

From Scrolls to Traditions

A Festschrift Honoring Lawrence H. Schiffman

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The *‘Eiruv* and the Outsider: A Study in Urban Conditions in Roman Palestine

Adam Mintz

Rabbi, Kehilat Rayim Ahuvim

What is an *‘eiruv*?¹ One of the thirty-nine categories of work biblically prohibited on the Sabbath is *hotsa’ah*, carrying an object from one domain to another or carrying an object four cubits within a public domain. The rabbis introduced a procedure by which carrying would be permissible on the Sabbath. Three elements are necessary in order to permit carrying in a public or semi-public property:

1. The property must be enclosed by a physical boundary.
2. A joint partnership must be created between the residents of the property through the sharing of a food product.
3. If non-Jews live within the property, their share of the property must be leased by the Jewish residents.²

The *‘eiruv* played a critical role in creating the rabbinic vision of a Sabbath community. The enclosure of an assigned space created a joint partnership of Jews committed to the rules and spirit of the Sabbath. At the same time, however, this creation of a “Sabbath community” raises serious questions about the out-

1 In a 2014 volume entitled *It’s a Thin Line: Eruv from Talmudic to Modern Culture*, Lawrence Schiffman concludes his article on “Eruv and Sectarianism in Ancient Judaism” as follows: “Even if the extension of the home that constitutes the basis of the rabbinic eruv did derive from some sectarian usage, the rabbis should be given the credit for establishing the institution of eruv to permit carrying between what otherwise would have been separate domains, and within what would have been the public domain, on the Sabbath” (Lawrence H. Schiffman, “Eruv and Sectarianism in Ancient Judaism,” in *It’s a Thin Line: Eruv from Talmudic to Modern Culture*, ed. A. Mintz [New York: KTAV, 2014], 61–73, 73). Personally, the “credit” for guiding me through the winding roads of the history and halakah of *‘eiruv* goes to Prof. Schiffman. It is in his honor that I explore the early rabbinic *‘eiruv*.

I would like to thank Shaul Seidler-Feller for his assistance in preparing this article.

2 For general background on the laws of *‘eiruv*, see Yosef Gavriel Bechhofer, *The Contemporary Eruv: Eruvin in Modern Metropolitan Areas*, 3rd ed. (Jerusalem: 2006). There is also an extensive discussion of the pre-rabbinic material and the rabbinic material in Boaz Hutterer, “The ‘courtyard eruv’ in the urban space, its development from the times of the Mishnah and the Talmud to the twentieth century” (PhD diss., Bar-Ilan University, 2013).

sider in the Jewish community and the potential of this outsider to disrupt the community. This article will explore and analyze the mishnayot in the sixth chapter of 'Eruvin, as well as related rabbinic literature, as a lens to understanding the creation of this Sabbath community through the 'eiruv and the complicated position of the outsider within the community.

The Mishnah teaches:

If one member of a courtyard forgot to join the 'eiruv, neither he nor the other residents may carry into or out of his house. However, the other houses are permitted for all the residents, including him. If the residents ceded their rights to him [i.e., the person who forgot to join the 'eiruv], he is permitted to carry [between his house and the courtyard] but the other residents are restricted. If there are two residents [who forgot to join the 'eiruv], they restrict each other because two people may cede rights but they may not receive rights.

From when can one relinquish his domain? The School of Shammai says: from before the Sabbath commences; the School of Hillel says: even after the Sabbath has begun. If someone relinquished his property and carries, whether inadvertently or intentionally, he once again prohibits the inhabitants from carrying in that courtyard, says Rabbi Meir. Rabbi Judah says: he only prohibits the other residents of the courtyard if he carries intentionally but not if he carries unintentionally.³

The ruling in these mishnayot is based on the concept that two or more Jews who live together in a courtyard must create an 'eiruv community in order to circumvent the prohibition against *hotsa'ah*. If, however, one forgot to join the 'eiruv, he may relinquish his property to the other members of the *hatser*, or courtyard, thereby ceding his rights as a resident of that *hatser* for the duration of that Sabbath and allowing them to carry throughout the *hatser*. The Tosefta furthers this idea, noting: "It is laudatory for any person to relinquish his domain [in such a case]; however, if he is an 'important person,' it is his right [but not his responsibility] to relinquish his domain."⁴ Saul Lieberman explains that if this person relinquishes his property, not only are the other

³ M. 'Eruv. 6:3–4.

⁴ T. 'Eruv. 5:11. This passage in the Tosefta does not appear in the Erfurt MS. Saul Lieberman claims that this omission is a scribal error in that MS, as it appears in all other versions of the Tosefta. See his *Tosefta ki-Peshutah, 'Eirubin*, (New York: Jewish Theological Seminary, 1962), 397–398.

residents allowed to carry in the courtyard, but he, too, may carry since once he is without property, he is considered as a guest who is permitted to carry.⁵

The Tosefta contains one additional condition: “A Jew who desecrates the Sabbath in public cannot relinquish his domain. However, a Jew who does not desecrate the Sabbath in public can relinquish his domain.”⁶ This ruling highlights the fact that relinquishing a domain is part of the process of creating an *‘eiruv* community. Therefore, someone who violates the Sabbath in public cannot participate in the creation of this community.

The Bavli elaborates on the Tannaitic definition of this Sabbath violator who cannot participate in the *‘eiruv* community: “A certain person went out on the Sabbath with a bag of spices. When he saw Rabbi Judah Nesi’ah, he covered it.”⁷ The Bavli concludes that this person can relinquish his domain since he evidenced embarrassment upon seeing Rabbi Judah Nesi’ah. Although he publicly violated the Sabbath, his subsequent action allowed him to remain within the *‘eiruv* community.

The Mishnah also addresses the more difficult question of whether the residents of the *ḥatser* are permitted to carry if a non-Jew or “someone who does not accept the principle of the *‘eiruv*” lives in the courtyard:

If someone lives in a courtyard with a non-Jew, or with someone who does not accept the principle of the *‘eiruv*, then that one [i.e., the non-Jew or the person who does not accept the principle of the *‘eiruv*] imposes a prohibition [of transferring any object from his house into the courtyard on the Sabbath] on the Jew. But Rabbi Eliezer ben Jacob says: Indeed, he [i.e., the non-Jew or the person who does not accept the principle of the *‘eiruv*] does not impose a prohibition [of carrying into the courtyard on the Jew] unless there are two Jews living in separate residences [in the courtyard].⁸

5 Lieberman, *Tosefta ki-Peshutah*, *‘Eirubin*, 397–398.

6 T. ‘Erub. 5:18. The Tosefta reads: “need not relinquish his domain.” Lieberman argues that the correct version is: “may not relinquish his property.” See Lieberman, *Tosefta ki-Peshutah*, *‘Eirubin*, 402.

7 B. ‘Erub. 69a, and see the analysis by Charlotte Elisheva Fonrobert, “From Separatism to Urbanism: The Dead Sea Scrolls and the Origins of the Rabbinic ‘Eruv,” *DSD* 11 (2004): 43–71, 63–65.

8 M. ‘Erub. 6:1. Jacob Nahum Epstein claims that “someone who does not accept the principle of the *‘eiruv*” was a later addition to the text of the Mishnah. In b. ‘Erub. 68b, the baraita does not include the category of “someone who does not accept the principle of the *‘eiruv*.” Epstein says that the printed text of the Mishnah from m. ‘Erub. 3:2 (“someone who does not accept the principle of the *‘eiruv*”) is included in the list of people who cannot acquire the food product for the *‘eiruv* on behalf of the other residents of the alleyway. Moreover, this

The presence of a non-Jew or “someone who does not accept the principle of the ‘*eiruv*” prevents the Jews from carrying in that courtyard. Rabbi Eliezer ben Jacob argues that if only *one* Jew lives with a non-Jew or with “someone who does not accept the principle of the ‘*eiruv*,” the mere presence of either one of them does not prevent him from carrying in that courtyard, since he is not required to set up an ‘*eiruv* in the first place. However, if *two or more* Jews live in the courtyard, the presence of a non-Jew or “someone who does not accept the principle of the ‘*eiruv*” will prevent them from carrying, since they are required to create an ‘*eiruv* and cannot do so on account of the outsider. By contrast, the anonymous Tanna behind the first opinion believes that the presence of such people prohibits even a single Jew from carrying.

The specific issue of a non-Jew in the *ḥatser* will be treated further on, but first, “someone who does not accept the principle of the ‘*eiruv*” must be identified. The Mishnah utilizes this same description in regard to the laws of an ‘*eiruv teḥumin*, which permits Sabbath travel in excess of two thousand cubits from a city: “If a person transfers the ‘*eiruv* [food] in the hands of someone who does not accept the principle of the ‘*eiruv*, the ‘*eiruv* is invalid.”⁹ Rav Ḥisda identifies this person as a member of the *Kuta’ei*, the Samaritans where does Rav Ḥisda make this identification? It’s not in the Mishnah!¹⁰ Although the origins of the Samaritans can be dated to the conquest of the Northern Tribes in 722 BCE, the split between the Samaritans and the traditional Jewish community began during Maccabean times when John Hyrcanus destroyed the Samaritan Temple on Mt. Gerizim in the second century BCE.¹¹ Still, the Samaritans remained connected to rabbinic Judaism, at least in the area of the laws of the Sabbath.

phrase is not found in the Hamburg MS of the Mishnah, nor in Rabbenu Hananel’s comments to b. ‘Eruv. 61b; see Jacob Nahum Epstein, *Mavo’ le-Nussah ha-Mishnah* (Jerusalem: Magnes, 1948), 11:608–609.

9 M. ‘Eruv. 3:2.

10 B. ‘Eruv. 31b. Josephus, *Ant.* 9.288, writes: “But now the Cutheans, who removed into Samaria (for that is the name they have been called by to this time, because they were brought out of the country called Cuthah, which is a country of Persia, and there is a river of the same name in it)” (*The Works of Josephus: Complete and Unabridged*, trans. W. Whiston [Peabody, MA: Hendrickson, 1987], 265). Epstein, *Mavo’ le-Nussah ha-Mishnah*, 11:608–609, points out that Rav Ḥisda also identifies unknown groups as *Kuta’ei* in other places in the Talmud. See b. Pesah. 51a and b. Sanh. 21b. See also Shmuel and Ze’ev Safrai, *Mishnat Erets Yisra’el: Massekhet Eiruv* (Jerusalem: Bar Ilan University Press, 2009), 96–97, for a survey of the use of the term *Kuta’ei* and its identification with the Samaritans.

11 The classic history of the Samaritans is James Alan Montgomery, *The Samaritans: The Earliest Jewish Sect: Their History, Theology and Literature* (Philadelphia: J.C. Winston Co, 1907). For more recent literature on the parting of the ways between the Samaritans

Ancient sources seem to support Rav Ḥisda's claim. In his *De principiis*, a systematic exposition of Christianity, the third-century CE Christian scholar Origen offers several arguments to refute the rabbinic interpretation of Jewish law:

Moreover, to the one who carefully reads the verse *Each of you shall sit in your houses; let none of you go out from his place on the seventh day* (Exod 16:29), the celebrated Sabbath is impossible to be observed literally, since no living creature is able to sit for a whole day and not move from sitting. Therefore, those of the circumcision [...] talk nonsense, arguing perversely, bringing forward cold traditions, as for instance when they say, in reference to the Sabbath, that each one's *place* is two thousand cubits.¹²

Then, he adds: "Others, however, among whom is Dositheus the Samaritan,¹³ condemning such an interpretation, believe that in the position in which one was caught on the Sabbath day one is to remain until evening."¹⁴

The nature of Dositheus' reaction to the biblical requirement to remain in one's place for the duration of the Sabbath is a matter of interpretation among the scholars. Rufinus, the Latin translator of *De principiis*, paraphrases Dositheus as follows: "Dositheus the Samaritan [...] posit[s] something still more ridiculous, namely, that in whatever posture or place or position a person is found on the Sabbath day he should remain thus until evening."¹⁵ According to Rufinus, Dositheus understands the biblical prohibition literally. Shaye Cohen offers an alternative interpretation according to which Origen quotes Dositheus who, like Origen himself, is also critical of both the literal interpretation of the biblical prohibition, as well as the rabbinic interpretation thereof that allows Sabbath travel for up to two thousand cubits and introduces the principle of *'eiruv teḥumin* to extend permissible travel even further. Per

and the Judeans, see Lawrence H. Schiffman, "The Samaritans in Tannaic Halakhah," *JQR* 75 (1985): 323–350, as well as, idem, *Sefer ha-Shomeranim*, ed. E. Stern and H. Eshel (Jerusalem: Yad ben Tzvi, 2002).

12 Origen, *Princ.* 4.3.2. Translation of the passages from Origen were taken from Shaye J.D. Cohen, "Sabbath Law and Mishnah Shabbat in Origen De Principiis," *JSQ* 17 (2010): 160–189, 163–164.

13 For the identification of Dositheus the Samaritan, see Stanley Jerome Isser, *The Dositheans: A Samaritan Sect in Late Antiquity* (Leiden: Brill, 1976), 115–116.

14 Cohen, "Sabbath Law," 164.

15 *Ibid.*, 164–165.

Cohen, Rav Ḥisda's identification of the Samaritans as "not accepting the principle of the 'eiruv" reflects a historical reality, at least in regard to 'eiruv *teḥumin*.¹⁶

Another possibility is that "someone who does not accept the principle of the 'eiruv" refers to the Sadducees. During the late Second Temple period, the Sadducees, who controlled the High Priesthood and the Temple cult, opposed the Pharisees, who controlled the religious court of the Sanhedrin. While the Essenes and the Qumranites completely rejected the Temple and the High Priesthood, even going so far as to exile themselves from Jerusalem, the Sadducees accepted the Temple but insisted that its rituals follow their legal decisions. This engendered great tension between the Sadducees and Pharisees.¹⁷ However, at the time of the Great Revolt in 66 CE, members of the Pharisees and Sadducees joined forces to protect Jerusalem.¹⁸

Eyal Regev argues that, even though we have little archaeological evidence about the living patterns of the Sadducees in Jerusalem, as members of the priestly class, they would have probably lived in the area reserved for the nobility. This is indicated in the following description provided by Josephus regarding the beginning of the Revolt of 66 CE, in which he notes that the priestly class lived in the Upper City among the nobility: "Insomuch that the king's soldiers were overpowered by their multitude and boldness ... and so they gave way, and were driven out of the Upper City by force. The others then set fire to the house of Ananias the high priest and to the palaces of Agrippa and Bernice."¹⁹ Inasmuch as Rabban Simeon was the *Nasi'* of the Sanhedrin and leader of the Pharisees, he, too, might have lived among the nobility. Although the specific locations of the Sadducee and Pharisee communities remain a mystery, the suggestion that a *hatser* in the Upper City was shared by a Pharisee leader and members of the Sadducees suggests that, although they may have been ideologically divided, conditions in Jerusalem allowed, or required, them to

16 See *ibid.*, 174–175. See also the analysis of this passage in Herold Weiss, "The Sabbath Among the Samaritans," *JSJ* 25 (1994): 252–273.

17 See Safrai, *Mishnat 'Erets Yisra'el: Massekhet 'Eiruv*, 96–97, 185. For the history of the disputes between the Sadducees and the Pharisees, see, for example, Günther Baumbach, "The Sadducees in Josephus," in *Josephus, the Bible, and History*, ed. L.H. Feldman and G. Hata (Detroit: Wayne State Press, 1989), 173–195; Mantel, *Studies in the History of the Sanhedrin*, 54–101; and Shaye J.D. Cohen, "The Significance of Yavneh: Pharisees, Rabbis, and the End of Jewish Sectarianism," *HUCA* 55 (1984): 27–53.

18 Martin Goodman, *The Ruling Class of Judaea: The Origins of the Jewish Revolt Against Rome, A.D. 66–70* (Cambridge: Cambridge University Press, 1987), 152–157.

19 Josephus, *J.W.* 2.17, 426 (trans. W. Whiston, 625).

live together as neighbors, while at the same time arguing against each other's legal interpretations.²⁰

The remaining relationship that must be evaluated in the aforementioned Mishnah ('Erub. 6:1) is the case mentioned of "someone [who] lives in a courtyard with a non-Jew." The Mishnah states that the mere presence of a non-Jew in the courtyard invalidates the *'eiruv* for all the residents, and does not offer a remedy for this situation (as opposed to the case in which a Jew forgets to join the *'eiruv*). The Yerushalmi understands that the reason the non-Jew cannot relinquish his share in the *ḥatser*, as can a Jew, is that "he will change his mind [reclaiming his stake in the *ḥatser*, thereby invalidating the *'eiruv*]." ²¹ Yet, the Tosefta says, "And, concerning a non-Jew, [the *'eiruv* is invalid] until he [i.e., the Jew] leases (*'ad sha'ah she-yaskir*) his [i.e., the non-Jew's] portion."²²

The Bavli and the Yerushalmi disagree about the net result of this attempted leasing of property from the non-Jew. According to both views, the non-Jew cannot become part of the *'eiruv* community. However, according to the Yerushalmi, the presence of the non-Jew no longer automatically invalidates the *'eiruv* as long as the Jew leases his share from him,²³ while according to the Bavli, although this lease works in theory, it fails in practice, because the non-Jew will presumably not be willing to lease his interest to the Jew for the sake of the *'eiruv* since he "suspects the Jews of some form of sorcery."²⁴ Although the Bavli's interpretation posits a likelihood of distrust between the Jewish and non-Jewish residents of the *ḥatser* that is not present in the Yerushalmi, it is not clear whether this reflects differing historical circumstances or merely an assumption on the part of the Babylonian rabbis that the non-Jews of the period did not trust their Jewish neighbors.²⁵

In the midst of the discussion about leasing the property of a non-Jew in a *ḥatser*, the Bavli quotes a disagreement between Rav Ḥisda and Rav Sheshet about whether a formal lease is required between the Jew and the non-Jew or a

20 See Eyal Regev, *Ha-Tsedukim ve-Hilkhatam* (Jerusalem: Mekhon Ben-Tsevi le-ḥeker ḳehilot Yiśra'el ba-Mizrah, 2005), 404–407. For background on the disputes between the Sadducees and Pharisees, see also Lawrence H. Schiffman, "Pharisees and Sadducees in *Pesher Naḥum*," in *Minḥah le-Naḥum: Biblical and Other Studies Presented to Nahum M. Sarna in Honour of his 70th Birthday*, ed. M. Brettler and M. Fishbane (Sheffield: JSOT Press, 1993), 272–290.

21 Y. 'Erub. 6:3.

22 T. 'Erub. 5:18.

23 Y. 'Erub. 6:3.

24 B. 'Erub. 62a.

25 See the analysis of the disagreement between the Bavli and the Yerushalmi in Fonrobert, "Separatism," 64–67.

token lease is sufficient. The Bavli further analyzes the meaning of formal and token leases. Initially, the Bavli suggests that a formal lease requires transference of at least a *perutah*, a coin of minimal value, while a token lease could be accomplished with even less than a *perutah*. However, the Bavli argues that both Rav H̄isda and Rav Sheshet would agree that a lease of less than a *perutah* would suffice in a deal between a Jew and a non-Jew. Therefore, the Bavli concludes that a formal lease must be redefined as one that allows the lessee to fill the *ḥatser* with benches and chairs, while a token lease would not give the lessee this right.²⁶

This disagreement about the nature of the lease of the non-Jew's property in the *ḥatser* for the sake of the 'eiruv points to the fact that the term *sekhirut*, lease, is not being used in terms of property rights. Rather, the rabbis introduced the category of *sekhirat reshut*, lease of a domain, in order to achieve the creation of an 'eiruv community that would not include non-Jews. This lease does not infringe on the property rights of the non-Jew in the *ḥatser*; it merely enables the creation of the 'eiruv community.

The Mishnah, interestingly, follows the law of the Gentile and "someone who does not accept the principle of the 'eiruv" with the following story:

Rabban Gamaliel said: [There is] a story about a certain Sadducee who used to live with us in an alleyway in Jerusalem. Father [Rabban Simeon] said to us: "Hurry and bring out all your vessels to the alleyway, lest he bring out [his] and [thus] impose on you a prohibition [of carrying your things into the alleyway on the Sabbath]."

Rabbi Judah reported it differently: "Hurry and perform all your needs in the alley lest he bring out [his vessels] and [thus] impose a restriction on you."²⁷

The Bavli connects this story with the previous mishnah and the definition of "someone who does not accept the principle of the 'eiruv." The Bavli says: "Who mentioned anything about a Sadducee? A clause is missing and this is the correct reading: 'A Sadducee has the same status as a Gentile.' However, Rabban Gamaliel ruled: 'A Sadducee does not have the status of a Gentile.'"²⁸ The Bavli elaborates on the opinion of Rabban Gamaliel, explaining that, according to him, since the Sadducee does not have the status of a Gentile, he may relin-

26 B. 'Erub. 62a.

27 M. 'Erub. 6:2.

28 B. 'Erub. 68b. See the explanation of this passage in Chanoch Albeck's edition of *Shishah Sidrei Mishnah: Seder Mo'ed* (Tel Aviv: Bialik Institute, 1968), 435.

quish his property in the alleyway. Rabban Simeon agrees that the Sadducee does not have the status of a Gentile and may relinquish his property in the alleyway. However, he is concerned that this Sadducee may change his mind and decide to reestablish his claim as a resident of the alleyway by taking his vessels into the alleyway and, thus, invalidating the *'eiruv* for all the other residents.

Shmuel and Ze'ev Safrai argue that the Talmudic reading of the Mishnah is not the original meaning of the mishnaic text. According to the Safraim, Rabban Simeon believes that a Sadducee has the status of a Gentile and, therefore, his presence invalidates the *'eiruv* since the Sadducee does not have the right to relinquish his stake in the alleyway. However, Rabban Simeon also claims that a Sadducee can only invalidate an *'eiruv* if he is able to stake his claim as a resident of the alleyway. Therefore, if the Sadducee can be prevented from placing his vessels in the alleyway, he cannot invalidate the *'eiruv*. According to this explanation, there are two categories of people who invalidate the *'eiruv*: a Gentile or “someone [other than a Sadducee] who does not accept the principle of the *'eiruv*” automatically invalidates the *'eiruv* in an alleyway in which he lives; a Sadducee, however, only invalidates the *'eiruv* in a situation in which he lays claim to his stake in the alleyway. Rabban Simeon suggests a manner in which the invalidation of the *'eiruv* by the Sadducee can be circumvented.²⁹

Whether the Mishnah refers to an actual case of Jews and non-Jews living in the same *ḥatser* is unclear, because the Mishnah does not accompany this law with a historical account as it did in the case of the Sadducee. However, we know that Jews and non-Jews did in fact live together in certain cities in Judea during the Roman period. A.M.H. Jones, a British historian of the later Roman period, describes the urbanization of cities in Roman Palestine. He explains that in pre-Herodian Palestine there was only one city, Samaria, which was populated by Macedonian settlers in the fourth century BCE. Over the course of the next two hundred years, cities and towns were built throughout the land. Some of these cities were entirely pagan, some completely Jewish. For example, three of the earliest Herodian cities were Sepphoris, Tiberias, and Sebaste, the capital of Samaria. Sebaste was primarily a pagan town, while Tiberias and Sepphoris were overwhelmingly Jewish. However, Jones argues, based on evidence from Josephus, that even these towns were not exclusively pagan or Jewish and that

29 Safrai, *Mishnat 'Erets Yisra'el: Massekhet 'Eiruvim*, 188–191. See also Regev, *Ha-Tsedukim*, 59–66, and idem, “*Emdat ha-Tsedukim ve-ha-'Issiyim be-Yahas le-'Eiruv Hatserot be-Shabbat le-'Or Sifrut Hazal*,” *Ma'of u-Ma'aseh* 6 (2000): 183–202. The use of this Mishnah to determine the position of the Sadducees vis-à-vis the prohibition against *hotsa'ah* and their acceptance of the *'eiruv* was discussed earlier.

Jews and pagans lived together therein during the first centuries CE.³⁰ Although it is impossible to determine whether Jews and non-Jews lived together in the same alleyway, it is likely that, in a developing Roman city of the first centuries of the Common Era, towns grew from small courtyards and alleyways into more significant areas and ultimately into cities. Jews and non-Jews may thus have found themselves, willingly or unwillingly, living together and negotiating the intricacies of sharing the common space of the courtyard and the alleyway.

The rabbis focus their attention in the mishnayot that have been discussed on the challenges posed by the outsider to the establishment of the 'eiruv community. However, the cases cited by the Mishnah ultimately reflect a neighborly co-existence between rabbinic Jews and the outsider, both Jewish and non-Jewish. It is that tension between creating an insular 'eiruv community and addressing the outsider within that lay at the foundation of the rabbinic 'eiruv throughout the centuries.

30 A.H.M. Jones, "The Urbanization of Palestine," *JRS* 21 (1931): 78–85. Seth Schwartz studied the cities and villages in Roman Palestine in the subsequent centuries. He explains that while most of the cities were either Jewish or pagan, the pagan cities of Tiberias and Sepphoris retained Jewish populations. However, even though as late as the fourth century CE there were some villages that maintained a mixed population of pagans, Jews, and Christians, all of these villages eventually became entirely homogenous. See Seth Schwartz, *Imperialism and Jewish Society: 200 B.C.E. to 640 C.E.* (Princeton: Princeton University Press, 2001), 202–207. Schwartz's conclusions have been questioned by recent scholarship that claims that his description of these cities as pagan is overly simplistic. See Stuart S. Miller, "Review Essay Roman Imperialism, Jewish Self-Definition, and Rabbinic Society: Belayche's *Iudaea-Palaestina*, Schwatz's *Imperialism and Jewish Society*, and Boyarin's *Border Lines Reconsidered*," *AJSR* 31 (2007): 338–350. See also Gil P. Klein, "The Topography of Symbol: Between Late Antique and Modern Jewish Understanding of Cities," *ZRGG* 58 (2006): 16–28 for a fascinating comparison of the interplay of the spiritual and the mundane in the Roman city of Sepphoris and the modern neighborhood of Me'ah She'arim.