The urban scenery of Palestine was adorned in Talmudic times, as were other provinces of the Empire, by masses of Roman statuary. Though the Romans may have been tolerant of Jewish sensitivities in Jerusalem while the Temple stood, subsequent years saw Jews living in towns with mixed populations that had neither need nor desire to adjust to Jewish preferences. Some of this statuary was portraiture of distinguished patrons, but most of it was either mythological or referred to the Roman emperor, who was often deified (at the least in the provinces); and even statues of distinguished citizens would become the objects of worship on significant anniversaries. Jews, of course, were not only forbidden to practice idolatry; they were commanded to shun various forms of contact with the idolatrous or its appurtenances: touch or physical contact were forbidden, as was entry under a roof that harbored an idol, for reasons of impurity 1); Jews could derive no benefit or enjoyment from such objects 2); and according to one Tannaitic opinion, ought not look at the forbidden statues 3).

These regulations not only distanced the Jew from the idolatrous; they might well restrict his general freedom of movement. This certainly became the case where Jews lived in cities amply provided with Emperor statues and the like. Jews might even feel obliged to

1) M. Avodah Zarah III, 8; Tosefta VI (VII), 2-3; M. Shabbat IX, 1. As to the severity and scope of such impurity, cf. G. Allon, Mevkairim (Heb.), I, pp. 121-148.
3) R. Judah is so cited in Sifra (Kedoshim, Parashah 1, section 10), in distinction to the Sages; both opinions are also given by p. A. Z. 3:1, 42b. Both b. Shabbat 149a and Tosefta Shabbat XVII, 1, however, present only the opinion of R. Judah and that anonymously, as the reason behind the rule that one may not look at images (חתולני); p. A. Z. (op. cit.) maintains this prohibition as well which, given the proof-text, most likely refers to idolatrous, mythic, or imperial statues or images. Cf. also S. Liebermann, Tosefta Ki-FiShutah, III, pp. 281-2. The terminology used to describe the forbidden act (לא תبيبון בנמראים ובייקמינ); suggests a ban on looking at images; but it can easily be understood how the more scrupulous might avoid any environment where their attention might be directed to an image.
deny themselves public services superficially but inextricably tied to the idolatrrous. In response to such problems, a tradition developed that excluded the realm of public services and the like from the stigma of idolatry. This tradition found a leading exponent in the third-century Palestinian amorah, R. Yohanan.

I

"Resh 4) Lakish was in Bosrah. He saw them washing in the [bath-house of] Aphrodite. He said to them: 'Is this not forbidden?' He went and asked R. Yohanan, who told him... 'that which is public cannot become forbidden' " 5). A similar story is found in the Babylonian Talmud 6): 'R. Shimeon b. Lakish once came to Bosrah... He saw water which had been worshipped by idolators being drunk by Israelites and he prohibited it. He came before R. Yohanan, and the latter said to him, 'While your cloak is still upon you, return!... water belonging to the public cannot become prohibited.'... R. Yohanan said in the name of R. Simeon b. Yehozadak: 'Water belonging to the public cannot become prohibited' " 7).

It is likely, as I shall endeavour to show shortly, that both Talmuds report about the same trip of Resh Lakish, despite the differences in details. In any case, the idolatrous character of both water and bath-house might have ruled out Jewish use of the public water supply as well as Jewish use of the bath-house (which was, in the Roman East, a treasured opportunity that the Jews highly esteemed) 8). The ruling

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4) p. Shevi‘it 8:11, 38b-c.
6) b. A. Z. 58b-59a. I have used the translation of I. Mishcon (Soncino, 1935), with necessary corrections.
7) R. Simeon b. Yehozadak was a late 2nd-century Tannah identified elsewhere (b. Yomah 43b) as a teacher of R. Yohanan. The juridic basis of his ruling is unclear. In the Commentary of R. Abraham b. David to Avodah Zarah, ed. A. Sofer, p. 161, it is suggested that the operative rubric here is that "one can not cause another’s object to become forbidden", which is heightened when applied to public property or facilities.
8) In addition to the midrashic fondness for bath-house construction as the proper legitimation of legal monarchy (cf. Mekhila, Babodesh, 5 [ed. Horowitz-Rabin, p. 219]; Bereshit Rabbah I, 12 [ed. Theodore-Albeck, I, p. 10], and elsewhere), and the requirement for washing before festive occasions (b. Shabbat 25b) or more frequently (Leviticus Rabbah XXXIV, 3, though She‘ilot, I, takes the story of Hillel as referring to pre-Shabbath ablutions despite the point of the anecdote itself; b. Shabbat 50b), the rabbis also expressed their own personal appreciation of this facility, as in p. Makkoth 2:7, 31d; b. Shabbat 25b, 33b. Many rabbinic incidents occur in and around bath-houses. See, in general, S. Krauss,