

The Torah of the Gospel: A Rabbinic Polemic against *The Syro-Roman Lawbook**

Yakir Paz

Hebrew University of Jerusalem; yakirpaz@gmail.com

■ Abstract

In a famous story in b. Šabb. 116a–b, Imma Shalom and her brother, Rabban Gamaliel, present to a philosopher a dispute concerning the inheritance of the daughter. The judge, having being bribed by Imma Shalom, rules in her favor, against the ruling of the Torah of Moses, arguing that the latter has been abrogated and replaced by the “Torah of the Gospel,” which states that “the son and the daughter inherit equally.” After being bribed by Rabban Gamaliel, the philosopher recants, citing Matt 5:17, where Jesus reaffirms the validity of the Mosaic Law.

This article argues that the “Torah of the Gospel” actually refers to *The Syro-Roman Lawbook*, and that the story is constructed as a response to a radical and new legal supersessionist argument brought forth in this book which is directly linked to the Roman law of equal inheritance. This is the first clear evidence we have that, alongside the New Testament, the Babylonian rabbis also read and engaged directly with Christian books of their time written in Syriac. This has major ramifications on the way we perceive the textual culture of the Babylonian rabbis and their intellectual interactions with East Syrians.

■ Keywords

Jewish-Christian polemic, Syriac literature, *Syro-Roman Lawbook*, Roman law, Babylonian Talmud

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■ Introduction

In b. Šabb. 116a–b, after a discussion concerning how one should handle “books of heretics” (ספרי מינים) and Gospels (גליונים/עוון גליון/אוון גליון), the following story about Imma Shalom and her brother Rabban Gamaliel II (fl. end of first to beginning of second century CE) is appended:¹

אימא שלום דביתהו דר' אליעזר אחתיה דרבן גמליאל הוא.
 והוה ל(י)ה דינא בהדיה דר'ג. אתאי קמיה.²
 (ד)הויה ההוא פילאספא בשיבבותיהו דהוה שקיל שמא דדאין³ ולא מקבל שחדא.
 יומא חדא⁴ (בעי) [בעו] ⁵לאחוכי ביה.
 אזול קמיה.⁶
 עיילא ליה אימא שלום שרגא דדהבא.
 אמרה ליה. בעינא דניפלגו לי בניכסי דבית נשאי.
 אמ' להו. פלוגו לה.
 אמרו ליה. כת' בתורה דיהב לן קב'ה.⁷ במקום ברא ברתא לא תרות.
 אמ' להו. מן יומא דגליתון מן ארעכון איתנטיילת אורייתא דמשה מנכון⁸

¹ The story is cited according to Oxford Opp. Add. 366 (O). I have noted only the most significant variations according to the following manuscripts: Klosterneuburg-Augustiner Chorherrenstift 129–130 (K); Munich 95 (M); Vatican 108 (V1); Vat. ebr. 487/82–85 (V4); NY JTS ENA 2069/5–6+ London BL Or. 5558 A/24 (E). Osterreichische Nationalbibliothek, Hebr. Frag. D 3 (N). For a comprehensive synopsis, see Ella Tovia, “מסורת נוסח מיוחדת בפרק ‘כל כתבי הקודש’ בתלמוד בבלי, מסכת שבת” (A Unique Textual Tradition in Chapter ‘Kol Kitvei ha-Qodeš’ of Babylonian Talmud Tractate Shabbat) (MA thesis, Hebrew University of Jerusalem, 2016) 2:36–40.

² This line is missing in all other manuscripts (which continue with הויה in l.3), except for N and in an addition on the margins of M (לה דינא בהדי דר'ג). This sentence, which is grammatically awkward and disrupts the flow, might be a later interpolation of a stock phrase used elsewhere in the Bavli for judicial processes. I hope to address this issue elsewhere.

³ missing in all other manuscripts.

⁴ VI: יומא חדא. Missing in all other manuscripts.

⁵ בעי also in V1 and N. In all other manuscripts: בעו. Zellentin’s entire division between what he calls Version A (O) and Version B (all other manuscripts) hinges on this distinction between *yod* and *vav*. According to him, the version בעו (“they wanted”) indicates that the siblings are cooperating in mocking the philosopher. However, if one reads בעי (“he wanted”) it implies that “it is only Rabban Gamaliel alone who plans to ‘laugh at’ the philosopher,” and hence Imma Shalom is actually collaborating with the philosopher (Holger M. Zellentin, *Rabbinic Parodies of Jewish and Christian Literature* [TSAJ 139; Tübingen: Mohr Siebeck, 2011] 148). Thus, “(t)he minute difference between *vav* and *yud* completely changes the narrative, and turns Imma Shalom into a corrupt and corrupting heretic” (idem, 149). However, such a minute and common variant cannot bear such heavy consequences (Incidentally, the scribe of O seems to have been rather careless with his *yods*, as in line 2: והוה לה דינא instead of והוה ליה דינא). Similarly, a few lines above he alternates between *yod* and *vav* (בי אבידי and בי אבידי). Furthermore, as acknowledged by Zellentin, V1, which is supposedly part of his version B, actually has בעי (Zellentin was apparently unaware of N). It would seem that בעי is more appropriate since the siblings jointly oppose the verdict in line 9 (all manuscripts have אמרו), and, according to O, they both go together to the judge (אזול).

⁶ אזול אימא שלום; E; ואזול; V4, M; אזול; K: [אזול]. In K, M, N, V1 and V4, the order of the lines is reversed: line 6 appears before line 5.

⁷ [דיהב לן קב'ה] V1, V4, E, N; כת' לן. Missing in K, M.

⁸ missing in V1.

ואיתהיבת לכוון⁹ אוריתא דעון-גיליון. וכת' ביה. ברא וברתא כחדא יירתון.
 למחר הדר עייל ליה איהו¹¹ חמרא לובא.
 כי אתו אמ' להו. שפילית לסופיה דעון-גיליון¹² וכת' ביה. אנא עון-גיליון¹³ לא למיפחת
 אוריתא דמשה אתיני ולא¹⁴ לאוספי על אוריתא דמשה¹⁵ אתיני. וכת' בה. ברתא במקום
 ברא לא תרות.
 אמ' ליה. נהור נהוריך כשרגא. עיין בדינא.¹⁶
 אמ' ליה רבן גמליאל. אתא חמרא ובטשה לשרגא.

Imma Shalom, Rabbi Eliezer's wife, was the sister of Rabban Gamaliel.
 (She had a legal dispute with Rabban Gamaliel. She went to him.)
 There was a certain philosopher in their neighborhood, who had a reputation
 of a judge who does not accept bribes.
 One day, they wanted to mock him [the philosopher].
 They went to him.
 Imma Shalom had brought him a golden lamp.
 She said to him: "I want them to give me a share in my father's estate."
 He said: "Give her a share!"
 They said to him: "It is written in the Torah that the Holy One gave us: 'If
 there is a son, the daughter does not inherit.'"
 He [the philosopher] said: "From the day that you were exiled from your
 land, the Torah of Moses was taken away from you and the Torah of the
 Gospel was given to you, and it is written in it: 'Son and daughter inherit
 equally.'"
 The next day he [Rabban Gamaliel], in his turn, brought him [the Philoso-
 pher] a Libyan donkey.
 As they came, he [the Philosopher] said to them: "I went down to the end of
 the Gospel and it is written in it: 'I, The Gospel, did neither come to reduce
 the Torah of Moses nor did I come to add to the Torah of Moses.' And it is
 written in it: 'If there is a son, the daughter does not inherit.'"
 She said to him: "Let your light shine forth like a lamp! Examine the judg-
 ment!"
 Rabban Gamaliel said to him: "A donkey came and knocked over the lamp."¹⁷

This story has attracted much scholarly interest mainly due to the fact that it includes the only explicit citation from the New Testament in the Babylonian Talmud, and actually in the entire rabbinic literature.¹⁸ Verses from the New Testament are

⁹ V4: ואיתהיב לנא; E: ואתהיב' ביה; M: ואיתהיבת להון; K and V1: ואיתהיבת לן; N: ואיתהיבת לכוון
 See discussion below and note 63.

¹⁰ N: [אוריתא דעון-גיליון] N: ספר [עון] גליון. All other manuscripts have only גליון. Vilna print has:
 ספרא אחרתי. See discussion below.

¹¹ E: [הדר עייל ליה איהו]

¹² missing in N. [דעון גליון]

¹³ N: [עון גליון]

¹⁴ V1, M: [ולא]

¹⁵ E: [על אוריתא דמשה].

¹⁶ E: [עין בדינא]; Missing in all other manuscripts.

¹⁷ Translation following Zellentin, *Rabbinic Parodies*, 146–7, modified.

¹⁸ For previous scholarly treatments of this story, see, e.g., Moritz Güdemann, *Religionsgeschichtliche Studien* (Leipzig: Oskar Leiner, 1876) 65–99; Robert Travers Herford, *Christianity in Talmud and*

alluded to elsewhere but never directly cited as verses. The citation in the story is a paraphrase of a Syriac rendition of Matthew 5:17, possibly the Peshitta:¹⁹

Bavli	Matthew 5:17
אנא עון-גיליון לא למיפחת אורייתא דמשה אתיתי ולא לאוספי על אורייתא דמשה אתיתי.	לא תפסיף אריתא דאורייתא דמשה אר נבא. לא אריתא דאורייתא דמשה אר אר אר
I, The Gospel, did neither come to reduce the Torah of Moses nor did I come to add to the Torah of Moses.	Do not think that I have come to abolish the Law or the prophets. I have not come to abolish but to fulfill.

Though the similarities between these two sources are apparent, there are some clear differences as well. “The Law and the prophets” in Matthew is rendered as “the Torah of Moses” in the Bavli. In addition, whereas in Matthew Jesus is speaking in the first person, in the Bavli the Gospel is personified, most likely representing Jesus.²⁰ Finally, in Matthew, Jesus claims that he has not come to abolish but to fulfill, whereas according to the version of the Bavli the “Gospel” has come neither to add to nor to subtract from the Torah. This difference is most likely a result, as suggested by scholars, of the Bavli’s reworking of the Matthean citation in light of Deut 4:2.²¹

There is, though, yet another explicit citation from a Christian source in the story, which, however, has not received as much scholarly attention. This source is cited in the same way as the verse from Matthew (בתיב בה), which suggests that it too refers to an actual book.

According to the version preserved only in MS Oxford, the source cited is named “The Torah of the Gospel” (אורייתא דעון-גיליון) whereas in all other manuscripts the version is “Gospel” (עון-גיליון). Regardless of the preferred version, it is clear that the citation is not from the Gospel, as no such verse exists. It would be hard to assume that the editors erroneously believed this law to be part of the Gospel, since

Midrash (London: Williams and Norgate, 1903) 146–55; Luitpold Wallach, “The Textual History of an Aramaic Proverb (Traces of the Ebionean Gospel),” *JBL* 60 (1941) 403–15; Burton L. Visotzky, “Overturning the Lamp,” in idem, *Fathers of the World: Essays in Rabbinic and Patristic Literatures* (WUNT 80; Tübingen: Mohr Siebeck, 1995) 75–84; Johann Maier, *Jüdische Auseinandersetzungen mit dem Christentum in der Antike* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1982) 78–93; Dan Jaffé, *Le Talmud et les origines juives du christianisme: Jésus, Paul et les judéo-chrétiens dans la littérature talmudique* (Paris: Cerf, 2007) 109–20. See especially the most recent studies by Zellentin, *Rabbinic Parodies*, 137–66 (for a preliminary version of this chapter, see idem, “Margin of Error: Women, Law, and Christianity in Bavli Shabbat 116a–b,” in *Heresy and Identity in Late Antiquity* [ed. Eduard Iricinschi and Holger Zellentin; TSAJ 119; Tübingen: Mohr Siebeck, 2008] 339–63), and Thierry Murcia, *Jésus dans le Talmud et la littérature rabbinique ancienne* (Turnhout: Brepols, 2014) 241–317. See Murcia, *Jésus dans le Talmud*, 241–42 nn. 2–5 for a comprehensive bibliography.

¹⁹ It is also possible that the Rabbis would have read this verse as part of the Diatesseron; see Zellentin, *Rabbinic Parodies*, 142–43.

²⁰ Cf. Murcia, *Jésus dans le Talmud*, 254–56.

²¹ “You shall not add anything to what I command you or take anything away from it”; translations from the Bible follow NJPS). See Zellentin, *Rabbinic Parodies*, 161.

throughout the story they betray direct acquaintance with the New Testament not only by citing Matt 5:17, but also by clearly alluding, as we shall see below, to the Syriac version of Matt 5:14–16 and Luke 12:13–15. Furthermore, as we shall also see, the law of equal inheritance is not specifically Christian but rather the standard Roman law, not practiced in the Sasanian Empire. Thus the question arises: Why is this law attributed to the “Gospel” or “The Torah of the Gospel”?

Furthermore, this citation, which states that a son and a daughter inherit equally, is the conclusion of the supersessionist argument according to which the Torah of Moses has been abrogated and is now replaced by a new law. Yet why is a seemingly mundane law the pivotal outcome of an extreme argument for legal supersessionism?

In this article I wish to argue that in this story the Bavli refers to a concrete book known as *The Syro-Roman Lawbook*, which presents a radical new legal supersessionist argument directly linked to an almost identical version of the law of equal inheritance. In fact, the entire story is constructed as a sustained polemic against this book.

This story would thus supply us with probably the first clear evidence that, alongside the New Testament, the rabbis also read and engaged directly with Christian books of their time written in Syriac. As we shall see, this has major ramifications for the way we perceive the textual culture of the Babylonian rabbis and their intellectual interactions with East Syrians.

■ The Framework of the Story

Before analyzing the polemical core of the story, it is important to consider the narrative framework. As has already been noted by scholars,²² the story is based on a Palestinian template in the *Pesiqta de Rab Kahana* (‘Eyḡah 9 [ed. Mandelbaum, 260–61]). As part of a critique of judicial corruption inspired by Isa 1:23 (“Your rulers are rogues and cronies of thieves, every one avid for presents and greedy for gifts”), the following anecdote appears:²³

א'ר לוי. מעש' באשה אחת שכיבדה לדיין מגורה אחת של כסף. והלך אנטידיקוס שלה וכיבדו סייח של זהב. למחר אתה ואשתכחת דינה הפוך. אמרה ליה. מרי. ונהר דיני קודמך כהווא מגורת' דכספא. א' לה. ומה אעשה לידך וכפה הסייח את המגורה.

R. Levi says: A story of a woman who honored a judge with a silver lamp. Her adversary went and honored him with a golden foal. On the following day, she came and found her judgement reversed. She said to him [to the judge]: “Master, let my case shine forth like that silver lamp.” He said to her: “What can I do for you since the foal overturned the lamp?”²⁴

²² Gudemann, *Religionsgeschichtliche Studien*, 181–83; Wallach, “The Textual History,” 405; Zellentin, *Rabbinic Parodies*, 143–45; Murcia, *Jésus dans le Talmud*, 292–97.

²³ Rabbinic texts are cited according to The Academy of the Hebrew Language, *Historical Dictionary Project*, <http://maagarim.hebrew-academy.org.il/Pages/PMain.aspx>, unless stated otherwise.

²⁴ Translation after Zellentin, *Rabbinic Parodies*, 143 (with minor modifications).

The narrative is structured as an etiology of an enigmatic proverb, which appears already in *Sipre Numbers* 131: כפה סיה את המנורה (The foal overturned the lamp), also within the context of bribery.²⁵

As in the Bavli's story, we have here a similar case of a woman and a man who approach a judge, each trying to bribe him. The silver lamp and the golden foal in the *Pesiqta* clearly parallel the golden lamp and Libyan donkey in the Bavli.²⁶

The story in the Bavli is obviously more detailed, and the protagonists have concrete identities. Furthermore, although the religious identity of the judge in the *Pesiqta de Rab Kahana* is not disclosed, it can be fairly assumed that the judge is Jewish, since the verse from Isa 1:23 clearly refers to "your rulers" (שריך), that is, to Israel's corruption. In the Bavli, on the other hand, the philosopher-judge is clearly a Christian.

The most important difference, though, is the content of the legal case. Whereas in the *Pesiqta* the legal case is unknown, the entire story in the Bavli centers around the question of the inheritance of the daughter, including detailed arguments of both sides based on several citations, to which we now turn.

■ Daughter and Son Inherit Equally

As a response to the philosopher's verdict both Imma Shalom and Rabban Gamaliel reply that it is against what is written in the Torah: "If there is a son, the daughter does not inherit" (במקום ברא ברתיא לא תרות). This is not a direct citation of any biblical verse. Yet, it accords well with the biblical law and with the standard rabbinic position.²⁷ The main biblical source concerning the laws of inheritance of a daughter is the story about the daughters of Zelophehad in Num 27:5–11, and especially verse 8:

איש פייגמות וכן אין לו ונהעברתם את־נחלתו לבתו.

If a man dies without leaving a son, you shall transfer his property to his daughter (JPS).

²⁵ Visotzky ("Overturning the Lamp," 72–80) has pointed out that the Greco-Roman expression "overturning the lamp" was used as a euphemism for deviant sexual acts, especially against Christians in the 2nd–3rd cents CE. He argues (followed by Zellentin, *Rabbinic Parodies*, 164–65) that this sexual meaning underlies Rabban Gamaliel's answer to the philosopher, adding an additional critique of Christian debauchery. However, it is unlikely that the Babylonian rabbis were aware of this Greco-Roman expression. Moreover, the context of the earliest attested use of the proverb—"the foal overturned the lamp"—in the *Sipre* does not contain any sexual connotation. See Murcia's critique in *Jésus dans le Talmud*, 280–84.

²⁶ The use of the template in and of itself makes clear that we are not dealing with a historical narrative concerning events in the 1st–2nd cents. CE as presumed by quite a few scholars. For an overview and rejection of the historical approach, see Murcia, *Jésus dans le Talmud*, 300–6.

²⁷ See Zellentin, *Rabbinic Parodies*, 154–55; Murcia, *Jésus dans le Talmud*, 250–52; Yonatan Feintuch, "סיפור ר' יהודה נשיאה וירושת הבת: הלקה, משפט וספרות" [The story of R. Yehudah Neši'a and the daughter's inheritance: halakha, law and literature] [*Šenaton Hamišpat Ha'ibri*] 28 (2015) 203–27, at 204–5.

It could be easily deduced from this verse that when there is a son the daughter does not inherit. This is indeed how it is interpreted in m. B. Bat. 8:2.²⁸

”איש כי ימות וכן אין לו והעברתם” וגו’. הבן קודם לבת.

“If a man dies without leaving a son, you shall transfer [. . .]”: The son precedes the daughter.

Moreover, in b. Ketub. 52b an almost identical law as in our story is also attributed directly to the Torah: דרַחֲמַנָּא אָמַר בְּרָא לִירֵרוֹת בְּרַתָּא לֹא תִירוֹת (“for The Merciful said: A son inherits, a daughter does not inherit”). Thus, this citation by Imma Shalom and Rabban Gamaliel is a well-known rabbinic paraphrase of the Torah.

To the objection of Imma Shalom and Rabban Gamaliel the philosopher responds by claiming that ever since Israel has been exiled the Torah of Moses has been abrogated and they have received a new law which states that the son and the daughter inherit equally.

This law, as noted above, does not appear in the Gospel.²⁹ Rather, as several scholars have already noted, it is in fact a Roman law.³⁰ Indeed, from the *Laws of the Twelve Tables* and throughout Roman history, the law of equal inheritance was accepted by all Roman jurists and never seriously questioned.³¹

An example of one of the many formulations of the law is found in a constitution by the Emperor Philip, collected in the *Codex Iustinianus* (3.36.11):³²

Inter filios ac filias bona intestatorum parentium pro virilibus portionibus aequo iure dividi oportere explorati iuris est.

The law is plain that the property of intestate parents must be equally divided, per capita, among the sons and daughters.³³

In the Palestinian Talmud such a law is explicitly attributed to “the sages of the gentiles” (y. B. Bat. 8:1, 16a):

²⁸ cf. b. B. Bat. 110a.

²⁹ Edward B. Nicholson, *The Gospel according to the Hebrews: Its Fragments Translated and Annotated with a Critical Analysis of the External and Internal Evidence Relating to It* (London: Kegan Paul, 1879) 146–47, had suggested that the reference is to Gal 3:28. This suggestion should clearly be rejected (and it was even doubted by Nicholson himself) as the verse does not contain any mention of inheritance. See Zellentin, “Margin of Error,” 356 n. 46.

³⁰ See, e.g., Johann Maier, *Jesus von Nazareth in der talmudischen Überlieferung* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1978) 81; Feintuch, “Story of R. Yehudah,” 212–14; Murcia, *Jésus dans le Talmud*, 250–52.

³¹ Antti Arjava, *Women and Law in Late Antiquity* (Oxford: Clarendon, 1998) 63. Cf. Judith P. Hallet, *Fathers and Daughters in Roman Society: Women and the Elite Family* (Princeton: Princeton University Press, 1984) 90–96; Richard Saller, *Patriarchy, Property, and Death in the Roman Family* (Cambridge: Cambridge University Press, 1994) 163–65; Alan Watson, *The Law of Succession in the Later Roman Republic* (Oxford: Clarendon, 1971) 175–87.

³² See also *GI* 3.14; *Dig.* 45.3.20.1; *Nov.* 118.1; *CI* 6.58.1 (224 CE); 6.58.3 (250 CE); 6.58.14 (531 CE) and see below notes 36 and 61.

³³ *Annotated Justinian Code* (ed. Timothy Kearley; trans. Fred H. Blume), <http://www.uwo.edu/lawlib/blume-justinian/ajc-edition-2/books/book3/book%203-36rev.pdf>.

חכמי גוים אומ'. בן ובת שוין כאחת.
דאינון דרשי. "ובן אין לו". הא אם יש לו שניהן שוין.

The sages of the gentiles say: A son and a daughter are equal (in the inheritance).

For they expound: "and he has no son" (Num 27:8)—hence if he does have a son, they (the son and daughter) are both equal.

The exact identity of these sages is debatable, but it is clear that they are endorsing the Roman law.³⁴ The claim, possibly added by the editors, according to which the sages of the gentiles sought a biblical proof-text seems to indicate that this was also a matter of debate even among Jewish scholars.³⁵ Thus the Roman law was known among the Palestinian rabbis and might have even effected the positions of some of them.

Yet if this is indeed the Roman law, why is it cited in b. Šabb. 116a–b as a Christian text? And why is it placed as the conclusion of a Christian supersessionist argument?

One possibility is to read this legal debate allegorically as referring to the battles over inheritance between Judaism and its "sister" religion. However, this allegorical interpretation is very problematic, as it does not function well even on the allegoric level—if Judaism is the brother and Christianity the sister, do the Christians claim that the inheritance is to be divided equally? This makes even less sense when this citation is interpreted within the larger argument, which supports supersessionism, not equal division.

Another possibility is that this Roman law was adopted by Christians. Indeed, several Christian emperors reaffirmed this law in their *novellae* and constitutions.³⁶ In addition, in the Roman Empire, as Arjava concludes, "The generally accepted ideology was that, if possible, daughters should receive as much as sons or only slightly less."³⁷

³⁴ Ze'ev Falk, "ירושת הבת והאלמנה: במקרא ובתלמוד" (The right of inheritance of a daughter and widow in the Bible and the Talmud) *Tarbiz* 12 (1951) 9–15, at 12, argued that they are Jews who adopted the Roman law. Indeed, the law of equal inheritance is found in Philo, *Spec.* 2.124–5. See the discussion in Jonathan S. Milgram, *From Mesopotamia to the Mishnah: Tannaitic Inheritance Law in Its Legal and Social Contexts* (TSAJ 164; Tübingen: Mohr Siebeck, 2016) 118–20. Other scholars have suggested that the "sages of the gentiles" are non-Jewish Roman jurists (Murcia, *Jésus dans le Talmud*, 251–52; Feintuch, "Story of R. Yehudah," 212). Feintuch also suggested that they could be Christians (comparing the "sages of the gentiles" to the philosopher in the story under discussion; *idem*, 214–15). I hope to address this issue in a future study.

³⁵ See the discussion on the inheritance of the daughter in b. B. Bat. 110a–b, 122b, where a similar proof for equal inheritance is offered (and rejected). For further on the inheritance of the daughter in rabbinic literature, see Milgram, *From Mesopotamia to the Mishnah*, 105–32; Hauptman, "Women and Inheritance in Rabbinic Texts: Identifying Elements of a Critical Feminist Impulse," in *Introducing Tosefta* (ed. Harry Fox and Tirzah Meacham; New York: Ktav, 1999) 221–40, at 221–24.

³⁶ *Codex Theodosius* 5.1.4 (389 CE) and the *Novellae* of the emperor Majorian 6.3 (458 CE), the latter within a clear Christian context. For Justinian, see below.

³⁷ Arjava, *Women and Law*, 75.

But why would this specific law be singled out? More importantly, even if it were adopted by Christians, why would a distinctly Roman law practiced in the Roman Empire be relevant for Babylonian sages living in the Sasanian Empire?

Holger Zellentin has argued that this law should be understood in a Sasanian context. According to him, “in the Sasanian Empire, Zoroastrian women who had brothers were much more likely to inherit property than their Jewish counterparts, adding to the tensions created by the ruling of the rabbinic court.”³⁸ Furthermore, Zellentin states that according to the Christian law in the Sasanian Empire, the son and the daughter inherited equally.³⁹ As a result, “Jewish women must have appreciated this aspect of Christian law,” and thus the Talmudic story actually “indicates rabbinic fear of the legal ‘emancipation’ of women.”⁴⁰ It is against this backdrop that the rabbinic urgency to refute such a law should be understood.

Unfortunately, Zellentin’s argument is based on several problematic assumptions concerning the law in the Sasanian Empire and thus cannot serve as a reconstruction of the context of the Bavli’s story. In fact, it would seem that both in the East Syrian and Sasanian law the son was clearly preferred over the daughter, as Richard Payne has highlighted:

The East Syrian episcopal judges agreed on one important principle: patri-
liny. In the formulation of their judgments, these bishops aimed to ensure
that sons succeeded to their fathers’ estates. At the most basic level, this
entailed maintaining the Iranian law of inheritance, which privileged sons in
the partition of a father’s estate, in contrast with the Roman law, according
to which sons and daughters inherited equally. Although the Roman law of
inheritance was known among East Syrian Christians, Iranian judges writing
in the immediate aftermath of the Islamic conquests resolutely insisted on
the prevailing Iranian law. . . . The principles that Simeon, Henanisho, and
later Ishobokht enunciated correspond perfectly with the laws of the *Hazār*
Dādestān. In Iranian law, unmarried daughters each received half a share of
the inheritance (*bahr ī duxt*), whereas legitimate sons were each entitled to a
full share (*bahr ī pus*).⁴¹

³⁸ Zellentin, *Rabbinic Parodies*, 155.

³⁹ Zellentin writes (*ibid.*): “The *Syro-Roman Law Book*, an account of traditional Christian law in the Sasanian Empire from early Islamic times and the best extant evidence of Christian customs in the Sasanian Empire in the time of the Bavli, makes it clear that there was no difference between Christian sons and daughters in this regard in cases of intestacy and that daughters were entitled to a minimum inheritance in other cases.” *The Syro-Roman Lawbook*, however, is *not* from the early Islamic times, but rather was originally composed in Greek at the end of the 5th century and translated into Syriac already in the 6th century. Furthermore, it represents the law in the Roman East and *not* the traditional Christian law in the Sasanian Empire, especially concerning the inheritance of the daughters. Nevertheless, as we shall presently see, *The Syro-Roman Lawbook* is crucial for the understanding of the story, not because it represents the Christian Sasanian law—but, on the contrary, because it depicts Roman law.

⁴⁰ *Ibid.*, 156.

⁴¹ Richard E. Payne, *A State of Mixture: Christians, Zoroastrians, and Iranian Political Culture in Late Antiquity* (Transformation of the Classical Heritage 56; Berkeley: University of California Press, 2015) 113–14. For further on the Sasanian law of inheritance, see Maria Macuch, “Inheritance:

One clear example, cited also by Payne, is found in the Canons of Simeon of Revardashir, written in the 650s in Middle Persian and later translated to Syriac:⁴²

The daughter receives half a share from her father (ܩܠܒܐ ܕܥܡܐ ܕܐܘܪܗܐܡ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ). Because even if the Bible (ܩܠܒܐ) does not explicitly discuss this topic, it is clear in every place (in the Bible) that sons are the holders of the inheritance of their father (ܩܠܒܐ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ ܕܥܡܐ) and not daughters, because a greater portion of the property of their father comes to them in inheritance. Therefore, a complete share is given to a son, while a half share [is given] to a daughter, for her maintenance, nourishment, and clothing.

Although these are post-Sasanian East Syrian jurists, they continue the law prevalent in the Sasanian period, especially in light of the diminishing significance of patriliney in Islamic law and society.⁴³ Moreover, as we shall see below, the Roman Emperors regarded the law of equal inheritance as a mark of their superiority over the barbarians (especially in the East) who did not grant women equal rights in inheritance.⁴⁴

Thus, the question raised above needs to be re-formulated even more poignantly: Why does a Roman law, not practiced by the Christians in the Sasanian Empire, become the prime example of Christian supersessionism, which requires the use of the only explicit citation from the New Testament in the Bavli to refute it? The

Sasanian Period,” *Encyclopedia Iranica*, <http://www.iranicaonline.org/articles/inheritance-i>; eadem, *Das Sasanidische Rechtsbuch “Mātakdān i Hazār Dāstistān”* (2 vols.; Wiesbaden: Harrassowitz, 1981) 2:85; eadem, *Rechtsskizistik und Gerichtspraxis zu Beginn des siebenten Jahrhunderts in Iran: Die Rechtssammlung des Farrohmard i Wahrāmān* (Wiesbaden: Harrassowitz, 1993) 365–66; Gert Klingenschmitt, “Die Erbtöchter im zoroastrischen Recht nach dem Mādiyān ē hazār dāstistān,” *MSS* 21 (1967) 59–70.

⁴² *Syrische Rechtsbücher* (ed. and trans. Eduard Sachau; 3 vols.; Berlin: Georg, 1907–1914) 3:245, §13. Partially translated by Payne, *A State of Mixture*, 114. See also Carlo A. Nallino, “Il diritto successorio presso i Siri Cristiani,” in *Raccolta di scritti editi ed inediti* (ed. Maria Nallino; Rome: Istituto per l’oriente, 1942) 632–721, at 643–44. See also the *Judgements* by Henanisho in *Syrische Rechtsbücher*, 2:18–20; and Nallino, “Il diritto successorio,” 654–55. See also Isho’bokht of Rev Ardashir (*Syrische Rechtsbücher*, 3:95–97): “Why does the daughter, although she was also born from him (i.e. the father), not receive an equal share with the son? Because the son has a double relation with his father. First, he is his child. Second, he establishes a family and seed for his father. The daughter, on the other hand, has only her birth from her father, and she does not establish a seed and family for her father. Therefore, she receives only half the share of her brother” (My translation. Cf. Nallino, “Il diritto successorio,” 678). Isho’bokht, who lived most probably in the late 8th cent., is another representative of East Syrian law who wrote his law book in Middle-Persian, from which it was later translated into Syriac. He was very much familiar with and influenced by the Zoroastrian law and, despite his late date, seems to represent the earlier law, not yet impacted by Muslim law, especially regarding inheritance. For a short overview of Isho’bokht, see Lucas Van Rompay, “Isho’bokht of Rev Ardashir,” *Gorgias Encyclopedic Dictionary of the Syriac Heritage* (ed. Sebastian Brock; Piscataway, NJ: Gorgias, 2011) 216.

⁴³ Payne, *A State of Mixture*, 114. For further on the laws of inheritance in the Syriac lawbooks, see also Nallino, “Il diritto successorio.”

⁴⁴ See also Walter Selb and Hubert Kaufhold, *Das syrisch-römische Rechtsbuch* (3 vols.; Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2002) 3:46.

solution to all these questions lies, as I would now like to argue, in *The Syro-Roman Lawbook*.

■ The Syro-Roman Lawbook

The Syro-Roman Lawbook is a collection of Roman civil law, based mainly on pre-Justinian imperial constitutions of the “Christian kings,” Constantine, Theodosius and Leo. It was originally composed in Greek in the last quarter of the fifth century, after the death of the emperor Leo (474 CE)⁴⁵ in the Roman East.⁴⁶ The Greek original is no longer extant, but the book has come down to us in a Syriac translation (which was also the basis for the translations into other languages). The earliest manuscript of the Syriac translation (British Library Add 14,528) is dated to the sixth century, which indicates that the book was translated soon after its composition.⁴⁷

The book deals mainly with Roman laws of inheritance, marriage and slavery. At the beginning of the book we find the law of equal inheritance, in an almost identical formulation as in the Bavli:

⁴⁵ On the dating of the book see Selb and Kaufhold, *Das syrisch-römische Rechtsbuch*, 1:43–46.

⁴⁶ For the different suggestions for the exact place of composition, see *ibid.*, 49–50.

⁴⁷ MS BL Add 14,528 consists of two different codices. The first part, fol. 1–151, was written in 500–501 CE. However, *The Syro-Roman Lawbook*, alongside a lectionary, is included in the second part (fol. 152–228), which was originally a separate codex. William Wright (*Catalogue of Syriac Manuscripts in the British Museum Acquired since the Year 1838* [3 vols.; London: British Museum, 1870–1872] 1:176–77, §239) had dated this manuscript to the 6th cent. (“This manuscript is written in a good, regular Estrangela of the VI cent.”). Carlo Nallino, on the other hand, argued for an 8th–9th cent. date (“Sul libro siro-romano e sul presunto diritto siriano,” in *Studi in onore di P. Bonfante nel XL anno d’insegnamento* [4 vols.; Milan: Treves, 1930] 1:201–61, at 231–34). However, Willem Baars and Pieter A. H. de Boer, who identified a missing page from *The Syro-Roman Lawbook* in Add. 14,528 (between fol. 212 and 213; Metropolitan Museum, New York 21.18.18), reaffirmed the 6th cent. dating: “Über diese Datierung (sc. 6th cent.) kann für jeden, der etwas von syrischer Palaeographie versteht, . . . kein Zweifel bestehen” (“Ein neugefundenes Fragment des syrisch-römischen Rechtsbuches,” in *Symbolae iuridicae et historicae Martino David dedicatae* [ed. J. A. Ankum, R. Feenstra and W. F. Leemans; 2 vols.; Leiden: Brill, 1968] 1:45–53, at 45 n. 3). In their recent catalogue on the Syriac manuscripts in Deir Al-Surian, Brock and Van Rompay edited a bifolium containing a lectionary (fragment 8), which belongs to the second part of Add. 14,528 (f.1 comes immediately before fol. 152 and f.2 follows fol. 155). They date this fragment to the 5th–6th cent. (Sebastian P. Brock and Lucas van Rompay, *Catalogue of the Syriac Manuscripts and Fragments in the Library of Deir Al-Surian, Wadi Al-Natrun (Egypt)* [OLA 227; Leuven: Peeters, 2014] 377–79). Selb and Kaufhold (*Das syrisch-römische Rechtsbuch*, 1:52) have preferred the date of 7th–8th cent. Yet, as Brock has pointed out in his review of their edition (*JSS* 52 [2007] 161–64, at 163), Nallino’s dating is inadvertently “wrongly ascribed to Baars and de Boer, who in fact refute Nallino’s argument.” Thus, the later date should be rejected, and, as a result, “(t)his earlier date of course totally rules out the possibility,” which Selb and Kaufhold had tentatively made, “that the Syriac translation of the Syro-Roman Lawbook might have been made in the circles of Jacob of Edessa (d. 708).”

Bavli	The Syro-Roman Lawbook
ברא וברתא כחדא יירתון	ܩܒܠܐ ܡܢܩܠܐ ܕܢܗܝܪܐ ܥܘܠܐܡܐ ⁴⁸
son and daughter inherit equally	male and female inherit equally

This clear similarity has been briefly noted by some scholars.⁴⁹ Yet, as this is the standard Roman law, the similarity is not surprising and in and of itself does not prove much. What is of crucial importance, though, is not only that the laws are almost identical, but that this law of inheritance in *The Syro-Roman Lawbook* is in fact the very first law of the book. The full significance of this fact could be understood only when reading the introduction which immediately precedes the law in one of the two versions of the book.

■ Introducing *The Syro-Roman Lawbook*

The manuscripts of the Syriac translation of *The Syro-Roman Lawbook* were transmitted in two main text forms, distinguishable especially by different sequences of the paragraphs. In spite of these differences, all the witnesses go back to a single Syriac translation. Selb and Kaufhold demonstrated convincingly that the two witnesses of version A (BL Add. 14,528 and RIII⁵⁰) represent the original sequence of material, and that the (many more) witnesses of version B (=Bearbeitung) represent a reworked and reordered text form.⁵¹ Despite the very early date of BL Add. 14,528 (sixth century), it has several mistakes and lacunae which do not appear in other manuscripts, indicating that it is not the original translation and that it was not the basis for version B’s reworking.⁵² In fact, according to the detailed stemma of Selb and Kaufhold, both BL Add. 14,528 and RIII are twice removed from the hypothetical original translation.⁵³ It is from this original translation that the two versions supposedly separated.

Besides the differences in the order of the paragraphs, another important difference between the two versions is that in almost all of the manuscripts of version B, from different branches (including the Arabic, Armenian and Georgian translations), there appears an introduction before the beginning of the book.⁵⁴ The introduction, however, does not appear in the manuscripts of version A. This might indicate that the introduction was not part of the Greek original, but rather

⁴⁸ Selb and Kaufhold, *Das syrisch-römische Rechtsbuch*, 2:22.

⁴⁹ See Feintuch, “Story of R. Yehudah,” 215 n. 40; for Zellentin, see note 39.

⁵⁰ RIII is the name given by Selb and Kaufhold to a group of manuscripts which stem from version A in MS Hs Bagdad 509 (*Das syrisch-römische Rechtsbuch*, 1:131–37).

⁵¹ The earliest extant manuscript of version B is the fragmentary Vat. Syr. 560 which is to be dated to the 8th–9th cent. (see *ibid.*, 1:140).

⁵² *Ibid.*, 1:51

⁵³ For the stemma, see *ibid.*, 1:99. BL Add. 14,528 and RIII are not dependent on each other but go back to β which in turn stems from α.

⁵⁴ *Ibid.*, 1:198.

was composed in Syriac,⁵⁵ probably in the sixth century, and its pro-Roman content most likely establishes its place of composition within the Byzantine Empire.⁵⁶

This introduction is highly important and is worth citing in full:⁵⁷

Excellent and very apt laws (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) ⁵⁸ our Lord and God has given and shown to men since the beginning. In the first book of the Torah (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) he has shown to us that Adam generated (ܩܘܪܘܢܐ) Seth, and Seth generated Enosh and so on, the rows of the fathers until the flood, in Noah's days. And after the flood Noah generated Shem and Shem generated Arpachshad and the Book of the Generations (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) of the fathers follows in order and comes until Abraham. Abraham generated Isaac, Isaac generated Jacob and Jacob generated the twelve fathers.

This glorious and excellent law (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) was given by God the Lord of all so that every man should leave his goods as an inheritance to his children (ܩܘܪܘܢܐ ܩܘܪܘܢܐ). For this good reason, all the nations have taken over his law, namely that every man shall have his good as an inheritance for his children (ܩܘܪܘܢܐ). If he has no children (ܩܘܪܘܢܐ), he shall leave his goods as an inheritance to whom he wishes.

Whereas all the laws of the nations differ in other matters, this law of inheritance (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) has not been changed by any nation, but has continued and come down (to the time) of our Lord Jesus Christ who has received body from the holy virgin and become a man according to his will, who has freed all men from error, those who so desired. He has along with other benefits given excellent laws (ܩܘܪܘܢܐ ܩܘܪܘܢܐ) to the holy catholic church, which has been redeemed through his blessed blood and sealed with the holy sacraments through his death. And through his church he has given gifts of his grace to the Christian kings of the nation of the Romans. He has given them knowledge of the faith and truth and he has through his holy church subjugated the generation of all the nations to them; so that through the ordinances of the law of the Messiah (ܩܘܪܘܢܐ ܩܘܪܘܢܐ), they rule men according to the laws which these kings have received from the church which is a gift for all men.

For every people or nation who wanted to be ruled by a law have taken their precedent from the Law of Moses (ܩܘܪܘܢܐ ܩܘܪܘܢܐ), have set up laws in their generations and imitated Israel which was ruled by the laws of God (ܩܘܪܘܢܐ ܩܘܪܘܢܐ). For, also, not a single one of the nations had a writing

⁵⁵ Although, as Selb and Kaufhold note (*ibid.*, 1:96), one cannot exclude the possibility that the introduction was part of the original Greek but left out in version A.

⁵⁶ As the introduction, unlike the book itself, uses biblical and theological language and ideas, Selb and Kaufhold (*ibid.*, 1:96) have suggested that it was composed by a cleric rather than a jurist. On the clerical tendencies of the version B Syriac editor, see *ibid.*, 1:106–9.

⁵⁷ Text according to Selb and Kaufhold, *Das syrisch-römische Rechtsbuch*, 2:18–22. The translation is based on Arthur Vööbus, *The Syro-Roman Lawbook: The Syriac Text of the Recently Discovered Manuscripts Accompanied by a Facsimile Edition and Furnished with an Introduction and Translation* (Stockholm: Papers of the Estonian Theological Society in Exile, 1982) 2, modified according to the edition of Selb and Kaufhold.

⁵⁸ Following the correction suggested by Brock, “Review,” 163.

of a book (of this kind) before Moses, but Moses and his laws, those which God gave to Israel, precede all the sages of the Greeks, the Athenians, the Romans, the Egyptians, as we have said above, and all nations. And because of Israel, this gift was given also to the nations so that they would be ruled according to the Law.

All the laws, however, were annulled by the coming of our Lord, and among all nations the one law of the Messiah was given (الله به حل بختهم) through the Christian kings, which has begun with the glorious and blessed Constantine, the elect of God.

The first degree of inheritance (كه انا من اهل الله).⁵⁹

If a man dies and does not write a testament and he shall leave children (بنين) behind, male and female inherit equally (انهم يرثون ما تركه سواء ذكرا و انثى).

This fascinating and very unusual introduction,⁶⁰ which has received almost no scholarly attention, presents a radical version of legal supersessionism which seeks to transform the secular Roman law into the Law of the Messiah which supersedes the Mosaic Law.

The introduction opens with a general statement that God has given good laws to people from the very creation of the world. The author then, surprisingly, focuses only on inheritance. He does not cite any direct divine commandment but rather elaborates the succession of the generations of the Patriarchs. The fact that the book of Genesis explicitly mentions the transition from father to son proves, according to the author, that “this glorious and excellent law was given by God the Lord of all so that every man should leave his goods as an inheritance to his children.” Even though this law was practiced by the patriarchs prior to Sinai, it is still an integral part of the Mosaic Law as it appears in the first book of the Torah (توراة).

The laws of inheritance are thus the very foundation of human society and they are in fact the “excellent and good laws our Lord and God has given to men since the beginning,” with which the author opened. Unlike other laws of the nations, the laws of inheritance were not changed until the arrival of Jesus.

The arrival of Jesus constituted a new stage in the history of the Law. It is Jesus who gave the church a law, which is in fact the Roman law from Constantine onwards, since Jesus “gave his grace to the Christian kings of the nation of the Romans.” It is to this universal law that all nations should now be subject.

Unlike vague supersessionist claims elsewhere concerning the replacement of the Law of Moses by the Law of the Messiah, here the author has a concrete law in mind, not a moral or spiritual law. Jesus has replaced one body of written law with another body of written law. It is the Roman law—a legalistic corpus, aspiring

⁵⁹ Here ends the introduction. The next lines appear in all manuscripts of both versions.

⁶⁰ Selb and Kaufhold, who dedicate less than a page to the introduction, note that it differs from the usual format of introductions, especially to lawbooks (*Das syrisch-römische Rechtsbuch*, 1:97).

to be universal, which rivals in its detail, authority, sophistication and scope the Jewish law. The baptizing of the Roman law transforms Christianity into a religion of law, no less than Judaism, often taken by Christians as infamously legalistic.

The arrival of a new law, though, does not diminish in any way the importance of the Mosaic Law, in the eyes of the author. He does not hold to a Pauline antinomian approach, which regards the Mosaic Law as the source of sin. On the contrary, both the Mosaic Law and the Law of Jesus are called excellent laws (صَحِيحَةٌ عَفْوَةٌ). He recognizes and praises the enormous civilizing impact which the Mosaic Law had, much like the Roman law. It is the legacy of Israel that all nations are ruled by a written law. Yet despite the importance of the Mosaic Law, all the laws “were annulled by the coming of our Lord, among all nations the one law of Christ has been given through the Christian kings.” It is immediately after this statement that the law of equal inheritance appears.

■ The Law of Equal Inheritance as the Supersessionist Law

The author states that “this right of inheritance has not been changed by any nation, but has continued and come down (to the time) of our Lord Jesus Christ.” This implies that the law of inheritance had been changed once Jesus arrived and enacted a new law while abrogating all previous laws. However, the author does not state explicitly what the difference is between the Mosaic law of inheritance and the new Messianic law of inheritance, which is to be presented in this book.

In light of the introduction, the first law which opens the lawbook—the son and the daughter inherit equally—could be understood by the reader as an example of the Law of the Messiah, which has abrogated the Mosaic Law.

It is, though, quite probable that the author himself viewed this specific law as exemplifying the new law. This seems to be alluded to at the outset of the introduction where he derives the law of inheritance from the succession of generations of the patriarchs. Although he uses the word *بنية* (*bny'*), which could designate children in general, and not necessarily sons, the fact that all the biblical examples adduced are only of fathers and sons seems to imply that, according to the author, until the arrival of Jesus the law of inheritance did not apply equally to sons and daughters.

Further evidence that the law of equal inheritance was perceived as the emblematic law which distinguishes the Roman law (and thus Christian law) from the laws of other nations could be found in the 21st Novella of Justinian written in 536 CE (probably around the time the introduction was composed) and addressed to Acacius, the Proconsul of Armenia:⁶¹

⁶¹ *Annotated Justinian Code* (trans. Blume), http://www.uwo.edu/lawlib/blume-justinian/ajc-edition-2/novels/1-40/novel%2021_replacement.pdf, modified. cf. *CI* 6.58.14 (531 CE): “The interests of the Roman people were well looked after by the law of the twelve tables, which considered that a uniform rule should be observed in connection with agnatic males and females in relation to their inheritance and their children, making no discrimination between them as to succession by

Since we want the Armenians to be governed well by the laws (*Armeniorum regionem bene legibus gubernari volentes*), and do not want that country to be different from the remainder of our republic, we have given them Roman magistrates . . . have accustomed them to Roman forms, and do not want them to have laws other than those cherished by the Romans. And we have thought it necessary to expressly correct a matter in which they have conducted themselves badly, so that it shall no longer be true, as is the custom of barbarians (*secundum barbaricam gentem*), that men only can inherit the property of their parents, brothers and sisters and other relatives, but women also shall be able to do so . . . Nor only have they such ferocious sentiment, but other nations, too, have contempt for nature (*sed etiam aliis gentibus ita exonorantibus naturam*), and a low regard for women, as if the latter were not made by God (*tamquam non a deo sit factum*), and had no part in the procreation of children, but were creatures to be despised and not worthy of any honor. We accordingly ordain by this imperial law (*hanc sacram legem*) that the rule as to succession by women, in force among us, shall also be in force among the Armenians, and no difference shall be made between male and female (*nullam esse differentiam masculi aut feminae*).

This legislation clearly indicates that the law of equal inheritance was not practiced in the East, at least among the Armenians. More importantly, combining the civilizational language of the Romans with Christian biblical notions, Justinian exemplifies the superiority of the good Roman law over the customs of the barbarians through the law of equal inheritance. The barbarians who do not accept the equality of women have contempt for both nature and God. According to both Justinian and the author of the introduction, the law of equal inheritance, as a symbol of the goodness and godliness of the Roman law, should abrogate the laws of the nations.

The appending of the introduction radically transforms the entire role and purpose of the lawbook: from a rather crude secular collection of Roman law⁶² into a new holy book which incorporates the Law of the Messiah. In this process, the law of equal inheritance is infused with a dramatic importance as it comes to embody the transition from the old law to the new Messianic universal law, thus becoming a concrete symbol of Christian legal supersessionism.

■ *The Syro-Roman Lawbook* and the Bavli

The parallels in structure, content and wording between version B of *The Syro-Roman Lawbook* and the Talmudic story are striking, especially when compared to the version found in MS Oxford:

them, since nature creates both, so that each might continue to exist through their reciprocal aid, and when one is destroyed the other goes to destruction also” (ibid., <http://www.uwo.edu/lawlib/blume-justinian/ajc-edition-2/books/book6/book6-58rev.pdf>). See also Arjava, *Women and Law*, 70.

⁶² The secular aspect is also indicated in the title given to the book in some of the MSS: *ḥalḥūḥā dī rōmānā* (worldly/secular laws of the Romans). See Selb and Kaufhold, *Das syrisch-römische Rechtsbuch*, 2:14.

Bavli, MS Oxford	The Syro-Roman Lawbook
<p>מן יומא דגליתון מן ארעכון איתנשילת אורימא דמשה מנכון ואיתיהיבת לכון⁶³ אורימא דעון-גיליון. וכתי' ביה. ברא וברתא כחדא יירתון.</p>	<p>כלל דק כל נכסמך כחאחילמ דכו אחילמך כחלמך עכזא עד נכסמך דמכסמך ... דכזא מנפולא חילמ עכאמ</p>
<p>From the day that you were exiled from your land, <u>the Torah of Moses was taken away</u> from you and the Torah of the Gospel was given to you, and it is written in it: <u>Daughter and son inherit equally.</u></p>	<p><u>All the laws were annulled</u> by the coming of our Lord, And among all nations <u>the one law of the Messiah was given</u> ... <u>male and female inherit equally</u></p>

In both the Bavli and *The Syro-Roman Lawbook* the previous laws are said to have been abrogated and a new law to have been given. Yet the most striking similarity is that in both the argument for legal supersessionism is immediately followed by a direct citation of the law of equal inheritance. This strongly suggests that the Bavli is addressing the argument as it is formulated in *The Syro-Roman Lawbook*.

As noted in the introduction, MS Oxford has “The Torah of the Gospel” (אורימא דעון-גיליון), whereas all other MSS have “Gospel” (עון-גיליון). It would now seem quite clear that the version “The Torah of the Gospel” is to be preferred. Firstly, “The Torah of the Gospel” is a *lectio difficilior*, as it is hard to imagine a scribe introducing the title of “Torah” to the Gospel. Secondly, the verb form used in almost all MSS (except for E and V4, see note 9) is feminine (איתיהיבת), while the subject in all manuscripts (except for MS Oxford) is masculine: עון גיליון (“The Gospel”), or ספר עון גיליון (“The Book of the Gospel”) in N. The word אורימא, on the other hand, is feminine. This would seem to supply conclusive proof that אורימא was removed from these manuscripts, leaving a trace in the form of the verb, rather than added to MS Oxford. Finally, “The Torah of the Gospel” also parallels strikingly *The Syro-Roman Lawbook*’s self-designation as the “Law of the Messiah.”

In addition, both the Bavli (according to MS Oxford) and the introduction of *The Syro-Roman Lawbook* make a distinction between two sets of law, using almost identical terminology:

Bavli		The Syro-Roman Lawbook	
The Torah of Moses	אורימא דמשה	נכסמך דמכסמך	The Law of Moses
The Torah of the Gospel	אורימא דעון-גיליון	נכסמך דמכסמך	The Law of the Messiah

⁶³ This parallel also seems to indicate that the version ואתיהיבת לכון (“was given to you”) is to be preferred over the other versions: ואתיהיבת להון/לנא (“was given to them/us”).

The term “Gospel” (עון-גיליון) in b. Šabb. 116a–b has a dual meaning, as can be seen in the citation from Matthew: it can refer either to the book of the Gospel itself (שפילית לסופיה דעון-גיליון),⁶⁴ or it can be personified, replacing Jesus (אנא עון-גיליון), “I, the Gospel”). In light of the clear parallel between the “Law of the Messiah” and “The Torah of the Gospel,” it would seem that “Gospel” in this expression is an oblique reference to Jesus.

As we have seen, the introduction frames *The Syro-Roman Lawbook* as “The Law of the Messiah.” It thus becomes evident that the explicit citation of the law of equal inheritance from “The Torah of the Gospel” does not refer to the Gospel or to some vague paraphrase of the Roman law; rather, it is an almost verbatim citation from a very concrete book—*The Syro-Roman Lawbook*.

In spite of these striking similarities, there is, though, one important difference. Whereas the reason for the supersessionism given in *The Syro-Roman Lawbook* is that the arrival of Christ annulled previous laws, the Bavli, on the other hand, connects it to the exile.

In several Christian sources the exile of the Jews is viewed as a result of their involvement in the killing of Jesus. So, for example, in the *Martyrdom of Simeon bar Šabba'e* (§13), composed in the Sasanian Empire in the fifth century: “They killed our Lord and were repudiated, and they were dispersed throughout the lands as foreigners and miscreants.”⁶⁵ Some Christian authors, including those active in Eastern Syria and the Sasanian Empire, also connected the destruction of the Temple and the exile to the abrogation of the Mosaic Law.⁶⁶ Furthermore,

⁶⁴ The formula “go down to the end of the verse” (שפיל לסיפיה דקרא) appears in the Bavli only in dialogical polemics (b. Ber. 10a; b. 'Erub. 101a; b. Sukkah 52b) as the conclusive argument presented by a rabbi in order to refute the misreading of a verse by an adversary by referring to the continuation of the verse. This response, though, does not undermine the verse itself but only its false interpretation. In contradistinction, the philosopher uses a variation of this formula in order to completely undermine the previous citation and not to re-interpret it. In addition, he uses it not against an adversary but rather against his very own claim. According to the philosopher, “going down to the end” does not necessarily refer to the continuation of the very same verse but rather to an authoritative verse which disproves an earlier (related) citation. Thus, it would seem that the philosopher’s irregular use of the formula is somewhat parodic.

⁶⁵ Kyle Smith, *The Martyrdom and History of Blessed Simeon bar Šabba'e* (Persian Martyr Acts in Syriac 3; Piscataway, NJ: Gorgias Press, 2014) 28. See also Zellentín, *Rabbinic Parodies*, 160, who refers to Luke 20:21–24 and Eusebius.

⁶⁶ See, e.g., Christine C. Shepardson, “Paschal Politics: Deploying the Temple’s Destruction against Fourth-Century Judaizers,” *VC* 62 (2008) 233–60, who focuses on Aphrahat, Ephrem, and John Chrysostom. Another example is found in the *Doctrina Jacobi*, a Christian polemical text composed in Greek in Palestine, sometime between 634 and 640 CE. In this book, Jacob, who recently converted to Christianity, tries to convince his Jewish friends of the veracity of his new faith: “Since Christ, ‘the expectation of the nations’ (Gen 49:10 LXX), has come, even the nations received Christ. And the truthful prophet, our father Jacob the righteous, told the truth: all our ordinances have fallen (τὰ νόμματα ἡμῶν κατέπεσεν) and we were expelled from of our land of Judea to different places” (*Doctrina Jacobi nuper baptizati*, 3.7 [ed. and trans. V. Déroche], in idem and Gilbert Dagron, *Juifs et chrétiens en Orient byzantin* [Bilans de recherche 5; Paris: Association des amis du Centre d’histoire et civilisation de Byzance, 2010] 163). This similarity between the

such an argument also has roots in rabbinic literature, as several rabbinic sources regard the exile as the cause of a partial abrogation of the Mosaic Law.⁶⁷

However, the supersessionist argument from exile in our story seems to be secondary, as can clearly be seen by the Matthean verse chosen to contradict it. The paraphrased citation from Matthew in the Bavli emphasizes (twice!) that the arrival of Jesus (or the personified Gospel) did not change the Mosaic Law (לא למיפחא אורייתא) (דמשה אתיח ולא לאוספי על אורייתא דמשה אתיח). This seems better suited to refute the argument put forth in *The Syro-Roman Lawbook* than the Bavli's argument, as it explicitly invokes the arrival of Jesus but does not mention the exile.⁶⁸ This could be seen even more clearly when comparing the Syriac translation of Matthew and *The Syro-Roman Lawbook*:

Matthew 5:17	The Syro-Roman Lawbook
לֹא אֶמְחֶה אֶת אֶתְחִי וְלֹא אֶמְחֶה אֶת אֶתְחִי	כֻּלְּהֶם דִּבְ חַלְּ בְּחֻטְּהֶם כֻּכְּ אֶתְחִי וְכֻכְּ
Do not think that I have <u>come</u> to <u>abolish</u> the <u>Law</u>	All the <u>laws</u> were <u>annulled</u> by the <u>coming</u> of our Lord

It would seem then that the authors addressed their anxieties as Jews living in exile and “translated” the original reason for the legal supersessionism into their own idiom. However, they refuted it by building upon the almost inherent contradiction between Jesus's statement in Matthew and the argument in the introduction to *The Syro-Roman Lawbook*.

We asked earlier why the Bavli used an explicit citation of the New Testament in order to refute what seemed to be simply the standard Roman civil law. We see now that this very law of inheritance was newly baptized and considered the hallmark of the Law of the Messiah which abrogated the Law of Moses. Against such a concrete legal supersessionist argument it was indeed necessary to use a

Doctrina Jacobi and the story in the Bavli has been pointed out by Murcia, *Jésus dans le Talmud*, 310. However, based on this and other rather generic similarities, Murcia wished to argue that the authors of the Bavli's story had direct knowledge of the *Doctrina*, and, therefore, he concludes that the story was composed ca. 650 CE, after the Arab conquest. Needless to say, this suggestion is farfetched and untenable.

⁶⁷ See e.g., t. 'Arak. 5:16; y. Šeb. 10:3 39c. In b. Ḥag. 5b in the anonymous layer it is suggested that the exile led to *biṭṭul Torah*. The term *biṭṭul Torah* in this context refers to the neglect of the study of Torah. However, it could also be understood literally as “annulment of the Torah” (cf. *חֻלְּהֶם דִּבְ חַלְּ בְּחֻטְּהֶם* in *The Syro-Roman Lawbook*). The potential for the abrogation of the Torah as a result of the exile, alluded to in such intra-rabbinic critiques, might have been exploited by Christians as a foundation for legal supersessionism. Cf. *Lam. Rab.*, pet. 21: כִּיּוֹן שְׁגַלּוּ יִשְׂרָאֵל לְבִין אֻמוֹת הָעוֹלָם לֹא: “Since Israel were exiled among the nations of the world, not one of them [i.e. of Israel] could utter a word of Torah from his mouth”. See also b. Meg. 12b: מִיּוֹם הַיּוֹם שֶׁהָרַבּ בֵּית הַמִּקְדָּשׁ וּגְלִינוּ מֵאַרְצֵנוּ נִטְלָה עִצָּה מִמֶּנּוּ וְאִין אַנּוּ יוֹדְעִין לְדוֹן דִּינֵי נַפְשוֹת (“From the day the Temple was destroyed and we were exiled from our land, wisdom has been removed from us, and we do know how to judge capital cases.” I wish to thank one of the anonymous reviewers for this reference).

⁶⁸ It is possible, as Zellentin has suggested (*Rabbinic Parodies*, 161), that since Deut 4:2 was likely used to paraphrase the Matthean verse, the rabbi might also have had Deut 4:1 in mind—a verse which establishes the connection between the inheritance of the land and the Torah.

polemical “doomsday weapon,” an explicit citation from Matthew, as the words of Jesus himself, the personified Gospel, directly undermine the entire premise of the Torah of the Gospel, i.e., *The Syro-Roman Lawbook*.

■ From Polemic to Parody

If the goal of the story is to refute *The Syro-Roman Lawbook*, why then did the authors choose to frame this refutation within a Palestinian template from the *Pesiqta* about a corrupt judge and briberies in the form of a lamp and an ass? Although no definitive answers can be reached, it seems possible to try and trace the authors’ train of thought and associations in constructing their story.

The polemical core of the story consisted most likely only of the supersessionist argument (attached to the law of equal inheritance) and its refutation by the Matt 5:17. In light of this, it would seem that the verses immediately preceding Matt 5:17 would have served as an intermediary between the polemical core and the narrative template (Matt 5:14–17):

איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה
היה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה
איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה
איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה

You are the light of the world. A town built on a hill cannot be hidden. Neither do they light a lamp and put it under a bushel, but on a lampstand. And it gives light to everyone in the house. In the same way, let your light shine forth before others, that they may see your good deeds and glorify your Father in heaven.

Do not think that I have come to abolish the Law or the Prophets; I have not come to abolish but to fulfill (NIV, modified according to the Syriac).

Several scholars have pointed out the similarities between these verses and our story.⁶⁹ The most striking are the mentioning of the lamp (שרגא; איהוה) and especially Jesus’s calling to his disciples: “let your light shine forth” (איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה איהוה). This phrase is echoed in our story by Imma Shalom’s statement נהור נהור (“let thy light shine forth”). In fact, Imma Shalom’s statement is most probably modelled after Matthew since it differs from the *Pesiqta*’s rendition ינהר דינא (“let the judgement shine forth”).⁷⁰ These similarities probably triggered an association to the story in the *Pesiqta*. In addition, the likely possibility that Imma Shalom’s reprimand echoes Jesus’s instruction to his disciples to illuminate the world with righteousness adds another layer to the critique of the corruption of the Christian philosopher.

It is also possible that Luke 12:13–15 played an intermediary role:

⁶⁹ Visotzky, “Overturning the Lamp,” 78–79; Murcia, *Jésus dans le Talmud*, 260–65; Zellentin, *Rabbinic Parodies*, 163–64.

⁷⁰ Zellentin, *Rabbinic Parodies*, 163.

כהן למי יתן כסף מה שיהיה חלפיה: כהן לומר פליג חכר חכמה עבוד תי
 כהן למי יתן: חכם כמסחר חלפיה תימא סחפליג. איהו ללחפיה: איהו
 חכם חכמה חלפיה תימא סחפליג חכמה חכמה סחפליג

Someone in the assembly said to him: “Teacher, tell my brother to divide the inheritance with me.” Jesus replied: “Man, who appointed me a judge or an arbiter over you?” And he said to his disciples: “Beware of all kinds of greed; for there is no life in the abundance of possessions.” (NIV, modified according to the Syriac)

The similarities in content and language to the Bavli’s story are evident and have been already noted by Güdeman and further elaborated by Zellentin.⁷¹ They include the use of the same roots: “judge” (כח; דיןא), “division” (פלג; פלג), “inheritance” (חכמה; תורתן), “sibling” (אחא; אחא), “possessions” (חכמה; נכסא), and, more importantly, a similar legal request from a sibling addressed to an authority: to divide the inheritance.⁷² This might have also inspired the authors of the story to fill the gaps in the narrative template.

Furthermore, as Zellentin rightly concludes, “Luke’s gospel . . . harshly criticizes the very greed that characterizes the philosopher in the Bavli and exposes his motivation for accepting the judicial role. The Bavli, therefore, parodies the Gospel in order to satirize the judge.”⁷³

The casting of Imma Shalom and Rabban Gamaliel as the protagonists is due first and foremost to the fact that they are one of the very few high-profile brother and sister pairs, whose relation is stated explicitly elsewhere in the Bavli.⁷⁴ The fact that they lived in Palestine might have also contributed to their casting, since the Babylonian rabbis would have been fully aware that *The Syro-Roman Lawbook* originated in the Roman Empire, as this is stated explicitly throughout the book. In addition, it is likely that the judge received the title “philosopher,” a very rare word in the Bavli which is associated with Rome,⁷⁵ due to the original provenance of the “Torah of the Gospel.”

The polemical core against *The Syro-Roman Lawbook* is thus woven into a narrative template from the *Pesiqta* through the possible mediation of verses from

⁷¹ Güdeman, *Religionsgeschichtliche Studien*, 75; Zellentin, *Rabbinic Parodies*, 157–58.

⁷² Zellentin, *Rabbinic Parodies*, 158.

⁷³ *Ibid.*

⁷⁴ See b. Ned. 20a; b. B. Meš. 59b. In addition, Rabban Gamaliel is depicted elsewhere as arguing with a philosopher (e.g., Gen. Rab. 1:9; 20:4; and following note) and Imma Shalom is depicted elsewhere as an opinionated woman (b. Ned. 20a; b. ‘Erub. 63a). Some scholars (e.g., Zellentin, *Rabbinic Parodies*, 152) have suggested that the fact that Imma Shalom was married to R. Eliezer, who was suspected of being a crypto-Christian, is the reason she was cast. This is indeed possible, but I do not consider it likely.

⁷⁵ In fact, the Aramaic form of “philosopher” is attested in the Bavli only in our story. The only other occurrences of the (Hebrew) term in the Bavli are in tannaitic sources cited in b. ‘Abod. Zar. 54b. In the first story there, based on t. ‘Abod. Zar. 7:7, “philosophers” are associated directly with Rome (שאלו פלוסופין את הזקנים ברומי). Interestingly, the following story (based on *Mek. de Rabbi Ishmael*, Bahodeš, 6 [ed. Horowitz-Rabin, 226]), features a dialogue between a philosopher and the very same Rabban Gamaliel (cf. Zellentin, *Rabbinic Parodies*, 153).

Luke and Matthew. The result is both a theological refutation of *The Syro-Roman Lawbook* and a parody of the corruption of the Christians. Not only is their claim for the abrogation of the Mosaic Law in direct contradiction to the words of Jesus himself, but their corrupt actions, exemplified by the philosopher, are themselves a direct abrogation of the Law of Jesus, who wished to illuminate the world with righteousness and justice.

■ Conclusion

The story of Imma Shalom and Rabban Gamaliel's ruse to expose the corruption of the philosopher turns out to be much more than just a parody. The story was actually composed as a direct polemic against *The Syro-Roman Lawbook*, which put forth an argument for legal supersessionism explicitly connected to the law of equal inheritance. Although this Roman law of inheritance was not practiced among the Christians in the Sasanian Empire, the circulation of the book among East Syrians would have posed a theological threat consisting of a new, radical and concrete concept of the Law of the Messiah, labeled by the rabbis as the "Torah of the Gospel."

Quite a few studies have demonstrated that the Babylonian rabbis were acquainted with Syriac literary motifs, tropes, customs, and biblical exegesis.⁷⁶ Yet in most of these case studies it was not necessary, or even plausible, to postulate concrete Syriac texts as the means of transmission. Rather, most scholars (or their critics) were content with assuming more subtle and vague modes of interactions. This is not possible in this case, since not only are the parallels striking but the story itself declares explicitly that it is citing a book (כתיב בה). Thus the story studied here serves probably as the first clear demonstration that the Babylonian rabbis read and responded to a specific Christian book besides the New Testament. This has dramatic consequences for the way we perceive the rabbis' intellectual milieu and textual culture.

⁷⁶ See, e.g., Shlomo Naeh, "Freedom and Celibacy: A Talmudic Variation on Tales of Temptation and Fall in Genesis and Its Syriac Background," in *The Book of Genesis in Jewish and Oriental Christian Interpretation* (ed. Judith Frishman and Lucas Van Rompay; *Traditio exegetica Graeca* 5; Leuven: Peeters, 1997) 73–89; Jeffrey L. Rubenstein, "A Rabbinic Translation of Relics," in *Crossing Boundaries in Ancient Judaism and Early Christianity: Ambiguities, Complexities and Half-Forgotten Adversaries* (ed. Kimberly Stratton and Andrea Lieber; *Supplements to the Journal for the Study of Judaism* 177; Leiden: Brill, 2016) 314–32; Naomi Koltun-Fromm, *Hermeneutics of Holiness: Ancient Jewish and Christian Notions of Sexuality and Religious Community* (Oxford: Oxford University Press, 2010); Reuven Kiperwasser and Serge Ruzer, "Zoroastrian Proselytes in Rabbinic and Syriac Christian Narratives: Orality-Related Markers of Cultural Identity" *HR* 51 (2011) 197–218; eidem, "To Convert a Persian and Teach Him the Holy Scriptures: A Zoroastrian Proselyte in Rabbinic and Syriac Christian Narratives," in *Jews, Christians and Zoroastrians: Religious Dynamics in a Sasanian Context* (ed. Geoffrey Herman; *Judaism in Context* 17; Piscataway, NJ: Gorgias, 2014) 91–127; Michal Bar-Asher Siegal, *Early Christian Monastic Literature and the Babylonian Talmud* (Cambridge: Cambridge University Press, 2013).

Moreover, not only is this a unique case where we can point to the very book (and version!) with which the rabbis were engaged, but, in addition, the identification of the book also supplies us with a very precise *terminus post quem* for the composition of the story, as it could not have been composed before the beginning of the sixth century when *The Syro-Roman Lawbook* was first translated into Syriac. This means that some rabbis probably read and reacted to *The Syro-Roman Lawbook* not long after it was introduced into the region.⁷⁷ This joins other studies which have recently argued for acquaintance with Syriac texts and scribal practices during the sixth century.⁷⁸ This might also be connected to the rise of scholastic culture among the East Syrians in this period.⁷⁹

The scholarly emphasis on the oral production and transmission of the Babylonian Talmud should not lead us to picture the rabbis' bookshelves as empty. It would seem that some of them, especially in the sixth century, had direct access to various books, including "books of heretics" (ספרי מינים), and were up-to-date and engaged with the intellectual and religious developments of their time.

The Bavli does not often reveal the time and place of its later layers. This should not be taken as proof for a timeless composition. Rather, it points to our scholarly shortcomings. Stories, such as the one analyzed in this article, were composed, repackaged, or rewritten in concrete historical contexts reflecting very actual anxieties and intellectual challenges. Such a rare case of an almost precise date of composition of a story in the Bavli might thus serve as a textual anchor and help us more generally in dating later stages of the Bavli and advance our understanding of its editorial process. This calls also for a re-examination of many other stories, especially those including anti-Christian polemics, which appear in the later strata of the Bavli, in light of the Syriac literature, whose provenance and dating are usually better known.

⁷⁷ The *terminus ante quem* is obviously the date of the editing of the Bavli. The story is not from the latest layer, since it was placed within the *sugya* by a later editor. Thus it was almost certainly composed before the end of the 6th cent., and likely even during its first half.

⁷⁸ Yakir Paz and Tzahi Weiss, "From Encoding to Decoding: The ATBḤ of R. Hiyya in Light of a Syriac, Greek and Coptic Cipher," *JNES* 74 (2015) 45–65 (which suggests that at least some rabbis could read Syriac); Shamma Friedman, "Aristotle in the Babylonian Talmud? A Scholastic Interpolation by the Talmud's Anonymous Glossator," *Maarav* 21 (2014) 311–17; Simcha Gross, "A Persian Anti-Martyr Act: The Death of Rabbah bar Nahmani in Light of the Syriac Persian Martyr Acts," in *The Aggada of the Bavli and Its Cultural World* (ed. J. Rubenstein and G. Herman; BJS 362; Providence, RI: Brown Judaic Studies, 2018) 211–42; Tzahi Weiss, *Sefer Yeširah and Its Contexts: Other Jewish Voices* (Philadelphia: University of Pennsylvania Press, 2018).

⁷⁹ On the similarities (and differences) between the scholastic milieu of the rabbinic Babylonian academies and that of the East Syrian schools in the 5th and 6th cents., see Adam Becker, "The Comparative Study of Scholasticism in Late Antique Mesopotamia: Rabbis and East Syrians," *AJS Review* 34 (2010) 91–113, with literature; and Isaiah M. Gafni, "חיבורים נסטוריאניים כמקור לתולדות" (Nestorian literature as a source for the history of the Babylonian *yešivot*), *Tarbiz* 51 (1982) 567–76. On the school of Nisbis and the rise of scholasticism, see Adam Becker, *Fear of God and the Beginnings of Wisdom: The School of Nisibis and the Development of Scholastic Culture in Late Antique Mesopotamia* (Philadelphia: University of Pennsylvania Press, 2006).

Yet the fact that the rabbis are responding to *The Syro-Roman Lawbook* is not only of major importance for Talmud scholarship; it also contributes significantly to our understanding of the transmission and reception history of *The Syro-Roman Lawbook* itself. The reception history of the first three centuries of the book is shrouded in darkness, for although we have a manuscript from the sixth century, the first documented reference to the book is in two letters by the Catholicos Timotheus at the beginning of the ninth century.⁸⁰ The acquaintance of the rabbis in the Sasanian Empire with the reworked B version (or at least a version which included the introduction) would seem to prove that this version too goes back to the sixth century and that it had already circulated among contemporary East Syrians.⁸¹ In addition, the fact that the rabbis read and understood the book through the prism of its introduction—which transformed the book from a compilation of secular laws into a paradigmatic Law of the Messiah—indicates that this was most probably also how it was read and received at the time by some of their neighboring Christians.

Thus, the study of Jews and Christians, and, more specifically, of Jewish and Syriac texts in the Sasanian period cannot be conducted separately, as the intellectual interactions between them were more intimate than usually supposed. It is necessary to read both corpora alongside each other in order to understand and contextualize better the intricate religious and cultural dynamics of these two minority groups in the Sasanian Empire.

⁸⁰ See Selb and Kaufhold, *Das syrisch-römische Rechtsbuch*, 1:60–61.

⁸¹ Thus the tentative suggestion by Selb and Kaufhold (*ibid.*, 1:60) that the Catholicos Timotheos I, who is the first to cite the book (following version B), is also the one who introduced it to the Church of the East should be rejected.