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Herod's Ascent to the Throne: Two Approaches to Contending with Evil

Abstract: The Babylonian Talmud records an *aggadah* that relates the story of Herod's ascent to the throne and his building of the Temple (Bava Batra 3b–4a). In this article the author analyzes the *aggadah* and reaches the conclusion that the narrator of the story presents two ways of contending with the rise of the wicked king Herod to royalty. The first is represented by the maiden from the Hasmonean house who commits suicide rather than marry Herod, and seeks in this way to undermine the legal basis for his reign. The second is represented by the Sage Baba b. Buta, who chooses to remain at Herod's side despite his wickedness, and counsel him; in the end, the Sage's approach leads to the positive outcome of the building of the Temple.

Key words: Herod, Hasmonean house, Baba b. Buta, Temple.

Introduction

The Babylonian Talmud records an *aggadah* that relates the story of Herod's ascent to the throne and his building of the Temple (Bava Batra 3b–4a). This *aggadah* has no parallel in the tannaitic literature, the Jerusalem Talmud or the compilations of Midrashei Aggadah composed in Eretz Israel during the Amoraic period.

The story has been the subject of a number of important analyses that have illuminated various aspects and exposed several fundamental points.¹ It seems to me, however, that the objective of the story and the lesson to be drawn from it have not yet been fully clarified. I wish here to reach a deeper understanding of the narrator's objective, by way of a literary analysis of the narrative.

1 See, recently, Y. Feintuch, *Tales of the Sages and the Surrounding Sugyot in Bavli Bava-Batra, Ch. 1–3* (Hebrew; MA thesis, Bar Ilan University, 2004) 14–33; see also Y. Feintuch, "External Appearance versus Internal Truth," *Association for Jewish Studies Review* 35 (2011) 85–104, and the studies mentioned in both the thesis and article. This issue was also dealt with by S. Weingort in "Herod and Baba b. Buta" (Hebrew), a seminar paper written at the Hebrew University in 2006; I thank him for allowing me to examine his study. The sources of this story were once again reexamined by Jeffrey L. Rubenstein, "King Herod in Ardashir's Court," *Association for Jewish Studies Review* 38 (2014) 249–274.

The Talmud presents this story following a discussion of the prohibition against demolishing a synagogue, for fear that the synagogue might not be rebuilt; this could only be done if cracks appeared in the foundations that threatened the synagogue's stability. In light of this prohibition, the Talmud asks how Baba b. Buta could suggest to Herod that the Temple be destroyed and rebuilt. Two answers are given: the first is that cracks were discovered in the Temple, and the second is that the prohibition did not apply to the ruling authorities, as they could be relied upon to fulfill their commitment to rebuild. This discussion is immediately followed by the story cited in detail below. It is clear both from the Talmud's question and the style of the beginning of the story that this is an independent unit that was incorporated here by association with the topic of destroying a synagogue. (Following our story, the Talmud provides additional details from other sources concerning the Temple built by Herod, but this discussion is clearly not part of the story, and the end point of our story is not in doubt.)

After completing this discussion, the Talmud asks how Bava b. Buta could counsel a wicked, non-Jewish king. Again, it offers two answers: the first is that since Herod was a slave belonging to a Jewish master, he was not treated as a non-Jew (seeing that he was obligated in some of the Torah's commandments); the second is that the prohibition against counseling a non-Jewish king did not apply to the building of the Temple, since such a project could only be carried out by the government. This question and its two answers parallel the question raised by the Talmud before beginning our story and the two answers that are proposed there. This creates a literary framework for the story we are analyzing.² This, too, reinforces our position that the story is an independent literary unit that the redactors of the Talmud incorporated into the passage after wrapping it in an appropriate framework.

The independence of the story justifies our analyzing it detached from its context.³

2 This parallelism was already noted by Feintuch, "Tales of the Sages," 21, and Weingort, "Herod and Baba b. Buta."

3 For detailed discussion of the relationship between the story and its talmudic context, see Feintuch, "External Appearance," 101–104, and Weingort, "Herod and Baba b. Buta."

1. The Story⁴

Introduction (Exposition, lines 1–2)

1. Herod was the slave of the Hasmonean house.
2. He had set his eyes on a certain maiden [of that house].

Part 1 (The killing of the Hasmonean house and Herod's ascent to the throne, lines 3–12)

- (1.1) 3. One day he heard a heavenly voice⁵ saying: Every slave that rebels now will succeed.
4. So he rose and killed all the members of his master's household, but spared that maiden.
5. When she saw that he wanted to marry her,
6. she went up on to a roof and raised her voice.
7. She said: Whoever comes and says, I am from the Hasmonean house, is a slave, since that maiden alone is left of it [that is, I myself]; and that girl fell from the roof to the ground.
- (1.2) 8. He [Herod] preserved her in honey for seven years.
9. Some say that he had intercourse with her;
10. some say that he did not have intercourse with her.
11. According to those who say that he had intercourse with her, his reason for embalming her was to gratify his desires.
12. According to those who say that he did not have intercourse with her, his reason for embalming her was that people might say he had married a king's daughter.⁶

4 I divide the story into lines and sections, for ease of reference. The reading is that of the Pesaro edition of 1511 (except for lines 3 and 35, as noted below). The translation follows the Soncino English edition of the Talmud. There are five manuscripts of these pages of Bava Batra: Munich 95, Florence II I 7–9; Vatican 115, Paris 1337 and Escorial G-I-3; (MS Hamburg is missing these pages). There are also two Genizah fragments of these pages: Cambridge T-S AS 78.389 and Mosseri Collection 22 III [2]. The story was also included in *Haggadot HaTalmud* (Constantinople, 1511) 88b; *Midrash HaGadol* to Deut 17:15 (ed. Fish, Jerusalem, 1997) 398–399; *Yalkut Shimoni*, Deuteronomy, no. 913 (ed. Hyman-Shiloni, Jerusalem, 1992) 353–354; and *Ein Yaakov* (Salonika, 1516–1522) 165–166.

5 *Shama bat kala*: This is the reading in MSS Paris and Vatican, *Yalkut Shimoni* and *Ein Yaakov*.

6 I do not know whether lines 9–12 are an addition to the original story, and that in the original story it was left to the reader to understand the meaning of Herod's act, or whether these lines are an integral part of the story and we are dealing with a literary device that clarifies Herod's two objectives in sparing the maiden and preserving her body. An echo of the first explanation is found in Josephus: "But when she was once dead, the king's affections for her were kindled in a more outrageous manner than before ... for he would frequently call for her ... and was so far conquered by his passion, that he would order his servants to call for Mariamne as if she were still alive and could still hear them" (*Ant.* 15.240–242). And in *War* 1.22, 5: "So consuming, indeed, was the flame of his passion that he believed she was not dead, and in his affliction would address her as though she were alive."

Part 2 (The killing of the Sages, lines 13–38)

- (2.1) 13. He said: Who are they who teach: *From the midst of your brothers you shall set up a king over you* (Deut 17:15)? The Sages!
14. He arose and killed all the Sages.
15. He spared Baba b. Buta, that he might take counsel of him.
16. He placed on his head a garland of hedgehog bristles⁷ and put out his eyes.
- (2.2) 17. One day he came and sat before him.
18. He [Herod] said: See, sir, what this wicked slave [Herod] does.
19. [Baba b. Buta] said to him: What should I do to him?
20. He said to him: I want you to curse him.
21. [Baba b. Buta] said to him: *Even in your thoughts you should not curse a king* (Eccl 10:20).
22. He said to him: But this is no king.
23. [Baba b. Buta] said to him: Even though he be only a rich man, it is written: *And in your bedchamber do not curse the rich* (Eccl 10:20).
24. Be he no more than⁸ a prince, it is written: *A prince among your people you shall not curse* (Exod 22:27).
25. [Herod said: This applies only] to one who acts as one of your people.

⁷ *Kelila deyalī*. Rashi already noted that *ha'anakah* in Lev 11:30 is translated by Onkelos as *yala*. This word is found also in Syriac and Arabic; see M. Sokoloff, *Dictionary of Jewish Babylonian Aramaic* (Ramat-Gan: Bar Ilan University Press, 2002) 533. Sokoloff translates it as “lizard,” and, following him, Feintuch, “External Appearance.” Rubenstein, “King Herod,” translates it as “hedgehog.” The context indicates that we are dealing with an animal that has a bristly hide.

⁸ For *lo yehei ela*, MSS Escorial, Vatican, Florence and Paris read *velo yehei ela*, “And be he no more.” This reading and the reading of the printed edition indicate that it was Baba b. Buta who said this to explain why he could not curse Herod, even though he lacked the standing of king. To this Herod answers that since he does not act as one of “your people,” the prohibition does not apply to him. In the Florence MS and newer printed editions, starting with the Venice edition, line 25 begins with *a[mar] l[eih]*, “he said to him” – from which it is clear that Herod’s answer begins only with this line. It is, however, puzzling why Baba b. Buta had to raise both the argument that Herod was rich and that he was a prince. In the Cambridge Genizah fragment, lines 24–25 read *amar leih veha keti[v]... amekha, vehai lo oseh ma’aseh amekha*, “He said to him: Surely it is written: ... *your people*, and this one does not act as one of your people.” From the words surviving in the Mosseri Genizah fragment, it would appear that this had a similar reading, and this is also the reading of *Haggadot HaTalmud*, *Yalkut Shimoni* and *Ein Yaakov*, and the commentary of R. Meir Abulafia. According to this reading, lines 24–25 constitute a single sentence uttered by Herod, in which he argues that the Torah prohibition against cursing a prince is restricted to a prince that acts as one of “your people,” and this is all the more true regarding the prohibition of cursing a rich man in Ecclesiastes. In this way Herod rebuts Baba b. Buta’s argument concerning the prohibition against cursing a rich man. MS Munich reads *vehaketi[v] venasi be’amekha lo ta’or*, “Surely it is written: *A prince among your people you shall not curse*,” and similarly *Midrash HaGadol*. It appears that according to this reading also, these are the words of Herod. According to J. N. Epstein, *Introduction to Tannaitic Literature* (Hebrew; Jerusalem: Magnes, 1963) 198, this is the original reading, and his position is persuasive.

26. [Baba b. Buta] said to him: I am afraid of him.⁹
27. He [Herod] said to him: There is nobody who can go and tell him.
28. [Baba b. Buta] said to him: It is written: *For a bird of the heaven shall carry the voice, and that which has wings shall tell the matter* (Eccl 10:20).
29. [Herod] said to him: I am he. Had I known the Sages were so circumspect, I should not have killed them.
30. Now what amends can that man [I] make?
31. [Baba b. Buta] said to him: You extinguished the light of the world [the Sages], as it is written: *For the commandment is a light and the Torah a lamp* (Prov 6:23); go now and attend to the [other] light of the world [the Temple, of which] it is written: *And all the nations become enlightened by it* (Isa 2:2).
32. Some say that [Baba b. Buta] said to him as follows: As you have blinded the eye of the world [the Sages], as it is written: *If it be done unwittingly by the eyes of the congregation* (Num 15:24), go now and attend to the eye of the world, [the Temple], as it is written: *I will profane My sanctuary, the pride of your power, the delight of your eyes* (Ezek 24:21).¹⁰
33. [Herod] said to him: I am afraid of the government [of Rome].
34. [Baba b. Buta] said to him: Send an envoy [to Rome], and let him take a year on the way and stay for a year and take a year coming back, and in the meantime you can pull down the Temple and rebuild it.
35. They sent [a message] to him [from Rome]:¹¹ If you have not yet pulled it down, do not do so;
36. if you have pulled it down, do not rebuild it;
37. if you have pulled it down and already rebuilt it, you are one of those wicked slaves who act first and ask permission afterwards.
38. Though you strut with your sword, your genealogy is here: you are neither a *reka*,¹² nor the son of a *reka*, but Herod, [the slave]¹³ who made himself a freedman.¹⁴

9 Most other versions add a few words here that give expression to Baba b. Buta's fear that the matter will be discovered.

10 This line, like lines 9–10, opens with *ika de'amrei*, "some say." Here too it may be asked whether this is an addition to the original story, or is it an integral part of the account and through this literary device the narrator emphasizes the two aspects of the Temple?

11 The Pesaro edition adds here *avad hakhi*, "do as follows." These words are missing in all the other sources, and so I have omitted them. R. Shlomo Luria (*Hokhmat Shelomo HaShalem* [Cracow, 1582] 890) suggests moving these words to the end of the previous line, and so they appear in the Vilna edition of the Talmud, where the words are understood to mean "he did that."

12 All the commentators explain that *reka* means king, as the Talmud explains in the continuation and as implied by the context. However, the etymology of this word is unclear. The Talmud explains it on the basis of the verses "And I am this day weak (*rakh*), though anointed king" (2 Sam 3:39) and "And they cried before him, *avrekh*" (Gen 41:43). (See also the Aramaic translations of this verse.) But it appears that this is a popular etymology. According to A. Kohut, the word is derived from Greek, and it is the Latin word *rex*, "king"; see *Arukh HaShalem* (Vienna, 1842–1894) 7.274, and S. Krauss, *Griechische und lateinische Lehnwörter im Talmud, Midrasch und Targum* (Berlin, 1899) 2.579. N. Bruell, *Jüdische Zeitschrift für Wissenschaft und Leben* 3

2. The Talmud and Josephus

Though this story is presented as a historical narrative, it is clear that the narrator's goal is not the presentation of the story itself, but the lesson that arises from it. It is this lesson that dictated which details to include and how to present them.

Some of the motifs mentioned in the story are familiar from Josephus' *Antiquities of the Jews* and *The Jewish War*.¹⁵ The similarities between the story as told by Josephus and the *aggadah* found in the Talmud emphasize the differences between them.

According to Josephus, Herod was the son of Antipater, an "Idumaeian friend" of the Hasmonean Hyrcanus (*Ant.* 15.8). Herod's mother, Cypros, was a Nabataean noblewoman (*Ant.* 14.121). But Herod's characterization as a slave of the Hasmonean house is repeatedly highlighted in the talmudic story, and is one of its most prominent features.

The rumor that Herod heard about the chances of a successful rebellion (line 3) is reminiscent of what is reported by Josephus in *Ant.* 15. 374–375:

There was a certain Essene named Manaemus, whose virtue was attested in his whole conduct of life and especially in his having from God a foreknowledge of

(1865) 282, rejects this etymology (without any real arguments) and suggests that the word is derived from the Persian *aryka*, "king," but this proposal was rejected by D. Geiger in *Tosefot HaArukh HaShalem* (New York, 1966) 383. Sokoloff, *Dictionary*, 1084, notes that the etymology of this word is not known.

13 MSS Escorial and Vatican, and the margin of MS Munich and *Yalkut Shimoni*, add *avda*, "slave," and so the word has been emended in the new editions.

14 The word *kalanya* is derived from the Latin *colonia*, which refers to an outpost that was granted a tax exemption. Here it is used in the sense of a free man; see Sokoloff, *Dictionary*, 1021. Rashi writes, "*kalanya mi'abad* – he became a freedman by himself." One of the Babylonian Geonim explains, "*kalanya* – one who has been released from taxes"; S. Assaf, *Gaonic Responsa* (Jerusalem, 1942) 156. The Arukh, s. v. *zayin* writes, "In the end they expressed their astonishment and said: 'Has he become a freedman?' We read this as a question: 'Was Herod set free?' This is the explanation of the Gaon" (*Arukh HaShalem*, 3.287; see there also the explanation of R. Hananel).

15 For a detailed overview of the relationship between Josephus' account and the talmudic story, see D. R. Schwartz, "Herod in Ancient Jewish Literature," in *World of the Herods*, ed. N. Kokkinos (Stuttgart: Steiner, 2007) 48–49. Regarding the relationship between rabbinic literature and the writings of Josephus, see V. Noam, "Did the Rabbis Know Josephus' Works?" (Hebrew), *Tarbiz* 81 (2013) 367–395, and the literature referred to there. According to Noam, "the parallels between Josephus and the Sages stem from a store of common traditions, and not from familiarity on the part of the Tannaim or Amoraim with any version of Josephus' writings" (393). My intention in noting the differences between the story in the Babylonian Talmud and Josephus' story is not to take a stand on this issue, but to expose through them the objective of the story in the Babylonian Talmud.

the future. This man had [once] observed Herod, then still a boy, going to his teacher, and greeted him as king of the Jews. Thereupon Herod, who thought that the man either did not know who he was or was teasing him, reminded him that he was only a private citizen. Manaemus, however, gently smiled and slapped him on the backside, saying, "Nevertheless, you will be king, and you will rule the realm happily, for you have been found worthy of this in the eyes of God."

According to Josephus, this prediction was shared directly with Herod when he was still a child, whereas in the talmudic story there was only a general rumor that "every slave" who rebelled would succeed, and the rebellion took place as a result of this statement, shortly after it was made.

The maiden mentioned in the talmudic account is apparently Herod's wife, Mariamne the Hasmonean. Josephus describes Herod's love for her at great length (*Ant.* 15.65–87, 207, 240 and elsewhere).¹⁶ Against this background, there is a striking difference between the talmudic account, according to which the maiden committed suicide to avoid marrying Herod, and Josephus' report that Mariamne married Herod and gave him three sons and two daughters.¹⁷ There is, however, a certain similarity between the motif of the maiden's suicide in the talmudic story and Josephus' report about Mariamne's execution by Herod. There it is related that Mariamne "went to her death with an unshaken firmness of mind, and without changing the color of her face, and thereby displayed the nobility of her descent to the spectators, even in the last moments of her life" (*Ant.* 15.236).

The killing of all the members of the Hasmonean house in the talmudic account parallels Josephus' report of the execution of Antigonus the Hasmonean on Herod's initiative (*Ant.* 14.490), and the execution of Hyrcanus (*Ant.* 15.173) and his grandson Aristobulus on Herod's orders (*Ant.* 15.55 and 15.266). While the talmudic narrator does not mention Herod's coronation by the Romans in this context, as reported by Josephus (*Ant.* 14, 384–385), he does hint at this at the end of the story.

The killing of the Sages parallels what is stated by Josephus: "when Herod assumed royal power, he killed Hyrcanus and all the other members of the Synhedrion with the exception of Samaias" (*Ant.* 14.175). However, the reason for the killing is different: in the talmudic story, Herod executed the Sages because he thought their exposition of Deut 17:15 prevented him from ruling as king, whereas, according to Josephus, he killed them

¹⁶ According to the Talmud, Herod killed all the members of the Hasmonean house, with the exception of this maiden. The Talmud's mention of Herod's preserving her body (line 8) is reminiscent of Josephus' description of Herod's affections for Mariamne after her death (*Ant.* 15.240–242 and *War* 1.22, 5; see note 6, above).

¹⁷ *War*, 1.22, 2.

in retaliation for their having brought him to trial for murder. The sparing of Samaias parallels the sparing of Baba b. Buta but, again, the reason is different. (Many scholars identify Samaias with Shammai,¹⁸ and according to Tosefta *Hagigah* 2:11, Baba b. Buta was a disciple of Shammai.)

The conversation between Herod and Baba b. Buta in the Talmud has no parallel in Josephus' works. However, Josephus does write that Herod would frequently dress himself in ordinary clothing and mingle at night among the common people to learn what they thought about his rule (*Ant.* 15.367).

The most striking difference between the talmudic story and Josephus' account relates to the question of who initiated the building of the Temple. According to the talmudic story, it was Baba b. Buta who advised Herod to build the Temple as a way to make amends for his actions. What's more, at first Herod rejected the suggestion because he feared the Roman authorities, but Baba b. Buta encouraged him and instructed him how best to execute the plan without the Romans imposing a veto. Josephus, on the other hand, attributes the building initiative to Herod, his goal being to erect an everlasting memorial for himself. Josephus even emphasizes that Herod had to persuade the people to agree to this initiative, as they were concerned that following the demolition of the old building, the construction of the new building might not be carried out (*Ant.* 15.389–390).

3. How Could the Temple Be Built by a Murderer?

All these details, through which the narrator sets out his own unique position, join together with the other details to create a single work with a clearly defined objective and a specific lesson, which we must uncover and explain.¹⁹

¹⁸ For an overview of the various opinions, see I. Ben Shalom, *School of Shammai and the Zealots' Struggle Against Rome* (Hebrew; Jerusalem: Yad Ben Tzvi, 1993) 289, notes 3 and 4.

¹⁹ According to Rubenstein, the talmudic story should be viewed not only against Josephus' account, but also against the description of the ascent of Ardashir, founder of the Sassanid dynasty, to the Persian throne in 226, as described in various Persian sources; see "King Herod." Rubenstein maintains that the Babylonian narrator fashioned the story of Herod in accordance with the story of Ardashir. Some of the seven parallels found by Rubenstein are very general, and several central themes in the story of Herod (such as the suicide of the girl, the killing of the Sages, the sparing of Baba b. Buta and the conversation between Baba b. Buta and Herod) have no parallel in the story of Ardashir. Thus, the details of this interpretation are not pertinent to my analysis of the girl's response and Baba ben Buta's behavior, and the hidden comparison that, in my opinion, the narrator makes between them.

What, then, is the objective of the story?

Earlier scholars already noted that this story comes to explain how it is that the Temple came to be built by Herod, who was an evil king.²⁰ The narrator knows that Herod is a murderer, and even highlights this fact twice in the story – once in line 4 in the killing of the Hasmonean house, and once again in line 14 in the execution of the Sages. In both instances the narrator uses similar wording, and in both of them he emphasizes that Herod killed all of them. This is incompatible with the principle explicitly expressed by King David: “it was in my mind to build a house to the name of the Lord my God: but the word of the Lord came to me, saying, ‘You have shed blood abundantly, and have made great wars: you shall not build a house to My name, because you have shed much blood upon the earth in My sight’” (1 Chron 22:7–8). The narrator of the story tries to explain how it was that Herod, who also shed much blood, had the merit to build the Temple, when David did not.²¹

The talmudic story comes to teach that the initiative to build the Temple came not from Herod, but from the Sage Baba b. Buta, who even guided Herod on how to circumvent Roman opposition. What is more, this initiative came as the Sage’s response to Herod’s regrets and his wish to make amends – a detail that accords with the Temple’s role as a place of atonement. Thus, the narrator wishes to emphasize that even though the Temple was built by Herod, it was not built to glorify his name or perpetuate his memory, but rather it was the result of advice given to a repentant Herod by one of the Sages.²²

20 See E. E. Halevi, *Introduction to Aggadah* (Hebrew; Tel-Aviv: Dvir, 1964) 180, and Rubenstein, “King Herod,” 253.

21 The Torah’s sensitivity to distancing all signs of bloodshed from the altar, the primary vessel in the Temple, finds expression in the following command: “And if you make Me an altar of stone, you shall not build it of hewn stones; for if you lift up your tool upon it, you have profaned it” (Exod. 20:21). This is the way the Sages explained this prohibition: “From here Rabbi Shimon ben Elazar would say: The altar was created to lengthen man’s life, and iron was created to shorten it. One is not permitted to wave that which shortens [life] over that which lengthens [it]” (*Mekhilta deRabbi Yishmael, masekhta debahodesh*, 11, ed. Horowitz-Rabin, p. 244). See also I Kings 6:7).

22 See *Numbers Rabbah* 14, 8: “One kid goat as a sin-offering, corresponding to the building built by Herod, as it was built by a sinful king, and his building served him as atonement for having killed the Sages of Israel” (translation based on MS Munich, on the Maagarim website of the Academy for the Hebrew Language).

4. A Slave as King and a King Who Is a Slave

This explanation, however, does not account for all the elements included by the narrator in his story. For example, it is not clear why he included the suicide of the Hasmonean maiden. Similarly, an explanation is needed as to why he did not conclude his story with the building of the Temple, but added the reaction of the Roman authorities.

To the previous explanation, then, it should be added that the narrator creates a contrast between slave and king.²³ He opens with the assertion that Herod was a slave in the Hasmonean house, and concludes with the assertion by the Roman authorities that Herod is a “wicked slave” and their claim that they have a genealogy that states he was only a freedman.²⁴ The phrase in line 37, *batar de'avdin mitmalkhin*, seems to have a twofold meaning.²⁵ The plain sense of these words is “after they have already acted, they ask permission.” Read this way, the statement is a rebuke of Herod's presumptuousness. But the statement can also be read as contrasting slavery (*avdin/eved*, slave) and kingship (*mitmalkhin/melekh*, king), as if the Roman authorities were asking sarcastically: “After you were a slave, do you make yourself a king?” In this way they deny Herod's royal standing.

This contrast between slave and king is explicit in the maiden's words in line 7, where she announces that since she is the last of the Hasmonean line, anyone who comes after her and claims to be king is in reality only a slave. Thus she seeks to thwart Herod's royal ambitions. Her words indicate that Herod spared her not only because of his attraction (as expressed in line 2), but also because he sought legitimacy for his kingship through marriage to one of the Hasmonean dynasty. These reasons are spelled out in the two explanations for why he preserved her body in honey after death.

In fact, Herod himself admits that he is a slave even after he becomes king. This is what he says to Baba b. Buta in line 18, when he refers to himself as “this wicked slave,” and in line 22 when he states “this is no king.”²⁶ He says this while pretending to be an ordinary person, so perhaps the narrator

²³ This contrast was already noted by the scholars mentioned above, note 1.

²⁴ The designation “wicked slave” might be understood to mean that although Herod was indeed king of the Jews, he was a slave to the Roman government. But the addition of the sentence regarding the genealogy indicates that Herod had not freed himself from the label of slave of the Hasmonean house.

²⁵ See Feintuch, “External Appearance,” 97.

²⁶ MS Paris adds here the words *hai avda hu*, “but he is a slave,” but these words are missing in all other versions.

wishes to imply that in his heart even Herod knows the truth, but he can only verbalize it when he is not playing the role of king.²⁷

In short, all three – the maiden, representing the Hasmoneans at the beginning of the story, the Roman government at the end of the story, and even Herod himself in the middle of the story – declare that Herod, even while he reigns as king, is nothing but a slave.

How does this motif connect to the primary lesson of the story?

It seems that the narrator is trying to tell us that even though Herod's goal was to acquire the kingship and free himself of the label of slave, and to this end he killed both the members of the Hasmonean house and the Sages, whom he thought rejected the legitimacy of his reign, he remained a slave nevertheless. In the end, Herod's reign did not really alter his status, since he began as a slave and remained a slave, but it enabled the construction of the Temple. Herod had one idea, but God's plan was different, and it was God's plan that reached fruition.

5. The Heavenly Voice

It is on this basis that we should understand line 3: "One day he heard a heavenly voice saying, Every slave that rebels now will succeed." What is the meaning of this, and what does the narrator wish to teach with it?

The talmudic manuscripts differ as to what Herod heard. In my opinion, the most authentic reading is *bat kala*, "heavenly voice."²⁸ I believe later copyists tempered this reading, because they were astonished that Herod merited hearing a heavenly voice, and that this heavenly voice encouraged him to rebel and commit murder.²⁹ Some erased the word *bat*, and left the word *kala*, "voice."³⁰ Others adopted a vague formulation: anonymous

²⁷ Ecclesiastes, which contains the verse cited by Baba b. Buta in lines 21 and 23 (Eccl 10: 20), also says, a few verses earlier, "I have seen slaves upon horses, and princes walking as slaves upon the earth" (v. 7). See comments of Feintuch, "External Appearance," 97, and Weingort "Herod and Baba b. Buta."

²⁸ See, for example, Tosefta, *Sotah* (ed. Lieberman) 13:3: "After the death of the latter prophets, Haggai, Zechariah and Malachi, the Holy Spirit departed from Israel; but nevertheless they continued to be informed [of God's will] by means of a heavenly voice"; and similarly in tens of places in the Babylonian Talmud.

²⁹ Perhaps this is why R. Meir Abulafia ignores line 3 in his commentary to *Bava Batra*.

³⁰ MS Munich, MS Florence.

people speaking.³¹ This vague wording was clarified in different ways in the other versions, with “a certain man,”³² “the Chaldeans”³³ or “his masters.”³⁴

What, then, is the significance of this heavenly voice? Was Herod worthy of hearing such a voice? Is it the way of heavenly voices to encourage people to rebel and to kill?

It seems to me that the narrator wishes to say that Herod's success was the result of a heavenly decision. Though Herod thought that his success lay in becoming king, at the end of the story it becomes evident that he was granted success only for the purpose of building the Temple, since he himself, in the eyes of all, remained but a slave. The building of the Temple required Herod's temporal power, and this is why he rose to greatness.

It should be noted that the heavenly voice did not speak of killing, and certainly not of killing the Sages.³⁵ It was also not directed specifically at Herod, but rather its statement was formulated in general terms: “every slave.” So Herod cannot free himself of responsibility for his actions and killings, by casting it upon the heavenly voice.³⁶

31 MS Escorial.

32 Pesaro edition.

33 *Haggadot HaTalmud*. Rubenstein adduces support for this reading from the story of Ardashir, the founder of the Sassanid dynasty, who rebelled against his masters after hearing the words of astrologers. According to Rubenstein, this Persian tradition underlies the story reported in the Babylonian Talmud. He speculates that *lechaldaei*, “Chaldeans,” was changed in the other versions, due to the discomfort that the mention of Chaldeans caused the copyists (“King Herod,” 260–263). In my opinion, this hypothesis is unconvincing. *Haggadot HaTalmud* is an indirect witness, and its reading is unique; were it the original reading, it is not clear why the copyists would have found it objectionable. In several places the Talmud refers to the Chaldeans as people who correctly predict the future (see, for example, *Berakhot* 64a; *Shabbat* 119a; *Sanhedrin* 95a). Rubenstein also raises the possibility that the original reading was *kala*, “voice,” referring to the words of the astrologers. It seems to me that if this were the narrator's intention, he would have explicitly mentioned the Chaldeans (as is the case in the passages in *Berakhot*, *Shabbat* and *Sanhedrin* referenced above).

34 *Midrash HaGadol*. It is not clear who is referred to by *maro'iteih*, “his masters.” It is difficult to assume that was Herod's Hasmonean masters. Perhaps it is Roman masters, as suggested by Halevi. Though he was only familiar with the reading “heavenly voice” of the printed edition, Halevi proposed that the narrator alluded here to the Roman government, which was interested in encouraging rebellion against the Hasmonean dynasty; see *Introduction*, 180, and E. E. Halevi, *Historical-Biographical Aggadah in Light of Greek and Latin Sources* (Hebrew; Tel Aviv: Dvir, 1975) 103–104. In my opinion, this understanding does not accord with the wording of the story, for the Roman government has not yet been mentioned.

35 Herod himself admits (line 29) that his ascent to the throne did not require the killing of the Sages.

36 In the same way, Joseph's words to his brothers, “Now therefore be not grieved, nor angry with yourselves, that you sold me here: for God did send me before you to

6. Two Different Reactions

What has been said thus far does not yet exhaust the principal lesson to be derived from the story. In order to appreciate its full meaning, we must consider the literary shaping of the narrative.

The parallel between lines 3–12 and lines 13–38 is evident. The first part tells of the killing of the entire Hasmonean house, while the second part describes the execution of all the Sages. In the first part Herod spares one maiden, while in the second part he spares one Sage. The reason for the slaughter is the same in both instances: removing people who stood in the way of Herod's kingship. The reason for sparing the maiden and the Sage is also the same: Herod needs them to support his kingship; he wants the maiden to give legitimacy to his reign, and he wants the Sage to advise him on how to maintain his kingdom. Herod understands that the monarchy in Israel cannot endure without the counsel of the Sages.

This clear parallel highlights the striking difference between the two parts. In the first part, the maiden thwarts Herod's plan by sacrificing her life, thus denying Herod the legitimacy that he sought. In the second part, Baba b. Buta takes no action against Herod's plans. The narrator's silence even suggests that Baba b. Buta did in fact serve as adviser to Herod. Perhaps this is the reason that Herod's kingdom endured.³⁷

What does the narrator wish to tell us by presenting this difference between the maiden's reaction and Baba b. Buta's?

This difference is not intended to discredit Baba b. Buta, for at the end of the story the Temple is built only by virtue of his advice to Herod. Nor can it be that the narrator means to criticize the maiden, as this finds no expression in the story.

It seems to me that the narrator presents us with two ways to contend with evil. Both the maiden and the Sage fully understand Herod's objective. Both of them understand that he needs them, each one in his own way, to maintain his rule, and that without them it will not endure for long. Both

preserve life" (Gen 45:5), do not really relieve them of their responsibility for their actions. Divine providence makes use of all human actions, even the negative ones, in order to advance the historical process. This seems to be the meaning of Prov 26:10: "A master craftsman performs everything; but he who hires a fool is like him who hires passersby."

³⁷ Line 17 opens with the words, "one day," which indicate that lines 16 and 17 are separated by the passage of a certain period of time; it may be during this interval that Baba b. Buta advised Herod. Several versions omit "one day"; in this case, it is possible Baba b. Buta had not yet had the opportunity to counsel Herod. In any event, Baba b. Buta took no active steps to thwart Herod's plans.

of them also know that Herod is unfit to be king, as he is a slave. But the maiden and the Sage disagree about how to contend with the reality of evil in the world.

The maiden decides not to allow marriage to give legitimacy to Herod's reign, even at the cost of suicide. She believes that as a result of her action Herod will not succeed in maintaining his monarchy, as everyone will know he is a slave, and neither he nor his offspring can claim to descend from the Hasmonean house, and the kingdom cannot last for long in the hands of a slave.

By preserving her body, as described in line 8, Herod tried to make it appear as if she were still living. This allowed him to present a false picture for seven years. The maiden could no longer attest to the lies in his actions, so her objective was achieved only partially.

Baba b. Buta follows a different path. In a sense, he collaborates with evil, for nowhere does it say that he refused to counsel the king. While it can be assumed that did not give evil advice, it seems nonetheless that his counsel allowed for the preservation of Herod's kingdom. It appears that he believed that Herod's ascent to greatness was decreed in heaven, even if he could not understand the reason.

It was precisely Baba b. Buta's remaining with Herod that brought Herod, little by little, to understand the virtues and standing of the Sages. The moderation, caution and humility in Baba b. Buta's responses showed Herod something of the force of good, a bit of the power of integrity. This force touched Herod's heart and ignited in his evil a spark of the good. For a moment the evil retreated, and regrets rose up in Herod's heart, which led him to seek a way to make amends. In the wake of this, Baba b. Buta counsels him to build the Temple and even advises him on how to do it without arousing the opposition of the authorities.

In the end Herod's ambition to become king was fulfilled, and he received advice from a Sage, as he intended when he spared him. Only this plan was not fulfilled in the way that Herod had pictured. He had imagined advice on ways to maintain his kingdom, which represents the evil in this world, but in fact the Sage counseled him about how to repair his ways and build the Temple, which is the light and eyes of the world. Thus the Sage accomplished more by staying at Herod's side than the maiden did by committing suicide.

7. Two Different Approaches to Evil

This point finds expression in the division that I propose for the story. The story is divided into two parts, and each part is further divided into sections. Part 1.1 (lines 3–7) describes the execution of the house of the Hasmoneans, the sparing of the maiden, and her suicide. In corresponding manner, Part 2.1 (lines 13–16) describes the execution of the Sages, and the sparing and blinding of Baba b. Buta. The blinding of Baba b. Buta (line 16) parallels the suicide of the maiden (lines 5–7). This parallelism emphasizes the difference between the reaction of the Sage, who decides to remain, and that of the maiden, who decides to die. Part 1.2 (lines 8–12) describes how Herod manipulated the body of the deceased for seven years. Part 2.2 (lines 17–38) describes Herod's second meeting with the Sage and the Sage's influence over him, which ends with the building of the Temple. The contrast between these two sections expresses the difference between the results of the maiden's act and the results of the Sage's actions.

Thus our story presents two possible ways for the good to react to the takeover of the world by the evil. The maiden chose to remove herself from the world, based on the assumption that without legitimacy the evil will eventually collapse and disappear. The Sage decided to remain, on the assumption that in the end the good will influence the evil and overwhelm it.

The narrator does not reject either approach, but it seems to me that he wishes to say that each one adopted the approach appropriate for him or herself. Had the maiden married Herod, she would not have been able to influence him, and the damage ensuing from the legitimacy this would have given to his evil was greater than the possible benefit. But the Sage, owing to his wisdom, could remain with Herod without being concerned that his evil would swallow up the Sage's own good. Ultimately Baba b. Buta succeeded in arousing the good in Herod, the regret, the desire to make amends, and to harness the energies latent in his personality, in order to build the Temple.

Alongside this division of the story, which sets the story of the maiden against of the story of Baba b. Buta, the narrator hints at another division by way of the words, *yoma chad*, "one day," which appear in lines 3 and 17 and mark a different pair of sections. In the first of these sections (lines 3–16), Herod hears the heavenly voice, and based on this he rises up and kills the Hasmonean house and the Sages, successfully carrying out his plans. In the second (lines 17–38), Herod goes to sit before Baba b. Buta, and what he hears slowly changes Herod and brings him to recognize the greatness of the Sages, to repent and to seek from the Sage a way to make amends.

This division complements the previous division, and it teaches that it was hearing the words of the Sage that brought about the positive turn in the story, after which Herod acted in a manner opposite to the way he acted when he heard the voice. His action in the second section does not cancel his action in the previous part, but the merit he achieved by hearing the words of Baba b. Buta enables him to build the Temple and increase the light of the world.