

AN ANALYSIS AND COMPARISON OF THE FOUR RECENSIONS
OF THE MIDRASH ELE EZKERAH

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TABLE OF CONTENTS

	PAGE
CHAPTER I INTRODUCTION	1
CHAPTER II AN ANALYSIS AND COMPARISON OF THE FOUR RECESSIONS OF THE MIDRASH <u>ELE EZKERAH</u>	6
Parable of the Trees	6
Caesar Summons the Rabbis	9
Birth of Rabbi Ishmael	10
Rabbi Ishmael's Ascension into Heaven	12
The Altar in Heaven	15
Names of the Martyrs	15
Execution of Rabbis Simeon b. Gamliel and Ishmael	18
The Martyrdom of Rabbi Akiba	26
The Execution of Rabbi Hanina b. Teradyon	30
The Execution of Rabbi Yehudah b. Baba	32
The Execution of Rabbi Yehudah b. Dama	34
The Execution of Rabbi Hutzpit the Expounder	36
CHAPTER III GENERAL OBSERVATIONS	38
The Problem of Vicarious Expiation of Sin	38
Rabbinic Attitudes Toward Angels, Particularly as Reflected in the Midrash <u>Ele Ezkerah</u>	45
A General View of the Midrash	47
FOOTNOTES	49
BIBLIOGRAPHY	53

CHAPTER I INTRODUCTION

One of the most interesting books in the entire field of midrashic literature is the Midrash Ele Ezkerah. It is striking because of its vivid narrative style and its meaty content, several topics of which lend themselves to further exploration, e.g. martyrdom, angelology, and the expiation of sin.

The Midrash Ele Ezkerah has four known recensions. It will be the purpose of this paper to contrast, compare, and analyze these recensions, particularly as related to matters of content and interpretation.

It might be well at this point to discuss the background of the four recensions of the Midrash Ele Ezkerah. These four recensions are mentioned by Jellinik in his collection, Bet HaMidrash.¹ The text of three of them are given there. The fourth, however, is to be found only in Bet Av,² a Sephardic "machzor," dealing with the fast days (where it is reproduced in Rashi script.)

The first recension³ given in the Bet HaMidrash was located by Jellinik in a Codex of the Hamburg Municipal Library and was edited and corrected by him before printing. This recension will be referred to, hereafter, as the Hamburg recension (or H).

The second recension,⁴ mentioned in the Bet HaMidrash, is a separate manuscript which was in the personal possession of Jellinik. Unfortunately, he gives no indication of where he found it. This recension will be referred to, hereafter, as the Jellinik recension (or J).

The third recension⁵ in the Bet HaMidrash is a manuscript located by Jellinik in the Paris Codex 710. He gives no further information about the codex as a whole or this manuscript in particular. The third recension will be referred to, hereafter, as the Paris recension (or P).

The fourth recension⁶, found in Bet Ay, will be referred to, hereafter, as the Bet Ay recension (or BA).

Scholem⁷ places the recensions of the Midrash Ele Ezkerah in post-Talmudic time(circa 800-1000 C.E.). He states that this midrash belongs to a second stage in the development of Hekhaloth literature in which "the magical contents cease to represent a psychical reality and are gradually eliminated; in this way the old texts are gradually replaced by a new devotional literature, at once stilted and lyrical, which employs the elements of the original Merkabah mysticism."⁸

It is Jellinik's contention that some historical framework can be given to the recensions by tracing their development in form and style from the highly mystical content, represented in BA to H, which is largely narrative folk-legend. These changes in emphasis came about, according to Jellinik, as the midrash was utilized by later authors to comfort their persecuted and oppressed Jewish communities by stressing the ideal of martyrdom as one of the highest ideals that could be attained.⁹

Bet Ay would thus appear to be the oldest of the four. It contains many mystical elements, most reminiscent of the stylistic elements found in the Hekhaloth literature which

would place the recension in the later Gaonic period.

J and F, while containing mystical elements, include to an increasing degree, sections of narrative folk-legend, stressing the ideal of the martyrdom of ten rabbis at the hands of the Roman government.

H, therefore, seems to be the most recent in origin. It contains virtually no mystical elements and this midrash is, in the main, narrative folk-legend.

It is interesting to note that the selicha Ele Ezerah, written in the medieval period and incorporated into the High Holyday liturgy for the Day of Atonement, appears to be very close in form and in content to H which, as stated previously, seems to be the latest of the four recensions. The selicha also employs the narrative folk-legend form, while omitting the few mystical elements still remaining in H. Thus Jellinek's thesis of the development of the Midrash Ele Ezerah from a highly mystical document to a form largely narrative folk-legend in style, stressing the ideal of martyrdom, tends to be supported.

It is this author's observation that the dating of these recensions may be even later than that posed by Scholen (later Gaonic period). Accepting Jellinek's thesis that the authors of the Midrash Ele Ezerah utilized the story of the ten martyrs to comfort their persecuted and oppressed Jewish communities, one would assume that this midrash was written in a time in which severe persecution of Jews was also the norm, in the medieval period (1100 to 1200). Certain anti-Christian over-

tones which will be further discussed later would tend to support this later dating.

In comparing the names of the martyrs listed in the four recensions, there appear to be internal historical discrepancies in the various groupings, such as the fact that some of the rabbis listed as being slain together are known not to have lived contemporaneously. These internal historical discrepancies in the listings can be accounted for if one accepts the contention that the emphasis upon the ideal of martyrdom was more important to the authors of the midrash than the emphasis upon historical accuracy. This thesis will be studied in relation to a comparison of the four recensions.

Two further problems present themselves for study in connection with the topic of historical accuracy. Both result from differences between the Midrash Ele Ezerah and accepted rabbinical views.

First, all the versions differ basically from the earlier accounts of the martyrdom during the reigns of Hadrian and Trajan given in the Talmud and in the Midrash. Here the ten martyrs are, for the first time, pictured as being slain on the same day or within the same period of time. The oldest list of martyrs is found in Lamentations Rabbah 2:2. It is repeated, with slight variations, in Midrash on Psalms 9:3. In neither case is it mentioned that the martyrs died on the same day or within the same period of time.

The second problem is that even though martyrdom is stressed throughout all four recensions, yet another element is found

which seems, on the surface, to be a bit puzzling. The ten martyrs are pictured as expiating, by their deaths, the sin of the sale of Joseph into slavery by his brothers. As Zeitlin¹⁰ points out, this seems to contradict the rabbinic dictum that a son should not be punished for the sin of his father and that expiation of the sins of others should not extend beyond the third or fourth generation mentioned in the Bible.

These problems, as well, will be pursued in this thesis.

CHAPTER II AN ANALYSIS AND COMPARISON OF THE FOUR RECENSIONS OF THE MIDRASH ELE EZKERAH

It will be our aim in this section of the thesis to analyze and to compare the four known recensions of the Midrash Ele Ezkerah mentioned in the introduction. Our goal will be to extract information that will be of use to others in the further pursuit of themes stressed in this midrash.

In comparing the four recensions, we will use H as our standard because, as mentioned, it appears to be the latest in dating and the most complete in form. Moreover, this recension is to be preferred for purposes of comparison because of its logical continuity, its straight narrative style, and its absence of intrusive elements. The titles of the sections to be dealt with will refer to H, followed by the page location in Ozar Midrashim, (1) or (2), indicating the column, and (A), (B), or (C), indicating whether the passage(s) is located at the top, middle or bottom of the column. Notes referring to J or P in Ozar Midrashim will be handled similarly. References to BA, in Est Ay, will be referred to as being located on a certain page, left (L) or right (R), indicating the location of the passage(s) on that page, and (A), (B), or (C), indicating the location of the passage(s) in its column.

PARABLE OF THE TREES H440 2A

An interesting parable appears at the beginning of H and J.¹¹ Although the two parables are similar in form, there are significant differences in their points of view. Because of

their similarities and because of my desire to contrast them effectively, the two versions are reproduced here.

H

When the Holy One Blessed Be He created the trees, they prided themselves on their height and became more and more haughty. And when the Holy One Blessed Be He created iron, they humbled themselves and said, "Woe to us because the Holy One Blessed Be He has created something that will cut us." Thus, after the destruction of the Temple, the aristocrats of the generation prided themselves and said, "What have we suffered in this, that the Temple has been destroyed? Behold, there are amongst us students of Torah who will teach everyone its law and its commandments."

Immediately, God put it into the heart of Caesar to learn the Law of Moses---.

J

When the Holy One Blessed Be He created the trees, they grew mighty and boasted a great deal and were very happy. When the Holy One Blessed Be He created iron, they were worried and they said, "Woe to us that the Holy One Blessed Be He has created iron that will cut us." [They also said, "If wood were not given to iron for use as a handle, it would not be able to cut us."] And thus, Israel, had Israel not taught Caesar Torah, they would not have come to such a fate.

The versions of the parables are similar in that the trees at first arrogantly boast of their height and then express their fear of iron as the destructive force that makes them vulnerable. At this point, the versions become dissimilar in form and in moral points of view. In H the point is made that all creatures are vulnerable. Wood is vulnerable in that it can be cut by iron. The aristocrats boasted that their generation's scholarship was enough to sustain them without

the Temple. Therefore, God put it into the heart of Caesar to study Torah. In other words, just as the wood became vulnerable to iron, so the Jews became vulnerable (because of their self-satisfaction) to Caesar.

In J two moral viewpoints are stressed: (1) all creatures are vulnerable to something else; (2) but the seed of self-destruction is found within the thing itself. The trees also admit, "If wood were not given iron for use as a handle, it would not be able to cut us. Thus, Israel, had Israel not taught Caesar Torah, they would not have come to such a fate." In other words, Israel was responsible for giving Caesar the instrument with which to harm them. God's gift to the Jews becomes also its nemesis.

Thus H explains the tragedy of martyrdom as punishment for the Jews' insufficient sorrow at the loss of the Temple and their boasting of their generation's scholarship.

J seems rather an admonition against teaching non-Jews Torah. The text states, "If it were not that they had taught Caesar Torah, they would not have come to such a fate." In other words, if Caesar had not learned Torah from the Jews, he would not have discovered the verse which was to be the justification for their fate and, which, as we see later, becomes a major motif. Both versions of the parable are compact and illustrative and make their points effectively. Both lead into the main body of the recension.

The admonition against the teaching of Torah to non-Jews may be a reflection of the disputes that took place between

rabbis and Christian theologians during the medieval period. In these debates the Christian theologians attempted to turn the words of the Torah and the Talmud against the Jews by showing that they contained anti-Christian elements.¹²

CAESAR SUMMONS THE RABBIS H440 2B

Caesar summons the rabbis to him in his palace. He asks them what the punishment should be for one who has sold another into slavery. The rabbis immediately reply that the punishment should be death. Caesar then tells them that the sin of the brothers of Joseph has not been expiated and that the rabbis will have to be punished in the brothers' place. The rabbis ask for three days grace so that they may determine whether the decree is ordained from heaven or not. Caesar grants their request.

In H and J¹³ we find an interesting situation. When the rabbis are summoned by Caesar to hear their fate, he causes his palace to be filled with shoes. The reason for this is included in the selicha Ele Ezkerah. There Caesar exclaims, "Where are your fathers who sold their brother to a caravan of Ishmaelites and bartered him for shoes?" The idea that Joseph was sold "for the price of shoes" by his brothers is a literary allusion to Amos 2:6, "Because they sell the righteous for silver and the needy for a pair of shoes." The Targum Yerushalmi on Genesis 37:28 already notes that the money received for Joseph was spent by the brothers on the purchase of sandals. In J,¹⁴ Caesar even quotes the verse

from Amos in explaining his actions.

It is possible that the sections just mentioned are conceived in anti-Christian terms. Perhaps Caesar is conceived of as a symbol for the Pope. Then the symbolism would be that Caesar (Pope) is not attempting to punish the rabbis because a sin, long past, has not been expiated. Perhaps, in this section of the recension Joseph symbolizes Jesus, and the rabbis, by their deaths, are not being asked to expiate the sin of the sale of Joseph, but are being punished for the crucifixion of Jesus.

Birth of Rabbi Ishmael H440 1C

An account of the birth of Rabbi Ishmael follows. He is singled out by the rabbis as the one who will ascend to Heaven to inquire whether the decree, concerning the ten martyrs, can be revoked or not. But before the narrative continues with the account of his mission, there appears, at this point, a rather extraordinary and unique story. It is apparently inserted to give the background of Rabbi Ishmael, who plays such an important role in this midrash.

The wife of Rabbi Jose inquires of her husband why it is that she has not borne any children after so many years of marriage. Rabbi Jose replies that perhaps it is because they have not been extremely careful with regard to immersion in the ritual baths. His wife vows to be precise in the performance of the commandments concerning immersion from that moment on. So exactly does she carry them out, even to the

extreme of immersing herself seventy or eighty times if she encounters any unclean object or animal on her way home from the ritual baths, that the Holy One Blessed Be He takes pity upon her. He sends down Gabriel to give her assistance.

(In J,¹⁵ at first Metatron and Gabriel are sent down together, but, afterwards, only Gabriel is mentioned. There may be here a possible mixing of two versions of the story.) Gabriel appears in the guise and dress of her husband and stands outside of the entrance of the ritual baths. He accompanies her home and that night she conceives Rabbi Ishmael. It is stated that his appearance was like that of Gabriel. When the narrative continues from this point, it is significant to note that it is Gabriel that greets Ishmael when he ascends to Heaven. In H Gabriel addresses Ishmael as "my son."

Simon Cohen¹⁶ compares this to the annunciation of the birth of Jesus. Jellinik in his introductory remarks to the text of the Midrash Ele Eskerah¹⁷ states that this remarkable story is found underlined in the Hamburg Codex. Certainly, the factors of Gabriel appearing in the guise of Rabbi Jose, the fact that Rabbi Jose's wife conceives Ishmael that night, the way in which Gabriel greets Ishmael upon his ascension into Heaven, his addressing Ishmael as "my son", require some attention. Cohen suggests something more than an angel-mortal relationship, but pursues the matter no further. Jellinik merely makes the remark that it is a remarkable and unusual story, but makes no further comment. Extensive research on my part has produced no further information on this unique

story. This incident breaks the narrative flow of the midrash and seems to have no connection with its general theme, except to explain the background of Rabbi Ishmael. The question remains, is there a special purpose for the insertion of this story? Is there an attempt in this story to imply that Rabbi Ishmael was sired by an angel? There is the possibility that there may be anti-Christian elements in this story. It may represent a satire on the Christian concept of the virgin birth of Jesus.

RABBI ISHMAEL'S ASCENSION INTO HEAVEN H441 1B

Rabbi Ishmael invokes the Divine Name and is transported into Heaven. Gabriel greets him and asks him his mission. Rabbi Ishmael replies that he has been delegated by the rabbis to inquire whether the decree concerning the death of the sages of Israel can be revoked or not. Gabriel replies that he has heard from "behind the Curtain" that the Attribute of Justice has inquired of God as to why He has failed to exact punishment for the sins of the brothers of Joseph. The Attribute of Justice contended that the verse, "And he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death," (Exodus 21:16) is superfluous if no such punishment has been exacted from Joseph's brothers. Therefore, God declared that the ten sages should be slain to expiate the sins of the brothers of Joseph. Ishmael asks Gabriel why the punishment must be exacted of the ten sages and Gabriel replies that ten righteous men like the sages could not be

found until that time.

At this point, it will be best to stop and point out several variations among the various recensions. In J¹⁸ at first it is Gabriel who greets Ishmael and suddenly, it is Metatron. Apparently, two versions are intertwined here. In P¹⁹ and BA²⁰ it is definitely Metatron, (also known as מ'710), who greets Ishmael.

Moreover, in J, it is Samael, not the Attribute of Justice, who makes the accusation that the sins of the brothers of Joseph have not been expiated.

Samael begins to play a major role in all versions of the midrash once God has made the decision to expiate the sins of the brothers of Joseph through the ten sages. In H²¹ when the Attribute of Justice makes the accusation that the sin of the sale of Joseph has not been expiated, Samael rejoices. Bamberger²² gives us a logical reason for this reaction on the part of Samael. Rabbinic and Gaonic theology stress the belief that each nation had its own patron angel. Samael is the patron of Edom (i.e. Rome). Samael is given the choice by God of either saving the martyrs or condemning them and being at the same time afflicted himself with leprosy. When he chooses the latter, God inflicts a curse upon him. Later in H²³ this is revealed to be a curse against Rome also. Samael, the Patron of Rome, is identified with Rome itself. Of course, in Gaonic and medieval times, Rome, as a nation, too, may be a symbol for the Roman Church. Perhaps, there is the implied curse upon those who persecuted the Jews in the

name of the Roman Church.

In J,²⁴ Samael plays the role of the Heavenly Prosecutor. In contrast to the other three recensions, he, instead of the Attribute of Justice, makes the accusation that the sins of the brothers of Joseph have not been expiated. There is no attempt in this recension to openly identify or connect Samael with Rome.

In P,²⁵ Samael is referred to as 'NIN de re, the Prince of Rome. In this recension, he plays a different role from the one he played in J. He is not the accuser, but the agent of God's will in carrying out the sentence against the ten martyrs. Perhaps, there is here a tacit connection with Rome, since Rome is the agent which carries out their executions.

In BA,²⁶ Samael is again referred to as the Prince of Rome. He is the agent of God's will, although this time it is directed against Rome. God's anger is vented first against Samael (presumably as Patron of Rome) and then against Rome itself with which Samael has become intrinsically identified.

Samael's name is mentioned frequently in rabbinic and midrashic literature as the accusing angel and the patron of Edom and Rome. For instance, in Exodus Rabbah 18:1, he is the prosecutor of Israel and Michael is Israel's defender. In the Midrash Abkir,²⁷ Samael sought to kill Jacob. Michael rushed to his rescue and was about to burn Samael to nothingness when God interfered and subjected both to legal discipline. Later in the midrash it is related that it was Samael who protested against the deliverance of the Jews from Egypt.

He aroused the Prince of the Sea to such a rage that he tried to drown the Israelites in the Red Sea. In the Midrash Ele Ezerah he assumes two roles. He is the guardian angel of Eden and of Rome, attacking their enemies, one of which is Israel, and he is also the accusing angel.

THE ALTAR IN HEAVEN H441 1C

Rabbi Ishmael notices an altar in Heaven. He inquires from Gabriel as to its purpose and whether the usual offerings of bullocks, sheep, and goats are offered upon it. Gabriel replies that the souls of the righteous are offered upon it.

This altar is mentioned in all four recensions. In H and BA²⁸ Michael is mentioned as being in charge of offerings. There is a rabbinic thesis that for every institution and object on earth, there is a corresponding institution and object in Heaven. The altar in Heaven corresponds to the altar in the Temple, except for the nature of its offerings. The implication is made here that the souls of the righteous are being offered on behalf of Israel, perhaps to expiate their sins. This may be an attempt to justify the deaths of the ten martyrs. There may also be an attempt here to explain what has been substituted for the sacrifices in the Heavenly Temple (i.e. the souls of the righteous) after the destruction of the Temple in Jerusalem.

NAMES OF THE MARTYRS H441 2B

When Rabbi Ishmael returns and tells the rabbis that the

decree cannot be revoked, they accept their fate with both joy and sadness. They are joyful that God considers them so righteous, but sad that they are to suffer such unusual deaths. The names of the martyrs are then related.

As was mentioned in the introduction, there are problems in connection with the lists of martyrs which are recorded in the various recensions. Not only are there variations in the names themselves, but there seem to be internal historical discrepancies, since it can be easily substantiated that some of the martyrs listed as having been slain in the same period of time were not contemporaneous. The lists of the names of the martyrs are as follows:

H

R. Ishmael b. Elisha
 R. Simeon b. Gamliel
 R. Akiba b. Joseph
 R. Hanina b. Teradyon
 R. Elazar b. Shemua
 R. Jeshebab the Scribe
 R. Hanina b. Hachinai
 R. Yehudah b. Baba
 R. Hutzpit the Expounder
 R. Yehudah b. Dama

P

R. Ishmael b. Elisha
 R. Simeon b. Gamliel
 R. Akiba b. Joseph
 R. Jeshebab the Scribe
 R. Yehudah b. Baba
 R. Elazar b. Dama

J

R. Ishmael b. Elisha
 R. Simeon b. Gamliel
 R. Akiba b. Joseph
 R. Hanina b. Teradyon
 R. Elazar b. Shemua
 R. Jeshebab the Scribe
 R. Hanina b. Hachinai
 R. Yehudah b. Baba
 R. Hutzpit the Expounder
 R. Elazar b. Dama
 (Some say R. Yehudah b. Dama)

BA

R. Ishmael b. Elisha
 R. Simeon b. Gamliel
 R. Akiba b. Joseph
 R. Hanina b. Teradyon
 R. Elazar b. Shemua
 R. Jeshebab the Scribe
 R. Yehudah b. Baba
 R. Hutzpit the Expounder
 R. Elazar b. Dama
 R. Yehudah Hanachton

In P²⁹ there is no formalized list of names. In counting

the names of the rabbis mentioned in the midrash, there are only six. However, it is mentioned in the beginning of this midrash that Caesar had ten scholars brought before him.

The names given are substantially identical in H, J³⁰ and P. In BA³¹ the name of Rabbi Yehudah Hanashton is substituted for that of Rabbi Hanina b. Hachinai. At least, this is the case with the list at the beginning of the midrash. But later in the text, the name of Rabbi Hanina b. Hachinai is mentioned.

In the introduction, the theory was posed that the authors of the Midrash Ele Zakerah were more interested in stressing the ideal of the martyrdom of the ten rabbis than in historical accuracy. This theory can now be further elucidated. For instance, we know that Rabbi Hutzpit the Expounder was active at the school in Yavneh under Rabbi Gamliel.³² We know that Rabbi Akiba and Rabbi Ishmael were killed during the Bar Kochba revolt,³³ which would place them several generations after Rabbi Hutzpit. Thus the lists cannot be taken as historically accurate.

Moreover, attention should be given to Rabbi Nehunya b. Hakna. His name is omitted in H, but mentioned in J³⁴ P³⁵ and BA³⁶. In these three recensions, he appears to hold a ranking position among the rabbis. He is not among those martyred, but, nonetheless, plays an important role. In J, the sages assembled before him after the return of Rabbi Ishmael from Heaven. In P, when the sages hear their fate from Caesar, they ask the advice of Rabbi Nehunya b. Hakna, and he advises

them to seek a three day grace period in which to inquire of Heaven whether the decree is irrevokable. In BA, he appears as a leader with more power and influence over the rabbis, especially in the mystical portions of the version. Yet there appears to be no basis in the sources to indicate why he should assume such an honored and respected position in the recensions. Heiman³⁷ indicates that he was a noted scholar in the days of Jochanan b. Zakkai. We know of only one law which was attributed to him;³⁸ He is the author of the saying, "Whosoever accepts the yoke of the Torah upon himself causes to pass from him the yoke of the foreign kingdom."³⁹ We know that he was a teacher of Rabbi Ishmael.⁴⁰ He lived after the destruction of the Temple, because we know that Rabbi Ishmael was but a lad at the time of the Temple's destruction.⁴¹ In Hekhaloth Rabbati (Larger Treatise on the Chambers), we learn that he witnessed the deaths of Rabbis Simeon b. Gamliel and Ishmael. Thus, in rabbinic times, he does not seem to have been one of the more important rabbis and leaders. Why does he hold such an exalted position in the recensions of the Midrash Ele Ezkerah? This author could not find any reason either from the midrash itself or from other sources.

EXECUTION OF RABBI SIMEON B. GAMLIEL AND ISHMAEL H441 2A

Rabbi Ishmael and Rabbi Simeon b. Gamliel are the first of the rabbis to be slain. The sources tend to support the contention that they were executed at the same time. פ' ג' ע"נ

כ"ח פ"ד⁴² tells us that they were killed together with Rabbi

Hanina Sagan Hachohanim on the twenty-fifth of Sivan. In BA⁴³ it is stated that they were slain together, but on the fifth of Sivan.

In all four recensions, Rabbi Ishmael and Rabbi Simeon b. Gamliel argue as to who should be killed first, each desiring the honor. Rabbi Ishmael claims precedence because he is a high priest of the lineage of Aaron. Rabbi Simeon b. Gamliel claims precedence because he is a prince and also the son of a prince. Lots are cast and Rabbi Simeon b. Gamliel receives the honor of being executed first.

There are variations in the circumstances preceding their executions in the recensions. In H, it is Caesar himself, with his advisors, who asks the ten rabbis assembled before him who should be killed first. Rabbi Ishmael and Rabbi Simeon b. Gamliel step forward and then argue as to who should be killed first. In J⁴⁴ all the rabbis are engaged in studying Torah (the laws of Passover) when an official of Caesar comes and chides them for studying Torah when the sentence of death has been decreed for them. We find at this point an insertion in J which describes the beauty of Rabbi Ishmael. The midrash (J) tells us that he was one of the seven most handsome men in the history of the world which include Adam, Jacob, Joseph, Saul, Absalom, and Rabbi Abahu. It is related that he was brought separately before Caesar. Caesar asked him whether there was anyone as handsome as he and he replied in the negative. Immediately, Caesar decreed his execution. This insertion could be considered as an attempt at least partially to justify

the fate of Rabbi Ishmael on the basis of immodesty. Immediately following this in J we find an official of Caesar addressing Rabbi Ishmael and Rabbi Simeon b. Gamliel together, as if the midrash were taking up the story from the point directly before this insertion.

In P,⁴⁵ an official of Caesar enters when the rabbis are studying the laws of the Paschal Lamb and conducts them to the place of execution. As in K, Rabbi Ishmael and Rabbi Simeon b. Gamliel step forward and argue as to who should be first.

In BA,⁴⁶ there is a major variation. The ten rabbis are not pictured as being together when the official comes to carry out the decree of execution against them. Rabbi Ishmael and Rabbi Simeon b. Gamliel are alone, studying the laws of Passover. This would seem to support Jellinik's⁴⁷ contention that BA is the oldest recension, since the factor of ten rabbis being slain together is not stressed here as it is in later recensions. As previously stated, it was probably not until the later Gaonic period that the ideal of martyrdom is emphasized to the fullest.

There is another noteworthy problem in BA.⁴⁸ It is stated that Rabbi Ishmael and Rabbi Simeon b. Gamliel were slain on the fifth of Sivan, yet they were engaged in studying the laws of Passover before their execution. It would be logical to assume that the time to study the laws of Passover would be before the holiday and not on the fifth of Sivan, which would be Erev Shavuoth, some two months after Passover. This

discrepancy in dating may be the result of two parallel accounts which in some manner became intertwined.

After Rabbi Simeon b. Gamliel is slain, Rabbi Ishmael requests some time from Caesar before his own sentence is carried out in order to mourn over the fate of Rabbi Simeon. The midrash readily reflects the rabbis' doubt at the justice of the sentence. Rabbi Ishmael mourns, "Alas, for the Torah and alas for its reward. The tongue that explained the law in seventy languages, how it now licks the dust." In J⁴⁹ and P⁵⁰ he says, "A mouth that brought forth jewels, who shall put you away in the dust? How can there be decreed upon you as unusual a death as this?" In BA⁵¹ he proclaims, "A holy mouth, a faithful mouth, a mouth that brought forth good courts, good stones, good pearls, who now puts you away in the dust? Who fills your tongue with dirt and upon you it is written, ^(2 Ecd. 13:7) 'וְהָיָה לְךָ לְחֵץ בְּלִשְׁנְךָ'." The authors allow the rabbis to accept their sentences because it is the will of God, but an element of human reproach enters into their acceptance.

The fate of Rabbi Ishmael is a cruel and painful one. He does not receive the merciful, quick death by decapitation that was Rabbi Simeon's. The daughter of Caesar, who is impressed by the beauty of Rabbi Ishmael, requests that he be flayed alive and that his skin be given to her. During this excruciating torture, Rabbi Ishmael cries out, not because of the pain, but because the skin has been removed from the portions of his body when the phylacteries are placed.

A special problem arises at this point. In all the re-

recensions except P, the angels in Heaven complain to God about the cruelty of Rabbi Ishmael's slow and tortuous death. They ask whether this is the reward for diligent study of the Torah. In H, after the cries of Rabbi Ishmael have made Heaven tremble, the angels ask, "A man as righteous as this, whom you have shown all the treasures of the world, above and below, will he indeed be killed in this unusual manner? Is this the reward for studying Torah?" In J⁵² they say, "Lord of the World, this righteous one that has been shown the treasure of Heaven, is this the fate that has been decreed for him?" In BA⁵³ they cry out, "Master of the Universe, this righteous one whom You have shown the treasures of Heaven, is this indeed the decree You have decreed for him?"

The reply of God to these questions is very interesting. In none of the recensions does God refer to the original reason for their fate, namely, that they are expiating by their deaths the sins of the brothers of Joseph. Instead, God replies that Rabbi Ishmael's merit will stand for the generations to come. This would imply that he is not dying to expiate the sins of the brothers of Joseph, but simply to provide merit for the generations that will come after him.

In H, God also states that He cannot change His own decree. God seems to want to change the sentence, but His Own word is irrevocable, even by Him. God says, "What can I do for it is already decreed and who can annul it?" This would imply that there are limitations to God's powers. Perhaps, it is implied here that if God did change His decree, it would

imply that His former action was imperfect. But it still seems to be an unusual position, for it seems to be the general rabbinic position that God can extend His mercy whenever and wherever He likes.⁵⁴ There seems even to be guilt on the part of God (if this may be said without seeming sacrilegious). In all four recensions, after Rabbi Ishmael has cried out, God threatens to destroy the world if he cries out again. Gabriel (in P, Metatron) is sent down to plead with Rabbi Ishmael not to cry out again, as if Rabbi Ishmael's cries were a reminder to God of an undeserved death. Rabbi Ishmael accedes to God's wishes and permits himself to expire.

In J⁵⁵ we find an interesting insertion. After a highly mystical portion, the Attribute of Justice asks God to exact from Israel one righteous man in every generation. He pleads that because the sons of Jacob sold Joseph for twenty pieces of silver and because Israel has worshipped idols, such a request is justified. This version is drastically altered from the story at the beginning of the midrash where Samael, not the Attribute of Justice, is the accuser of Israel. This section is obviously by a different author, possibly inserted to give an additional reason for the fate of the martyrs (i.e. because Israel, as a whole, has sinned by worshipping idols).

There follows after this, in J, a rather strange section. In rather striking contradiction to the section earlier in the recension in which Rabbi Ishmael and Rabbi Simeon b. Gamliel volunteer to be executed first, it is stated that an

official of the Caesar is sent to bring forth Rabbi Simeon b. Gamliel alone for execution. Rabbi Simeon hides himself, but the official seeks him out and offers to save him if Rabbi Simeon will assure him a place in the world to come. Rabbi Simeon accepts with the remark, "There are those who attain their destiny in many years and there are those who attain theirs in one hour." Before the official can do anything, he falls and dies. But, because of Rabbi Simeon's promise, he attains a portion in the world to come. However, it happens that one of the leaders of Rome died and the decree against Rabbi Simeon was cancelled. This same incident is related in Taanit 29a, where, however, the official is one of the leaders of Rome and he purposely hurls himself off of a roof, knowing that the Government, according to custom, will not desire two deaths in place of one. It was also Roman law that if the official announcing the death sentence died, the death penalty was cancelled.⁵⁶

This section in J is out of the logical order of the midrash. It is contradictory to the fact already related in the midrash that Rabbi Ishmael and Rabbi Simeon were slain together. If the midrash had meant to imply that Rabbi Simeon b. Gamliel was summoned and reprieved before he was slain with Rabbi Ishmael, then it would be proper to assume that the midrash should have placed the incident in that order and not the reverse.

There seems to be another problem connected with this section. At the beginning of J, the rabbis, although not

completely willingly, accepted the decree of God after Rabbi Ishmael told them he had learned that the decree was irrevocable. However, here we have one of the rabbis, Rabbi Simeon, openly seeking to circumvent the decree and to save his own life. The question must be asked at this point, is Rabbi Simeon defying God? He certainly is not accepting his fate passively. When the official offers to save his life, he accepts willingly. It is quite possible that this section was introduced into the midrash by editors to mollify those who might object angrily to the rabbis' passive acceptance of such an unjust sentence.

Yet another question arises out of this section. Rabbi Simeon b. Gamliel guarantees eternal life to the official if he will save him. Is "pikuach nefesh," the saving of a life, of sufficient merit to guarantee eternal life to the official? Even if the author(s) of the midrash felt that the official willingly sacrificed himself by committing suicide (Taanit 29a), his motive is not unselfish, since he required a guarantee of eternal life before he would commit such an act. His sacrifice is not "lik'vod Torah," for the honor of Torah, but for purely selfish motives. Possibly this is an attempt to temper the anti-Christian overtones of the midrash by having an official of the Government (Church) save the life of Rabbi Simeon. However, there remain latent anti-Christian overtones in that the official does not perform this act for purely selfless motives.

THE MARTYRDOM OF RABBI AKIBA H441 20

In H, Rabbi Akiba is brought forth for execution. However, a letter arrives for Caesar, informing him that the king of Arabia is preparing war against him. Rabbi Akiba is given a temporary reprieve from death and is sent back to the prison. When he returns, Caesar orders that the flesh of Rabbi Akiba be raked with combs of iron. As he is being tortured, Rabbi Akiba states, "Righteous is the Lord, the Rock. Perfect is His work for all His ways are just. He is a faithful God and has no iniquity. Just and right is He." And just as he recites the words, "just and right," he expires. The prophet Elijah comes and carries the body of Rabbi Akiba away on his shoulders. At a distance of five persian miles, he encounters Rabbi Joshua Ha-garsi. They go together until they reach a cave in which are found a bed and a lighted lamp. They lay the corpse of Rabbi Akiba upon the bed and the ministering angels come and mourn over him three days and three nights and then he is buried there. The next day he is taken to the Academy on High, and there he expounds upon the law before all the righteous.

In J⁵⁷ the account begins with the imprisonment of Rabbi Akiba. Rabbi Joshua² Ha-garsi ministers to his needs in prison. Rabbi Akiba's piety is exemplified by his refusal to drink water so that it might be used for the commandment of washing the hands. When he is brought out for execution, his method of torture is the same as in H, raking of his flesh with combs of iron. J varies from H in the account of his last words.

When his students ask him how long he shall endure this torture, he replies that until now the words, "with all thy soul and all thy might," had troubled him. But now that he was giving his life, he finally knew their true meaning. As he reaches the word, "One," the last word of the Shema, he expires. The account reiterates the fact that Joshua He-garsi ministered to Rabbi Akiba in prison and sought his leave to return home. On Yom Kippur, the prophet Elijah appears unto him and tells him that Akiba has died. They go to the prison and the guards are put mysteriously to sleep as the body of Akiba is removed by Elijah. It is related in this account that rows of ministering angels light their way. They come to a place called the Pavillion of the Caesar. The account parallels H in their discovery of a cave. In J, Joshua asks a strange question of Elijah. He states that he will not leave the cave until Elijah tells him to whom the bed belongs. Elijah replies that it belongs to the wife of Turnus Rufus. The cave is then sealed.

In BA⁵⁵, it states that Rabbi Akiba was imprisoned after the deaths of Rabbi Simeon b. Gamliel and Rabbi Ishmael. After the deaths of the aforementioned, Rome declared a religious persecution upon Israel. Akiba defies the authorities and reads and expounds the Torah to the multitudes. Papos b. Yehudah warns him about the dangers. Akiba replies that even though Papos is a sage, he is also a fool. He then relates the story of the fox who tries to entice the fish to come up on the land so that they can escape the dangers of

the nets. They reply that if they are in danger in their own element, water, how much more so would be their danger in a strange environment. Torah is the element of the Jews. If they abandon it, how much greater will be their danger. Later, both Papos and Akiba are imprisoned. Joshua Ha-garsi tends Akiba in prison. As in H, the story of Akiba's concern about the commandment of washing the hands is related. Joshua Ha-garsi takes leave of Akiba and goes home. Akiba is then taken out for execution. His torture is even more excruciating than in H or J. His flesh is raked with iron combs and beaten with staffs. As in J, he dies reciting the Shema. Elijah comes to the house of Joshua Ha-garsi and informs him that Akiba has died. They go to the prison and, as in J, the guards are put to sleep. Elijah takes Akiba upon his shoulders and he and Joshua travel to $\odot \supset \supset \supset \supset \supset$ possibly Antipatris. As in H and J, they find a cave with a bed and lamp in it and they lay down the body of Akiba. The cave is then sealed. The news of Akiba's death is then carried to Rabbi Yehudah b. Baba and Rabbi Hanina b. Teradyon. They rend their garments and say, "Akiba was not killed because of bribes, nor robbery, nor because he did not toil in the Torah with all his powers. He was slain for no other cause than that of being a sign, as it is written,⁵⁹ 'And Ezekiel shall be to you, according to all that he hath done, shall you do.'" Rabbi Meir remarks, "The righteous are taken from the world so that when the end of the punishments comes, their example will be forever." There is a possible connec-

tion between Rabbi Meir's statement and the concept previously mentioned⁶⁰ that the merit of the righteous will stand for the generation to come. The statement in Ezekiel (Ezekiel 24:24) can be interpreted to mean that the death of Akiba is to be taken as a sign to Israel of their coming destruction. By his death, they are to be reminded of the righteousness that they themselves have lacked. The idea that Akiba is to be a sign for the generations is peculiar to BA. Perhaps, there is an attempt here to give a reason other than the expiation of the sins of Joseph's brothers for the deaths of the martyrs, or at least that of Rabbi Akiba.

All through the midrash the high regard of the author(s) for Rabbi Akiba is shown in their constant references to his piety and his precise regard for the law, even under the most adverse conditions. These qualities are demonstrated in his refusal to abandon the study and teaching of Torah, even under penalty of death, his willful relinquishment of even necessities, such as water, in order to fulfill the commandment concerning the washing of hands, and his magnificent and inspiring statement, at the time of his execution, that he finally realizes what it means to truly love God, "with all his heart and with all his soul." Akiba is the perfect example in rabbinic literature of one who studies and carries out the commandments of the Torah "l'shemah," for its own sake, without regard for selfish motives or personal danger.

THE EXECUTION OF RABBI HANINA B. TERADYON H442 1B

Rabbi Hanina b. Teradyon defies the edict of Caesar and teaches Torah. Interestingly, he teaches it in the streets of Rome. He is brought forward for execution and Caesar commands that he be wrapped in the scroll of the Torah. Strips of wool are put on his chest and soaked with water so that he will die slowly. His daughter cries out at this sight. He comforts her by telling her that it is better to die with the Torah than by himself. His students ask him what he sees and he replies, "I see the parchment sheets burning but the letters flying upward." The executioner asks Rabbi Hanina whether he will grant him eternal life if he will remove the wool from Rabbi Hanina's chest in order to hasten death. Rabbi Hanina tells him that he will. The executioner does so, leaping into the fire, and a Bat-Kol proclaims, "Rabbi Hanina b. Teradyon and his executioner are destined for the world to come." At this point, a poignant comment of Rabbi (Yehudah Ha-Nasi) is given: "There are those who acquire their world in one hour, as this executioner did, and there are those who toil for the Lord all the days of their life and lose their reward in an hour, such as Jochanan, the High Priest, who served eighty years in the high priesthood and then became a Sadducee." This remark is very similar to the statement uttered by Rabbi Simeon in J⁶¹, when the official who offers to save his life in return for eternal life falls and dies. As in H441 2A, there is a problem as to the motives of a rabbi in guaranteeing

a non-Jew eternal life.

H and J⁶² are identical, except for the reply of Rabbi Hanina to his daughter. In J, he states that he is comforted because, "He Who will requite the insult to the law, will requite the insult to me."

In BA,⁶³ the authorities find him with a scroll of the law. He is imprisoned with Rabbi Elazer b. Perata. He is sentenced to die by fire. But the author of BA, as he did in the case of Rabbi Akiba, gives an additional reason for his death. He is punished because he has mentioned the Ineffable Name in public. His wife is also punished by death because she knows of his sin. His daughter is sentenced to enforced prostitution because she was careless in the way in which she walked before some of the Romans. As in H and J, they tie a scroll of the law around him and put the slow-burning material on his chest. When his daughter cries out, he comforts her by saying that He Who will requite the insult to the Torah, will requite his insult. He says that if she cries over the Torah, she should remember that the Torah is fire and fire cannot consume fire. The leaders of Rome and then the people of Rome plead with Caesar to save his life, but Caesar refuses. As in H and J, the executioner offers to hasten Hanina's death by removing the wool, in return for a place in the world to come. He accepts and when the executioner leaps into the fire, a Bat-Kol announces that the executioner and Rabbi Hanina have attained a place in the world to come. The statement by Rabbi is repeated in

this recension.

THE EXECUTION OF RABBI YEHUDAH B. BABA HA442 10

When Rabbi Yehudah b. Baba is brought out for execution, it is late Friday afternoon and he requests to be permitted to fulfill one of the commandments concerning the Sabbath. He is asked by Caesar whether he still trusts in the Lord and whether the Lord will save him. He replies that it is the Lord who has exacted his death and the earthly king (Rome) is merely the agent of His wishes. Caesar is told of his words and calls for him. Caesar asks him if it is true that he made the statement noted above. When Yehudah replies in the affirmative, Caesar accuses him of being brazen-faced. Rabbi Yehudah warns him that Rome will be punished, saying, "Woe to you, Caesar, wicked one, son of a wicked one, did not the Holy One Blessed Be He see the destruction of His house and the slaughter of His righteous and pious ones and did He not seek vengeance immediately?" His students caution him, telling him that he should flatter Caesar. He replies, "Did I not teach you that he who flatters a wicked one, his fate will be that he will fall by his hand?" Again, Rabbi Yehudah requests permission to fulfill the commandment of Sabbath so that it will give him "a foretaste of the world to come." His wish is granted and he chants the Sanctification of the Day with such joy that all around him are astounded. Caesar does not allow him to finish and he is slain.

Caesar commands that each limb of his body be cast to the dogs and he is neither eulogized nor buried.

In J,⁶⁴ the beginning of the section about the execution of Rabbi Yehudah expounds his virtues. He is never incorrect in his legal decisions concerning purity and impurity. There is not a man in the house of study whom he has not taught Torah. He is extremely humble, calling his students, "my teacher." On the day of his death he is fasting. His old colleague, Rabbi Reuben b. Atzruvel, offers to take his place. Rabbi Yehudah replies that the decree cannot be cancelled, but that his words comfort him. His students ask him whether he would like to eat anything before his is put to death. He replies that if he fasted when he did not know in which direction he was going, why should he not fast when he knows in which direction he is going. The incident with Caesar which was related in H is completely omitted in J. The account simply mentions that Rabbi Yehudah b. Baba expires and a Bat-Kel proclaims his piety.

Again BA⁶⁵ differs from the other accounts in that it attempts to give a reason for Rabbi Yehudah's death. Similar to Rabbi Akiba, he teaches Torah in defiance of the Roman edict. As in J, he is fasting on the day of his death. Rabbi Reuben b. Atzruvel offers to take his place and he refuses graciously. He refuses to taste or eat anything before his death. The encounter with Caesar related in H is omitted.

In this section we are no longer dealing with merely overtones of anti-Christian feeling. Rabbi Yehudah b. Baba

is openly contemptuous of the authorities. He has no fear in proclaiming to Caesar himself that Caesar is sinful and that God will seek immediate vengeance upon him. When his disciples tell him to flatter Caesar, he refuses, saying that if he did so, he would only suffer the same fate, but more ignobly. Later, his spiritual joy when reciting the Sanctification of the Day vexes Caesar so greatly that he commands Yehudah's immediate execution.

As we progress into the later portions of the midrash, less emphasis is placed by the author(s) on the original reason for the executions of the martyrs, namely, that they are dying to expiate the sins of Joseph's brothers, and more emphasis is placed on the theme that Rome (the Church) will suffer punishment for its sinful deeds in going beyond the role of being merely the instrument of God.

THE EXECUTION OF RABBI YEHUDAH B. DAMA H442 2B

In H, it is stated that Rabbi Yehudah b. Dama was slain on Erev Shevuoth. This would coincide with the date of execution reported for Rabbi Ishmael and Rabbi Simeon b. Gamliel. As in the case of Rabbi Yehudah b. Baba, Rabbi Yehudah b. Dama is called before Caesar when he requests time to fulfill the commandment of the festival. Caesar asks him what his reward will be for the study of Torah. When he replies that his merit is stored up for the world to come, Caesar scoffs at his belief in the life to be. Rabbi Yehudah b. Dama replies with the very caustic statement, "There are

no fools in the world greater than you who deny the Living God. Woe to you, woe to your shame and your reproach when you shall see us with the Lord in the light of life and you shall dwell in the nether-world in the under-regions."

Caesar's anger is kindled and Rabbi Yehudah b. Dama is dragged by the head through the streets of Rome and his body is dismembered.

Elijah then comes and buries his limbs in a cave near the Tiber. The Romans hear a voice crying from the cave for thirty days and they come to tell Caesar, apparently with the aim of requesting Caesar to stop the rest of the executions. But he replies, "If the world were changed to void and nothingness, I would not rest until I fulfilled my will in the regard to the ten sages, as I have sworn."

A rather strange incident follows. One of the wise men of Rome tells Caesar that he had acted foolishly in the matter of the ten sages. He predicts that God will punish Caesar. Caesar's anger is kindled and he orders that the wise man be strangled. The wise man purifies himself and after he is strangled, he can no longer be found. Caesar is frightened, but he is still not dissuaded from carrying out his intentions toward the ten sages.

This section of H is interesting from several stand-points. It differs from the concluding sections of the other recensions in that ten sages are mentioned in a context that would stress the fact that they were killed in the same period of time. The final portions of J, P, and BA are set up in a

form that makes the executions of the rabbis seem separate incidents, not necessarily occurring during the same period of time. It seems to be the only version which, at the end of the recension, seems to pick up the theme of the ten sages being slain contemporaneously.

In this section, as in that dealing with the death of Rabbi Yehudah b. Baba, Caesar is not merely the instrument of God for the expiation of the sins of the brothers of Joseph. He is warned several times and refuses of his own will to stop the executions of the rabbis. Moreover, we have the unique situation of one of the Roman leaders contending for the rabbis. The executioners mentioned in the incidents of the martyrdoms of Rabbi Simeon b. Gamliel and Rabbi Hanina b. Teradyon died for selfish motives, to assure themselves a place in the world to come. But here we have a case of a non-Jew defending the Jews on the basis of their being holy people. Perhaps, this is an attempt to praise those non-Jews who were truly Christian in their actions and who openly defied the authorities by protecting Jews and giving succor to them.

THE EXECUTION OF RABBI HUTSPIT THE EXPOUNDER H443 1A

The execution of Rabbi Hutspit the Expounder follows. It is related that he is one hundred and thirty years old at the time of his execution. He requests of Caesar that he be allowed to fulfill the commandment of reading the Shema and ascribing sovereignty to God's name before he dies.

Caesar is contemptuous of him, declaring that if the God of Hutzpit had strength he would have already sent deliverance to the rabbis. Rabbi Hutzpit rends his garments and predicts that God will punish Caesar. Caesar orders his immediate execution. It is related that Caesar's princes and wise men seek permission to bury Rabbi Hutzpit properly. This act of compassion on the part of non-Jews may be another attempt to praise gentiles who were sympathetic in their actions toward Jews. (see also the Execution of Rabbi Yehudah b. Dama H442 2B)

There then follows in the midrash brief descriptions of the executions of Rabbis Hanina b. Hachinai, Jeshebab the Scribe, and Elazar b. Shemua. This author found nothing significant upon which to comment concerning their executions. J⁶⁶ P⁶⁷ and BA⁶⁸ differ from H as to the order of the executions and the names of those executed in this last part of the midrash. As in H, the descriptions of the rest of the executions are scanty and reveal no significant points upon which to comment.

CHAPTER III GENERAL OBSERVATIONS

THE PROBLEM OF VICARIOUS EXPIATION OF SIN

After our comparison and analysis of the four recensions of the Midrash Ele Ezkerah, there are several problems which have arisen which lend themselves to further investigation. One of the most striking of these is posed by Zeitlin.⁶⁹ He makes the very pertinent point that the idea of rabbis atoning for the crimes of others is largely foreign to Biblical and Rabbinic Judaism. Why did the rabbis not reply to Caesar with the biblical phrases, "I the Lord thy God am a jealous God, visiting the sins of the fathers upon their children to the third and fourth generations of them that hate Me and showing mercy unto the thousandth generation of them that love Me and keep My commandments." (Exodus 20:5-6), or "In those days they shall say no more: 'The fathers have eaten sour grapes and the children's teeth are set on edge.' (Ezekiel 18:2) But everyone shall die for his own iniquity; every man that eateth the sour grapes, his teeth shall be set on edge." (Jeremiah 31:29-30) Zeitlin suggests⁷⁰ that there may be an apocalyptic outlook in this midrash which may be traced back to the Apocrypha. He proposes the theory that the authors of the midrash were of that group of rabbis who took credence in the predictions and prophecies of the non-canonical literature. In the Book of Jubilees,⁷¹ it is stated that the Jews should afflict themselves on the tenth of the month (Yom Kippur) because of the sin of the sale of Joseph by his brothers. In the Testament of Benjamin⁷² there

is mentioned a sinless, blameless one who atones for the sins of others. This is strongly akin to the concept of Original Sin, which Christianity adopted as a basic part of its theology.

There is no doubt that Zeitlin is right when he suggests that there is something strange in the introduction into the Midrash Ele Ezerah of the explanation that the rabbis are expiating by their deaths the sins of the brothers of Joseph. Even in H, this element is retained, even as the ideal of martyrdom is stressed more and more. Could it be that the authors of the midrash felt that as high an honor as it is to die for one's faith, for "Kidush HaShem," it was not enough to explain the deaths of the ten martyrs? As was pointed out in the previous sections, the discrepancies in the list of the martyrs in the various recensions, the proven fact that they could not have lived at the same period of time, indicates that historical accuracy was not uppermost in the minds of the author(s) of this midrash. It would indicate that the authors of the midrash were purposely grouping the names of ten famous rabbis together to stress the ideal of martyrdom as a high ideal to be attained.

Is there anything in our tradition to indicate that the rabbis accepted the premise that one must atone for the sins of others? Is there anything to indicate that this concept had to be retained throughout the development of the midrash, even though it seemed to be contradictory to other elements stressed in the midrash, such as the souls of the righteous serving as merit for succeeding generations? Finkelstein⁷³ seems to ignore this pro-

blem completely. He merely emphasizes the point that the rabbis are exemplifying the ideals of martyrdom for the sake of the preservation of the faith, as did the Christian martyrs.

But the problem remains and it cannot be ignored. An investigation of traditional sources would indicate that the rabbis, as a whole, upheld the principle that each individual is responsible for his own sins, that each person has free will, or the power to choose between alternatives. Since there is no such thing as Jewish dogma, one does find differences of opinion among the rabbis on this topic. Rav Zutra said⁷⁴ "Woe unto the wicked. Not only do they incur guilt, but they involve their children and their children's children to the end of all generations." In other words, each generation completely identifies itself with the preceding ones and assumes responsibility for their misdeeds. But not even from this reasoning could one deduce that succeeding generations must atone for the misdeeds of others. The sins of previous generations do have effects on succeeding generations. We cannot expect the sons to be completely divorced from the actions of their fathers nor without a feeling of responsibility to see that these sins are not repeated.

There is only one event in the Bible⁷⁵ where punishment is meted out to generations past the fourth and that is in regard to the incident of the Golden Calf where it extends to the twenty-fourth generation. This departure from the norm occurs only because this was a severe group sin and its severity had to be emphasized by the rabbis. But in our

midrash the martyrdom of the rabbis takes place some 1600 years after the sale of Joseph, and there is nothing in our tradition to indicate that it was considered such a great sin except for the references to it as such in the Book of Jubilees⁷⁶ and in the recensions.

The only other place where the rabbis stress the aspect of succeeding generations paying for the sins of preceding ones is in the case of Adam. Rabbinic sources relate⁷⁷ that because of the sin of Adam in the Garden of Eden, he lost the right to immortality and succeeding generations became subject to death. But even the consequences of Adam's sin have nothing to do with atonement. The succeeding generations are suffering the consequences of Adam's sins in the same way that one's actions must, invariably, affect the lives of the next generation. However, the generations of man that followed after Adam are not atonings for the sins of Adam which were his own responsibility. The rabbis emphasize over and over again that sin is the result of one's own unhampered choice. One repents for his own sins, not for those of preceding generations. Cohon points out that the non-canonical literature stresses man's own responsibility for his own actions.⁷⁸ It is true, however, as Cohon indicates, that other books of the Apocrypha do stress concepts analagous to Original Sin. In the book of Ezra IV, a dualistic view of human sinfulness is emphasized. It states⁷⁹ that there is a germ of evil in every man's heart that he has inherited from previous generations, stretching back to the sins of

Adam. But again, while he has inherited the germ of evil, he does not atone for the actions of others. Moreover, the apocryphal books were "hidden" precisely because the rabbinic tradition, in general, did not recognize their authenticity.

In H,⁸⁰ in the parable of the trees, we do have what could be considered a valid Rabbinic reason for the fate of the ten rabbis. It is stated that because the aristocrats of the generation prided themselves that the scholarship of the rabbis of the generation could replace the loss of the Temple, God put it into the heart of the Caesar to study the verse about a man selling his brother. Acceptance of this interpretation would place the execution of the martyrs at least within the same generation as those who had sinned. But, still we have the problem of the rabbis atoning for the sins of others, explainable only if the rabbis who were martyred were among the "aristocrats," thereby expiating only their own sins.

In J,⁸¹ the reason is given in the opening parable that if Israel had not taught Caesar Torah, he would not have come across the verse about a man selling his brother. As was discussed before, this would appear to be an admonition against the teaching of Torah to gentiles. But the questions remain, were the rabbis guilty of such a crime, and was it considered so great a sin that it warranted the most severe penalty of death? Also in J, we have the insertion in which it is related that Caesar brought Rabbi Ishmael before him and Rabbi Ishmael acknowledges that he is the most handsome

man in the world. Caesar immediately orders his execution. Again, is immodesty severe enough a sin to warrant death? This reasoning would only, at any rate, account for the death of Rabbi Ishmael.

In all four recensions, there is another matter which may bear upon the problem at hand. In all the recensions, except J, the Attribute of Justice makes the accusation that no verse in the Torah is superfluous. Therefore, since there is a verse which states, "and he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death,"⁸² it cannot be for nought. If Joseph's brothers sold him into slavery and they were not punished by death for this sin, presumably it would imply that the part of the verse that states such a sin should be punished is superfluous. Therefore, if the sin has not been expiated at the time of the incident, it must be expiated some time in the future. Therefore, ten men who are equivalent in righteousness to the brothers of Joseph must be punished in their place. The question is never answered, why were the brothers of Joseph not punished at the time of the sale? Why was it necessary to wait such a long time for expiation? It is stated in the recensions that ten righteous men such as the ten martyrs could not be found until that time. However, this seems rather forced. Again, it is implied that Divine Justice has not been fulfilled unless ten righteous men can be found to expiate the sins of the brothers of Joseph. However, it is a rabbinic doctrine that God's jus-

tice is not a rigid, unbending thing. It is always intrin-
 sically bound up with the Attribute of Mercy. As Moore
 states,⁸³ "God's rectoral justice does not mean that, having
 given laws and attached general or specific penalties to the
 violation of them, he inflexibly exacts the whole penalty of
 every infraction by transgression or neglect. It is not
 the justice of inexorable law, nor of an impersonal divine
 attribute, but of an all-wise and all-mighty sovereign whose
 end is not the vindication of the law or his own majesty,
 not the demonstration or satisfaction of a realistically
 conceived attribute, but the best interests of the individual,
 the people, the race, and the fulfillment of his great pur-
 pose in the universal reign of God. Even when the sentence
 is pronounced, he can revoke it and pardon." The law, to
 the rabbis, was not an end in itself. It is meant to aid
 the individual to live an ethical and holy life. It seems
 incongruous to think that God would tender mercy toward the
 brothers of Joseph and exact it from the martyrs who did not
 sin.

From his investigations, this author concludes that the
 idea of an individual expiating by his death the sins of
 others appears to be foreign to Rabbinic Judaism. As was
 pointed out before, there is no dogma on this matter. The
 only cases in which we have sin expiated for by others is
 in the case of the Golden Calf, and in the references in
 the Apocrypha to the sinless, blameless one which were stated
 before. The prevailing rabbinic thought throughout history

has been the thesis that each individual is responsible for his own sins and not for those of others. The fact that an opposite thesis is maintained throughout the four recensions and the selicha is puzzling. Could this thesis represent a prevailing apocalyptic view in Judaism throughout the Geonic Period? Current sources do not give us any direction for further investigation.

RABBINIC ATTITUDES TOWARD ANGELS, PARTICULARLY
AS REFLECTED IN MIDRASH ELE EZKERAH

During the Geonic and Talmudic Periods, angels are mentioned quite often in rabbinic literature. However, they play a strictly subservient role to God in all cases. In the mystical literature, angels are frequently mentioned and we have a very vivid description of the Heavenly Court with angels performing various subservient functions. The Bet Av recension is a very good example of this role, picturing the Divine Palace and Throne, with angels guarding the seven gates to the Palace. The archangels such as Metatron and Gabriel possess the right to approach the Divine Presence. In other non-mystical rabbinic documents, angels perform their function of being messengers from God to man. We see examples of this function in the other recensions when Metatron and Gabriel are sent down to the wife of Rabbi Jose and when the same angels are sent down to ask Rabbi Ishmael to stop his cries. Never do the angels have any more power than that which is given them by God. The minis-

tering angels are mentioned in Talmudic sources as bearing the prayers of man to God. But the emphasis in Rabbinic sources is upon direct prayer without any intermediaries. It is stated in the Talmudic passages that the angels did not understand Aramaic (the vernacular tongue) but only prayers uttered in the holy tongue, Hebrew.⁸⁴ The Palestinian Talmud denies the need for angels serving as intermediaries at all.⁸⁵

God seeks advice from his Heavenly Court, but God's will always prevails. Moore brings out a very interesting point. He states that angels in later rabbinic sources seem to serve the function of a homiletical device.⁸⁶ Rather than make man seem presumptuous by questioning God's actions directly, angels serve the function of asking these questions. This may be the explanation of why in H,⁸⁷ J,⁸⁸ and BA,⁸⁹ the angels ask the rather audacious question, why had such a righteous man as Rabbi Ishmael received such a punishment as the horrible death by flaying? Is this the reward for the study of the Torah? Perhaps this is reflective of an element in the midrash that rebels against the death of righteous men who are not dying for their own sins. However, the question cannot be asked directly. Therefore, angels serve the function of stating it. They assume the role of "familiar servants", who, as Moore states,⁹⁰ can raise objections or remonstrate with their Master, something that man himself is not able to do.

They also serve as a means of God's justifying His ways.

In all the recensions, an attempt is made to justify Rabbi Ishmael's cruel fate by having God reply to the angels that his death will be a merit for the generations to come.

Moore also raises another interesting point.⁹¹ The angels have greater knowledge than man, especially knowledge of the future. But their knowledge is "derivative," a kind of "eaves-dropping." What they hear, they hear from "behind the Curtain." In all four recensions, it is by eaves-dropping that Gabriel and Metatron hear of the fate of the ten martyrs from behind the Curtain that hangs before the Heavenly Throne. The angels have access to information from the Divine Presence. But they know only what God chooses to let them know; they cannot know God's intentions in advance.

A General View of the Midrash

This author, after studying in detail the four recensions of the Midrash Ele Eakerah, has found it, on the whole, to be a key which can unlock the past and reveal to us the thoughts of the rabbinic mind.

It has shown us that the authors of the Midrash Ele Eakerah were not of one mind with regard to their philosophy or theology. Contradictory themes, such as the martyred rabbis dying as a vicarious expiation of sin versus the martyred rabbis dying to provide merit for succeeding generations, are found throughout the midrash. This midrash is a reflec-

tion of the constant battle of ideas which raged as Judaism compared, discarded, adapted, and grew. The greatness of Judaism lies in the fact that those who differed were not suppressed, but were free to air their thoughts, with the community of Israel as the final judge.

Substantial proof has been offered that the main body of the midrash was from the later Gaonic or medieval period. While never explicitly mentioned as such, the Church can be identified as the "Rome" of the midrash, as the oppressor of the Jews. It was during this period that thousands of Jews suffered martyrdom. It would seem that this period would be the most opportune time for the story of the ten martyrs to serve as an inspiring example to the oppressed and persecuted Jewish communities.

There are puzzling problems and unanswered questions in this midrash, such as the matter of vicarious expiation of sin and the "miraculous" birth of Rabbi Ishmael. One can but conjecture as to their full implications, but they do point out to us interesting paths for further exploration and study.

FOOTNOTES

1. A. Jellinek, editor, Bet HaMidrash. Leipzig: Friedrich Nies, 1853-1877.
2. Bet Av. Livorno: 1877.
3. J. D. Eisenstein, editor, Ozar Midrashim. New York: E. Grossman's Hebrew Book Store, 1956, pp. 440-443.
4. Ibid. pp. 443-448
5. Ibid. pp. 448-449.
6. Bet Av, op. cit., pp. 114-120.
7. Gershom G. Scholem, Major Trends in Jewish Mysticism. New York: Schocken Books, 1954, p. 40.
8. Ibid. p. 51.
9. A. Jellinek, op. cit., v. VI, section 5, pp. XVII-XVIII.
10. S. Zeitlin, "Legend of the Ten Martyrs and Its Apocalyptic Origins," Jewish Quarterly Review, XXXVI, (July, 1945, pp. 1-16.
11. J444 1A
12. Abram Leon Sachar, A History of the Jews. New York: Alfred A. Knopf, 1953, pp. 196-197.
13. J444 1A
14. J444 1A
15. J444 2B
16. Simon Cohen, "Gabriel," Universal Jewish Encyclopedia. 1939, v. IV, p. 488.
17. A. Jellinek, op. cit., v. II, section 9, pp. XXIII-XXIV.
18. J444 2C
19. P448 2B
20. BA116 RB
21. HA41 1B
22. Bernard J. Bamberger, Fallen Angels. Philadelphia: Jewish Publication Society, 1952, pp. 138-139.

23. H441 1C
24. J444 2C
25. P448 2C
26. BA116 LB
27. Midrash Abkir. Yalk. I, 110.
28. BA117 1A
29. P449 1A-C
30. J444 1C
31. BA114 1A
32. בכורות, 17
33. ח"נ, ח"נ
34. J445 1A
35. P448 2A
36. BA114 1C
37. ח"נ, אכריו, ח"נ
38. כח, ח"נ
39. ח"נ, אכריו
40. ח"נ, אכריו
41. Ib14.
42. ח"נ, אכריו
43. BA117 LB
44. J445 1B
45. P449 1A
46. BA117 LB
47. A. Jellinek, op. cit., v. VI, section 5, pp. XVII-XVIII.
48. ח"נ, אכריו
49. J445 2A

50. P449 1B
51. BA117 1C
52. J445 2B
53. BA118 RA
54. "Mercy," Universal Jewish Encyclopedia, 1939, v. VII, p. 493.
55. J446 2B
56. Jacob S. Rabin, Gentile Reactions to Jewish Ideals, New York: Philosophical Library, 1953, p. 300.
57. J446 2C
58. BA118 RB
59. Ezekiel 24:24
60. H441 2A
61. J447 2C
62. J447 2B-C
63. BA119 RC
64. J447 1C
65. BA119 RB
66. J447 2C-J448 1C
67. The text of P is identical with the text of J, after the story of the execution of Rabbi Akiba.
68. BA120 R and L
69. S. Zeitlin, op. cit., p. 8.
70. S. Zeitlin, op. cit., p. 7.
71. Book of Jubilees, 34:10-20.
72. Testament of Benjamin, 3:8.
73. Louis Finkelstein, "The Ten Martyrs," Essays and Studies in Memory of Linda R. Miller, New York: Jewish Theological Seminary, 1938, p. 21.

74. Yoma 87A.
75. Samuel S. Cohon, "Original Sin," Hebrew Union College Annual, XXI (1949) pp. 313-314.
76. Book of Jubilees, op. cit.
77. Samuel S. Cohon, op. cit., p. 308.
78. Samuel S. Cohon, op. cit., p. 289.
79. Samuel S. Cohon, op. cit., p. 288-289.
80. H440 2A
81. J444 1A
82. Exodus 21:16.
83. George Foote Moore, Judaism in the First Centuries of the Christian Era, Cambridge: Harvard University Press, 1927, v. I, p. 388.
84. Shabbat 12B.
85. Jerusalem Talmud, Berakot, Chapter 9, Folio 1, p. 13A, Line 69.
86. George Foote Moore, op. cit., p. 407.
87. H441 2A
88. J445 2B
89. BA118 RA
90. George Foote Moore, op. cit., p. 407.
91. George Foote Moore, op. cit., p. 408.

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