they will say to you, 'build [new altars] of stones'; of stones and they will say 'built [new altars] of wood.' Thus he says, 'Assuredly, by this alone shall Jacob's sin be purged away'." This is also assumed by M. Halbertal, "Coexisting with the Enemy: Jews and Pagans in the Mishna," in *Tolerance and Intolerance in Early Judaism and Christianity*, ed. G. Stanton and G. Stroumsa (Cambridge: Cambridge University Press, 1988), 159–72.

nature: in place of eradication by Jews of the statues of gentiles, we find the law of "nullification of idolatry" (*bittul 'avodah zarah*), which calls for the invalidation of the status of the statue by means of symbolic damage done to it by its gentile worshipper. The second innovation is the inclusion in the Mishna of conversations between rabbis and gentiles in which the definition of the status of God is directly discussed. These two matters are interrelated; the legal norm is familiar from the Greco-Roman world, and its implications with respect to the definition of the status of the gods were discussed in dialogues between pagans and Christians in the literature of the period. As I hope to show, the interreligious discourse in the second and third centuries concerning the nature of the gods had no place for the zealotry of the Bible. As such, the rabbis of the Mishna chose an alternative set of methods for "coping" with idolatry, in accordance with the changes that had taken place in their theological-political milieu.

II. NULLIFICATION OF IDOLATRY IN THE MISHNA

Chapters 3–4 of Mishna *Avodah Zarah* deal with direct contact between the Jew and idolatry. This encounter is consistently examined through the following prism: which objects may not be benefited due to their connection with idolatry, and which are permitted? The Mishna here is not dealing with the involvement of a Jew in idolatrous practice, and certainly not with the obligation to obliterate idolatrous ritual, but rather with one specific concern—that a person will not transgress the prohibition, "Let nothing that has been doomed stick to your hand" (Deut. 13:18).[4] Thus, in place of the obligation to eradicate idolatry, the Mishna is satisfied with defining idolatry as the subject of a practical ban—that is, something from which one is forbidden to benefit. Based on this perspective, space is mapped out in accordance with the range of proximity to the idol: from the images themselves (Mishna *Avodah Zarah* 3.1–3), through the places of ritual (3.4–10), to the space that surrounds these places (4.1–3). This hierarchy, which begins with the image itself and moves out toward the surrounding space, indicates the effect of the idol on its surroundings. Its presence renders additional,

[4] Mishna *Avodah Zarah* 3.3 should also be read in this light: "He who finds utensils upon which is the figure of the sun, moon, or a dragon, should bring them to the Dead Sea." I understand the taking of the utensils to the sea as a preventative measure designed to keep one from benefiting from prohibited idols rather than an attempt to realize the biblical command to eradicate idolatry. The grinding of the shape on the vessels, suggested subsequently in the Mishna, is also intended only for this purpose. The rabbis, rejecting this solution with the statement that "they may be made into manure," are concerned that this will not solve the problem and that prohibited secondary use might be made of the remains.

wider circles prohibited, and thus this prohibition threatens to spread with almost no limit. In light of the threat that an idol will render its entire surroundings forbidden, the need arises for a mechanism that can minimize the prohibition. At the end of the unit, the Mishna (4.4–5) presents such a mechanism:

4.4 An idol belonging to a gentile is prohibited forthwith [when it is made].
And one belonging to an Israelite is prohibited only after it will have been worshipped.
A gentile has the power to nullify an idol belonging [either] to himself or to an Israelite,[5] but an Israelite does not have the power to nullify an idol belonging to a gentile.
He who nullifies an idol has nullified its appurtenances.
[If] he nullified [only] its appurtenances, its appurtenances are permitted, but the idol itself [remains] prohibited.

4.5 How does one nullify it?
[If] he has cut off the tip of its ear, the tip of its nose, the tip of its finger,
[if] he battered it, even though he did not break off [any part of] it, he has nullified it.
[If] he spit in its face, urinated in front of it, scraped it, threw excrement at it, lo, this does not constitute an act of nullification.
[If] he sold it or gave it as a pledge on a loan—
Rabbi says, "He has nullified it."
And the sages say, "He has not nullified it."

After presenting cases in which all that surrounds an object of idolatry is rendered forbidden, the unit ends with a number of *Mishnayoth* that discuss the "nullification" of such an object by a gentile.[6] The Mishna determines, inter alia, that "He who nullifies an idol has nullified its appurtenances." Just as the appurtenances of an idol become forbidden

[5] This is the Palestinian version of the Mishna. An alternative early version which appears in the Babylonian sources reads: "A gentile has the power to nullify an idol belonging [either] to himself or to his friend." These versions differ regarding the question of whether an idol belonging to a Jew can be nullified at all. It is agreed, however, that only a gentile can actually perform the act of nullification. For a discussion of these versions, see D. Rosenthal, *Mishna Avodah-Zarah: A Critical Edition* (published PhD diss., Hebrew University Jerusalem, 1981), 175ff.

[6] A comprehensive survey of the Talmudic sources relating to the nullification of idolatry (*bittul 'avodah zarah*), including a description of the development and adaptations of these laws, can be found in G. Blidstein, "Nullification of Idolatry in Rabbinic Law," *Proceedings of the American Academy for Jewish Research* 41–42 (1973–74): 1–44.

as a consequence of their connection to the idol, so too their status is annulled in accordance with the status of the idol. We also learn from the Mishna that the act of nullification performed by the gentile is not a drastic one; the prohibition of benefiting from the object can be removed by means of a simple distortion. Once this is done, one is permitted to make use of the image, to trade it, or to use it for construction. An extreme manifestation of the simplicity of the act of nullification in comparison with the seriousness of the prohibition itself is found in another Mishna that also describes the nullification of idolatry, this time in the case of an *asherah* tree:

3.9 [If] one has taken pieces of wood from [an *asherah*], they are prohibited for benefit.
[If] he lit a fire in the oven with them, if it is a new oven, it is to be overturned. If it is an old oven, it must be allowed to cool down.
[If] he baked a loaf of bread in [the oven heated by the wood of an *asherah*], it is prohibited for benefit.
[If] the loaf of bread was mixed up with other loaves of bread, all of them are prohibited as to benefit.
R. Eliezer says, "Let him take the [funds received for the sale as a] benefit [from the tree] to the Dead Sea."
They said to him, "There is no form of redemption for an idol."
[If] one took a wood for a shuttle, it is forbidden for benefit.
[If] he wove a garment with the shuttle, the garment is forbidden for benefit.
[If] it was mixed up with other garments, and other garments with still others, all of them are forbidden for benefit.
R. Eliezer says, "Let him take the funds derived from the benefit to the Dead Sea."
They said to him, "There is no redemption price for a matter of idolatry."[7]

[7] Rabbi Eliezer is of the opinion that it is possible to make a mixture permissible by removing the part of it that is forbidden. This is done by redeeming the prohibited part for money, which is then taken to the Dead Sea. The rabbis, on the other hand, reject this solution in this case despite the fact that it is accepted in the case of forbidden utensils (see n. 4 above). In the present Mishna we learn that, in the case of an *asherah*, even taking the equivalent value of the forbidden substance to the sea does not invalidate the prohibition. The *asherah* has already affected its surroundings and rendered the bread forbidden, and there is no practical possibility to take the *asherah* itself to the Dead Sea. Similarly, unlike the case of profit from trade in idols, which can be taken to the Dead Sea (Tosefta *Avodah Zarah* 3.19, 6.2), it is not possible to "transfer" the prohibition to money, since it is already "embedded" in the loaves of bread.

3.10 How does one nullify [an *asherah*]? [If] one trimmed it or pruned it, took from it a branch or twig, even a leaf—
lo, this constitutes nullification.
[If] one has trimmed it for the good of [the tree], it remains forbidden.
[If he trimmed it] not for the good of the tree, it is permitted.

In this rhetorical exposition, the Mishna builds up tension as the extent of the prohibition continuously expands, until resolution comes at the end of the Mishna in the form of nullification (3.10). The simplicity of nullification—removal of a stick, twig, or leaf—stands in stark contrast to the scope of the prohibition. Nullification of idolatry by a gentile is a simple solution that cancels the prohibition that hovers over the idol and its surroundings. The Mishna, then, presents an organized unit that describes both the prohibition created due to the presence of an idol and the solution to this problem by means of "nullification of idolatry." But what is the basis for this innovative law, which permits the Jew to benefit from an idol following the almost-symbolic act of a gentile? A number of explanations have been proposed to clarify the law of nullification of idolatry; each involves a reconstruction of the relationship between the gentile and his ritual practice.

A. Uprooting of the Substance of Idolatry in Rabbinic Theology

In an article devoted to the expressions, *'avodah zarah* and *bittul 'avodah zarah*, Noam Zohar points to the ways in which the rabbis challenged the substance of idols and idolatry by means of the linguistic expressions that they used to describe them.[8] On the basis of rabbinic theology, which does not recognize the existence of any god other than the God of Israel, the rabbis replaced the biblical appellation, *elohim aherim* (other gods), which implies the presence of additional deities, with the more neutral *'avodah zarah* (literally "strange/foreign worship"), which describes the object of worship by means of its relation to those worshipping it. According to this approach, which defines the idol in terms of its worshippers and their error, a change in the consciousness of the worshippers can uproot the status of the worshipped object, since in any case it has no real validity outside of that consciousness. According to Zohar's argument, the theology of the rabbis limits the "real" status of the idol to the consciousness of the worshipper and to it alone, and

[8] N. Zohar, "Foreign Worship and Its Annulment" [in Hebrew], *Sidra* 17 (2001–2): 63–77. Based on his survey of the term *avodah zarah*, pervasively referring to idols, Zohar rejects its interpretation as "foreign worship" as opposed to Temple worship.

it is for this reason that the law of *bittul 'avodah zarah* (nullification of idolatry) is relatively lenient. According to this law, it is possible to make an image and its appurtenances permissible on the basis of a single symbolic act performed by the idolater, such as the breaking of a part of the image. This act constitutes a declaration of the rejection of the idol as an object of worship. As such, in the eyes of the rabbis, its idolatrous status is uprooted, since it has been removed from the consciousness of the (former) worshipper.

Seemingly, Zohar's analysis provides a tidy explanation for the radical change that takes place in the attitude toward idolatry between the Bible, which demands the eradication of other gods that threaten the uniqueness of the God of Israel, and the stance of the Tannaim, who limit the struggle against other gods to the actions of the gentile, who is required simply to declare that he is no longer engaging in idolatry. This explanation is based on an assumption that changes in Jewish theology, from the Bible to the rabbis, led to changes in the practical stance toward idolatry. This explanation, which sees rabbinic theology as the starting point in the formation of the *halakhah*, ignores, however, an important and unique feature of the laws regarding nullification of idolatry.

Consider the following case: a gentile is about to deliver an idol statue to a Jew, and the Jew requests that the gentile damage a part of the statue (for example, by removing the tip of its ear) so that the Jew will be able to make use of it. From the point of view of the Jew, the statue has no value at all other than that ascribed to it by the gentile, and as such this small act of contempt is sufficient for him. That being said, this act is necessarily dependent on the meaning that the gentile performing it ascribes to it. But does this act, as set out on the basis of Jewish theology, carry any meaning for the gentile himself? Does *he* see this act as changing the religious status of the image? Read through the eyes of Zohar's explanation, a paradoxical situation has been created here: on the basis of rabbinic theology, it is possible to remove the idolatrous status of the image by means of an act of nullification, but this act is dependent upon a change in the consciousness of the gentile, *as attributed to him by the Jew*. In other words, the nullification is dependent on the worldview of the gentile and the way in which he believes his actions affect the actuality of the god. But does the worldview of the gentile necessarily correspond to this rabbinic theological outlook, which defines the status of the idol in accordance with the consciousness of the worshipper?

In the encounter between Jew and gentile that takes place in the framework of the laws regarding nullification of idolatry, we find a prac-

tice that is derived from the estimated consciousness of the gentile. Is it possible to give an explanation for this practice based on his actual worldview?

B. Pagan Contempt for Idolatry

Another suggested explanation for the laws of *bi̇̈ttul 'avodah zarah* is based on the actual worldview that (it has been suggested) was prevalent among pagans during that period, as well as on the status of paganism historically in wider, non-Jewish society. This approach to a large extent forms the basis for Urbach's thesis in his article, "The Rabbinical Laws of Idolatry in the Second and Third Centuries in the Light of Archaeological and Historical Facts." In this article, Urbach presents several factors that led to increased leniency in the stance toward idolatry. According to Urbach, an economic situation arose that led to the involvement of Jews in forms of commerce and trade involving idols and their appurtenances.[9] In addition, Urbach is of the belief that leniency in this field can be partially explained by the derisive attitude of gentiles themselves toward idolatry. Unlike the literature of the Second Temple Period, "the last Tannaim at the end of the second century and the Amoraim of the third century, did know gentiles who doubted the efficacy of the images. Some of these gentile skeptics continued to be idolaters out of loyalty to 'the tradition of their ancestors', while others adopted something of the outlook of philosophers like Porphyry of Tyre. . . . According to these thinkers, the real object of idol worship was not the images themselves but what they symbolized." As such, "the Jewish craftsmen based their defense of their professional activities on the well-known fact that the gentiles themselves considered the idols to have no efficacy or power." According to Urbach, the possibility of nullifying idols stems from a combination of Jewish economic need with the stance of the gentiles themselves: "Within the Jewish camp the idolatrous impulse was virtually dead, while even in the surrounding gentile world its influence had been greatly weakened. It was

[9] Urbach's analysis focuses primarily on the economic context that helps, in his opinion, to clarify the halakhic innovations in this area. His approach derives the sociohistorical picture directly from the details of the *halakhah*. Other scholars have expressed reservations about this method. Blidstein, "Nullification of Idolatry," 27, favors a description that focuses on the internal development of ideas, and Hayes also goes in this direction, examining the Talmudic discussions and claiming that the references to various commercial scenarios are a product of Talmudic dialectics and not of historical circumstance. See C. E. Hayes, *Between the Babylonian and Palestinian Talmuds: Accounting for Halakhic Difference in Selected Sugyot from Tractate Avoda Zara* (New York: Oxford University Press, 1997), 57–63.

a fact that many gentiles used their idols and images for decorative purposes only and were ready to desecrate them when necessary."[10]

The assumption that the use of idols by gentiles for purposes of decoration is the basis for the laws concerning the nullification of idolatry is a central point in the explanation of Christine Hayes.[11] According to Hayes, in a cultural context in which statues and images had no religious standing and largely were used for decorative purposes, there was no need for a struggle against idolatry. As such, the rabbis' conclusion that it is possible to change the status of nullified idols and render them permitted is a necessary one. In Hayes's opinion, this law is a reasonable application of the biblical requirement in a reality in which idolatrous statues have been denied their religious status. That being the case, the new leniency in the laws relating to idolatry is a result of the rabbis' impression that idol worshippers themselves do not relate to their idols in seriousness, using them as they do for purposes of trade and decoration.[12] In this kind of atmosphere, there is no real need for a struggle against idolatry, and as such leniency becomes a possibility in cases in which an idol has been nullified.

Notwithstanding the respective positions of Urbach and Hayes, there is a significant difficulty involved in suggesting a direct relationship between the derisive attitude of gentiles toward their idols, on the one hand, and the laws of nullification of idolatry, on the other. Indeed, the possibility of nullifying idols in Tannaitic *halakhah* is not limited to objects that serve decorative purposes. An object that did serve purposes of ritual worship can also have its status affected by an act of nullification. As such, it would seem that the use of idols for decorative purposes does not play a role in this process and cannot provide an explanation for the annulment of an idol that had served for purposes of ritual. At the same time, the sources that actually do view the idol as a decoration do not discuss nullification.[13] The question, then, re-

[10] Urbach, "Rabbinical Laws of Idolatry," 164–66, 175.

[11] Hayes, *Between the Babylonian and Palestinian Talmuds*, 62.

[12] Strong arguments against the contempt shown by idolaters toward their gods, as demonstrated primarily through their use of them in commerce, appear in Tertullian, *Apology* 13. In this context, Tertullian mentions both house idols (*lares*) and public gods that are utilized in the collection of market fees.

[13] The Babylonian Talmud (*Avodah Zarah* 41a) presents a statement of Rabbah, who draws a distinction between images from cities and those from villages and interprets this distinction on the basis of the difference between decoration and ritual. The category of decoration does not appear in the parallel section of the Jerusalem Talmud, which distinguishes between different statues of the emperor (as per Mishna *Avodah Zarah* 3.1). It would seem that the use of this category is based on the Mishna's description of events in the bathhouse of Aphrodite more than on the way in which idols were actually regarded in Palestine at the time. Substantial doubts regarding the use of decoration as a category for distinguishing different types of images are found in Y. Z. Eliav, "Viewing the Sculptural Environment:

mains standing: what is the origin of the outlook according to which a change in the stance of the gentile toward an object that once served idolatry can change the ritual status of that object?

III. NULLIFICATION OF IMAGES AS A PRACTICE IN THE ROMAN WORLD

The leniency of the rabbis in the laws relating to idolatry can indeed be tied to patterns of thought that were common in the Greco-Roman world, but in order to identify these patterns it is necessary to investigate the specific context of the practice of nullification of idolatry itself. In light of this context, we will be able to examine the central characteristics of the widespread pagan outlook of the period, in whose midst this practice came into being. In contrast with the previous explanations, I would like to suggest that the starting point for understanding this *halakhah* ought not to be a general comparison of patterns of thought and practice, nor should it lie in the attempt to reconstruct the consciousness of the gentile from a Jewish-theological point of view. I would like to claim that, in fact, this *halakhah* is rooted in an actual popular practice whose meaning for the public was both consistent and clear in its context. As we have seen, the Mishna (*Avodah Zarah* 4.5) defines the nullification of idolatry as follows:

How does one nullify it?
[If] he has cut off the tip of its ear, the tip of its nose, the tip of its finger,
[if] he battered it, even though he did not break off [any part of] it, he has nullified it.
[If] he spit in its face, urinated in front of it, scraped it, threw excrement at it, lo, this does not constitute an act of nullification.
[If] he sold it or gave it as a pledge on a loan—
Rabbi says, "He has nullified it."
And the sages say, "He has not nullified it."

The Mishna distinguishes two types of actions: physical damage inflicted upon the image and derisive actions directed toward it.[14] In principle, only direct physical damage to the image can nullify it. Although in the next part, later rabbis discuss whether the sale of the idol or its deposit as a pledge are sufficient for nullification, comparison of the

Shaping the Second Commandment," in *The Talmud Yerushalmi and the Graeco Roman Culture*, 3, Texte und Studien zum Antiken Judentum, 93, ed. P. Schäfer (Tübingen: Mohr Siebeck, 2002), 411–34.

[14] It is worth mentioning that this distinction does not fit in with Zohar's approach, according to which the declaration of the idolater's (new) opinion is sufficient to annul the status of the image. It is difficult to justify the distinction between the infliction of damage and other, no less serious, expressions of contempt, based on this approach.

Mishna to its parallel in the Tosefta demonstrates that the basic action under discussion by the rabbis who created the practice is the infliction of physical damage and the various ways in which this can be carried out. The Tosefta, which probably records the earliest discussion of this law, states: "How does one nullify [an idol]? R. Meir says, '[It is not nullified] unless one will hit it with a hammer and do damage.' R. Simeon says, 'Even if one pushed it down and broke it and it fell, lo, this is an act of nullification'" (Tosefta *Avodah Zarah* 5.7). These two Tannaim discuss two ways in which the statue can be damaged, by hammer and by knocking over. Other methods of nullification accumulated at a later stage.[15]

The definition of nullification that focuses upon defacement of facial features overlaps directly with a common and well-known practice in the Roman world known as *damnatio memoriae*.[16] This practice was performed with the intention of nullifying the memory of a despised emperor after his death and involved inflicting damage on various parts of his statues or the replacement of the hated emperor's head with that of another emperor.[17] The symbolic infliction of damage on the statue was understood as signifying the destruction of the representation of the emperor, and Roman writers even ascribe pain, blood, and death to the figures represented by the images. This procedure did not only take place as a spontaneous, popular reaction; it was anchored in organized policy in the framework of a *senatus consultum*, which would

[15] See Blidstein, "Nullification of Idolatry," 11–15, for a discussion of the process of expansion of the definition of nullification. It should be noted that the appearance of the discussion regarding sale only in the second stage of the development of this law presents a challenge to the claim made by Urbach, "Rabbinical Laws of Idolatry," 172: "This possibility of an idol's being desecrated by a gentile offered ample scope for easing the restrictions on Jewish economic life and particularly on business relations with gentiles. This was presumably the fundamental purpose of the lenient Rabbinic ruling."

[16] A detailed survey of this phenomenon, including its historical and archaeological aspects, is found in E. R. Varner, *Mutilation and Transformation: Damnatio Memoriae and Roman Imperial Portraiture* (Leiden: Brill, 2004). As Varner emphasizes, "The sensory organs comprising the eyes, nose, mouth and ears were specific targets of the attacks on sculpted portraits" (3).

[17] Infliction of damage on the head enabled the use of the rest of the body, with just the head being replaced. Regarding the altering of statues for new emperors, see D. E. E. Kleiner, *Roman Sculpture* (New Haven, CT: Yale University Press, 1992), 13–14. The replacement of the head alone not only served a practical purpose; it also played a role in the symbolization of the supremacy of the good leader. Varner, *Mutilation and Transformation*, 4–5, surveys the changing trends during the second and third centuries with respect to secondary use of the heads of deposed emperors for the sake of the sculpting of the heads of new emperors. According to his claim, in these centuries it was unusual to refashion these heads, which would just be removed and damaged. In rabbinic literature, however, we indeed find a parable based on the resculpting of the head of the statue with the change of emperor (*Leviticus Rabbah* 23.12).

also call for the removal of the name of the hated emperor from inscriptions and official documents.[18] The figures would be switched, stored, or used as material for paving. Early examples of *damnatio memoriae* are known to us from the first century, in the ostentatious characters of Caligula, Nero, and Domitian.[19] Thus, for example, Suetonius (*Domitian* 23) describes the events that followed the death of Domitian:

> The people received the news of his death with indifference, but the soldiers were greatly grieved and at once attempted to call him the Deified Domitian; while they were prepared also to avenge him, had they not lacked leaders. . . . The senators on the contrary were so overjoyed, that they raced to fill the House, where they did not refrain from assailing the dead emperor with the most insulting and stinging kind of outcries. They even had ladders brought and his shields and images torn down before their eyes and dashed upon the ground; finally they passed a decree that his inscriptions should everywhere be erased, and all record of him obliterated.

A lively description of the way in which the statues of Domitian were defaced is found in the account of Pliny the Younger: "It was our delight to dash those proud faces to the ground, to smite them with the sword and savage them with the axe, as if blood and agony could follow from every blow. Our transports of joy—so long deferred—were unrestrained; all sought a form of vengeance in beholding those bodies mutilated, limbs hacked in pieces, and finally that baleful, fearsome visage cast into fire."[20]

With the weakening of political stability in the Roman Empire, beginning at the end of the second century after the death of Marcus

[18] For a survey of the political role of "forgetting" in Roman political culture, see H. I. Flower, *The Art of Forgetting: Disgrace and Oblivion in Roman Political Culture* (Chapel Hill: University of North Carolina Press, 2006).

[19] Regarding the hatred directed toward the memory of Gaius Caligula, Cassius Dio (60.4.5–6) reports that Claudius prevented the acceptance in the Senate of an official decision against him, but he concealed all of his statues overnight and erased his name from the list of emperors. Lieberman (S. Lieberman, *Tosefta Kifshuta, Nashim* [Jerusalem: Jewish Theological Seminary, 1993], 740) identifies *damnatio memoriae* against Gaius in Tannaitic literature. In Tosefta *Sotah* 13:6, we find, "Simeon the Righteous heard a word from the House of the Holy of Holies: 'Annulled is the decree which the enemy planned to bring against the sanctuary and Gasqelges [Gaius Caligula] has been killed, and his decrees have been annulled.'" In light of the scholion to *Megillat Ta'anit*, which states, "he immediately took the images and gave them to Israel and they dragged them," Lieberman suggested that the cult was annulled after the memory of Gaius had been "erased" by means of his being dragged. Noam, on the other hand (V. Noam, *Megillat Ta'anit* [Jerusalem: Yad Yitzhak Ben-Zvi, 2004], 290), is of the opinion that this description in the scholion is a secondary adaptation and does not reflect familiarity with the actual historical event.

[20] Pliny the Younger, *Panegyricus* 52.4–5. In praise of Trajan, Pliny differentiates between the ways in which the two emperors related to divine status. Domitian ascribed divinity to himself (as did Gaius before him) and rejected the other gods in favor of himself. Trajan, on the other hand, refrained from challenging the status of the other gods.

Aurelius, and the transition to a period of imperial crisis during the Severan Dynasty, the defacement of the memory of ousted emperors became a conventional phenomenon. Thus, for example, the intensity of the response following the death of Commodus: "Let the memory of the murderer and the gladiator be utterly wiped away. Let the statues of the murderer and the gladiator be overthrown"! And indeed, his statues were destroyed and removed, and his name erased from inscriptions.[21] Archaeological evidence also exposes the extent of this phenomenon with respect to each one of the emperors in the form of defaced images. According to Varner, this custom, which was practiced for the duration of the first centuries of the Common Era, reached the peak of its prominence during the Severan period, and it is from this period that we see the bulk of archeological evidence.[22]

That being the case, when the rabbis at the end of the Tannaitic period presented the possibility of nullifying idolatry by means of defacement, they were not creating a new halakhic norm that would now be applied to gentiles but, rather, were referencing a practice, common in their milieu, that was used to "erase" the memory of rulers through the defacement of their statues and images.[23]

In fact, as has been noted in previous scholarship, emperor worship is embedded in other central aspects of tractate *Avodah Zarah*, in addition to that of nullification of idolatry. First and foremost, the tractate in the Mishna opens with a discussion of festivals that are associated with the emperor.[24] Furthermore, the unit that discusses the prohibition of images (chaps. 3–4) opens with a law that is understood as relating to images of the emperor and their features: "'All images are prohibited, because they are worshipped once a year,' the words of R. Meir. And sages say, 'Prohibited is only one which has in its hand a staff, bird, or sphere.' Rabban Simeon b. Gamaliel says, 'Any which has anything at all in its hand'" (Mishna *Avodah Zarah* 3.1).[25] In addi-

[21] *Scriptores Historia Augustae*, "Commodus," 19.1–20.5.

[22] Varner, *Mutilation and Transformation*, 156.

[23] The matter of urination before a statue of the emperor exemplifies the dependence of the discussion in the Mishna upon actual practice. Urination next to a statue of the emperor was considered a serious offense whose punishment was death (*Scriptores Historia Augustae*, "Caracalla," 5.7). Nevertheless, this act was in no way considered one whose purpose was to "erase" the emperor's memory. Only the effacement of his likeness, and of his name from inscriptions, was regarded as having the potential to achieve that goal.

[24] See Mishna *Avodah Zarah* 1.3. For a detailed discussion, see Friedheim, *Rabbinisme et paganisme en Palestine romaine*, 347.

[25] The rabbis of the Talmud already explained the different representations that appear in the Mishna—staff, bird, and sphere—as being related to the "statues of kings"; see Urbach, "Rabbinical Laws of Idolatry," 177; and M. Hadas-Lebel, "La paganisme à travers les sources rabbiniques des IIe et IIIe siècles: Contribution à l'étude du syncrétisme dans l'empire romain," *Aufstieg und Niedergang der Römischen Welt* 19, no. 2 (1979): 422–26. Indeed, pagan

tion, this unit also ends with mention of the altars that were built in honor of the emperor: "Altars [בימוסיאות, derived from the word βωμός] set up for kings—lo, these are permitted, since they are set [only] at the time kings go by" (Mishna *Avodah Zarah* 4.6).[26] The imperial cult, then, constitutes a framework for the entire unit, which opens with imperial images and ends with imperial ritual. In this framework, the solution to the problem of the prohibition of idols also comes from the field of emperor worship. Despite the centrality of the ritual, the familiar mechanism allowed for the possibility of its nullification.[27]

The rabbis were familiar with the practice of defacing all that bore the memory of an emperor, while favoring an alternative ruler in his stead, and made use of this in defining the nullification of idolatry.[28] According to the Mishna, the defacement of a statue of the emperor is understood not only in a political context but also as an act that

statues of local gods did also hold similar symbols in their hands, and Eliav, "Viewing the Sculptural Environment," 423 n. 47, and 429, is of the opinion that the parameters for distinguishing between different types of images held also with respect to likenesses of the classical gods, and thus the Mishna is not dealing specifically with images of the emperor. It would seem, however, that the need to define what makes a statue of an emperor into an idol clearly reflects the reality in the Roman surrounds, in which there was a wide range of uses for statues of the emperors. As Price has shown, the status of imperial representations was determined in accordance with a number of parameters: location, size, dress, and the representations ascribed to them. See S. R. F. Price, *Rituals and Power* (Cambridge: Cambridge University Press, 1984), 167ff.

[26] The altars that were erected as part of the imperial cult are a known and widespread phenomenon, as described in Price, *Rituals*, 109–12. These altars were used for the offering of sacrifices in honor of the emperor during processions that would include all of the inhabitants of a city. Such processions were led by priests who carried likenesses of the emperor. In this context, the city's inhabitants were required to prepare special altars that were dedicated to the emperor and designed in accordance with this purpose. It is against this backdrop that the Mishna should be understood, rather than the accepted interpretation according to which the emperor would offer sacrifices on this altar. The more stringent stance toward altars for kings that appears in a parallel source also becomes clearer in light of this practice: "The altars which gentiles set up during the persecution [by Hadrian]—even though the time of persecution is over—lo, these are forbidden" (Tosefta *Avodah Zarah* 5.6). Hadrian developed the imperial cult to the extent that it became identical with the cultic ritual of Zeus, with the intention of uniting the Greek world under this cult. As a result, many altars were built in his honor. On this, see A. S. Benjamin, "The Altars of Hadrian in Athens and Hadrian's Panhellenic Program," *Hesperia* 32 (1963): 57–86.

[27] It seems necessary to disagree with Urbach regarding this point. Urbach suggests that the otherwise valid leniencies did not apply with respect to emperor worship. According to his explanation, the rabbis saw fit to act stringently in this matter, because with respect to emperor worship, "the Sages neither could nor would use the argument that they were ineffectual, or avail themselves of the expedient of desecration. Everything connected with this cult was absolutely forbidden" (Urbach, "Rabbinical Laws of Idolatry," 178).

[28] Another form of *damnatio memoriae* that the rabbis were familiar with and incorporated into their teachings is the dragging of the corpse, as was done to Elgalabalus. In this vein, the rabbis described King Hezekiah's *damnatio memoriae* of his father, Ahaz. See S. Lieberman, *Texts and Studies* (New York: Ktav, 1974), 247–48.

carries religious meaning—the divine status of the emperor is broken. In the framework of the imperial cult, which was well known to the Tannaim, the possibility is presented of nullifying the prior status of someone who had been considered a god. As such, the practice that had been familiar in the context of emperors—the defacement of the extremities of the organs—is applied in the Mishna also to the *asherah*, through the breaking of one of its branches. Only on the basis of this analogy to the familiar practice from the field of emperor worship is it possible to explain the formulation of the surprising *halakhah* according to which the breaking of a branch constitutes the nullification of the entire ritual object.[29] In this manner, the solution of nullification of idolatry, which was first integrated within the framework of emperor worship, expanded to include additional cults.[30]

IV. PERCEPTIONS OF IDOLATRY IN LIGHT OF EMPEROR WORSHIP

Does the interpretation of the defacing of images of the emperor given in the Mishna correspond to what was actually found in the pagan surroundings? Is it in fact possible to make a comparison between the removal of an emperor from his position and the annulment of the status of a traditional god by means of defacing its image? In other words, is the defacement of images of the gods indeed based on the removal of a god from his position according to the political model associated with the emperor? Why not assume that the intention behind the breakage of the idol is simply to sever the link between it and the divine?

In this section, I will attempt to show that the perspective that emerges from the Mishna, which views the rituals associated with the emperor as the point of departure in attempting to clarify the general attitude of gentiles toward their gods, can also be found in the writings

[29] Trees did indeed serve purposes of ritual worship, as the Mishna itself testifies (*Avodah Zarah* 3.7: "In Sidon there was a tree which people worshipped"), and the uprooting of these trees was one element of the war against paganism. For contemporaneous evidence, see R. L. Fox, *Pagans and Christians* (New York: Knopf, 1987), 43–45. Nevertheless, the description of the breaking of branches in the Mishna can only be understood as a theoretical legal creation that applies the principles known from nullification of statues.

[30] According to Yadin's argument (Y. Yadin, *The Finds from the Bar Kokhba Period in the Cave of Letters* [Jerusalem: Israel Exploration Society, 1963], 44–45), there is archaeological evidence for the actual practice of nullification of idolatry on utensils that have been found in caves and which bear images of the gods. The faces on these utensils were erased or rubbed away, and in some cases it is possible to discern that the remainder of the surface was not damaged. Yadin assumes that the images were erased by gentiles, but his reconstruction is questionable. The archaeological findings correlate much closer to the Mishna that discusses figures on utensils (*Avodah Zarah* 3.3, n. 4 above).

of pagan writers and is explicit in Christian apologetic literature. These sources join together to form a consistent picture according to which changes in the divine status of the emperor, for better or for worse, reflect a general worldview according to which the status of each of the gods is determined and redetermined in line with the attitudes of human beings.

We will begin with a Talmudic source that draws a direct link between the procedure of *damnatio memoriae* as carried out on the emperors and the possibility of bringing God down from His standing. A well-known parable that appears in the third-century *Mekhilta de-Rabbi Ishmael* ties the prohibition on murder to the first Commandment, "I am the Lord your God," and binds both of these commandments together to form an understanding of the act of murder as a defacement of the image of God:

> How were the Ten Commandments arranged? Five were on the one tablet and five on the other. On the one tablet was written "I am the Lord thy God," and opposite it on the other tablet was written "Thou shall not murder." This tells that if one sheds blood it is accounted to him as though he diminished the divine image. To give a parable: A king of flesh and blood entered a province and the people set up portraits of him, made images of him, and struck coins in his honor. Later on they upset his portraits, broke his images and defaced his coins, thus diminishing the likeness of the king. So also if one sheds blood it is accounted to him as though he had diminished the divine image.[31]

As Yair Lorberbaum has shown, the parable in this Midrash is based not only on familiarity with emperor worship and the practice of damaging the ruler's images upon his removal from power but also upon familiarity with the perspective according to which the existence of the divine is directly dependent upon its representation through images. The Midrash draws a parallel between images of the emperor, on the one hand, and man, as the image of God, on the other. In both cases, damage inflicted upon the representation affects the represented, diminishing their likeness. According to a parallel source (Tosefta *Yevamot* 8.7), the murderer actually annuls (*mevatel*) the image of God, in line with the same terminology used in the Mishna here. As such, damage inflicted upon the image constitutes a direct blow to God.[32] That

[31] *Mekhilta de-Rabbi Ishmael*, ed. J. Z. Lauterbach (Philadelphia: Jewish Publication Society, 1976), Tractate Bahodesh 8, p. 262.

[32] Y. Lorberbaum, *Tzelem Elohim* (Jerusalem: Schocken, 2004), 301–4. An alternative reading of the sources relating to the damaging of God's likeness in the event of murder can be found in A. Goshen-Gottstein, "The Body as Image of God in Rabbinic Literature," *Harvard Theological Review* 87, no. 2 (1994): 171–95. See esp. 190–1, where Goshen-Gottstein discusses the mythical image of Adam's large body, which contained within it all of humanity.

being the case, the rabbis in this Midrash seem to be making use of a well-known connection between the emperor cult that is dependent upon the presence of imperial images and the attitude toward God, whose status and existence is also reliant upon the proper treatment of His images. And indeed, upon investigation of contemporaneous pagan and Christian literature, we see in full force the connection between the procedure of *damnatio memoriae* and the world of the gods as understood through the eyes of the paganism of the period.

The act of *damnatio*, whose purpose is the eradication of the memory of the emperor, stands in contradistinction to acts of *consecratio*, that is, the sanctification of the emperor and designation of his divine status.[33] In Rome, the imperial cultic ritual would begin only after the death of the emperor, and a *senatus consultum* would determine the ruler's fate for better or worse. In the Greek East, in line with the traditional royal cult, the emperor would obtain his divine status already during his lifetime and would be directly incorporated into religious language. As such, the nullification of the status of an emperor after his death, coupled with the favoring of a political rival, constituted a form of removal of the emperor from the divine status that he had previously attained.[34]

The transformation of the emperor into a god was not understood in the Greco-Roman world as an external, political act, separate from religious consciousness, whose ritual characteristics were intended merely to glorify the emperor. On the contrary, the divinity of the emperor achieved formative status in religious consciousness, giving defined content to the relationship with other gods.[35] This can be seen,

[33] Varner, *Mutilation and Transformation*, 6; G. MacCormack, *Art and Ceremony in Late Antiquity* (Berkeley: University of California Press, 1981), 96–98; I. Gradel, *Emperor Worship and Roman Religion* (Oxford and New York: Clarendon, 2002), 287.

[34] On the differences between Rome and the East in the adoption of the imperial cult, see S. R. F. Price, "God and Emperors: The Greek Language of the Roman Imperial Cult," *Journal of Hellenic Studies* 104 (1984): 79–95.

[35] Certainly, notwithstanding the basic similarities between emperors and gods, the actual ritual picture is much more complex, as put forward by Price in his detailed account. Price notes the integration of the emperor cult at all levels of religious life. At the same time, he emphasizes the continuity between ritual and nonritual aspects that can be distinguished only by means of a precise mapping of their details. The differences between the various types of statues are an example of this (Price, *Rituals*, 176ff.). There are different, separate names given to ritual statues and statues that serve as monuments. (It seems that a similar distinction can be found in the Palestinian Talmud at the beginning of the third chapter of tractate *Avodah Zarah*, between images of kings and images of kingship.) There is also a difference between statues found inside the Temple and those outside it, and distinctions are also drawn based on the garments in which the statues are dressed. According to Price, this continuity is essential in order to understand the way in which the image of the emperor was integrated into the structure of religious thought.

for example, in the words of Pliny the Elder.[36] After rejecting the ascription of divinity to countless bodies and ideas, he presents a simple definition: "For mortal to aid mortal—this is god; and this is the road to eternal glory: by this road went our Roman chieftains, by this road now proceeds with heavenward step, escorted by his children, the greatest ruler of all time, His Majesty Vespasian, coming to the succour of an exhausted world. To enroll such men among the deities is the most ancient method of paying them gratitude for their benefactions. In fact the names of the other gods, and also of the stars that I have mentioned above, originated from the services of men."[37]

Another theory derives an understanding of divinity from the possibility that kings who have acted kindly with humanity will merit eternal standing. This perspective is represented in the approach of Euhemerus (of the third century BCE), who described the divinity of the Olympian gods in such a fashion. In his time, this theory served to strengthen the cult of the Hellenistic kings,[38] but it achieved popularity in Rome beginning in the first century BCE, during the period of Julius Caesar, as evidenced by the writings of Diodorus Siculus and Varro.[39] This perspective, and others like it, described in Cicero's book, *On the Nature of the Gods*, based the status of a god on his virtues as reflected in his benevolence toward human beings. A typical expression of this can be found in Nicolaus's appraisal of his contemporary, Augustus: "Men gave him this name in view of his claim to honor; and, scattered over islands and continents, through city and tribe, they revere him by building temples and by sacrificing to him, thus requiting him for his great virtue and acts of kindness toward themselves."[40] Another first-century writer who presents this standpoint is Philo, writing against Gaius Caligula, who adopted divine symbols and wished to place his statue in the Temple in Jerusalem:

> And yet what business had you, Gaius, to take the insignia commonly used to adorn the images of the said deities? For you should have emulated their virtues. . . . All these, Gaius, received and still receive admiration for the benefits for which we are beholden to them and were judged worthy of worship and the highest honors. Tell me yourself what deeds like these have you to make

[36] Pliny, *Historia naturalis* 2.18–19, trans. H. Rackham, Loeb Classical Library (Cambridge, MA: Harvard University Press, 1938).

[37] A similar description (obviously without the reference to the figure of the emperor) appears in Cicero, *De natura deorum* 13.62.

[38] See also *Epistle of Aristeas* 135.

[39] On Diodorus's adoption of the Euhemerus theory and its transformation into a formative historical principle, see K. S. Sacks, *Diodorus Siculus and the First Century* (Princeton, NJ: Princeton University Press, 2000), 70–79.

[40] F. Jacoby, *Die Fragmente der Griechisichen Historiker* 90, fragment 125.

you so boastful and puffed with pride. . . . I think that on the contrary even if it appeared that you were one of the gods your evil practices would have caused you to change into the mortal kind of existence, for if virtues give immortality, vices certainly bring destruction.[41]

Philo thus completes the picture. Since the worship of an individual as divine comes as a result of the said individual's virtues, this status can be reversed in light of a reassessment of those traits. As such, the possibility of "losing" divine status was not at all foreign to Philo's argument.

Presentation of the imperial cult as representative of the pagan outlook in general is characteristic of Christian apologetic literature, primarily from the beginning of the third century. In addition to Christian critiques of the preference given by pagans to emperors over the gods, an alternative argument appears that refutes the pagan worldview on account of its belief in the possibility of a man becoming a god. Relying largely on the approach of Euhemerus, the Christian writers found in this approach an opportunity to ridicule paganism.[42] Among these writers, Tertullian presents with clarity the implications of this outlook:

We ceased worshipping your gods from the time we discovered they were non-existent. This, then, is what you ought to demand, that we prove that those gods are non-existent and for that reason should not be worshipped. Only then ought the Christians to be punished if the fact were to be established that those gods do exist. "But for us" you say, "the gods do exist." We object and appeal from you to your own conscience. Let your conscience pass judgment on us. Let it condemn us, if it can deny that all those gods of yours have been mere human beings. . . . But you reply that the conferring of divinity was a means of rewarding their services. On this point you grant, I suppose, that the god who makes gods possesses justice in a superior degree, since he has not recklessly nor undeservedly nor extravagantly bestowed such great reward. But see if the services of these people are of a kind not to exalt them to heaven but to plunge them into the abyss of Tartarus, that prison of infernal punishment. Such disgraceful marks upon these people are an additional reason for our not believing that they afterwards became gods. For you yourselves sit in

[41] Philo, *Legatio ad Gaium* 81–91.

[42] Price, *Rituals*, 202, notes several Christian writers who claimed that the pagans ascribed more importance to the emperor than they did to the other gods. According to Price, no pagan would accept this claim. At the same time, the role of Euhemerus's theory became central to critique of paganism only in the writings of Christian apologists, since only in Christian eyes was the creation of the gods of any relevance with respect to their authority. In fact, emperor worship emulated the cultic ritual framework and was integrated within it, but the blurring of the boundaries between man and god did not lead to any deterioration in the status of the classical gods.

judgment to punish such persons—men of the very sort whom that god of yours has joined to himself to share in his majesty.[43]

Tertullian's argument is based on elements of pagan tradition relating to the status of the gods and includes two complementary points: the gods are individuals who have proven their virtuousness, and it is virtue that defines the divine. Tertullian demands of human beings that they judge the gods that are unworthy and banish them to the netherworld. It is questionable whether this act would have been actually carried out against the traditional gods;[44] however, the fact that it was carried out against emperors gave it standing at least within the religious discourse of that period. Following Bowersock, it is possible to point to the end of the second century as the point at which awareness increased, among pagan writers as well, of the problematic nature of the imperial cult, which was exploited by some and which did not reflect the basic identification of the divine traits with virtue.[45] Therefore, alongside the weakening of political stability, we find a widening discussion concerning the characteristics that define the divine. In the following section, we will see that the Mishna is also involved in this discourse.

V. DIALOGUE WITH PAGANS ON THE NATURE OF THE GODS

The pervasiveness of the phenomenon of *damnatio memoriae*, and its influence on attitudes toward the ensemble of gods and their status, is also reflected in the Mishna, which incorporates among the laws of nullification of idolatry conversations with gentiles in which some of the central characteristics of the pagan worldview of that period are presented. Reexamination of the Mishnaic unit that discusses nullification of idolatry reveals the centrality of the two conversations between the rabbis and non-Jews in the analysis of this unit.

[43] Tertullian, *Apology* 10–11, trans. R. D. Sider, *Christian and Pagan in the Roman Empire: The Witness of Tertullian* (Washington, DC: Catholic University of America Press, 2001). Parallel arguments appear in the writings of Minicius Felix, *Octavius* 21.

[44] Gradel, *Emperor Worship and Roman Religion*, 369, holds that the traditional gods were also punished when they refrained from acting rightly, and thus the agreement expired. The only example that he cites is the great anger that came forth with the death of Germanicus, which brought about the destruction of temples and the throwing of household gods into the streets (Suetonius, *Caligula* 5).

[45] G. W. Bowersock, "Greek Intellectuals and the Imperial Cult in the Second Century A.D.," in *Le culte des souverains dans l'Empire Romain*, ed. W. den Boer (Vandœuvres-Genève: Fondation Hardt, 1972), 177–206. The writer notes the difference between Plutarch and his generation at the beginning of the second century and Cassius Dio, at the beginning of the third century. Plutarch did not see the emperor as a god but at the same time did not have any problem with his cult, given the obvious connection between the divine and virtue. In Cassius Dio, on the other hand, one finds a real hesitation regarding emperor worship, as a result of the behavior of Commodus and Elagabalus.

As has been noted, the unit dealing with the prohibition on idolatry is made up of three sections, corresponding to the ranges of prohibition (Mishna *Avodah Zarah* 3.1–4, 3.5–10, 4.1–6). The second range, which deals with the place of the idolatrous worship, and the third, which deals with the appurtenances of idols, are both rendered permitted through nullification of the idol itself by a gentile. In light of this, it is particularly noteworthy that in the transition between the first range, which relates to the images themselves, and the second, which deals with place, the Mishna describes a conversation between Proclus and Rabban Gamaliel (3.4) which suggests a solution to the expanding prohibition. To be sure, this Mishna does not make direct mention of the notion of nullification of idolatry and seemingly presents alternative strategies for dealing with the prohibition. Nevertheless, as we shall see, the foundation of the solution is indeed shared.

In addition, after outlining the laws of nullification of idolatry in the third part of the unit, the Mishna ends off with a story about the sages in Rome, who were asked the question, "If [God] is not in favor of idolatry, why does he not nullify it?" (Mishna *Avodah Zarah* 4.7). This Mishna and the Mishna about the bathhouse of Aphrodite are placed at key points in the structure of the unit, such that the two conversations together offer a framework for the law of nullification of idolatry. Moreover, the very need to incorporate conversation with non-Jews in the Mishna suggests that the Mishna is drawing a connection between the law of nullification of idolatry and the perspective of the gentiles, as that perspective emerges from the conversations between them and the rabbis. As has been noted, for Tertullian, the conditional status of the gods, including the emperors, served as a point of departure for a dialogue with the pagan world about its idols. In the Mishna we find a similar phenomenon. As we will see in the coming sections, the underlying pagan principles that emerge from the dialogues in the Mishna are based on the practice of *damnatio memoriae*, one at the theological level and the other at the political level.

A. In the Bathhouse of Aphrodite: "That which is treated as a deity is prohibited"

We read the following in Mishna *Avodah Zarah* 3.4:

Proclus the son of Pelaslos[46] asked Rabban Gamaliel, who was in Acre bathing

[46] Avraham Wasserstein, "Rabban Gamliel and Proclus of Naucratis," *Zion* 45, no. 4 (1980): 257–67, identifies Proclus as a philosopher from the middle of the third century. Accordingly, he rejects the accepted opinion that the passage refers to Rabban Gamaliel of Yavneh, of the

in the bathhouse of Aphrodite: "It is written in your Torah *let nothing that has been doomed* [by its association with idolatry] *stick to your hand* [Deut. 13:18]; why then do you bathe in Aphrodite's bathhouse?"

He replied: "One does not respond in the bathhouse."

When he had come out he said to him: "I did not enter into her domain, she entered into mine."

One does not say, Let us make the bathhouse an ornament to Aphrodite; rather it is Aphrodite who is an ornament to the bathhouse.

Another interpretation: If they give you much money would you enter before your idol naked, having had a seminal emission, and urinate before it? Yet, this one stands upon the sewer and all the people urinate before it.[47]

[Scripture] only states [*cut down the images of*] *their gods* (Deut. 12:3), so that which is treated as a deity is prohibited while that which is not treated as a deity is permitted.

While Proclus's question is relatively clear and quite direct, Rabban Gamaliel's complicated answer has been the subject of many interpre-

first century and, instead, suggests that it is Rabban Gamaliel the son of R. Judah Hanassi who is being referred to. Though there is indeed some doubt as to the identity of the Rabban Gamaliel mentioned in the Mishna, Wasserstein's attempt to see Proclus the gentile as a philosopher ought to be rejected, since it is based on the spelling of his name in the Babylonian versions of the Mishna, "Proclus the son of Pelosepos," in which the spelling of "Pelosepos" in Hebrew closely approximates the word for "philosopher." There is no reason, however, to prefer this version of the Mishna over the Palestinian versions, which read, "Proclus the son of Peleslos," which has no such connotation. Recently it has been proposed to read the discussion here as a philosophical one, once again based on this questionable version of the text of the Mishna. See A. Yadin, "Rabban Gamaliel, Aphrodite's Bath and the Question of Pagan Monotheism," *Jewish Quarterly Review* 96, no. 2 (2006): 149–79. Yadin is of the opinion that the Mishna here is presenting a philosophical critique of paganism. Indeed, there is a dialogue between Rabban Gamaliel and a philosopher that is known to us, in which the philosophical background of the gentile is necessary for proper analysis (*Mekhilta de-Rabbi Ishmael*, 244–45). Nevertheless, the Mishna before us does not present Rabban Gamaliel's gentile interlocutor as a philosopher, and there is no necessarily philosophical content in his remarks that would suggest his rejection of the pagan world.

[47] It is possible to view this Mishna as reflecting an event described by Herodotus (*The History of Heredotus* 2.172), which developed and was appropriated in changed form: "Now at the first the Egyptians despised Amasis and held him in no great regard, because he had been a man of the people and was of no distinguished family. . . . Among innumerable other things of price which he had, there was a foot-basin of gold in which both Amasis himself and all his guests were wont always to wash their feet. This he broke up, and of it he caused to be made the image of a god, and set it up in the city, where it was most convenient; and the Egyptians went continually to visit the image and did great reverence to it. Then Amasis, having learnt that which was done by the men of the city, called together the Egyptians and made known to them the matter, saying that the image had been produced from the foot-basin, into which formerly the Egyptians used to vomit and make water, and in which they washed their feet, whereas now they did to it great reverence; and just so, he continued, had he himself now fared, as the foot-basin; for though formerly he was a man of the people, yet now he was their king, and he bade them accordingly honour him and have regard for him." Lieberman, *Hellenism in Jewish Palestine*, 122–26, discusses this story and those reminiscent of it in midrashic and Christian literature, but he does not link it to the present Mishna. (I would like to thank Deborah Gera for this reference.)

tations, focusing on different aspects of his statements. What exactly is the nature of Rabban Gamaliel's words? In truth, his words are made up of two textually and ideologically opposing parts. In the first part, the definition of the bathhouse as a place of idolatry is rejected on the basis of internal Jewish considerations. Rabban Gamaliel begins his response with the declaration that he is not prepared to answer while still in the bathhouse. Seemingly, this declaration serves the purpose of ascribing to Rabban Gamaliel the role of defining the space of the bathhouse as one in which discussion of Torah is forbidden. This agenda comes to the fore clearly in Rabban Gamaliel's response, "I did not enter into her domain; she entered into mine."[48] Rabban Gamaliel rejects the possibility that the presence of idols would deny him the ability to control and define the space in which he lives. It seems then that it is not coincidental that the dialogue takes place in Acre, on the border of the land that Rabban Gamaliel is trying to protect.[49]

The second explanation that is brought in the name of Rabban Gamaliel bases his permitting of bathing on the opposite point of view: that of the gentile.[50] Here, the uprooting of Aphrodite's idolatrous status

[48] Yadin, "Rabban Gamliel," 162, sees in the first answer ("I did not enter into her domain, she entered into mine") the original kernel of the story. Unlike Rashi, who understands the statement as simply meaning that the bathhouse preceded the erection of the statue chronologically, Yadin proposes a connection between the words of Rabban Gamaliel and the critique of Plotinus against the gods. According to Plotinus, it would be appropriate for the gods to come to him rather than for him to go to them in order to offer sacrifices. This connection, however, seems somewhat tenuous and barely fits with the words of Rabban Gamaliel. According to Halbertal, "Coexisting with the Enemy," the Mishna is developing a strategy whose purpose is the attempt to create neutral spaces. In line with this, Rabban Gamaliel defines the space of the bathhouse as a neutral space that is not identified with idolatry, and this space is the "domain" of which his speaks. Halbertal finds a similar claim in the Mishna about the sages in Rome (which we will see below): gentiles should not be permitted to define the world as idolatrous and as such to prevent Jews from making use of it; to allow this would constitute "wiping out his world because of fools." However, it should be noted that Halbertal's approach does not address the gaps between the different explanations attributed to Rabban Gamaliel and also seems to ignore the second half of the dialogue of the sages in Rome (see below).

[49] The interpretation proposed here disconnects the statement, "she entered into my domain," from the sentence that follows, "One does not say, Let us make the bathhouse an ornament to Aphrodite." This sentence seems to be an interpretive addition, inserted between the two central pieces attributed to Rabban Gamaliel. An alternative interpretation of the relationship between the answers attributed to Rabban Gamaliel can be found in S. Schwartz, *Imperialism and Jewish Society, 200 B.C.E. to 604 C.E.* (Princeton, NJ: Princeton University Press, 2000), 167–74. According to Schwartz, both answers should be taken together as a kind of "doctrine of mere decoration."

[50] In light of the complexity of the claims in the Mishna and the appearance of the idiom, *davar aher* (another matter), there is no reason to attempt to harmonize the answers, nor is it possible to attribute all of the statements to Rabban Gamaliel himself. Blidstein, "Nullification of Idolatry," suggests that already according to the opinion of Rabban Gamaliel, figures that have been subjected to contempt (by means of urination) are not considered idolatrous and that this approach was developed by his son, Rabban Shimon ben Gamaliel, who permits

does not happen on the basis of Jewish considerations but, rather, as a result of the perspective of the gentile himself. Proclus has to acknowledge, according to this position, that even according to his own opinion, Aphrodite is not really considered a god. He recognizes the fact that his behavior toward Aphrodite is not appropriate worshipful behavior and as such, the idolatrous status of the image should become invalid even in his eyes. The reference to the ways of the non-Jew in the last response in the Mishna creates symmetry between Proclus's question and the resolution that is offered in the name of Rabban Gamaliel. Just as Proclus's challenge to Rabban Gamaliel is based on Rabban Gamaliel's own sources, so too the Mishna responds to Proclus by pointing directly to his own worldview.[51] And yet, at first glance it seems that Rabban Gamaliel's response is paradoxical. Proclus's question assumes that Aphrodite is indeed considered (by him) as having idolatrous standing. How, then, can Rabban Gamaliel argue that "you yourself do not consider this to be an idol, as can be seen from your behavior?" Can the Mishna really ignore the explicitly stated perspective of the non-Jew and define on his behalf what is considered in his eyes to be real idolatry?[52]

I would suggest that the Mishna, which purports to represent the

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the use of figures on utensils that have been treated with contempt. Nevertheless, since the expression *davar aher* ought to be read as distinct from the body of Rabban Gamaliel's statements, it would seem that the relation between the *Mishnayoth* should be reversed, with the second argument against Proclus being read as the later one. This possibility makes sense in light of the fact that the laws of nullification of idolatry, in whose context this statement should be understood, belong to the final layer of Tannaitic literature, from the end of the second century.

[51] It should be emphasized that the last sentence, in which a biblical verse is quoted and expounded, is not part of the statement to the idolater. While the beginning of the explanation is directed to Proclus in the second person, the language shifts into the third person after the biblical quotation.

[52] A problem of this type is raised in E. Friedheim, *Rabbinisme et paganisme en Palestine romaine*, 68–109, and "Rabban Gamliel in the Bathhouse: A Look into the Realia of Eretz-Yisrael" [in Hebrew] *Cathedra* 105 (2003): 7–32. Friedheim lays out archaeological evidence pointing to the centrality of Aphrodite as a god of bathhouses and as an object of ritual worship. This evidence, he claims, makes it seem that Rabban Gamaliel's ignoring of the ritual standing of Aphrodite does not fit the actual historical context. Against Friedheim, Eliav proposes a more sophisticated account of the status of the bathhouse and the images within it: Y. Z. Eliav, "The Roman Bath as a Jewish Institution: Another Look at the Encounter between Judaism and the Greco-Roman Culture," *Journal for the Study of Judaism* 31 (2000): 416–54. In his explanation of the Mishna, Eliav argues (432–33) that the debate between Proclus and Rabban Gamaliel reflects the complex attitude that existed toward images which were not placed in places of worship and were not officially dedicated but that nevertheless did receive ritual status in a more casual fashion. Schwartz, *Imperialism and Jewish Society*, 167–74, is also of the opinion that the words of Rabban Gamaliel do not fit with the nature of the paganism of that time and that it is unlikely that any gentile would have been convinced by his arguments. According to Schwartz, the rabbis formulated an intentionally inaccurate interpretation of the paganism around them, according to which idolatry only included direct worship, in order to adapt to and function within the urban reality that they faced.

worldview of the gentile and his attitude toward his gods, is actually based on a familiarity with the same pagan outlook that lies behind the law of nullification of idolatry. Indeed, this close connection between the response of Rabban Gamaliel and the law of nullification of idolatry can be found in the Tosefta (*Avodah Zarah* 5.6), which bases the nullification of idolatry on the same Midrash that is ascribed to Rabban Gamaliel: "Is it possible that an idol which a gentile nullified—is it possible that it should be deemed prohibited? Scripture says, *The graven images of their gods [you shall burn with fire]* (Deut. 7.25), that which *he* treats as a god is prohibited. And that which *he* does not treat as a god is permitted." It would seem, then, that Rabban Gamaliel is pointing to the same feature of paganism of his time that is expressed in the defacement of sculptures of the emperor. Thus, the answer given to Proclus, like the law regarding the nullification of idolatry, which seems to be based on a reconstruction of the consciousness of the idolater, indeed correlate to the way in which paganism was understood among its adherents.[53]

Roman ritual lacked both a cosmic worldview and an organized theological system.[54] In this framework, the ascription of divine status to particular properties, powers, or personalities constitutes a declaration of obligation based on the doing of good (*benefactio*) on the one hand, and appreciation (*gratitutio*) on the other.[55] Ritual expressed respect toward one who provided assistance out of goodness and virtue. As such, there were no set criteria defining the nature of the divine, and

[53] I generally hold that the encounters between rabbis and Greco-Roman figures in Tannaitic literature are demonstrative of the depth of familiarity that the rabbis had with the surrounding intellectual discourse. For example, a parallel discussion between Rabban Gamaliel and a philosopher concerning idolatry (*Mekhilta de-Rabbi Ishmael*, 245) demonstrates direct familiarity with philosophical custom. When Rabban Gamaliel is asked about the biblical description of God as "jealous" (*kana*), he responds by means of a parable about an oath taken in the name of a dog; in so doing, he hints at familiarity with philosophical practice (see S. Lieberman, *Greek in Jewish Palestine* [New York: Jewish Theological Seminary, 1942], 125–27). Familiarity with philosophical knowledge lies at the core of this discussion as does knowledge of the Greek language—Rabban Gamaliel is hinting at the similarity between the Hebrew word קנא and the Greek κύνα, dog.

[54] According to R. Turcan, *The Cults of the Roman Empire* (Cambridge, MA: Blackwell, 1996), 22–27, this fact accelerated the penetration of Eastern rituals in which specific phenomena were attributed to different gods. An attempt to chart the way in which the upper world was imagined is found in R. MacMullen, *Paganism in the Roman Empire* (New Haven, CT: Yale University Press, 1981), 73–94.

[55] In the words of Lucian, *Apology* 13: "Moreover I say to you that no one does anything without pay, not even if you instance those at the head of things, for not even the emperor himself is unpaid. I do not mean tributes and taxes that come in every year from his subjects; no, the king's most important reward is praise, universal fame, reverence for his benefactions, statues and temples and shrines bestowed on him by his subjects—all these are payment for the thought and care which such men evidence in their continual watch over the common weal and its improvement."

there was continuity between the status of the divine and that of the human. At the level of the household, the father of the family was the object of ritual worship, and at the wider public level, it was the emperor who held this status. This worldview was based on the fact that it was the attitude toward a god that determined the god's standing,[56] whether for better or for worse. The statement of Rabban Gamaliel, then, would seem to be based on this notion. The principle, "that which is treated as a deity is prohibited while that which is not treated as a deity is permitted," is a formative one in the pagan worldview, which sees the status of the gods as dependent upon the appreciation and attitude of the worshipper.[57] Rabban Gamaliel, like Tertullian, is therefore able to utilize this principle in attacking pagans who do not act in accordance with their own principles. Their actions testify to the fact that they themselves do not truly consider their "gods" to be gods.[58]

B. The Sages in Rome: Man and God, Ruler and Subject

The blurring of the boundary between man and god and the incorporation of the emperor at the center of this outlook add to the number of gods in the divine sphere. But this phenomenon has ramifications at another level, too, one that is characterized by the intersection between theology and the formation of political power. On this level, emperor worship defines ruler-subject power relations and, as such, sheds light on the political context of this form of worship in the Greek East. Indeed, the integration of the imperial cult alongside traditional

[56] Gradel, *Emperor Worship and Roman Religion*, 28–36, articulates this popular notion of the gods: "His [Jupiter's] divine status was thus relative to the body honoring him, and it was 'constructed' by the honors it accorded him. Jupiter's nature, the aspect of absolute divinity, hardly mattered in this connection; it was irrelevant to the *relative* status system constructed in cultic rites."

[57] The Tosefta (*Avodah Zarah* 5.3–4) links the possibility of nullifying idolatry to the question as to when an idol becomes prohibited already before it is actually worshipped (Mishna *Avodah Zarah* 4.4). Indeed, if the idol is dependent on the attitude of the gentile, and not on it being worshipped, then it makes sense that he should also be able to annul its status (see Blidstein, "Nullification of Idolatry," 14–18). For a similar discussion, see Minicius Felix, *Octavius* 22.5, who holds that a statue becomes a god only once people begin to worship it.

[58] Tertullian *Apology* 13, berates the pagans for not respecting their images as gods, and as such selling them. This attack comes as a secondary line of argument after the presentation of his above-mentioned central argument against paganism: how can it be that the status of the pagan gods is conditional? Tertullian's dual argument parallels the expansion of the laws of nullification of idolatry in rabbinic circles at the end of the second century and the beginning of the third. Initially, nullification required decisive acts such as the infliction of damage; later, the editor of the Mishna and his generation added sale as an act demonstrating a disrespectful attitude toward the images (Mishna *Avodah Zarah* 4.5).

rites caught on naturally in the Greek East of the Roman Empire, where this combination had a constitutive role in the formation of religious consciousness under Roman rule.[59] Price summarizes this state of affairs as follows:[60] "Using their traditional symbolic system they represented the emperor to themselves in the familiar terms of divine power. The imperial cult, like the cult of the traditional gods, created a relationship of power between subject and ruler. . . . The imperial cult stabilized the religious order of the world. The system of ritual was carefully structured; the symbolism evoked a picture of the relationship between the emperor and the gods." According to Price, the incorporation of the emperor into the pantheon played a central role in the formulation of the worldview that came to be prominent in the Greek East. This took place by way of the establishment of ritual obligations toward the emperor, in whose hands power was concentrated. Thus we see, for example, that alongside increased concentration of rule during the course of the third century, the use of divine attributes with reference to the emperors intensified. These attributes constitute a religious representation of the power relations between the emperor and his subjects. At the same time, in the context of reconstitution of political rule, the populace played a role in redefining the ruling authority by defacing the divine likeness of the previous ruler. The decision of the rabbis to incorporate this practice into the laws relating to idolatry thus suggests that they understood the rejection of idolatry to be structured on the model of political revolution.

Identification of the roots of the practice of nullification of idolatry with the constitution of power relations between ruler and subjects, as well as with the political context of the imperial cult, whose nullification results from damage inflicted upon its sovereignty, together shed new light on the dialogue that appears at the end of the unit in the Mishna relating to the nullification of idolatry:

> They asked sages in Rome, "If [God] is not in favor of idolatry, why does he not nullify it?"
>
> They said to them, "If people worshipped something of which the world has no need, he certainly would nullify it.

[59] Emperor worship was the common denominator between the various residents of the empire. All were united in recognition of the need for the continuation of the regime that had been the best possible, and the cultic ritual set out the simplest way to symbolize this recognition. The presentation of the cult as a political means and as a symbol begs the question: did private individuals really harbor religious feelings toward the emperor? Price argues (see below) against this approach, refraining from using emotion as a means for measuring the value of religiousness.

[60] Price, *Rituals*, 248.

"But, lo, people worship the sun, moon, stars, and planets.

"Now do you think he is going to wipe out his world because of fools?"

They said to them, "If so, let him destroy something of which the world has no need and leave something which the world needs!"

They said to them, "Then we should strengthen the hands of those who worship these [which would not be destroyed], for then they would say, 'Now you know full well that they are gods, for lo, they were not nullified!'"

The first part of this Mishna, the rejection of the demand that idolatry be eliminated on the basis of the rhetorical question, "do you think he is going to wipe out his world because of fools?" appears in a number of parallel sources.[61] The part of the discussion that follows, however, appears only in the Mishna. This part emphasizes the fact that the physical struggle against idolatry is an impossible one, even for God. Any physical action would strengthen the validity of the idol in the consciousness of its worshippers. A reality in which God acts with force would be interpreted by them as proof of the divinity of those objects of worship not eliminated. This Mishna is discussed by Zohar in his argument that the consciousness of the idolater—and it alone—determines the "reality" of an idol.[62] According to Zohar, the addition of this dialogue as a conclusion to the halakhic unit discussing nullification of idolatry places us in a position to appreciate the full meaning of the final expression, "for lo, they were not *nullified*" (*battlu*, בטלו). As scholars have noted previously, the Hebrew verb *b-t-l* (בטל), translated here as "nullified," does not carry the meaning of physical annihilation.[63] Rather, the meaning of this word is always the annulment of status and, in this case, the annulment of the status of idolatry. In light of this, Zohar argues that the same definition holds true also in the case of the final answer given by the sages in Rome. Idol worshippers continue to interpret the reality around them as proof of the existence of their gods; idolatry has not been invalidated in their consciousness. As such, so long as a change in consciousness has not taken place, there is no benefit to be had from a physical struggle against idolatry, which would not be directed against the actual root of the

[61] Tosefta *Avodah Zarah* 6.7; *Mekhilta de-Rabbi Ishmael*, 245; Babylonian Talmud, *Avodah Zarah* 54b.

[62] Zohar, "Foreign Worship," 70–72.

[63] A detailed discussion appears in S. Friedman, *Tosefta Atikta: Synoptic Parallels of Mishna and Tosefta Analyzed, with a Methodological Introduction* (Ramat Gan: Bar Ilan University, 2003), 348–50. Friedman shows that the meaning of the verb *b-t-l* in Aramaic is "the causing of something to cease, not to exist, to pass from the world." Against Albeck and Epstein, he argues that this word should not be understood as carrying the active meaning, physical destruction, an understanding which is based only on their interpretation of the law of *bittul 'avodah zarah*.

phenomenon. In that kind of struggle even God would not be able to be victorious.[64]

To my mind, proper analysis of this Mishna must begin with its opening question, "If [God] is not in favor of idolatry, why does he not nullify it?" Zohar, like other commentators, assumes that the question refers to the expectation that the omnipotent God ought to eradicate pagan gods. But, as has been noted, this interpretation assumes an irregular, even unique, use of the verb *b-t-l* to denote destruction and eradication.[65] Furthermore, according to this interpretation, the Mishna ascribes to the inquiring gentiles a question that would seem to fit with the biblical worldview according to which God's rule includes and necessitates the eradication of all other gods.[66] This kind of question might appropriately have been asked by a Jew, whose heritage includes the Bible. Why is it presented here from a gentile point of view?

It seems appropriate, then, to interpret the question asked by the idolaters in Rome in light of the known practice of nullification, assuming the regular meaning of the verb *b-t-l* and taking into account the political and religious milieu in which this practice was enacted.

[64] An argument of this kind, which serves to justify religious tolerance, is brought by Halbertal, "Coexisting with the Enemy," 162, in the name of John Locke. According to Locke, coercion in religious matters involves an internal contradiction, since the value of any religious act lies in its being performed willingly and out of personal conviction.

[65] Zohar, "Foreign Worship," 70: "The intention of the questioners is the destruction of idols, as stated in the Bible by the term, אבד (*a-b-d*—as in אבד תאבדון, 'you shall certainly perish') which is also the appropriate term for this in the language of the rabbis." Zohar is of the opinion that the verb *b-t-l* was chosen here only because of the passage's wider context—the laws of nullification (*bittul*) of idolatry—despite not being the appropriate term for the present question. As evidence for this claim he brings a parallel *beraita* from the Babylonian Talmud which, appearing outside of the context of nullification of idolatry, chooses more suitable terminology: יאבדנה מן העולם ([why does he not] cause them to perish [אבד, *a-b-d*] from the world?). However, in all of the other Tannaitic sources, and in different contexts, it is the verb בטל (*b-t-l*) that appears.

[66] The biblical agenda that calls for the total eradication of idols fits in with the way in which the likeness of the gods is viewed in Mesopotamian sources. According to this outlook, the god is really present in its image after it is born in a *mis pi* ceremony. This approach is referred to by Sommer as "the fluidity of divine embodiment" (B. D. Sommer, *The Bodies of God and the World of Ancient Israel* [New York: Cambridge University Press, 2009], 12–37). Mesopotamian and Canaanite gods were thought to be present, simultaneously, in various different bodies, and their figures were believed to change in accordance with these images. Destruction of an idol in this framework has a direct effect on the god, who is injured but does not altogether disappear. The idol in the Greco-Roman world, on the other hand, serves a representative purpose, bringing the gods to people's attention; the god itself is not present in the image. Sommer, following in the footsteps of Eliade, refers to the images as "contaminated with the sacred." Damage inflicted upon the idol, then, does not harm the god, and the purpose of inflicting damage is to undo the representation. For an analysis of the worldview in the Greek world that does view idols as real dwellings for the gods, see D. T. Steiner, *Images in Mind: Statues in Archaic and Classical Greek Literature and Thought* (Princeton, NJ: Princeton University Press, 2001), 106–20.

An emperor who ascended to the throne as a result of a struggle against the previous emperor, and not as his successor in an existing dynasty, would nullify the memory and status of the previous ruler through the procedure of *damnatio memoriae*, which would be announced by the Senate. Change of political rule was structured in such a way that the new ruler and the people would come together with the mutual agenda of replacing the previous regime and annulling its memory. It is in accordance with this procedure that the idolaters in our Mishna articulate their challenge to the sages in Rome: one might expect of God, whose rule is absolute, to call for a similar process of nullification and thus to actualize His absolute standing. Indeed, the question as to why it is the subjects who must carry out the procedure of nullification without the cooperation of the Ruler begs to be asked. The sages respond by suggesting limitations to God's power; His standing is totally dependent upon His subjects.

This Mishna demonstrates the extent to which knowledge of the Roman political context is fundamental for the proper understanding of the phenomenon of nullification of idolatry in rabbinic law. So long as this procedure is interpreted simply as a personal act, through which an idolater signifies his rejection of his god and its worship, it is impossible to ascribe a similar act to God. But once we identify the political model upon which the practice of nullification of idolatry is based, it becomes clear that in this context invalidation of a previous ruler is always tied up with the promotion of a new one and that the actions of ruler and subject toward this end are intertwined. Combined, they annul the status of the previous leader.[67]

VI. CONCLUSION

In the course of the preceding pages, the ramifications of the practice of *damnatio memoriae* with respect to images of the emperor have been outlined. This practice served, on one hand, as the basis for the rabbinic law regarding the nullification of idolatry. At the same time, it also served as a point of departure for a more general reflection on paganism incorporated in the Mishna in the form of dialogues. In these dialogues central aspects of the pagan worldview and their theo-

[67] Does the *halakhah* according to which a Jew cannot nullify the idol of a gentile, while a gentile can nullify both his own idols and those of Jews, signify the boundaries of this political belonging? Or, alternatively, perhaps this difference simply denotes a difference in religious perspective between Jew and gentile. This question is tied to the difference between two versions of the Mishna: can a Jew nullify his own idol or is the nullification of the idol of a Jew impossible? For several explanations of the variations between the versions, see Hayes, *Between the Babylonian and Palestinian Talmuds*, 35–42.

logical-political context were discussed. Consequently, the different aspects that converge in this practice enable us to outline the interreligious discourse in which the Mishna was formulated and to investigate the Mishna's method for dealing with idolatry, a method that stands in stark contrast to the biblical position.

The examination of the dialogue of the sages in Rome in the previous section raised two fundamental components of the Mishna's approach to dealing with foreign gods that were characteristic of Roman political culture but stand in contrast to the Bible. The first component is the physical nature of the nullification. The language of the Bible calls for total annihilation of gods other than the God of Israel, but in the political-religious framework of Rome there was no place for absolute annihilation. The focus of this procedure of nullification was not at all physical eradication but rather the negation of the status of a previous emperor by wiping out his memory and invalidating his worship. This act is liable to be violent, but its focus is the demonstration of power more than it is destruction. As such, the use of statues for secondary purposes (such as paving) is common following the return to routine.[68] This kind of approach is also reflected in the Mishna, which permits use of the idol after initial defacement.

The second component of nullification of idolatry is even more fundamental if one wishes to make sense of the change of direction between the Bible and the Mishna. The Mishna rules that the authority to nullify idols lies in the hands of the gentile alone; the Jew is unable to perform the procedure. This stands in stark contrast to the biblical injunction to eradicate idolatry, which is incumbent upon the Jew. Furthermore, even God is unable to take part in this eradication without the cooperation of the idolaters themselves. This way of thinking is based not only on an attempt to reconstruct (or, alternatively, to artificially define) the hidden feelings of the gentile who performs the act; rather, it is taken directly from the political model in which the status of the emperor, and thus also that of the gods, is determined. The authority to infer status upon the ruler, or to deny it, lies in the hands of his subjects alone, in accordance with defined procedures. This act, then, which is formative of the relationship between ruler and subjects, cannot at all be partaken in by those who stand outside of the relevant political framework. As such, when it comes to the negation of the

[68] Secondary use for the purpose of flooring is mentioned in the Tosefta with respect to Merkolis (Tosefta *Avodah Zarah* 6:14, p. 470); and in the Babylonian Talmud, *Avodah Zarah* 50b. From these sources it seems that this was a recognized public norm that was performed in the open and without fear. On the historical context of these practices, see S. Lieberman, "Palestine in the Third and Fourth Centuries," *Jewish Quarterly Review* 36, no. 4 (1946): 329–70.

divine status of the ruler, there is no meaning to the procedure when performed by a person who does not take part in that political system. It follows, then, that the destruction of idolatrous statues on the part of Jews would not just be ineffective in a world in which statues and likenesses abound; it would also have no meaning in the context of Roman rule.

The extent to which the contemporaneous Greco-Roman model, which stands in contrast to that of the Bible, was absorbed and adopted, is also reflected in the dialogues presented in the Mishna. The theological outlook of the gentile idol worshipper, against the backdrop of fluctuating political rule, assumed that there was no single, permanent object of worship. In addition, the developments that the Roman Empire was undergoing, in which the divine status of the emperor was exploited, entrenched the need for the articulation of the relation between the components of divinity: virtue, power, and immortality.[69] In this context there was place for a discussion about the criteria for determining who is worthy of being considered divine. The presentation of this question, which hovers in the background of apologetic literature such as the writings of Tertullian, created an opportunity for shared inquiry—Jewish and pagan—regarding the gods. Mishna *Avodah Zarah* exposes us to a cultural milieu, unlike that of the Bible, in which Jews and gentiles not only shared living space; they also engaged in core discussions about the essence of idolatry and the extent of its validity.[70] This fact constitutes one of the features of the pagan world of that period, and the cult of the emperor served as an axis around which such discussion was woven.

[69] The relationship between these concepts is central to Plutarch's treatment of the imperial cult, as demonstrated by K. Scott, "Plutarch and the Ruler Cult," *Transactions and Proceedings of the American Philological Association* 60 (1929): 135.

[70] It should be emphasized that this is not necessarily characteristic of all layers of the Mishna, and this difference between layers is discernible even in the two parts of the statement attributed to Rabban Gamaliel. As mentioned above, in the first part he focuses on his needs as a Jew; in the second, he participates in a meaningful discussion with the non-Jew.