

* THE STORY OF THE TEN MARTYRS *

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* ABBREVIATIONS *

A.H.M.	Asara Haruge Malchut
C	Chapter
CF	Compare
DIV	Division
ED.	Edition
J.	Jerushalmi
J.E.	Jewish Encyclopedia
G.d.S.	Geschichte der Juden
G.V.	Die Gottesdienstlichen Vorträge der Juden
L.H.S.P.	Literaturgeschichte der Synagogalen Poesie
LOC CIT.	LOCUT CITUS
M.A.H.M.	MAASE ASARA HARUGE MALCHUT
M.E.E.	Midrash Ele Eskera
N.	Note
NO.	Number
OP. CIT.	Opus Citus
R.	Rabbi
S.P. d. M.	Die Synagogeale Poesie des Mittelalters
T.	Tosefta
VOL.	Volume

FOREWORD

Legends are the common possessions of all peoples. In legends are expressed desires unrealized, hopes unfulfilled, loves and hates grown inordinately strong. In legends heroes are idolized, and enemies are conquered and punished; "The people's verdict upon history" is given. In legends are sorrows and disappointments and misfortunes magnified. In legends do masochistic impulses find an outlet.

The Jews are no exceptions among peoples who have legends, and indeed the Jews possess a literature, rich in legendary matter, as is evidenced for instance, in "The Legends of the Jews", by Louis Ginzberg. One of the legends of the Jews, of most absorbing interest, is "The Story of The Ten Martyrs". It is the historical development of this legend, which this thesis proposes to trace. More specifically, it is to reveal the elements of truth upon which this legend is based, to depict the conditions which brought about the martyrdom of certain teachers, to indicate how legend wove into tapestries of brilliant colors the stories of actual and imagined martyrs, to show how the natural desires of the Jewish people to commemorate a period of history, to glorify their heroes, and villify their enemies occasioned certain legendary developments, that this thesis has been written.

The "Story of the Ten Martyrs" is interesting not only for itself, but because it contains certain minor theological elements which have been discarded by official Judaism. Such elements as the doctrines of lasting sin, and of metempsychosis. The doctrine of lasting sin as revealed in the statement that because of the crime committed by Joseph's brothers in selling him into slavery, ten prominent men from each generation were to lose their lives.¹ The doctrine

1. Yalkut Mishle, 131d, Venice ed.; J. M.A.H.M., p. 446 b

of metempsychosis, as revealed in the statement, that the soul of Adam, and Joseph, became in turn the soul of R. Ishmael.² In "The Story of the Ten Martyrs", the most natural and elemental impulses of the Jewish people were given expression to,---those impulses gradually bringing the completed legend into being. To analyze that completed legend historically, for the most part, is the purpose of this thesis. No attempt has been made exactly to determine the dates of the various sources used.

2. Yalkut Reubeni, Perek Vayyesheb, p. 155 b, Warsaw edition.

* CHAPTER I - THE BAR KOCHBA REBELLION: ITS CAUSES AND EFFECTS. *

A. CAUSES OF REBELLION

The causes of the Bar Kochba war, one of the results of which was the martyrdom of many teachers of the day, seem to have been (1) the forbidding by the Romans of circumcision, (2) the planning of the Romans to found a new city, by the name of Aelia Capitolina upon the ruins of Jerusalem, and to erect a Temple dedicated to Jupiter upon the site of the Temple of God, and (3) the general chafing on the part of the Jews against foreign domination.

According to Schurer, Spartianus in his "Life of Hadrian" says with regard to the cause of the war: "moverunt ea tempestate et Judei bellum quod vetebantur mutilare genitalia."¹ Dion Cassius gives the following explanation. "When Hadrian had founded at Jerusalem a city of his own, in place of the one destroyed, to which he gave the name of Aelia Capitolina, and on the site of the temple of their God erected another temple dedicated to Jupiter, there resulted a great and a prolonged war. The Jews were very indignant to see the settling of foreigners and the establishing of strange cults in their city."²

The ban against circumcision was to the Jews a savage attack against their religion. ~~_____~~. To obey the order meant to lose their identity as Jews, to violate a cardinal requirement of their religious practices. And yet the prohibition by the Romans against circumcision does not seem, first of all, to have been directed against the Jews. The prohibition was not limited to the Jews. It seems originally to have been a general order, for when under Marcus Antonius Pius the Jews were again allowed to circumcize their children, the prohibition still stood good against non-Jewish peoples.³ "The

1. Schurer: A History of the Jewish People in the Time of Jesus Christ.
Div I vol. 2, p. 294.

2. Dion Cassius: Epitome of Xiliphin, 69:12, found in Textes d'Auteurs Grecs et Romains Relatifs au Judaisme -- by Theodore Reinach.

3. (a) Schurer: loc.cit. (1) Modestinus, Digest XLVIII. 8:11 "Circumcidere Judaeis filios suos tantum rescripto, divi P^a permittitur: in non ejusdem religionis qui hoc fecerit, castrantis poena irrogatur"

(2) Contra Gls. II:13 Origen says that only Jews were allowed to practice circumcision, but that it was forbidden to all others on pain of death.

special feature of this legislation was not that it aimed at the rooting out of Judaism, but that it placed circumcision on the same level with castration, and punished its practice accordingly. Hadrian strictly forbade castration; it was to be punished under the *lex Cornelia de sicariis*, i.e., it was treated as murder." 4

The building of Aelia Capitolina upon the ruins of Jerusalem, and the erecting of a temple dedicated to Jupiter upon the site of their own temple, must also have been considered by the Jews as a deliberate affront to their religion and to their God. Such building could be considered by the Jews nought else than a *חילול שם*, a profanation of the holy Name, and as such it was resisted by them. Here again, "the ruling motive was not hostility to Judaism". Hadrian seems to have been a builder. Wherever he went, he had erected magnificent buildings, and monuments,--all kinds of public works (5a) He was a "restitututor" in all the provinces of Rome.⁵ In 130 and 131 A.D. Hadrian was in Syria.⁶ He went to Jerusalem, and when he saw its ruins, he conceived the project of restoring the city to its former magnificence. He very evidently, however, intended to make of Jerusalem a heathen city, and to dedicate a restored temple to Jupiter. The Jews could tolerate no such procedure. As long as the ruins of the city and temple remained untouched by unclean hands, the Jews could cherish the dream of restoring Jerusalem and the temple for themselves.⁷ The plans of Hadrian dashed their hopes to the ground. The holy city and temple were to be profaned, circumcision was forbidden. The Jews turned to arms.

Still it seems that the Roman proceedings were not animated by a desire to harm the Jews or destroy their religion. Not only because it is evident that the ban against circumcision was a general one, and the rebuilding of a destroyed city was in accordance with the habits of Hadrian, but because Judaism was considered

4. Schurer: loc. cit.

5a. Dion Cassius 69:11 op. cit.

5. Schürer. op cit. Div 1 vol 2 p. 296, note 77

6. Schürer op. cit. Div. 1 vol 2, p. 295 note 76

7a. There is a legend to the effect that the Jews had already secured permission to rebuild the temple. The permission was withdrawn and the Jews rebelled. Cf. Graetz: *Geschichte der Juden* v. 4, note 14, pp. 410, 11.

b. Cf. Genesis Raba, c. 64

c. Schurer: op. cit. Div. 1, Vol. 2, pp. 289, 291

by the Roman authorities a "religio licita"; hence they would have purposely done nothing to violate the usages of the religion of the Jews, and profane with malice aforethought their sacred places. At various times during the period of Roman control, the Jews appealed to Roman authorities when their religious liberties were denied them; and orders were issued by the Romans that the Jews should not be disturbed in their practices. *E.g. The following is quoted by Josephus* "Julius Caius, praetor of Rome, to the magistrates, senate and peoples of the Parians, sendeth greeting: The Jews of Delos, and some other Jews that sojourn there, in the presence of your ambassadors, signified to us, that by a decree of yours, you forbid them to make use of the customs of their forefathers, and their way of sacred worship. Now it does not please me, that such decrees should be made against our friends and confederates, whereby they are forbidden to live according to their own customs, or to bring in contributions for common suppers, and holy festivals, while they are not forbidden so to do even at Rome itself."⁸ "Sopater, the ambassador of Hyrcanus, the high priest, hath delivered us an epistle from thee whereby he lets us know, that certain ambassadors were come from Hyrcanus, the high-priest of the Jews, and brought an epistle written concerning their station, wherein they desire that the Jews may be allowed to observe their Sabbaths, and other sacred rites, according to the laws of their forefathers."⁹ Other Roman regulations which Josephus mentions directly or indirectly, guarantee to the Jews of Asia Minor the privileges of observing unhampered the usages and practices of their religion.¹⁰ The Jews were even exempted from military service. "In consequence of all of this, Judaism acquired such a legal standing, that it came to be treated as a religio licita thruout the whole extent of the Roman Empire"¹¹ Radin¹² supports Schurer's view, that the ban against circumcision, and the plan to build a new city and temple by the Romans, were not

8. Josephus: Antiquities of the Jews XIV. 10.8

9. Josephus: op. cit. XIV: 10.20

10. Josephus: op. cit. XIV: 10.11-26

11. Schürer op. cit. Div. 2, Vol. 2, p. 260, note 132.

12. Radin: Jews Among the Greeks and Romans. pp. 341-349.

the result of an anti-Jewish bias, and that Judaism was considered a religio licita.

The Jews, however, had been aroused to a violent degree by the order against circumcision and by the plan to found a new city.¹³ The outrages which Antiochus Epiphanes had committed against them years before seemed now to be repeated by the Romans. And even as the Jews in the days of Antiochus rebelled so did the Jews in the time of Hadrian.¹⁴ The Jews were by no means satisfied with Roman jurisdiction anyway. Ever since the destruction of the Temple by Titus they had chafed under Roman rule. A desperate revolt had broken out in the latter part of the reign of Trajan, which affected the Jews in Alexandria, and Cyrene, and Cyprus, and Mesopotamia. It was with difficulty finally put down.¹⁵ The temper of the Jews in Hadrian's time probably was not an over-peaceful one. The ruins of Jerusalem and of the Temple must always have been a painful reminder to the Jews of their lowly estate. And now when the laws and places most sacred to them were to be violated by Roman commands and laws, the Jews broke out into open revolt. They remained quiet so long as Hadrian remained in the neighborhood of Palestine, and revolted openly as soon as he departed thence,¹⁶ in 132 A.D.¹⁷ The rebellion spread rapidly all over Palestine. The Jews dared not fight the Romans in the open, but entrenched themselves in the hills, erected fortified places, hid in caves joined together by secret passage-ways, and waged a guerilla warfare against the Romans.¹⁸ Success crowned their initial efforts. Other discontented groups thereupon joined the Jewish forces, and for a time the Romans fared ill in Palestine.¹⁹ The Jewish forces under the leadership of Bar Kochba won one victory after another, and soon had the upper hand in Palestine; Bar Kochba was acclaimed the Messiah.²⁰

13. Schürer: op. cit., Div. 1, vol. 2, "Eusebius regards the founding of the city as a consequence of the rebellion (cf. Eusebius Hist. eccl. iv, 6) This is correct inasmuch as only thereafter was the plan carried out."

14. The similarity of the persecutions and martyrdoms in the days of Hadrian to those of Antiochus will be considered later.

15. Dion Cassius: op. cit., 68:32

16. Dion Cassius: op. cit., 69:12

17. Reinach: op. cit., p. 198, note 5

18. Dion Cassius: op. cit., 69:12

19. Dion Cassius: op. cit., 69:13

20. J. Taanit. 68d

B. THE REBELLION

When the rebellion broke out, Tineus Rufus was governor of Judea.²¹ He was unable to put down the rebellion. The Romans, who in the beginning had not taken the uprising very seriously, had finally to resort to the severest measures in order to put it down. Large bodies of troops from other provinces were called in to strengthen the resident garrison. Hadrian sent against the Jews his best generals, and finally summoned Julius Severus, one of his most successful generals, from Britain, and placed him in charge of the war against the Jews. It took him considerable time to crush the revolt. So powerful had the Jews become, that Julius Severus did not dare risk an open combat, but contented himself with sudden attacks upon detached bodies of soldiers, smaller than his own, cutting off sources of supply; hunting the Jews out, one small group after another from their fortified places and caves; slowly reducing their forces and constantly wearing them down.²² The Jews were forced from one stronghold to another, until finally they made their last stand at Bethar. There Bar Kochba gathered all his forces, and made a long and stubborn defence. The stronghold was conquered in the 18th year of Hadrian's reign, 134-5 A.D.²³ According to rabbinic tradition, it fell on the 9th of Ab.²⁴ The fall of Bethar was accompanied by a terrible slaughter of those within it.²⁵ Thousands were killed.²⁷ The whole country had been laid waste. "Fifty fortresses, 985 villages were destroyed; 580,000 fell in battle. As for ~~xx~~ those who succumbed to hunger and sickness and fire--the number is incalculable."²⁸ The Roman losses must have been very great, for in his report to the Senate, Hadrian omitted the formula usual on such occasions: "I and my army are well".²⁹ In addition to those

21. Ewald Schurer: op cit., Div. 1, Vol. 2, p. 262.

22. Dion Cassius, op. cit. 69:13

23. op cit, Schurer, Div. 1, Vol. 2, p. 310

24. Taanit 4:6

25. Midrash Echa Rabba 2:79

27. Midrash Echa Rabba 2:91

28. Dion Cassius: op. cit. 69:14

29. Dion Cassius: op. cit. 69:15

who fell in battle or were slaughtered by the Romans, many Jews were sold away as slaves.³⁰

C. RESULTS

The Romans could now proceed, unhampered, with the converting of Jerusalem into a Roman colony, - which they did. No Jews were allowed thereafter to enter the territory of the city. If any one should be discovered there he was put to death.³¹ The Romans had originally no intention of destroying Judaism, but after the beginning of the rebellion they determined that the only way in which the Jews could finally be put down, --- they had been a source of trouble to the Romans since the days of Titus --- was to destroy their religion. The law forbidding circumcision was, after the beginning of the war, insisted upon all the more rigourously, because of the realization of the Romans that it would help destroy the religion of the Jews. In addition, laws were passed against the study and teaching of the Tora, against the observance of the Sabbath, against everything which tended to preserve Judaism. A period of religious persecution set in, lasting until shortly after the death of Hadrian. Infraction of the Roman regulations brot down the penalty of death.

[The war may then be divided into four periods including the events immediately preceding and directly following it. (1) When upon the issuance of the Roman ban against circumcision observant Jews fled to hiding places and practiced the rite of circumcision, - driving off Roman inspectors who sought to hinder them in the practice of their rites. (2) When anger at the ban, and the beginning of the building of Aelia Capitolina, and the natural resentment against foreign domination, provoked the Jews into active rebellion, which for a while gave them control of Palestine. (3) The appearance of Julius Severus on the field of battle. His campaign of attrition, which resulted finally in the surrounding of the Jewish forces in Bettar, and the besieging of the fortress. (4) The fall of Bettar, and the period of religious persecution which followed it.]

30. Schürer - op. cit. Div. 1, Vol. 2, p. 314, note 122

31. Schürer - op. cit. Div. 1, Vol. 2, p. 315, note 125.

The Jews circumcized their children secretly during the time before the outbreak of the rebellion when the ban against circumcision was issued, and during the early part of the revolution, before the Jewish forces succeeded in driving the Romans before them. After the circumcision took place, the outer skin of the foreskin would be so stretched as to conceal the circumcision, and hence avoid detection and arrest by the Roman authorities. *This is evident from the following discussion* "That person whose skin is stretched to conceal circumcision, must be circumcised again. R. Judah said: he need not be circumcised again, because it is dangerous for him. And they said to him: and were not many circumcised in the days of Bar Koziba; they begot sons and daughters.³²" During the days when Bar Kochba was victorious, and it seemed that the Romans had been defeated, the Jews did not fear the Roman authorities and openly practiced circumcision. Those who had been secretly circumcised in previous days when Roman inspectors watched for infractions of the law, and whose circumcisions had therefore been concealed, were circumcised again, and lived to beget children. The days of freedom from Roman supervision, under Bar Kochba, were short-lived. The Roman armies began to drive the Jewish forces back towards Bittar, and circumcision had again to be practiced secretly and disguisedly, or not at all. When the period of persecution ended, shortly after the ascent of Marcus Antoninus Pius to the throne, it again became possible for circumcision freely to be carried on. The question then arose as to whether or not those whose circumcision had been disguised, during the time intervening between the retreat of the Jewish forces before Severus' advance, and the end of the period of persecution, must be circumcised again. R. Juda said it was not necessary because it might prove dangerous to a grown person. His opponents pointed to those who had been circumcised a second time during the period of Bar Kochba's victories, and who had survived the operation, and had begotten children.

32. Yebamot 72a

Probably by preventing the human pheromone being natural born
 24-25

Circumcision became only one of the few methods, with which the Romans sought to crush Judaism. Formerly it had been applied to all peoples under the dominion of Rome, and without any special animus against the Jews. When the revolt commenced, and the Romans realized that the best way to destroy the Jews was to break up their religion, the Roman government made investigations, and banned all procedure which would tend to maintain Judaism. They then realized that the ban against circumcision was a good weapon. Other laws followed. "One time the government decreed that they should not keep the Sabbath, nor circumcise their children, and that they should have intercourse with their wives when they were in an unclean state."³³ "From the day when the Roman government decreed severe decrees against us, seeking to remove from us the Tora and the commandments, refusing us permission to circumcise our sons,--some say to redeem them,--it would have been right for us to decree against ourselves not to marry and beget children. But then the seed of Abraham would destroy itself. Leave Israel alone. It is better that they should sin in error, and not presumptuously."³⁴ Such Roman decrees could only have been passed after the beginning of the rebellion, when the Romans had decided to crush Judaism. The Roman regulations became stricter and stricter, as the war progressed, and Roman inspectors were constantly on the watch for violations of them. "Said R. Meir: One time we were sitting before R. Akiba, and we were reading the Shema, but not audibly, because of an inquisitor who was standing at the gate."³⁵

One cannot agree with Halevy who asserts that the laws of the Romans forbidding studying and teaching the Torah, reciting the Shema, ritual cleanliness, were causes and not results of the rebellion.³⁶ [The Romans would have had absolutely no reason for such edicts before the war, and there is no reason to

33. Meila 17a

34. Baba Batra 60b. cf. T. Sota 15:10; Rosh Hashana 19a; Shabas 130a:

35. T. Berakot 2:13

36. Isaac Halevy: Dorot Horishonim Vol. 1, pt. 5, p. 584

believe that the Romans tried to provoke an uprising. And inasmuch as Judaism was considered a 'religio licita' by the Romans, the probability of their having issued such edicts before the war is precluded. It has been seen also that the ban against the laws forbidding circumcision, and the beginning of the building of Aelia Capitolina, were not originally intended to destroy the religion of the Jews, and especially to prevent them from observing the practices and customs of their faith.

With the fall of Bettar, the restrictions of the Romans against the observance of anything which would make for the maintenance of Judaism became most severe, and disobedience meant loss of life; whereas before the fall of Bettar there is reason to believe, as will be seen with regard to Rabbi Akiba, ^{probably} disobedience meant nothing more than a prison sentence. But after the fall of Bettar, all of the energies of the Roman government in Palestine were turned to the destroying of Judaism. Inquisitors were everywhere, spies in all places, traitors gave information as to secret practices. The Jews were continually harried and hunted and martyred--but withal remained firm to their faith. "R. Nathan said: Why must you be led out and killed; because I circumcised my son. Why must you be burnt; because I read the Tora. Why must you go out to be impaled; because I ate unleavened bread. Why must you be whipped; because I held the lulab."³⁹ In the Midrash the statement occurs in an amplified form, "Why must you go out to be stoned; because I circumcised my son. Why must you go out to be burned; because I kept the Sabbath. Why must you go out to be killed; because I ate unleavened bread. Why must you be whipped; because I made a sukka, held a lulab, put on tefillin, picked up the blue cord, because I did the will of the Heavenly Father."⁴⁰ During the period of persecution, a man caught wearing tefillin was to have his head pierced thru. "For at one time the government decreed against

39. Mekilta JA tro end. p. 76.

40. Midrash Leviticus Rabba 50b.

Israel that whosoever put on Tefillin, would have his head pierced. Elisha put them on, and went out into the street. A soldier saw him. Elisha ran away. And the woldier pursued him. When he reached him, Elisha took the Tefillin from his head and held them in one of his hands. The soldier said to him: What have you in your hand? He answered; the wings of a dove. He stretched out his hand, and in it were found the wings of a dove. Therefore he is called Elisha Bal Kanaphim." ⁴¹ The Romans established the practice of jus primae noctis, and the Jews had to change the wedding day. ⁴² The severest punishments seemed to be given to those who had anything to do with the ceremony of ordination, and to those who held public aseemblies, and expounded the law. "The Roman Government decreed that whosoever ordains, shall be killed, whosoever is ordained shall be killed, the city in which an ordination is held, shall be destroyed, and the Sabbath district in which it is held shall be laid waste." ⁴³ When R. Hanania b. Teradion, for instance, was found holding a public assembly with a scroll of the Tora spread before him, he was seized, and burned at the stake. ⁴⁴ Many during this period of persecution suffered the death of the martyr. So stringent were the Roman rules, that when a teacher was martyred, the people were afraid publicly to mourn for him, because the political conditions were too much troubled, and ^{hence the regulation that} one does not mourn over the "martyrs of the kingdom." ⁴⁵ The fury of the Roman persecution seemed to know no bounds. Tradition has an illuminating story of the hatred which Hadrian (meaning probably the governor Tineus Rufus) had for the Jews. "A Jew passing Hadrian greeted him. Hadrian asked him, who he was, and when he told him that he was a Jew, he said to him: And you presume to greet Hadrian? He had him killed. Another Jew who had witnessed the incident passed Hadrian without greeting him. He also was killed. Then his councillors said to him: We do not understand your method of procedure.

41. Shabas 49a

42. Ketubot 3b; J. Ketubot I, 25c; T. Ketubot 1:1

43. Avoda Zara 8b

44. Avoda Zara 18a

45. Sanhedrin 11a; Sota 48b; J. Sota 24b; T. Sota 13:4, Shir HaShirim Rabba 38c.

Both he who greets and does not greet is killed. He answered them: You ask me how I get rid of my enemies?" ⁴⁶ The period of persecution resulted in many deaths. Prominent teachers were martyred. Legends developed about them. Before we consider the legend with regard to ten martyrs who were supposed to have fallen during this period, we should like to consider briefly the causes and results of the religious persecutions in the days of Antiochus Epiphanes in comparison with the causes and results of the religious persecutions in the days of Hadrian. The reason for the comparison is the striking similarity in the events of both periods.

D. ANTIOCHUS EPIPHANES.

The desire of Antiochus Epiphanes was to advance everywhere the lustre of Greek culture. He wanted to Hellenize the world. In Judea there was a party that favored his policy, and in order to further his ends he removed Onias III from the priesthood in favor of Jason, who trained the youth "in the fashion of the heathen", and who "brought up new customs against the law." ⁴⁷ Antiochus then placed Menelaus in power, ⁴⁸ and Jason had to flee. In B.C. 170 when Antiochus was in Egypt, Jason by a sudden stroke made himself master of Jerusalem. When news of this came to Antiochus, he considered it an act of rebellion, and proceeded to punish Jerusalem. ⁴⁹ He marched against Jerusalem, massacred its inhabitants, and plundered its temple. ⁵⁰ Two years later, 168 B.C., Antiochus sent a tax collector to exact tribute from Judaea, with orders to Hellenize Judea and kill any person who would not act in according to the commandment of the king. "Moreover king Antiochus wrote to his whole kingdom, that all should be one people, and every one should leave his laws. ---That they should follow the strange laws of the land, and forbid burnt offerings and sacrifice, and drink offerings in the temple; and that they should profane the sabbaths and festival days, and

46. Midrash Echa Raba p. 103a, c. 3, section 40.

47. II Maccabees 4:7-11; Josephus: op. cit. XII: 5.1

48. II Maccabees 4:23-27

49. II Maccabees 5:11

50. II Maccabees 5:11-21; I Maccabees 1:20-24. Josephus: op. cit. XII: 5.3

pollute the sanctuary and holy people; set up altars and groves, and chapels of idols, and sacrifice swine's flesh, and unclean beasts; that they should also leave their children uncircumcised and make their souls abominable with all manner of uncleanness and profanation; to the end that they might forget the law and change all ordinances." ⁵¹ The Jewish population which would not yield was treated with great barbarity. The men were killed, the women and children were made slaves, Jerusalem was made "an habitation of strangers," the sanctuary was laid waste. All with the purpose of making Jerusalem a Greek city, and Hellenizing all Judea. ⁵² Terrible religious persecutions set in. Overseers were appointed who ferreted out and killed those who disobeyed the king's commands, "And indeed many Jews there were who complied with the king's commands, either voluntarily or out of fear of the penalty that was announced; but ^{the} best men, and those of the noblest souls did not regard him, but did pay a greater respect to the customs of their country, than concern as to ^{the} punishment which he threatened to the disobedient; on which account they everyday underwent great miseries, and bitter torments, for they were whipped with rods, and their bodies were torn to pieces, and were crucified, while they were still alive and breathed. They also strangled those women, and their sons whom they had circumcised, as the king had appointed, hanging their sons about their necks as they were upon the crosses. And if there were any sacred book of the law found, it was destroyed, and those with whom they were found, miserably perished also." ⁵²

Wonderful stories are told concerning the martyrs' ends which many Jews chose, rather than violate the commandments of their religion. "Eleazar, one of the principal scribes, an aged man, and of a well-favored countenance, was

⁵¹. I. Maccabees 1:29-50. II Maccabees 5:23-26. Josephus:op.cit.XII, 5:4

⁵². Josephus:op.cit. XII:5.4; II Maccabees 6:10,11

3. constrained to open his mouth and to eat swine's flesh. But he, choosing rather to die gloriously than to live stained with such an abomination, spit it forth, and came of his own accord to the torment, as it behooved them to come, that are resolute to stand out against such things as are not lawful for love of life to be tasted." ⁵³ The story goes on to say that Eleazar would have lived had he practiced a slight dissimulation, but that he chose not to do so, in order to leave a notable example to such as be young to die willingly and courageously for the honorable and holy laws."

There is a remarkable story told with regard to the mother and her seven sons, who refusing to eat swine's flesh, were one after another most cruelly tortured to death. Finally only the youngest remained, and the king begged the mother to persuade her remaining child to obey the royal command. She exhorted him to disobey, and her son was killed; her death soon followed. ⁵⁴ [It is interesting to note that an almost exactly similar story is told in various places in the Midrash and Talmud, but places the death of the seven children, and their mother, in the days of the Hadrianic persecutions.] "Hadrian the king came and seized a widow and her seven sons." The story goes on to tell how he summoned each of the sons in turn, bade them bow down to an idol, and had them killed upon their refusal to do so. When he came to the seventh and youngest son, he wished to spare him, and entered into a religious disputation with him in order to convince him of the propriety of bowing down to a heathen God. None of his arguments prevailing, he said finally to the youngest son: "If your God has strength and eyes to see and ears to hear, why does he not deliver you from my hands? He replied: you are not worthy that a miracle should be performed thru you. And we merit death. If you do not kill us, God can provide many other ways to kill us, etc." The king thereupon ordered his execution. The mother begged to be allowed to embrace her son, and then asked to be killed with him. The king refused, the son was executed, and the mother threw herself from a roof. ⁵⁵

⁵³. II Maccabees 6:18-21

⁵⁴. II Maccabees c. 7

⁵⁵. Seder Elijah Raba pp. 151-3

⁵⁶. Gittin 57b. (c) The religious disputation which takes place is similar to the one between Trajan and the brothers Lulianus and Pappus. cf Megilat Taanith 17a. Tosefta

In Midrash Echa the mother is named Miriam the daughter of Nachtom. In this account she seeks to be killed before the execution of her remaining child. The request is refused, and after his death, she throws herself from a roof.⁵⁶ In Pesikta Rabati the mother is called "Miriam the daughter of Tanchum", who was taken captive, together with her seven sons in the days of persecution. In this account the last remaining child, the youngest, asks his mother's advice as to whether or not he should bow down to an idol. She said to him in answer: "do you desire that all your brothers should achieve life in the world to come, (and you not, if you bow down)?"⁵⁷

The passive resistance shown by Eleazar and others like him, soon developed into an open revolt against the forces of Antiochus. Led by Mattathias and his sons, the Jews took up arms against their oppressors, passed up and down the country, overthrowing heathen altars, slaying apostate Jews and circumcising uncircumcised children; and "they recovered the law out of the hand of the gentiles, and out of the hand of kings, neither suffered they the sinner to triumph."⁵⁸ After the death of Mattathias his sons carried on the war, and were enabled thru battle and the force of circumstances to win political and religious freedom for the Jews.⁵⁹

[The reasons for faithful Jews becoming martyrs in the days of Hadrian were much the same, thus, as those in the days of Antiochus Epiphanes. The real persecution, with all of its prohibitions, in Hadrian's time, came after the beginning, and, most completely, after ending of the Bar Kochba war, which the Romans won. The prohibitions and persecutions in the days of Antiochus Epiphanes came before the uprising headed by Mattathias and his sons, which finally proved successful.]

(Note 55 continued from last page)

Masechet Semachot 55a; Koheleth Raba 118a.

56. Midrash Echa Raba, section 50, pp. 17d, 18a; Yalkut Echa c.2

57. Pesikta Rabati p. 180b

58. I Maccabees 2:39-48. Josephus: op. cit., XII, 6:2

59. I Maccabees 6:55-61; II Maccabees 13:23-26; Josephus: op. cit., XII; 9, 6-7

15. Both periods were attempts to crush the Jew by destroying his religion, and both used the same methods. The bans against Sabbath, ritual observances, circumcision, study and teaching of the Torah, anything which would make for the preservation of Judaism. As a result of both religious persecutions many Jews suffered the deaths of martyrs and legends developed with regard to them. And it is with those martyrs who fell during the Hadrianic persecutions and the legends which developed about them, and others who were supposed to have been martyred, that we are especially concerned.

* CHAPTER II - MARTYRS IN THE TALMUD *

A. R. SIMON AND R. ISHMAEL.

In the older Talmudic literature, no mention is made of ten martyrs who were killed at the same time, by the same king. In the Mishna, Tosefta, Sifra, Sifre, Mechilta, the Babylonian and Palestinian Talmuds, such an account is not found. Here and there are statements referring to the execution of individual teachers and leaders during the Hadrianic persecutions, but nowhere in the older sources are "ten martyrs" mentioned.

The Mechilta mentions the execution of R. Simon and R. Ishmael. "R. Ishmael and R. Simon were going out to be killed. R. Simon said to R. Ishmael: My teacher, I am sorely grieved, because I know not why I am to be killed. R. Ishmael replied to R. Simon: In your days, did there ever come a man to you for judgment, or to ask a question, whom you delayed until you finished your drink, or tied your sandal, or put on your Talith? If thou afflict them in any wise-- a great affliction or a small one amounts to the same thing. Said R. Simon: You have comforted me, my teacher. And when R. Simon and R. Ishmael were killed, Akiba said to his pupils concerning them: Prepare yourselves for misfortune; for if good were to have come in our generation, R. Simon and R. Ishmael would certainly have received it. It is however revealed and known to Him who said, And the world shall be, that great misfortune is to come in our generation. Therefore these departed from our midst, as it is said: (Is. 57:1-3) the righteous perisheth, and no man layeth it to heart, and godly men are taken away, none considering (that the righteous is taken away from the evil to come). And it says: He entereth in peace, they rest in their beds, each one that walketh in his uprightness. And in the end: But draw hither ye sons of the sorcerers, the seed of the adulterer and harlot." ¹

1. Mechilta Mishpatim c. 18. Yalkut Mishpatim c. 22, p. 102a

The story of the deaths of R. Simon and R. Ishmael in Masechet Semachot differs in some important details from the story in Mechilta. "It was decreed against R. Simon and R. Ishmael that they should be killed. R. Ishmael was weeping but R. Simon said: I give praises. With two steps you enter into the midst of the righteous and still you weep? Replied R. Ishmael: And do I weep because we are to be killed? but because we are to be killed like those who shed blood and profane the Sabbath. Said R. Simon to R. Ishmael: Perhaps you were sitting at a meal, or had fallen asleep, and a woman came to inquire with regard to her menstruation, and the servant said, he is asleep." And the Tora says: If thou afflict them in anywise. And it is written: I shall kill you by the sword. Now some say it was R. Simon b. Gamaliel who was weeping and R. Ishmael who answered him according to these words. When R. Simon and R. Ishmael were killed, the report came to Akiba and to R. Juda ben Baba. They arose, girded their loins with sackcloth, and rent their garments. And they said: Our brethren Israel, if good were intended for the world, R. Simon and R. Ishmael would have received it first. But it is revealed and known to Him who said, And the world shall be, that in the end, great misfortune is to come to the world. Therefore these departed from the world. The righteous perisheth and no man layeth it to heart." ²

There are other variations in the story of the deaths of R. Simon and R. Ishmael, as it is recorded in Abot de R. Nathan. "When they had seized R. Simon b. Gamaliel and R. Ishmael to kill them, R. Simon b. Gamaliel was sitting, contemplating. He said: woe unto us, for we are to be killed like those who profane the Sabbath, like idolators, like those who commit incest and like murderers. Thereupon R. Ishmael b. Elisha said to him: May I say something to you? He answered: Speak. Said R. Ishmael b. Elisha: Perhaps when you were sitting at a meal, some poor people came, and stood by your door, and you did not

2. Masechet Semachot c.8.

8. permit them to enter and to eat. R. Simon b. Gamaliel replied: I swear by the heavens that such a thing has not occurred. I even placed watchmen before the door of my house to bring the poor people in to me, when they came. They ate and drank with me, and blessed the name of God. R. Ishmael b. Elisha then said to him: When you sat on the temple mount and expounded the words of the Tora, all the students of Israel sitting before you, did you become overbearing? -- He said to him: Ishmael, my brother, a man should be prepared to meet his fate. Then each of them beseeched the executioner (to kill him first). The one said: I am a priest, the son of a high-priest, kill me first, and let me not witness the death of my companion. The other said: I am a Nasi, the son of a Nasi, kill me first, and let me not witness the death of my companion. The executioner told them to cast lots. They did so, and the lot fell upon R. Simon b. Gamaliel. Immediately the executioner took the sword and cut off his head. R. Ishmael b. Elisha picked it up and put it on his lap and wept and cried, Holy mouth, faithful mouth, a mouth that has brought forth precious gems, beautiful jewels, pearls, who tramples thee in the dust, and fills thy mouth with dirt and ashes? With regard to thee the Scriptures say: (Zech. 13:4) Awake O sword against my shepherd, and against the man who is my fellow. He did not finish his words, before a sword fell on him and cut off his head." ³

An account much similar to the one in Abot de R. Nathan is found in Seder Elijahu Raba. "And when they seized R. Simon and R. Ishmael to kill them, R. Simon wept, saying: Why are we to be killed like those who commit sins and profane the Sabbath, why should our death be like that of foul things? R. Ishmael said to him: My master, let me be a judge before you. Many times we sat to interpret the law, and we did not do so in truth. False witnesses came and testified before us, and they were deservant of death. And we entered into the bathhouse, and we turned to eating and drinking, and when orphans and widows came

3. Abot de R. Nathan c. 38, p. 43d.

9. to make requests for their support, the servant said to them: The hour is not free. Come and see how great is the punishment of this matter. (Ex. 22:1-3). At the time they were about to be killed, each showed honor to the other. One said I am great and more honorable than my companion. Kill me first, and let me not see the death of my companion. They cast lots, and the lot fell upon R. Simon b. Gamaliel (his head was struck off). R. Ishmael picked it up, and put it on his lap, he embraced and hugged and kissed it. He said to it: Why art thou trampled in the dust, thy mouth become filled with ashes and dust, like those who commit sins and profane the Sabbath? He had not finished speaking, when the sword fell upon him, and cut off his head. At that moment God said: I shall bring heaven and earth, and crush them together, and I shall destroy my world before them. As it is said: (Ezek. 21:22) I will also smite my hands together, and I will satisfy my fury; I the Lord have spoken it." 4

[The deaths of R. Simon and R. Ishmael became quickly matters of legendary concern, and already in comparatively early documents, fancy began to play an important role with regard to them. Hence it becomes difficult to determine exactly the time and identify of the two martyrs.] Zacuto thinks that the two were Simon b. Gamaliel the Elder, a Nasi, and Ishmael b. Elisha, a high-priest, and that both were executed by Titus after the destruction of the temple in 70 A.D.⁵ If he is correct, it would have been impossible for R. Simon and R. Ishmael to have lived in Hadrian's time, and been killed in the same period in which R. Akiba and R. Juda b. Baba lived and later were also killed. If however, one can show, as Graetz does, that R. Simon was not a Nasi, nor R. Ishmael a high priest, then it becomes possible to place their time and determine their identity otherwise. 6 It is significant, as Graetz points out, that Josephus, who speaks of R. Simon b. Gamaliel as active in the insurrection which Titus

4. Seder Elijahu Raba c. 30.

5. Sefer Johasin pp. 33a, 35d; cf. Shalsholet Hakabala p. 31a

6. H. Graetz: Die Hadrianische Verfolgung und die Zehn Märtyrer. pp. 307-322

20. finally crushed, does not mention his being executed by Titus, altho he does mention the deaths of other leaders of the insurrection.⁷ The fact that Josephus does not mention his execution makes probably the supposition that "he died before the outbreak was quelled."⁸ More positive proof as to time and identify of R. Simon and R. Ishmael, is to be found in the Mechilta passage previously quoted. According to it, R. Simon and R. Ishmael must have been contemporaries of R. Akiba, because when the report came to him concerning their martyrdom, he bade his pupils prepare themselves for misfortune, auguring unhappy events for the age, from the tragic endings of two of its greatest spirits. If the reliability of the Mechilta passage is to be taken for granted,--there seems to be no reason to doubt it,--the R. Simon and R. Ishmael who are contemporaries of R. Akiba, could not have been the R. Simon b. Gamaliel and the R. Ishmael b. Elisha, supposed to have been executed by Titus in 70 A.D. To establish the latter supposition, R. Akiba's life-time must be pushed back to the time of the destruction of the Temple, or that of R. Simon b. Gamaliel, ^{in the insurrection} active/against Titus must be brought forward to Hadrian's time.----- both of which suggestions being very evidently historically impossible. If, as Graetz suggests, one leaves out of play the titles 'Nasi' and 'high priest' which appear only in sources later than the Mechilta, there being left only the name R. Simon and R. Ishmael, nothing seems more probable than their having been contemporaries of Akiba. And the Mechilta passage speaks only of a R. Simon and R. Ishmael, for whose deaths R. Akiba mourned. In later accounts, such as Masachet Semachot and Abot de R. Nathan, do R. Simon and R. Ishmael acquire titles. Later accounts in which the bare details of the Mechilta story are furnished with the additions of fancy. And as Graetz points out, if the R. Simon mentioned in the Mechilta passage had been a Nasi, he would not have addressed his companion in martyrdom as "my teacher".

7. Josephus: Bellum 4:3 "And now the people could no longer bear the violence of this procedure but did altogether run zealously in order to overthrow the tyranny; and indeed the foremost of them, Gorion, the son of Josephus and Symeon the son of Gamaliel, who encouraged them by going up and down when they were assembled together in crowds, and as they saw them alone, to bear no longer but to inflict punishment upon these pests and plagues of their freedom and to purge the Temple of these bloody polluters of it."

8. J.E. Vol XI, p. 347, article "Simon b. Gamaliel"

The Mehilta story seems to have been the basis for all later stories. In Masachet Semachot, R. Simon becomes R. Simon b. Gamaliel. He is not the questioner, but the teacher who speaks rather sharply to his companion, "You cry, when in two steps you enter into the realm of the righteous"; he asked R. Ishmael who was bewailing his fate. In Masechet Semachot the position of the characters becomes ~~the~~ completely reversed. Whereas in the Mechilta passage it was R. Simon who was sorely grieved, here it becomes R. Ishmael. The traces of the Mehilta account are probably contained in the parenthetical remark in the passage in Mesachot Semachot, "and some say it was R. Simon b. Gamaliel who was weeping, and R. Ishmael who answered him according to these words." In the Masechet Semachot account, in addition to the sad news of the deaths of R. Simon and R. Ishmael coming to R. Akiba, it comes also to R. Juda b. Bana, and furthermore both speak of dangers and misfortunes to come, not to pupils, but to the people. In this account the reason one of the rabbis, about to be killed, finds for their plight, is the delay in answering a woman who might have come to the rabbi to ask him a ritual question. ~~In this account in Masechet Semachot~~ There is also the addition contained in the statement of R. Ishmael who wept because he and R. Simon were to be killed like those who shed blood and profane the Sabbath.

The garment of original facts concerning the deaths of R. Simon and R. Ishmael is further embroidered in the account concerning their deaths in Abot de R. Nathan. Imagination has had time for free play, and the story of the deaths of the two martyrs becomes now a powerful drama. The plain R. Simon of the Mehilta story becomes R. Simon b. Gamaliel, a Nasi, the son of a Nasi, who entreats the executioner to kill him first, that he may not witness the death of his comrade. R. Ishmael becomes R. Ishmael b. Elisha, a priest, the son of a high priest, who similarly begs the executioner to kill him first. Lots are cast. The head of R. Simon b. Gamaliel is cut off. R. Ishmael b. Elisha picks it up and gives way to an overwhelming expression of grief, which the executioner cuts short. In this account, R. Ishmael again assumes the rule ^{of} comforter, but it is to be noted that before he speaks to R. Simon, he asks his permission to do so.

The reason now given for the visitation of martyrdom is the possible withholding of permission from the poor to enter into R. Simon's house and eat, or the possibility of R. Simon's having become over-bearing while teaching many pupils on the temple mount. R. Simon worries because he and R. Ishmael are to be killed not only like those who are killed for shedding blood and profaning the Sabbath--as is stated in Masechet Semachot but in addition, like those who serve idols and commit incest. For the first time can a plausible reason be found by those who assert that R. Simon and R. Ishmael were executed by Titus after the destruction of the temple in 70 A.D. R. Simon is spoken of as seated on the temple mount, instructing pupils assembled before him. It is possible that the editor of this story may have confused the R. Simon b. Gamaliel whom he knew to have lived in temple times, and whom he may have known even to have been active in the rebellion against Titus, with the R. Simon of the Mehilta account, and more probably with the R. Simon b. Gamaliel of the Masechet Semachot account. Perhaps it was because the editor recognized the impossibility of a martyred R. Simon b. Gamaliel and R. Ishmael b. Elisha of Temple times, being contemporaries, as in the Mehilta account, of R. Akiba, and, as in the Masechet Semachot account, of R. Akiba and R. Juda b. Baba, that he omitted the part of the two previous accounts in which the report of the deaths of R. Simon and R. Ishmael come respectively to R. Akiba, and to R. Akiba and R. Juda b. Baba. The fact which has already been noted, that in this account of Abot de R. Nathan, R. Ishmael, before he speaks, asks permission from R. Simon, enables one to see as Graetz remarks, how additions to the original story in the Mechilta developed. In the Mehilta there is R. Simon and R. Ishmael, who in the fearful moments before execution exchange doubts and words of comfort, and there is nothing astonishing in the fact that R. Simon doubts, and R. Ishmael, whom he calls "My teacher" advises and comforts him. When, however, this R. Simon is elevated to the position of the Nasi, who requires no instruction, the previous account becomes objectionable. Later developments in various accounts overcome the

23. objectionable character of the Mehilta narrative, either thru making R. Ishmael the doubting, fearful one, and having the Nasi teach him by compelling him to think of his not entirely sin-free life, as is done in Masachet Semachot or thru having R. Ishmael first ask permission in respectful tones from the Nasi, to point out why the calamity has befallen him, as is done in Abot de R. Nathan, or thru having R. Ishmael speak to R. Simon as "My master", as is done in Seder Elijahu Raba.

The account in Seder Elijahu Raba is much like in Abot de R. Nathan. In this account R. Ishmael speaks to R. Simon as "My master" and speaks of both as having possibly been at fault, having not always been ready when widows and orphans sought aid, or having listened to false witness. This account refers only to R. Simon b. Gamaliel and R. Ishmael, each of whom beg to be executed first, each asserting that he is greater than the other. In other respects this account is similar to Abot de R. Nathan.

Additional proof can be adduced to show that R. Simon and R. Ishmael were contemporaries of R. Akiba, and were martyred in his time, and were not the R. Simon b. Gamaliel and the R. Ishmael b. Elisha, who were supposed to have been martyred by Titus. In several places in Talmudic literature is found the grim prophecy of Samuel Ha Katan, uttered on his death bed, foretelling the martyrdom of R. Simon and R. Ishmael. "In the hour of his death he (Samuel Ha-Katan) said: Simon and Ishmael are doomed to destruction; their companions to death; the people to pillage; and bitter persecutions shall come upon them. And he said this in Aramaic, and they knew not what he said."¹⁰ Rashi correctly remarks that under "their companions" are meant R. Akiba and R. Hanania b. Teradion,¹¹ living in the early part of the second century C.E.,¹² and being keen of vision, Samuel Ha-Katan was able to foresee the events of the future and foretell what was going to happen to the active Jewish leaders and teachers of the day. Much

10. J. Sota 24b. cf. Tosefta Sota 13:4; Sota 48b; Sanhedrin 11a; Masachet Semachot c-8; Midrash Shir Ha Shirim Raba 38c, ed. Frankfort on the Oder 1705.

11. Rashi to Sanhedrin 11a. loc cit.

12. a. Masachet Semachot c.8 "and when Samuel HaKatan died--R. Gamaliel (the elder) and R. Elasar ben Azariah were mourning over him."

24. later legend retains the fact that the martyrdom of R. Simon and R. Ishmael occurred in the time of R. Akiba. "It happened to R. Akiba that he was put in prison after the death of R. Simon b. Gamliel and of R. Ishmael." ¹³

The question now arises as to the exact identity of the two martyrs, R. Simon, and R. Ishmael. It is quite difficult, if not impossible to fix upon exactly which Simon was killed during the Hadrianic times. Were there some special name identifying him more definitely than he actually is identified by, it would be easy to fix upon exactly who he was. All that is definitely known, is the name R. Simon, and the knowledge that he must have been executed in the days of Akiba. It is easier to fix upon the identity of R. Ishmael. R. Ishmael b. Elisha is designated as a martyr in the Talmud. "He who sees R. Ishmael/b. Elisha in a dream must fear for misfortune." ¹⁴ It was Ishmael b. Elisha who was purchased from slavery when he was a child by R. Joshua b. Hanania. While in Rome, R. Joshua heard about the child in prison, and went to see him. Delighted with his intelligence and beauty, he paid the sum of money necessary to secure the child's freedom. ¹⁵ Ishmael's early promise bore fruit. He became a great teacher. He was the opponent of R. Akiba and a pupil of Nehunia b. Hakana. ¹⁶ The early beauty of Ishmael, which struck the attention of R. Joshua b. Hanania, remained with him when he grew into manhood, and became the basis of a remarkable tale, found already in the Talmud. After R. Ishmael was executed, his head, because of its wondrous beauty was sent to Rome, and there on great occasions, it was brought forth in honor of some one to whom the Romans wished especially to show honor. ¹⁷ "The Rabbis teach that when a legion which passes from place to place enters a house, that house becomes unclean, because there is

12 (cont) (b) cf. Graetz: Die Hadrianische Verfolgung und die Zehn Martyrer, p. 221, note 2

13.a. Midrash Mishle c.9

b. Zunz: G.V. p. 280. Zunz believes Midrash Mishle to have been compiled in the middle of the 11th century.

c. J.E. Vol 10, p. 231. Buber thinks it was compiled as early as 8th cent.

14. Berakot 57b.

15. Gitin 58a

16. Shebuot 26a

17. Avoda Zara 11b. cf. Rashi to Avoda Zara 11b

no legion which does not carry with it many skulls. And do not wonder that the skull of R. Ishmael was laid on the heads of Kings." ¹⁸ R. Ishmael survived the beginnings of the Bar Kochba war, only to fall, as will soon be seen, shortly before the siege of Bettar. "R. Ishmael said: From the day when the government decreed against us, seeking to remove from us the Tora and the commandments, refusing us permission to circumcise our sons, and some say to redeem them-, it would be right for us to decree against ourselves not to marry and beget children. But then the seed of Abraham our father would be destroyed of itself. Leave Israel alone. It is better that they should sin in error, and not deliberately." ¹⁹ The same words are put in the mouth of R. Simon b. Gamliel. ²⁰ It is believed by some that R. Ishmael died a natural death. ²¹ The following argument is given. In Mishna Nedarim it says that "when R. Ishmael died the daughters of Israel raised a lament and said: Ye daughters of Israel, weep for R. Ishmael." ²² The word *נפ* is used, and that is taken to mean not a violent death. In the first place *נפ* may mean a violent death. The word *נפ* is ^{also} used with regard to the death of R. Judah b. Baba. And in the second place, the argument that if R. Ishmael had died a violent death at the hands, the daughters of Israel would not have dared to raise a lament, because of the Roman law forbidding such mournings is fallacious, because in all probability R. Ishmael was killed before the intense religious persecutions set in, and before "the political conditions were too disturbed" to permit mourning over the *Haruga Malchut*. ²⁴ There is reason thus to

18. Hulin 123a

19. Baba Batra 60b; cf. Sanhedrin 74a

20. T. Sota 15:10

21. Herford: Christianity in Talmud and Midrash p. 131

22. Nedarim 9:10; cf. T. Nedarim 5:6; Nedarim 66b

23. T. Baba Kama 8:13

24. J. Sota 24b; cf. T. Sota 13:4; Sota 48b; Sanhedrin 11a; Masechet Semachot c:8. Shir Ha Shirim Raba 38c.

26. believe that the R. Ishmael who was martyred was R. Ishmael b. Elisha, the contemporary and opponent of Akiba, who was ^{ransomed in Rome} purchased ^{free} from prison by R. Joshua b. Hanania, and about whom grew up the legend to the effect that his beautiful head was sent to Rome. If R. Ishmael was a contemporary of R. Akiba, certainly R. Simon must have been one also.

R. Simon mentioned in the Mehilta, and other passages could not then have been the R. Simon b. Gamaliel who was supposed to have been executed by Titus, nor could he have been the R. Simon b. Gamaliel, who, after the end of the Hadrianic persecutions, established a school in Jabne which was later removed to Usha, and who died about the year 164.²⁵ There are various theories as to who R. Simon might be. Some think him to have been Simon b. Nannos; that instead of his name being written אִשְׁמָאֵל, it should have properly been written שִׁמְעוֹן. A scribal error changed the "nun" into a "gimmel."²⁶

Halevy has a very interesting theory about the identity of R. Simon.²⁷ In Halachot Gedolot²⁸ there is found the statement that on the 25th day of Sivan, R. Simon b. Gamaliel and R. Ishmael b. Elisha, and R. Hanina Segan Ha-kohanim were killed.²⁹ It is evident that Hanina Segan Ha-kohanim could not have been killed together with, or at the same time as R. Simon and R. Ishmael. For they were contemporaries of R. Akiba, and Hanina Segan Ha-kohanim was a Tana of the first generation.^{29a} It was from the fact of their deaths, which occurred shortly before the fall of Bettar, that R. Akiba realized the doom which Romans were to visit upon the Jews in Palestine, and therefore he warned his pupils of the misfortune in store for them. A prediction which ^{soon} came true in the fall of Bettar, and in the terrible period of religious persecution which followed it. "And when R. Simon and R. Ishmael were killed, R. Akiba said to his

25. a. Frankel: Darche Hamischna, p. 185. (b) Hagiga p. 78d

26. a. Graetz: Die Hadrianische Verfolgung und die Zehn Martyrer. p. 320.
(b) J. Derenbourg: Essai sur l'Histoire et la Geographie de la Palestine p. 436; (c) Midos Soferim, note 30 (d) Mehilta Mishpatim c, 18.

27. Isaac Halevy: op. cit., pp. 178 ff., pp. 615 ff.

28. Zunz. G.V., p. 60, compiled about 800. *scholion: first edition*

29. Halachot Gedolot. p. 193; Megilat Taanit p. 19b. Seder Rav Amron, Gaon, p. 34a

29a. Mielziner: Introduction to the Talmud p. 24.

pupils: Prepare yourselves for misfortune. For if good were to have come in our generation, R. Simon and R. Ishmael would have received it first. But it is revealed and known before Him who said 'and the world shall be' that great trouble is bound to come in our generation. Therefore these two departed from us."³⁰ It might be explained that the intention of the passage in Halakot

Gedolot was merely to say that Hanina Segan HaKohanim was killed on the 25th of Sivan, not necessarily with R. Simon and R. Ishmael, perhaps many years be-

fore them. But Hanina Segan Ha-Kohanim was not killed at all, but was among the sages at Jabne.³¹ The entire confusion with regard to the identity of R. Simon who together with R. Ishmael were martyred in the time of R. Akiba, arose from a scribal error. The proper abbreviation of the name of R. Simon was read

ר' שמואל. And because the scribes were accustomed in many places to the abbreviation ר' שמואל, standing for R. Simon b. Gamaliel they thought ר' שמואל to be a previous scribal error, and so they substituted ר' שמואל. But ר' שמואל stands for R. Simon b. Ha-Sagon. He was killed together with R. Ishmael, shortly before the fall of Bettar, and the report came to R. Akiba that R. Simon and R. Ishmael had been killed, (and according to Masechot Semachot, the report came to R. Akiba and R. Juda b. Baba). Now R. Simon b. Ha-Sagon who was confused with R. Simon b. Gamaliel was the son of R. Hanina Segan Ha-Kohanim. He was the teacher of R. Simon b. Gamaliel who died about the year 164; and R. Simon b. Gamaliel spoke often in his name. "R. Simon b. Gamaliel said in the name of R. Simon b.

Ha-Sagon; One may push aside a holiday but not a fast day."³² "R. Simon b. Gamaliel said in the name of R. Simon b. Ha-Sagon; They elevate to the priesthood by one witness".³³ R. Simon b. Ha-Sagon is often thus quoted by R. Simon b. Gamaliel.³⁴

30. Mehilta Mishpatim c .18

31. Halevy: op cit. p. 178 ff

32. Menahot 11:6

33. Ketubot 2:8

34. Shekalim 8:5

28. R. Simon b. Ha-Sagan is called also by the name "Ben Ha-Sagan"³⁵ There is also the statement: "These are the words of R. Simon b. Gamaliel which he spoke in the name of ^{Bab} Ha-Sagan."³⁶ It is evident that it should have been "דברי רשב"א שאמר", as has been the case in all the instances cited, where the words of R. Simon b. Gamaliel were stated in the name of "בן רשב"א". Through an error the "ב" was omitted, there being written only "רשב"א". Thru a similar scribal error made in Masachet Semachot did all the confusion arise. For from רשב"א there was made רשב, but the abbreviation of Ha-Sagan "רשב"א" was left over, and from this remnant they created "רשב"א הכהנים", with whom the scribes were familiar. And hence the statement that on the 25th day of Kislev, R. Simon b. Gamaliel and R. Ishmael b. Elisha and R. Hanina Segan Ha-Kohanim were killed. It should have been R. Simon b. Ha-Sagon and R. Ishmael b. Elisha.

The deaths of R. Simon and R. Ishmael must have occurred before the fall of Bettar. "And when R. Simon b. Gamaliel and R. Ishmael came, they decreed against them that they should be killed. R. Ishmael was weeping....And when R. Simon and R. Ishmael were killed, the report went to R. Akiba and to R. Juda b. Baba. They arose, girded their loins with sackcloth and rent their clothes, and said: Our brethren Israel, if good were to have come to the world, R. Simon and R. Ishmael would have received it first But now it is revealed before Him, who said 'And the world shall be' that in the end great trouble is to come to the world. Therefore these two departed from it.....Not many days passed by, when war came and disturbed the world. From now ^{on} and for twelve months the council-gatherings in Judea ceased; as it is said (Is. 32:11) ³⁷ 'tremble ye women who are

35. Yoma 44b רשב"א בן רשב"א

36. Kritut 6b

37. Masechet Semachot c. 8

29. at east, be troubled ye confident ones." If R. Simon and R. Ishmael had been killed after the fall of ^Bettar, it does not seem likely the statement would have been made "that in the end great trouble is to come to the world.. Therefore these two departed from it." These words seem to have been spoken some time before the fall of ^Bettar, which was followed by a terrible slaughter of its inhabitants and a terrible persecution throughout the land. "Immediately ^Bettar was captured, Ben Koziba was killed....and they were killing them, until the horses sank in the blood."³⁹ "All Judea was well nigh a desert. Fifty fortresses and nine hundred and eighty five villages were destroyed, 580,000 men fell in battle, while the number of those who succumbed to their wounds and to famine were never reckoned."⁴⁰ It would seem quite evident then that R. Simon and R. Ishmael were killed in the days before the fall of ^Bettar. Their deaths occurred probably when Julius Severus was summoned from Britain⁴¹ to take charge of the campaign against the Jews, who had been winning one victory after another under the leadership of Bar Kochba. Not desiring to engage in open combat with the Jews, Severus began a campaign of attrition, cutting off sources of supply, attacking towns insufficiently protected, or protected not at all, fighting only small bands of Jews, hunting them out of their hiding places, driving them backward, till finally he was able to besiege the Jewish army in ^Bettar. Advancing through Judea he left ruin and destruction behind him. Now R. Ishmael dwelt near the border of Judea, near to Edom, (Idumea).⁴² That town^{perhaps} was one of those which Severus in his methodical campaign of destruction may have suddenly swooped down upon; and either destroyed it, or removed from it those of its citizens whom he thought might be of help to the Jewish army. Then came the sad news to R. Akiba and R. Juda b. Baba that R. Ishmael and R. Simon, who may have been with

39. J. Taanit 69a

40. Dion Cassius: op. cit. 69:14

41. Dion Cassius: op. cit. 69:13

42. Ketubot 5:8; Ketubot 64b.

him, or who may have been killed when the forces of Severus swooped down upon another town. They realized the trouble in store for their people, and that the victories of Bar Kochba could not mean much when the mighty armies of Rome, the conquerer of the world, were assembled. "Then they arose, girded their loins with sack-cloth, rent their garments, and said: Our brethren Israel, if good were to have come to the world, R. Simon and R. Ishmael would have received it first. Now it is revealed before Him who said - 'and the world shall be' that in the end great trouble is to come to the world. Therefore they departed from the world."⁴³ The trouble and disaster they foresaw was realized in the defeat of Bar Kochba, the fall of Bettar, the slaughter and persecution which followed it.⁴⁴ A later source seems to have an accurate picture of the times, when it says "After the death of R. Simon b. Gamaliel and R. Ishmael the wicked kingdom decreed the destruction of Israel, that the Tora was not to be dealt with."^{44a}

Halevy⁴⁵ makes an emendation to the text quoted from Masechet Semachot which seems to be justifiable. "And when R. Simon b. Gamaliel and R. Ishmael came, they decreed against them that they should be killed." What does it mean when it says "and when R. Simon b. Gamaliel and R. Ishmael came...." Whither did they go, and whence did they come? There would be no difficulty if instead of "אבא וצא" it read "אצא וצא". Thru a scribal error the "nun" and "shin" were omitted. And only "אבא" remained. In Abot de R. Nathan⁴⁶ it says "and when they seized R. Simon b. Gamaliel and R. Ishmael...." "אצא וצא". Similarly in Masechet Semachot it should be "and when they were seized, אבא וצא" they decreed against them that they should be killed." Why they should have been killed, we are not informed. No specific reasons are given as in the cases of R. Akiba and R. Judah b. Baba, and others, who held public assemblies, and taught the Tora, and ordained pupils, etc. Perhaps, as Halevy suggests, they were killed when Severus fell upon their city.

43. Masechet Semachot c.8

44a. M. Mishle c.9.

44. Halevy: op cit. p. 618

45. Halevy: op cit. p. 619

46. Abot de R. Nathan c. 38 p. 43d

The fears for the future expressed by R. Akiba in *Mehilta Mishpatim* c.18 and *Masechet Semachot* c. 8 were soon realized in actual fact. Great disasters befell the Jewish people. The successes which had at first crowned the Jewish cause soon passed away, as the Jewish forces had slowly but surely to give ground before the armies of Julius Severus. R. Akiba had at first heralded Bar Kochba as a great leader, as the Messiah. "R. Simon b. Johai said: R. Akiba, my teacher, expounded the passage 'There shall go a star out of Jacob' (Num. 24:17) as follows: There goes Koziba out of Jacob. When R. Akiba saw Bar Koziba he said: This is the king Messiah. Then R. Johanan b. Torto said to him: R. Akiba, the grass will grow out of thy jaw-bone, and yet the son of David will not have come."¹ R. Akiba's hopes mounted high. They were soon dashed to the ground, for when the news came to him of the deaths of R. Simon and R. Ishmael, he realized that the handful of Jews could not prevail against Rome. So he foreboded evil days to come--days which materialized with the arrival of Julius Severus in Judea, who put down the revolt. [R. Akiba probably dissociated himself from any active part in the war, if indeed he had had any, soon after the realization came to him of the futility of opposing the Romans, and went perhaps to Caesaria, where he was finally put to death.² and busied himself with holding public assemblies and teaching the Tora.] Soon after the beginning of the revolution the Romans had decided to destroy Judaism, and had banned, as has been seen, its practices and study. R. Akiba was early put under the surveillance of Roman officials. "Said R. Meir, one time we were sitting before R. Akiba in the Bath Ha-Midrash, and were reading the Shema but not audibly, because ^{of} an inquisitor who stood at the door."³ To the Roman ban against busying one's self in the Tora, R. Akiba paid absolutely no attention, not because, however, he was not warned. There was a group of Jews who favored submission to Roman policy in order to prevent blood-

1. J. Taanit 68d

2. *Masechet Semachot* c. 8

3. T. Berakot 2:13

32. shed, and one of the group warned R. Akiba of the dangers which lay in store for him if he continued to busy himself in the Tora,--a warning which R. Akiba disregarded; and as a result was thrown into prison and finally executed. "R. Akiba said: The meaning of 'with all your soul' is, - even if it requires the loss of your life. The Rabbis teach us: One time the government decreed that Israel should not busy itself in the Tora. Came Pappus b. Juda, and found R. Akiba holding public assemblies, and busying himself in the Tora. He said to him: R. Akiba, are you not afraid of the government? R. Akiba answered him: Let me tell you a parable showing how this situation is analogous to the incident of a fox walking by the bank of a river. Looking into the river the fox saw the fish scurrying about hither and thither. He said to them: From what are you fleeing? They replied: From the nets which the sons of men spread to catch us. Then the fox said to them: Wouldn't you like to go up to dry land, where we can dwell together, you and I, just as formerly ~~my~~ forefathers dwelt with your forefathers? They answered him: You are the one, concerning whom it is said: 'the wisest among the beasts'. You are not wise but you are a fool. If in the place of our natural habitat we must fear for our lives, how much the more would we have to fear in the place of our death? Then said R. Akiba: Also as for us, who now sit and busy ourselves in the Tora, concerning which it is written: 'It is thy life and the length of thy days',--were we to go and annul it, how much the more quickly would we perish? Some time later they seized R. Akiba, and put him into prison; and they seized Pappus b. Juda, and put him in prison next to R. Akiba. Said R. Akiba to him: Pappus, why are you here? He answered: Happy art thou R. Akiba, who wast imprisoned because of the words of the Tora. Woe unto Pappus, who was seized because of vain things. In the hour when they brot forth R. Akiba for execution, it was the time of the reading of the Shema. They were raking his flesh with iron combs, and he was receiving upon himself the yoke of the kingdom of heaven. His pupils said to him: How long? He said to them: All my days, I was troubled with regard to the passage 'with all thy soul' which means to love God so as to be willing to sacrifice one's life for him. I used to say: When shall it come within my power to

establish it, and now that it has come into my power, shall I not do so? He prolonged the 'Echad' until his soul departed on that word. A heavenly voice came forth and said: Happy art thou R. Akiba, whose soul went out on the word 'Echod'. The ministering angels said to God: Is this the Tora and this the reward? He said to them: Their portion is in life. A heavenly voice went out and said: Happy art thou R. Akiba, for thou art designated for life in the world to come.⁴ R. Akiba was not executed immediately after being imprisoned, but remained incarcerated for a long time, perhaps a year, before he was finally executed. And two distinct periods can be noted with regard to his imprisonment. The first period in which he enjoyed comparative freedom of movement, within the prison, was well attended to by his own pupils, gave decisions on questions of law. The second period when he was most closely guarded, and when if people sought to ask him questions, they had to resort to guile to get near him.)

It was during the first period of imprisonment that the incident recorded in Pesahim occurred. "R. Akiba commanded Simon b. Johai five things when he was in prison. R. Simon b. Johai said to R. Akiba: My teacher, instruct me in the Tora. R. Akiba said: I shall not teach you. Said R. Simon b. Johai: If you do not teach me, I shall speak to Johai my father, and he will turn you over to the government. R. Akiba said to him: More than the calf wishes to suck, does the cow wish to give suck. R. Simon b. Johai said: And who is in danger? Is not the calf in danger? R. Akiba said to him: If you wish to be strangled, hang yourself on a big tree, but when you teach your son, teach him in the proper book."⁵ When R. Akiba was imprisoned some time not long before the fall of Bettar, the most rigorous enforcement of all Roman edicts with the immediate punishment of death for disobedience of them was not yet in vogue. The punishment was probably a prison sentence.⁶ Or else if disobedience was punished by the death penalty, R. Akiba's influential friends were for a time able to have it commuted to a prison sentence. Consequently the friends of R. Akiba tried to make his lot in

4. Berakot 61b; cf. Midrash Tanhuma Perek Tovo 4:17, p. 24a.

5. Pesahim 112a

6. Halevy: op cit. p. 661

prison as pleasant for him as possible. And among these friends were those who enjoyed the favor of the Roman government, and who could therefore use their influence to help R. Akiba. During the period of the war there were a number of prominent Jews who remained loyal and thus in the good graces of Rome. Such men, for instance, as Jose b. Kisma, whose funeral was attended by prominent Roman officials.⁷ Among such favored ones was Johai, the father of Simon, who used his good offices to help R. Akiba while he was in prison. R. Simon b. Johai, thru his father's influence, was more or less of a privileged character, and probably could visit R. Akiba almost at will. R. Akiba refused to teach R. Simon b. Johai because he realized that he would thereby completely endanger his own life, as well as the lives of his friends. R. Simon b. Johai becoming angry, said he would speak to his father, and have him remove his interest from R. Akiba, who in consequence would be left to his fate. It was the influence exerted on R. Akiba's behalf by his powerful friends, which probably secured for him as a servant, to minister to his needs in prison, one of his own pupils. "The rabbis teach: R. Akiba was once put into prison, and R. Joshua HaGarsi ministered to him. Everyday he was brought a certain amount of water. One day the warden met Joshua HaGarsi and said to him: You have too much water today. Do you wish to destroy the prison? Thereupon the warden spilled out half, and gave the rest back to him. When he came to R. Akiba, the latter said to him: Joshua, do you not know that I am an old man, and that my life depends upon you? Then Joshua told him all that had happened. R. Akiba said to him: Give me water that I may wash my hands. Joshua replied: There is not even enough to drink; how can there be enough for you to wash your hands? R. Akiba said to him: What shall I do? One merits death for failing to wash his hands. Rather would I die than violate the words of my companions. It is said that he tasted nothing until he brought him the water and he washed his hands. When the sages heard this they said: If he does this in his old age, how much the more likely is it he did it in his youth, and if in prison he does this, how much the more likely that he would do it outside of

There came another period in R. Akiba's imprisonment, when the authorities became very strict, and would permit no one if they could help it, to approach him. So when the rabbis wanted to ask him a question they had to resort to guile. "R. Johanan disguised himself as a peddler, and passed one day before the prison where R. Akiba was imprisoned, and cried out: Who needs pins, who needs hooks? What about a haliza between him and her (without the ceremony being performed in the presence of witnesses)? R. Akiba looked from the window. He answered: Have you spindles? (כִּשְׁמֵי) have you Kasher (כֶּשֶׁר)?⁹ By playing upon the words כִּשְׁמֵי and כֶּשֶׁר R. Akiba hinted the legality of the matter. R. Johanan Ha-Sandler had called his attention¹⁰ to, while pretending to sell his wares. "In the time of danger, the rabbis hired a man to go and get some information from R. Akiba. If a woman goes away from her first husband by divorce, and her second by refusal, may she return to the first? They hired a man for 400 zuz, and asked R. Akiba in prison. And R. Juda b. Bathyra in Nisbis forbade and R. Akiba forbade.¹⁰ Many questions were put to R. Akiba while he was in prison, and many matters he decided. "It happened that R. Akiba was in prison, and he intercalated¹¹ three years, one after another."

In Seder Rav Amron Gaon it says that "on the 5th of Tishri R. Akiba b. Joseph was imprisoned, and he died."¹² Inasmuch as it is certain that R. Akiba b. Joseph was not killed on the day he was imprisoned, and that indeed he remained in prison for some time, the "and he died" refers to some time after he was imprisoned.¹³ From the statements that Bettar fell on the 9th of Ab,¹⁴ and

8. Berachot Erubim 21b

9. J. Yebamot 12d

10. Yebamot 108b

11. Sanhedrin 12a. It does not mean that R. Akiba was in prison for 3 years, but the rabbis asked him to tell which years in the future also were to be intercalated.

12. Seder Rav Amron Gaon 34b; Megilat Taanit 19b; Halachot Gedolot p. 194.

13. Halevy: op cit. p. 643

14. Taanit 4:6

R. Akiba was imprisoned on the 5th of Tishri, Halevy argues that R. Akiba must have been imprisoned about two months after the fall of Bettar, during what he chooses to believe was a period of quiet, coming immediately after it.¹⁵ In the first place it does not seem probable that a period of quiet ensued after the fall of Bettar during which R. Akiba was imprisoned. A bloody process of vengeance taking followed the fall of Bettar, and then the period of the persecution set in. And furthermore it seems probable that if R. Akiba had been seized then for busying himself in the Tora and holding public assemblies, he would have been summarily executed. The Romans then brooked no disobedience to their edicts, and punished those who violated them with death. In the second place the report in Mishna Taanit may not be accurate, and may be due simply to a desire to place all the sad events of Israel's history on that day. And thirdly, even if it should be correct, there is no reason for not placing R. Akiba's imprisonment a year before the fall of Bettar, or for that matter, a year after. It appears that sometime during the seige of Bettar, R. Akiba was imprisoned. Due either to the fact that the Romans were not yet punishing with death those who disobeyed their laws, or because his friends favored by the Romans, interceded in his behalf, and because of his own wealth, R. Akiba was not then killed, but kept in prison. After the fall of Bettar, when the determination of the Romans to destroy Judaism had become most strong and when the slightest infraction of their bans was punished by death, R. Akiba--his friends' pleas most probably proving useless--was brought out and executed.

The death of R. Akiba took place in Caesaria. "And when R. Akiba was killed in Caesaria, the report came to R. Juda b. Baba and to R. Hanania b. Teradion. They arose and girded their loins with sack-cloth, and rent their garments, and said: Our brethren, give ear to us. R. Akiba was not killed because he was suspected

15. Halevy:op.cit. p. 643

37. of robbery, or because he did not busy himself in the Tora, but as a sign, as it is said: And he shall be unto you for a sign,...and you shall know that I am the Lord."¹⁶ Halevy makes an emendation to this passage, changing "killed" to "seized". He would have the passage read, "And when R. Akiba was seized, etc."¹⁷ He believes R. Juda b. Baba and R. Hanania b. Teradion to have been seized and executed while R. Akiba was still in prison. In proof of the fact that R. Hanania b. Teradion was killed before R. Akiba he quotes a statement from Sherira Gaon. "R. Akiba turned himself over for execution after R. Jose b. Kisma died, and R. Hanania b. Teradion was killed, and wisdom became learned after them."¹⁸ Now in Avoda Zara it is explained that after the death of R. Jose b. Kisma, R. Hanania b. Teradion was seized, and executed. So Halevy argues that if R. Hanania b. Teradion was killed soon after the death of R. Jose b. Kisma, what Sherira Gaon means, is that R. Akiba was also killed after the death of R. Jose b. Kisma, but not before R. Hanania b. Teradion had been killed. His argument falls short for several reasons. In the first place there is nothing to indicate in the passage in Avoda Zara that R. Hanania b. Teradion was killed immediately after the death of R. Jose b. Kisma. He must have been imprisoned, given a trial, and then executed. R. Akiba too was killed after the death of R. Jose b. Kisma, as Sherira Gaon points out. There is nothing however in the passage in Sherira Gaon to indicate that R. Akiba could not have been killed before the death of R. Hanania b. Teradion. What probably happened ~~to~~ was that R. Akiba was killed first, then later on R. Hanania b. Teradion---both of their deaths of course, occurring after the death of R. Jose b. Kisma.

Halevy proves to his own satisfaction that R. Judab. Baba was also killed

16. Masechat Semachot c.8

17. Isaac Halevy: op cit. p. 642

18. Sherira Gaon p. 80

19. Avoda Zara 18a

38. before the death of R. Akiba, while the latter was still in prison. This proof comes from a passage in Yebamot, where it says that in order to have R. Akiba answer a certain question, "the rabbis hired a man for 400 zuz to go to R. Akiba in prison, and put the question to him." They hired a man for 400 zuz, and asked R. Akiba in prison. And R. Juda b. Bathyra in Nisbis forbade, and R. Akiba forbade.²⁰ Now argues Halevy. To get R. Juda b. Bathyra's opinion the rabbis would have to send to Babylon. And the reason they had to send to Babylon was that they feared that the man they had hired to go to R. Akiba who seemed to be the only great authority left, might not put the question properly or fail to receive the answer understandingly even if he did put the question properly. If R. Juda b. Baba had been alive, it would not have been necessary to send to Babylon for an opinion, because he would have been asked. Evidently then, while R. Akiba was still in prison, R. Juda b. Baba had been executed. Halevy's arguments fall to ground for several reasons. In the first place R. Juda b. Bathyra's statement may merely have been an insertion into the text under consideration. He may have given a decision similar to R. Akiba's with regard to the problem presented, at some other occasion. In the second place it is not probable that the rabbis would have sent outside of Palestine for information. Even granting that R. Hanania b. Teradion and R. Juda b. Baba had been killed, and R. Akiba could not be reached, there still remained many learned authorities in Palestine who could have been asked. In the third place it is by no means certain that R. Juda b. Bathyra of Nisbis, a great authority, was a contemporary of R. Akiba. R. Akiba who had been seized some time before the fall of Battar, was executed shortly after its fall, when the period of bloody persecution set in. When the news of his death came to R. Hanania b. Teradion and to R. Juda b. Baba they probably realized the days of of terror ~~xxxixxxx~~ ~~When the news~~ awaiting the children of Israel. Hence the complete passage in Masechet Semachot becomes understandable. "And when R. Akiba was killed in Caesaria, the report came to Juda b. Baba

and to R. Hanania b. Teradion. They arose and girded their loins with sackcloth and rent their garments and said: Our brethren, hear us. R. Akiba was not killed because he was suspected of robbery or because he did not busy himself in the Tora, but as a sign. For it is said: And he shall be unto you for a sign. It will not be long before no place in the land of Israel will be found, wherein the people will not be cast down." There is no reason to believe that this passage is not based on facts.

The death of R. Akiba by torture ^{20a} was a sore blow to the Jewish people. He was greatly loved by them, and was a most prominent teacher and leader. Hence all the more quickly did legendary fancy begin to create marvelous tales with regard to him. Imaginative stories must have begun to circulate about him no sooner than he was killed. According to legend, R. Akiba's death by torture was predestined. "R. Juda said in the name of Rab. In the hour when Moses ascended the mountain, he found God sitting, and cutting crowns for letters. He said to Him: Who is preventing you (from giving) letters, without crowns? God said to Moses: A man is to arise after many generations have passed, Akiba b. Joseph by name, who will teach mounds of rules for every tip (of every letter in the Tora). Said Moses: O Master of the universe, show him to me. He said to him: Go backwards. Moses went and sat down at the end of eight rows (of pupils of Akiba), and he knew not what they spoke. His strength departed from him. When Akiba would come to a certain word, his pupils would say to him: Rabbi, how do you know that? He would answer them. It is the law of Moses from Sinai. The mind of Moses became appeased. He turned, and came before God and said to Him: O Master of the universe, you have a man such as this one, and you are giving the Tora thru me? He said to him: Keep silence; so have I determined. Said Moses: O Master of the universe, you have shown me his Tora, show me his reward. He said to him: Turn around. He did so, and saw that they were raking the flesh of R. Akiba with combs. Said Moses: This is the Tora, and is this the reward? He

40. said to him: Keep silence; so have I determined."²¹ "Resh Lakish said: What does it mean, when it is written, 'this is the chronicle of the generations of man.' And did the first man have a chronicle? It teaches that God showed the first man the generations of his teachers, his wise men, and his noble men. When he came to the generation of R. Akiba, he rejoiced over (Akiba's) Tora, and mourned over his death. He said: (Ps. 19-17) 'How precious are thy beloved ones unto me O God, how great is the sum of them'" ²² R. Eliezar predicted, while he lay ill in bed, to R. Akiba, that R. Akiba's death would be a severe one. "R. Akiba asked R. Eliezer about his end. He replied to him: Your death will be more severe than theirs." ²³ "After the death of R. Akiba, the supporters of the Tora ceased, and the fountains of wisdom were no more."²⁴

Legendary elements are present in the story of the death of R. Akiba in Berakot 61b. His learning the meaning of the phrase 'to love God with all your soul', his dying with the word 'Echod' on his lips, his being designated for life in the world to come, are all legendary embellishments. The story of R. Akiba's death in connection with his realization of the meaning of the phrase to love God with all your soul', his reciting the Shema, and dying with the word 'Echod' on his lips, is added to in other places, where the name of his executioner is mentioned. "R. Akiba was standing before Tineus Rufus being judged. When the time of the reading of the Shema came, he began the ^aKri^ath-Shema, and laughed. Said Tineus Rufus: Old man, either you are a magician or you are bearing your suffering with contumacy. R. Akiba replied: May the spirit of that man fly away-- I am not a magician, nor am I bearing suffering with contumacy. All my life I read this passage, and I was troubled, and said: When will (an understanding of) all the parts of the passage 'and thou shalt love the Lord Thy God with all thy heart, and all thy soul, and all thy might' come to me? I loved God with all my heart, and with all my might, but the meaning of 'with all my soul' was not clear

21. Menahot 29b.

22. Avoda Zara 5a; Sanhedrin 38b;

23. Sanhedrin 68a

24. T. Sota 15:13 Sota 49b

to me. Now according to your judgment it means with all my life. Therefore do I read and laugh. He did not finish speaking, before his soul departed."²⁵

It is interesting to note the relationship which legend purports to have existed between R. Akiba and Tineus Rufus.²⁶ Discussions would be held in which R. Akiba would always ably defend Judaism, and worst his opponent in the debate. In the debate R. Akiba can be seen defending those things which were actually banned during the Hadrianic persecutions, such as the observance of the Sabbath, and the practice of circumcision. "Tineus Rufus the wicked questioned R. Akiba. He said to him: What is the difference between one day and another? Said R. Akiba: And what is the difference between one man and another? Said Tineus Rufus: What did I say to you, and what did you say to me? Replied R. Akiba: You said, what is the difference between one day and other, meaning the Sabbath and other days. And I said, what is the difference between one man and another, meaning Tineus Rufus and other men. He said: The king wishes to honor me. Said R. Akiba: God wishes to honor the Sabbath." ²⁷ God, according to legend, desired the death of R. Akiba, and sent a cloud to cover him while Tineus Rufus was judging him, so that his prayer could not ascend to heaven, and be accepted, and that also then the judge might not become angry and leave. "R. Akiba was standing, being judged, before Tineus Rufus the wicked. Immediately a cloud descended and encircled them. Joshua Ha-Garsi was standing by him, serving him, and he said: The cloud has not descended except to prevent the acceptance of the prayer of my master. Others say: In order that the judge should not become troubled, and becoming angry, leave." ^{27a} "Tineus Rufus the wicked asked R. Akiba:....Why do you circumcise? Said R. Akiba: I knew you would ask me that question.....Tineus Rufus said to him: Since God delights in circumcision, why does not the child go out circumcised from his mother's womb? R. Akiba replied: And why does his umbilical cord go out with him? Does not his mother cut it off? And why does he not go forth circumcised? Because God ^{has} ~~does~~ not given the commandments to Israel except to refine them thru tests."²⁸ If the Jews could not vent some

25. J. Berakot IX, 14b; J. Sota V, 20c

26. a. Schürer: op cit. Div I, vol. 2. p. 262. (b) Genesis Raba 11:6

27. Genesis Raba 11:6. Sanhedrin 65b

27a. Midrash Echa 3:44

28a. Tanhuma, Tazria 7:34 (b) G.V. p. 274: 1st half of 9th cent.

of their anger against the Romans in times of persecution, they could do so in later legend. "Tineus Rufus once asked R. Akiba a question". He said to him: Why does the Holy One, Blessed be He, hate us, as it is written, 'And I hate Esau'? He said to him: Tomorrow I shall answer you. On the morrow Tineus Rufus said to him: R. Akiba, what did you dream last night? He answered: Last night I saw in my dream two dogs, the name of one was Rufus, and the name of the other was Rufina. Immediately Tineus Rufus became angry. He said to Akiba: You have named your dogs with my own and my wife's name. You deserve to be put to death by the government. R. Akiba said to him: What is the difference between you and them? You eat and drink and they eat and drink. You reproduce, and they reproduce. You die and they die. And because I call their name by your name, you become angry. God made heaven and earth, brings death and life. And you have taken wood, and called it God, according to His name. Should He not all the more hate you? Hence: 'And I hate Esau'." ²⁹ *It is in Talmud Chagigah 20a.* Rashi has a very interesting legend dealing with the wife of Tineus Rufus, and the debates between him and R. Akiba: "A certain Lord whose name was Rufus, was engaged in a debate concerning the words of the Tora with R. Akiba; and R. Akiba was victorious over him every time. That lord became ashamed of himself, and came and told his wife. She said to him: I shall persuade him and humble him; because she was an exceedingly beautiful woman. She came to R. Akiba, and showed her leg to him. And R. Akiba spat, and wept, and laughed. She asked him why he acted thus. I shall tell you, he said to her. I spat because you came in an unclean manner. I wept because in the end your beauty is bound to perish. But he was not willing to tell her why he laughed. She urged him until he told her that in the future she would proselytise herself and that she would marry him. She asked him if there was any way of repentance. He told her: Yes. And she did become a proselyte after the death of her husband, and she married him, and brought to him great wealth." ³⁰ "Tineus Rufus the wicked" was the governor of Palestine under Hadrian. He was, according to legend, an instrument in the

29. Tanhuma, Teruma in Sefer Ha-Agada by Ravnitski and Bialik. Bk II, c. 11, p. 43, num. 132; Baba Batra 10a

30. Rashi to Nedarim 50b

hands of God.. "Rabi said: God will punish the righteous thru the wicked. Tineus Rufus the wicked judged R. Akiba." ³¹

C. HARUGE MALCHUT.

The Talmud already speaks of a group of men who were martyred during the Hadrianic persecutions. There seems to be some misunderstanding, however, as to the identity of the members of the group. "Joseph the son of Joshua became ill and fainted. His father asked him what he had seen. He replied: A world turned topsy turvy. No my son, the father answered, you have seen a sane world. And now how did you see us? He answered: As we are thought of here so are we thought of there. And I heard it said: Happy are they who come, their learning in hand. Furthermore did I hear it said: In the company of the Haruge Malchut every being cannot stand. Who are they? Some say R. Akiba and his companions. And is this not self evident; (Without being martyrs, R. Akiba and his companions would have a special place in heaven) there are meant the martyrs of Lydda." ³² The prediction of Samuel Ha-Katan with regard to the ^{companions} ~~sons~~ of R. Simon and R. Ishmael" has already been noted. ³³ Rashi considers them to be R. Akiba and R. Hanania b. Teradion. ³⁴ In Sanhedrin there is the statement: "R. Akiba and his companions, who turned themselves over to slaughter, because of the words of the Tora." ³⁵ R. Akiba and his companions were a group well known. ³⁶ All of them, or many of them, must have suffered the fate of martyrs. ^{37a}

There is a great deal of confusion as to the identify of the martyrs of Lydda who are confused with the Haruge Malchut. ^{32a} Rashi identifies the martyrs of Lydda with Lulianus and Pappus. ³⁷ The identification is, however a questionable

31. Kheleth Raba 118a

32. Baba Batra 10b; Pesachim 50a;

32b. Seder Gan Eden p. 87a speaks of Haruga Lud and Asara Haruge Malchut.

b Masechat Gan Eden p. 84b; identifies Haruge Malchut as being R. Akiba and his companions.

33. T. Sota 13:4, S. Sota 24b; Sota 48b; Sanhedrin; Shira Shirim Raba 38c;

34. Rashi to Sanhedrin 11a

35. Sanhedrin 110b

36. Avoda Zara 10b; Sanhedrin 68a; Seder Elijahu Raba c 30: Yalkut Isaiah 363, p. 75b, Venice Edition.

37. Rashi to Baba Batra 10b; Rashi to Taanit 18b.

44. one. "On the 12th of Adar is the day of Trajan, when Lulianus and his brother Pappus were seized in Leodocea. Trajan said to them: If you are the people of Hananel, Mishael and Azariah, let now your God deliver you from my hands, as he delivered them from the hands of Nebuchadnezzar. They replied to him: Hananel, Mishael and Azariah were completely righteous men, and Nebuchadnezzar was a worthy man, and it was fit that a miracle should be performed thru him. But you are a wicked king, and are not deserving enough to have a miracle performed thru you. And we merit death. If you do not kill us, God can find other means.---However God will require our blood from you. It is said that Trajan did not depart from there, before there came a document from Rome, and his head was split with clubs." ³⁸

Rashi arbitrarily says Lydda and Leodocea are the same. In variant accounts the details as given in Megilat Taanit 17a are a bit different. In Taanit, it is Turnus who seized Lulianus and Pappus his brother in Leodocea. After having been warned by them that God would exact punishment from him, he killed them immediately. The account goes on, however, to say, that they did not depart from there, before a document came from Rome, and his (Turnus') head was split with clubs." ³⁹

In a similar account in Masechet Semachot it is said that Lulianus and Pappus witnessed the death of Turgianus. ⁴⁰ It is questionable as to whether or not Lulianus and Pappus were killed at all. ⁴¹ It seems, that on the 12th of Adar, was the day of Trajan celebrated, to commemorate the escape from death of Lulianus and Pappus. There is, however, in the Talmud, an entirely different version of the Trajan day. "The Trajan Day was revoked since on it were killed Shemaia and Ahia, his brother, R. Nahman decreed a fast on the 12th. The rabbis said to him: It is the Trajan day. He said to them. It is revoked, since on that day, Shemaia and Ahia, his brother were killed". ⁴² Perhaps they were killed in

38. 37a. Maimonides: Hilhot Yesodot Hatora 5:4

38. Megilat Taanit 17a: Cf. Kohelet Raba 118a, where Trajan is called Turnus.

39. Taanit 18b

40. Masechet Semachot 55a.

41. Graetz: G. & S. vol. 4 p. 414.

42. Taanit 18b

45. Lydda. A very evident harmonisation takes place between the statements that on the day of Trajan, Lulianus and Pappus were seized, and that on a day of Trajan Shemaia and Ahia, his brother were killed, in the following passage: "R. Jacob b. Aha annulled the day of Trajan, the day on which Lulianus and Pappus were killed."⁴³ R. Jacob b. Aha either identified Shemaia and Ahia with Lulianus and Pappus, or he misunderstood the reason for the celebration of the day--a celebration which could not have been possible if Lulianus and Pappus had been killed on it, and which was revoked because of the execution of Shemaia and Ahia on that day.⁴⁴ The entire question remains open. There seems to be no definite proof that the martyrs of Lydda were Lulianus and Pappus. Indeed it seems that Lulianus and Pappus were imprisoned, condemned, and escaped death in Laodoea. What was the relationship if any, between Lulianus and Pappus, and Shemaia and Ahia? Were Shemaia and Ahia the martyrs of Lydda? There seems to be no doubt but that Shemaia and Ahia were killed during Trajan's time. Inasmuch then, as there is some reason to believe that Lulianus and Pappus might have been killed in Hadrian's time, the probability is that there is no relationship between the two pairs, and that R. Jacob b. Aha's statement results from a confusion. Perhaps knowing that the Day of Trajan had something to do with Lulianus and Pappus, and that the celebration of that day had been omitted because of the death of Shemaia and Ahia, he put part of the facts together and said the celebration of the Day of Trajan was annulled because Lulianus and Pappus had been killed on it. Lulianus and Pappus, as has been seen, probably escaped death in Leodoea. The Turinus or Turchinus, or Tiroyon, etc, as Trajan is variantly called, probably refers to Trajan's governor, Lucius Quietus. The document arriving from Rome at the dramatic moment when he was about to kill Lulianus and Pappus, which commanded his head to be broken⁴⁶ probably refers to the fact that when Hadrian ascended the throne, he recalled Lucius Quietus, and had him executed.⁴⁷ It was Lucius Quietus who probably judged Lulianus and Pappus,---their lives being saved by the fact

43. J. Taanit 66a

44. Graetz, G.d. J. vol 4, note 14.

46 Megilot Taanit 17a; Taanit 18b; Masechet Semachot 55a; Seder Elijahu Raba c. 30; Kohelet Raba 118a.

47. Dion Cassius; op. cit. 69:2

46. that he was recalled to Rome. For the time being Lulianus and Pappus escaped with their lives, but being prominent and active,⁴⁸ it is possible that they were martyred during the Bar Kochba war, or during the period of persecution following it.⁵⁰ That Lulianus and Pappus were killed at some time, may be accepted from the statement in Sifra "And I shall break the pride of your power (Lev. 26:19)". These are the great ones who are the glory of Israel, such as Pappas (b. Juda) and Lulianus." ⁴⁹

48. Genesis Raba c. 64 end.

49. Sifra חקוקה. 5:2

50. Zunz: Die Synagogale Poesie des Mittelalters p. 140.

D. R. HANANIA B. TERADION.

R. Hanania b. Teradion was seized and killed during the period of persecution, sometime after the death of R. Akiba. "When R. Akiba was killed in Caesaria, the report came to R. Juda b. Baba and to R. Hanania b. Teradion. They girded their loins with sack cloth, rent their garments, and said: Hear us our brethren: R. Akiba was not killed because he was suspected of robbery, nor because he did not busy himself in the Tora with all his might, but he was killed as a sign."¹ It has already been seen that the death of R. Akiba occurred after the death of R. Jose b. Kisma,² but before the death of R. Hanania b. Teradion, concerning whom ~~there~~ also is the statement that he was killed after the death of R. Jose b. Kisma.³ R. Hanania b. Teradion was not killed immediately after being seized, but was imprisoned for a while, tried and executed. "When they seized R. Elasar b. Perata and R. Hanania b. Teradion, R. Elasar b. Perata said to R. Hanania b. Teradion: Happy art thou who hast been seized for one thing. Woe is unto me, for I have been seized for five things. R. Hanania b. Teradion said to him: Happy art thou, who hast been seized for five things. Thou wilt be freed. Woe is unto me, for I have been seized for one thing, and I will not be freed. Thou hast busied thyself in the Tora and in social service and I have busied myself only in the Tora."^{3a} The prediction of Hanania b. Teradion came true. His companion was freed, and he was burned. He is supposed to have been killed on the 27th of Sivan.⁴ It was because R. Hanania b. Teradion ignored the edicts of the Romans against busying one's self in the Tora that he was seized and executed, his wife killed, and his daughter dishonored. "They seized R. Hanania

1. Masechet Semachot. c. 8.

2. Sherira Gaon p. 80

3. Avoda Zara 18a

3a. Avoda Zara 17b

4. Megilat Taanit p. 19b; Halachot Gedolot p. 193; cf Seder Rav Amron Gaon 34a. puts date of his death on the 25th.

b. Teradion. Why did you busy yourself in the Tora? He replied to them: Because the Lord, my God, commanded me. Immediately they decreed against him that he should be burned, his wife be killed, his daughter brought to a harlot house. Burning for him because he was mentioning the divine name in accordance with the letters in which it is written.⁵ A friend of R. Hanania b. Tradion had warned him as to what his fate would be if he continued to busy himself in the Tora, and had public assemblies, despite the edicts of the Romans. His friend was R. Jose b. Kisma, who was favorably considered by the Roman authorities, because of his loyalty to them. "When R. Jose b. Kisma was ill, R. Hanania b. Teradion went to pay him a visit. He said to him: Hanania my brother, do you not know that the wicked kingdom derives its power from heaven? They destroyed the house of God, burnt His temple, killed His pious ones, destroyed His good ones, and still they exist. And I have heard concerning you, that you sit and busy yourself in the Tora, and hold public assemblies, and a scroll is placed in your lap. He said to him: Mercy will come from the heavens. R. Jose said: I speak to you words of sense, and you say to me, mercy will come from the heavens. I wonder if they will not burn you, and the scroll of the Tora. He said to him: My teacher, what is my position with regard to life in the world to come? R. Jose asked him what he had done? He said: I exchanged the money of Purim into the money of charity, and I divided it among the poor. He said to him: If this is so, may my portion be like your portion and my lot be like your lot."⁶ R. Jose's prediction soon came true. "It was not long after (the conversation between R. Jose b. Kisma and R. Hanania b. Teradion) when R. Jose b. Kisma died. All the Roman notables went to bury him. And they raised a great lament over him. On their way back, they found R. Hanania b. Teradion sitting and busying himself in the

5a. Avoda Zara 17b; Sifre p. 133a.

b. Cf. Avoda Zara 18a; cf. Masechet Semachot 54c. "In the hour of their death the three of them justified with regard to themselves the judgment. He said: The Rock, perfect in His work. His wife said: A God of Faithfulness and without iniquity. His daughter said: Great in Counsel, and mighty in work." (Jer. 32:19)

6. Avoda Zara 18a.

49. Tora and holding a public assembly and a scroll of the Tora placed in his lap. They took him, and wrapped him in the scroll of the Tora, and surrounded him with bundles of branches, and set them on fire; and they took bundles of wood, soaked them in water and placed them on his heart, so that he might not die quickly. His daughter said to him: O father, that I should see you thus. He said to her: Were I to be burned by myself the matter would be difficult for me. Now since I am to be burnt, and the scroll of the Tora with me (I am satisfied). He who will resent the insult offered to the Tora will also resent the insult offered to me. His pupils said to him: Master what do you see? He said to them: the parchment is burning but the letters are flying away. Open your mouth and let the flame enter into you. He said to them: It is well that He should take my life, who gave it to me, and let not a man take his own life. The executioner said to him: Master, if I ~~fan~~ ^{fan} the flames, and remove the bundle of wood from your heart, will you bring me into the life of the world to come? He said: Yes. Swear to me! He swore. Immediately the executioner increased the fire, removed the wood from his heart, and his life departed speedily. He himself jumped into the middle of the fire. A heavenly voice went out and said: Hanania b. Teradion and the executioner are prepared for life in the world to come."⁷ The account in Avoda Zara 18a seems further to have been embellished in Masachat Kalah. "It is said concerning R. Hanania b. Teradion that one time he changed the money of Purim into the money of charity. And he was sitting and wondering and said: Woe unto me. Perhaps I have incurred death from heaven. While he was sitting and wondering, there came an executioner and said: They have decreed to wrap you and burn you in your Tora. He arose, was wrapped in his Tora, surrounded with bundles of branches, and fire was kindled. But the fire became cold and withdrew from him. The executioner ~~rose~~ in confusion. He said to him: Master, are you the one against whom they decreed that he should be burned? He said to him: Yes. He asked: And why is the fire

7. Avoda Zara 18a

going out? He replied: I have abjured it with the ineffable name, that it should not touch me until I can find out whether or not this decree has come from heaven. Wait for me one hour, and I shall let you know. The executioner sat down, wondering. He said: Those who decree death and life of their own accord, why is the yoke of the kingdom upon them? R. Hanania b. Teradion said to him: Arise, go, and perform against me all that the government wishes to be done. He said: It is vain. (Hanania replied): This decree has come from heaven, and if you do not kill me, God has many ways of killing. He has many bears and tigers and lions and wolves and serpents and scorpions with which he can smite me. But in the end God will require my blood from you. And the executioner knew that this was the rule. Immediately he arose and fell on his face; Quickly he perished. His voice was heard from the fire: Wherever you die, I shall die, and there I shall be buried. Wherever you live, I shall live. Immediately a heavenly voice went out and said: R. Hanania b. Teradion and the executioner are prepared for life in the world to come."⁸ The passage in Masechet Semachot is a bit different from that in Avoda Zara⁹ with regard to the conversation between father and daughter, in the moment of his execution: "And his daughter was weeping and crying out and prostrating herself in prayer before him. He said to her: If it is for me that you are weeping, it is unnecessary; it is better that the flames should consume me which have been blown (by man) than those which have not been fanned. As it is said: (Job 20:26) A fire not blown by man shall consume him. And if it is for the scroll of the ~~ix~~ Tora that you are weeping, behold the Tora is a fire, and fire cannot consume fire. Behold the letters fly away, and the fire consumes only the parchment."¹⁰

It can be seen how quickly legends developed with regard to R. Hanania b. Teradion,--legends found already in the Talmud. The dramatic interest in Avoda Zara 18a, ~~xx~~ created by R. Hanania b. Teradion's talks with his daughter and pupils, is the result of legendary development. A dramatic interest which

8. Masechet Kala

9. Avoda Zara 17b, 18a.

10. Masechet Semachot 54c.

51. is considerably heightened by the manner in which and the reason for which, the executioner quickens the death of R. Hanania b. Tradion, and then throws himself into the flames. Legend accords supernatural powers to R. Hanania b. Tradion, when it enables him to stay the flames through the use of the ineffable name, until he has ascertained whether or not the decree of death against him was of heavenly origin. It is a supernatural power, which later legend dwells considerably upon.

R. Juda b. Baba survived for a while the martyrdom of many of his contemporaries, before he himself experienced a martyr's death. From the deaths of R. Simon and R. Ishmael, had he prognosticated trouble,¹ which came in the defeat of Bar Kochba and the consequent period of persecution. The death of R. Akiba took place in his life time² also. It was probably towards the close of the period of persecution, when many teachers had been killed, including R. Hanania b. Teradion who had also fallen, that R. Juda b. Baba resolved upon the desperate step of ordaining rabbis, a step which led to his death. Seeing how decreased the ranks of the teachers had become, R. Juda b. Baba decided to ordain new teachers, who could carry on the message of Judaism. He probably realized the dangers in store for him. He understood that he would be spied upon. He knew the drastic orders of the Roman government against ordination, but he also realized that Israel needed teachers, rabbis; so, trying in so far as possible to avert punishment for his act from other people and places, he ordained five prominent students. "One time the government decreed against Israel that whoever ordains should be killed, whoever ordained shall be killed, that the city in which an ordination is held should be destroyed, and the Sabbath districts in which an ordination is held should be laid waste. What did R. Juda b. Baba do? He went and sat down between two big mountains, between two big cities, between two Sabbath districts, between Usha and Shefaram. And he ordained these five elders. And these are they: R. Meir, R. Juda, R. Simon, R. Jose, and R. Elasar b. Shamua. Rav Hiya also adds R. Nehemia. When their enemies recognized them, he said to them: Run, my children. They asked him what was going to happen to him? He said to them: Behold I shall be placed before them like a stone which cannot be moved. It is said that they did not depart from there, until three hundred iron spears

1. Masechet Semachot c.8

2. Masechet Semachot c.8.

53. had pierced his body, and made it like a sieve."³ Seeing the Romans approach, he bade those whom he had ordained to flee. They did so and left the country; he remained and was killed. So fierce had the persecution become and so awed by the government were the people, that they dared not publicly mourn for R. Juda b. Baba. "With regard to R. Juda b. Baba they sought to say: Alas for thee, pious man, alas for thee meek man..^{But} because the political conditions were too dangerous, one does not (dare not) mourn over the Haruge Malchut."⁴

3. Sanhedrin 14a: Avoda Zara 8b

4. Sota 48b; J. Sota 24b; T.Sota 13:4; Sanhedrin 11a; Shir HaShirim Raba 38c.
ed. Frankfort on the Oder, 1708

There remain then only two others concerning whom the Talmud speaks of as being martyrs, and they are Hutzpith, the Interpreter and R. Juda Ha-Nahtom. Both of them are spoken of in connection with the apostasy of Elisha b. Abuja, or as he is sometimes called, Aher, who was a contemporary of Akiba.⁴ Seeing R. Huzpith and R. Juda Ha-Nahtom suffer the deaths of martyrs, his faith in God left him. "Some say he (Aher) saw something happen, and others say that he saw the tongue of Huzpith the interpreter drawn out on a dung hill. He said then: O tongue which brought forth pearls, must now lick the dust."¹ Tosefot Behorot says that "R. Huzpith, the Interpreter, was of the ten martyrs of the kingdom."² Another reason for Aher's apostasy is given as follows: "And some say because he saw the tongue of R. Juda Ha-Nahtom placed in the mouth of a dog, dripping blood."³ The question arises as to whether or not both R. Hutzpith the Interpreter and R. Juda Ha-Nahtom were killed before the eyes of Aher. The similarity of the statements with regard to both having their tongues drawn out might indicate that one is a variant. On the other hand it is possible that Aher witnessed the deaths of both at different times, accounting thus for the varying statements; for if he had seen both killed at one time, it seems that he would have mentioned the death of both in one statement. That one of the two, and possibly both were killed seems certain. Just exactly when they were killed and for what definite reason cannot be ascertained. They were probably killed sometime during the period of persecution following the fall of Bettar, when the Romans were most strict, and would have been most liable to cut out the tongues of those they tortured to death, for violating their edicts against Judaism.

If then the deaths of R. Huzpith the Interpreter and R. Juda Ha-Nahtom may

1. Hulin 142a; Kiddushim 39b.

2. Tosefat Behorot 36a

3. J. Hagiga II, p. 77b. Ruth Raba 48b, Frankfort on the Oder, 1705

4. Hagiga 14b.

55. both be granted, there are only seven martyrs mentioned in the Talmud, (nine if the hypothetical cases of Lulianus and Pappus are used). The others being R. Simon and R. Ishmael, R. Akiba, R. Hanania b. Teradion, and R. Juda b. Baba. It has been seen furthermore that they all met their deaths during the reign of Hadrian. In no place does the Talmudic literature speak of them as the 'ten martyrs of the kingdom', seized, imprisoned, and executed at the same time. The Talmud speaks of the Haruge Malchut, and Haruge Lud, and of R. Akiba and his companions.

* CHAPTER III *

MARTYRS IN LEGEND

A. INTRODUCTION

VARIOUS LISTS OF 10 MARTYRS

It is in the younger Agadic literature,¹ that scattered references in older sources to individual martyrs are collected together, to form a rounded out, integral martyr legend. The number of martyrs became fixed on as ten; they received the name of the Asara Haruge Malchut, the Ten Martyrs of the Kingdom.²

Very briefly, without any comment, are the names of the ten martyrs mentioned in Midrash Echa. "Another explanation to 'the Lord has mercilessly destroyed all traces of Jacob' is: All the greatest of Jacob, such as R. Ishmael, (R. Simon b.) R. Gamaliel, R. Juda b. Baba, R. Jeshebab, R. Huzpith, R. Hanania b. Teradion, R. Juda Ha-Nahton, R. Akiba, Ben Asai and R. Tarfon. Many strike out R. Tarphon and insert in his place R. Elasar b. Harsom."³ While ten names are mentioned, the number ten is not referred to. In Midrash Tehillim, Asara Haruge Malchut, 'ten martyrs of the kingdom' are mentioned, being, R. Simon b. Gamaliel, R. Ishmael b. Elisha, the high priest, R. Jeshabab the scribe, R. Huzpith the Interpreter, R. Jose, R. Juda b. Baba, R. Juda Ha Nahton, R. Simon b. Azai, R. Hanina b. Teradion, and R. Akiba.⁴ The only difference then between the lists of martyrs in Midrash Echa Raba 2:46 and Midrash Tehillim 9:13 is that the latter midrash substitutes the name of R. Jose for that of R. Tarfon or R. Elasar b. Harsom. In Maase de R. Joshua b. Levi, mention is made of ten righteous ones who are killed, in addition to R. Ishmael the high priest, and R. Simon b. Gamaliel. "In that hour they killed R. Ishmael the high priest, and R. Simon b. Gamaliel, and ten righteous ones."⁵

1. Zunz: G.V. p. 148; S.P.d. M., p. 141.

2. Midrash Mishle 1:13. Seder Gan Eden p. 87a; Midrash Konen p. 255b.

3. Midrash Echa Raba 2:46; cf. Yalkut Echa p. 167a, Venice ed; Perush Lekach Tov to Megilat Shir HaShirim pp. 14, 15, -the same names mentioned, altho they are elaborated upon, and the alternative name of R. Elasar b. Harsom is left out

4. Midrash Tehillim 9:13

Hechalot Rabati. at first mentions the names of four great men who are seized by the Romans; they are Simon b. Gamaliel, R. Ishmael b. Elisha, R. Eliezar b. Dama, and R. Juda b. Baba.⁶ It then speaks of "ten great men" who are to be killed, they being the ten who sat ^{at an} entrance of the Temple, separated by flames of fire from the rest of the people. They were R. Ishmael, R. Simon b. Gamaliel, R. Eliezar the Great, R. Eliezer b. Dama, R. Eliezer b. Shamua, Johanan b. Dahavai, Hanina b. Hachinai, Jonathan b. Uziel, R. Akiba, and R. Juda b. Baba.⁷ According to Midrash Ele Eskera, the following ten were martyred: R. Ishmael the high priest, R. Simon b. Gamaliel, R. Akiba, R. Hanania b. Teradion, R. Elasar b. Shamua, R. Jeshebab the scribe, R. Hanina b. Hachinai, R. Juda b. Baba, R. Huzpith the Interpreter, R. Juda b. Dama.⁸ In the course of the developments of the martyr legend eighteen different men are named as being martyrs. They are R. Ishmael, R. Simon, R. Jeshebab, R. Huzpith, R. Hanania b. Teradion, R. Juda Ha Nahton, R. Juda b. Baba, R. Simon b. Azai, R. Akiba, R. Tarfon, R. Elasar b. Harsom, R. Jose, R. Eleazar the Great, R. Eliezar b. Dama (called also Juda b. Dama, and Juda b. Tema), R. Eliezer b. Shamua, Johanan b. Dahavai, (called also Elasar b. Dehavai), Hanania b. Hachinai, Jonathan b. Uziel. Only upon one matter do these younger sources agree,--that there were ten martyrs.

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2. REASON FOR NUMBER 10.

Whence then comes this number ten? In Talmudic literature no mention is made of ten martyrs, nor is any definite number given. It was thru a process of legendary development that the number ten was decided upon, and associated with the selling of Joseph into slavery by ten of his brothers. Because the penalty

(5) from previous Page: Maase de R. Joshua b. Levi p. 213a.

6. Hechalot Rabati p. 113 b; cf. Masechet Otsilot p. 449b.

7.. Hechalot Rabati p. 116b; cf. Masechet Atsilot p. 449b. The list of martyrs is the same as that in Hechalot Rabati, except Johanan b. Dehavai in the latter is changed to Elasar b. Dahavai in the former.

8. Midrash Ele Eskera. p. 441b, ed. Eis; cf. Shalsholet Hakabola p. 31a, b; cf. Maase Asara Haruge Malkut, p. 444a, has the same list as Midrash Ele Eskera, except that it changes Juda b. Dama to Elasar b. Dama.

58. for stealing a man and selling him into slavery was death (Ex. 21:16) and because the brothers of Joseph who had sold him into slavery and had not been punished, their sin was to be visited upon ten prominent teachers. At first, however, the punishment of the crime of Joseph's brothers was in no way connected with the ten martyrs. According to early sources the punishment of the crime consisted in the forcing of all parents to redeem their first-born with twenty pieces of silver. "Because they sold the first born of Rachel for twenty pieces of silver, must each one redeem his first born for twenty pieces of silver."¹⁰ And elsewhere: "They sold Joseph to the Ishmaelites for twenty pieces of silver, which equals five Selas. Therefore must each man separate for his son five Selas. R. Juda b. Simon said: God said to His tribes. You have sold the son of Rachel for twenty pieces of silver. Therefore must every one bring a Beka for each man; that is, half a shekel."¹¹ Developing legend then took the verse in Amos 2:6 which says: "...they have sold the righteous for silver, and the poor for a pair of shoes", and connected it with the sale of Joseph. Having sold Joseph, the brothers divided the twenty pieces of silver they received for him, amongst themselves, and each one of them purchased a pair of shoes." Reuben said to them: Shed no blood, cast him into this pit that is in the wilderness. His brothers listened to him, and they took Joseph and cast him into the pit. What did Reuben do? He went and stayed on one of the mountains, so as to go down by night, to bring up Joseph out of the pit. And his nine brothers were sitting down in one place, all of them like one man, with one heart and one plan. Ishmaelites passed them by, and the brothers said: Come, let us sell him to the Ishmaelites, and they will lead him to the end of the wilderness, and Jacob will not hear any further report concerning him. They sold him to the Ishmaelites for twenty pieces of silver, and each one of them took two pieces of silver to purchase shoes. As

10. J. Shekalim 46d; cf. Pesikta Zutrat Parasha Ki Tissa p. 98b.

11. Midrash Bereshit Raba c. 84, p. 99d.

59. it is said:.... "They have sold the righteous for silver, and the needy for a pair of shoes."¹² The account in Midrash Bereshit Raba c. 84, which tells of a tax imposed upon each individual because of the selling of Joseph into slavery by his brothers, and the account in Pirke de. R. Eliezer, which tells what the brothers did with the proceeds of the sale, are united in Yalkut Bereshit.¹³ A later legendary account tells that when the brothers decided to sell Joseph to the Ishmaelites, an angel, Metatron,¹⁴ was sewing shoes,¹⁵ presumably for the brothers. In Maase Asara Haruge Malkhut it is told that when the king decided to summon and try the ten sages for the sale of Joseph he filled his palace with shoes.^{15a}

The first association of the martyrdom of ten with the sale of Joseph, comes in the passage found

in Yalkut Mishle. [And not only do ten in one generation pay with their lives for the sin of ten of Joseph's brothers, but ten in every generation are to pay with their lives for the same sin because it is an enduring one.] "Said R. Juda: The martyrs were not turned over to the government, except because of the selling of Joseph. R. Abin said: Behold it is declared, ten men from each generation, for the sin is an abiding one."¹⁶ Another account tells us that at the very moment when Joseph was sold, the decree of martyrdom was issued against the Haruge Malchut, and eight thousand pupils, and the decree would have been carried out immediately, had it not been for the merit of Abraham, their ancestor.¹⁷

~~Accordingly~~. The selling of Joseph by the tribes, made the whole world deserving of the punishment of being sold to Egypt.²⁰ In response to a demand of the of the attribute of justice, the ten tribes were punished by being sent out of the Garden of Eden, according to one legend. "And when these souls (the tribes) left the Garden of Eden, they were given clothes, that is to say, the bodies of Tanaim, the Haruge Malchut who are known, and all of them were turned

12. Pirke de R. Eliezer, p. 292. Friedlander ed. Tanhuma Vayyesheb 2; Palestinian Targum to Genesis 37:28.

13. Yalkut Bereshit, article 142:1, p. 45a

(See following page for notes 17, 20)

14. Metatron. cf. J.E. vol 8, p. 519

15. Yalkut Reuben, Vayyesheb 2. cf. Strack: Einleitung in Talmud and Midrash, p. 223.

15a. M.A.H.M. p. 444a; M.E.E. p. 440b.

16. Yalkut Mishle, article 929, f. 13ld, Venice ed. cf. M.A.H.M. p. 446b. Here again the same note of enduring sin is struck as is presented in Yalkut Mishle. The attribute of justice suggests to God that because the children of Israel have sold Joseph and worshipped other gods, one righteous man shall be punished in every generation.

60. over to slaughter except Reuben. He was not turned over to slaughter, because he did not agree to the selling of Joseph. He rent his garments because he did not find (Joseph in the pit when he returned from the mountain, where he had gone after he had advised his brothers not to kill Joseph, but to put him in a pit),²¹ and was rewarded measure for measure. But because he had advised that Joseph be put into the pit, he also was ~~a~~ not freed from the grasp of the pit,--which accounts for the seizing of Reuben.²² In Hachalat Rabati is a story of the martyrdom of ten great teachers, who are turned over to Samael, the protecting spirit of Rome for punishment.²³ The exact reason for the execution of the ten is not given. It is first in Masechat Atsilot, which is very closely related to Hachalat Rabati, the reason is given for the martyrdom of the ten great teachers, who were turned over for punishment to Samael the protecting spirit of Rome, to pay for the crime committed by Joseph's brothers, when they sold him into slavery. "R. Ishmael said: It was on a Thursday when the bad news came from Rome, that four men had been taken prisoners,--namely R. Simon b. Gamaliel, R. Ishmael b. Elisha, R. Eliezer b. Dama, and R. Juda b. Baba.....As soon as R. Nehunia ben Hakana realized it was a heavenly decree he arose and brought me down to the Merkaba. I directed a question to Suriel, the prince of appearances, and he told me that ten had been designated and turned over to Samael the protecting spirit of Rome, with the words: Go forth and destroy the greatest spirits of Israel, the best and most noble, in order to fulfil the judgment, 'whosoever steals a man from the children of Israel and sells him, or if he be found with him, shall surely be put to death. The children of Jacob stole Joseph and sold him; what

(continued) 17: Yalkut Reubeni - perek Vayyesheb.

20. Pesikta Rabati, Perek Ki Tissa, 40a, b.

21. Pirke de R. Eliezer p. 292.

22. Yalkut Reuben, Vayyesheb. 155b, Warsaw ed.

23. Hachalat Rabati, p. 113b.

61. should be done to them? Therefore permission was given to Samael to destroy ten great men in their stead, to fulfill the judgment.²⁴

The culmination of the growth of the legend, giving the reason for the martyrdom of ten, is found in Midrash Ela Eskera, and its ~~variant~~ Maase Asara Haruge Malchut, and Asara Haruga Malchut. In these completely legendary accounts, the tapestry of fancy which was woven throughout the course of centuries about the figures of martyrs, actual and imagined, was completed. And a colorful tapestry it was. The punishment of ten because of the violation of the law in Ex. 2:16 by the ten brothers of Joseph comes now because (1) of the demand of the attribute of justice upon God that no letter of His law be abrogated, and because (2) of a desire on the part of God to humble the pride of Israel, - a pride which caused the Jews to think that the existence of great teachers replaced the loss of the Temple. God puts the desire in the heart of the Roman king to be instructed in Jewish lore by the great teachers, - whereupon the king learns of the existence of the law in Ex. 21:16, the violation of which by the brothers of Joseph had never been punished, and he decrees therefore the destruction of ten sages in the stead of the ten brothers. The information that the decree against the martyrs is of divine origin is received by R. Ishmael who ascends to heaven to find out why the Roman emperor had ordered the martyrdom of ten.^{24a}.

The legend giving the reasons for the martyrdom of ten, is as follows:
"When at the time of creation, God made the trees, they prided themselves on their stature, and raised themselves higher and higher. But when God subsequently made the metal iron, they humbled themselves, and exclaimed: Woe unto us, for now God has created the instrument wherewith we shall be cut down. In like manner, after the destruction of the Temple, immodest ones among the Jews

24. Masechet Atsilot, p. 449b.

24a. M.E.E. pp. 440b. 441a.; M.A.H.M. pp. 443b, 445a; A.H.M. p. 448b.

exalted themselves, and said: What have we lost by the destruction of the Temple? Behold we have among us scholars, who are able to lead the world by means of the Tora and its commandments.²⁵ Immediately, God put it into the heart of the Roman king to make a study of the law of Moses, thru the sages and elders of the time. In the course of his study, he came across the verse in Ex. 21:16, which says: 'And he that stealeth a man and selleth him...shall surely be put to death.' He at once gave orders to fill his palace with shoes²⁶ and sent for ten sages of Israel²⁷. Having come before him they were seated on golden stools. He addressed them thus: I have a profound question of law to ask you, and answer me according to law, truth, and judgment. They said to him: Speak. He said: With regard to one who stealeth a man...and selleth him, what is the law in such a case? They answered: "The Tora says that such a man shall surely be put to death. Then he said to them: If this be so, you ought to suffer the penalty of death. Tell us why: they said. He answered: Because of the selling of Joseph by his brethren. Had they been alive, I should have passed sentence on them, but as they are not alive, you must bear the sins of your fathers."²⁸ The rabbis asked for, and received three days grace, during which, at their request, R. Ishmael ascended to heaven, to find out whether the decree of the king was of divine origin or not. Arriving in heaven, having been carried there by a wind, after pronouncing the ineffable name, R. Ishmael was met by Gabriel; and he asked him whether or not the decree against the sages had the sanction of heaven.²⁹ The following discussion ensued: "O my son, Ishmael, by thy life, I have indeed heard from behind the curtain that ~~the~~ ten of the sages of Israel were to be handed over for slaughter, into the power of the wicked kingdom. R. Ishmael asked him, why? He answered:

25a. cf. Midrash Bereshit Raba 5:10 "When iron was created, the trees began to tremble. Why are you trembling: asked the iron? Give me none of your wood, and no one of you will be injured." This seems to be the basis of the parable in Mid. E.E. p. 440b.

b. cf. M.A.H.M. p. 444a.

26. cf. M.A.H.M. p. 444a

27. cf. a. M.A.H.M. p. 444a. The king summons R. Simon b Gamaliel and his companions.
b. A.H.M. p. 448a

28. Mid. E.E. p. 440b; M.A.H.M. pp. 443a - 444b; A.H.M. p. 448b.

29. a. M.E.E. p. 440b; M.A.H.M. p. 444b; Ishmael is first met by Gabriel; ~~as~~ a sentence later it is Metatron whom he meets, and to whom he speaks:
A.H.M. p. 448. Ishmael is met by Metatron

63. Because of the selling of Joseph by his brothers. For the attribute of justice complained daily before the throne of Glory saying: Hast Thou written in Thy Tora one letter which Thou dost intend to abrogate? Behold the tribes which sold Joseph, have not yet been punished by Thee, nor have their descendants been punished. Therefore the decree was issued against the ten sages of Israel to turn them over to slaughter, thru the wicked kingdom. R. Ishmael said to him: Has not God found punishment for the selling of Joseph ere this, that he must exact it from us now? Gabriel replied: By thy life, Ishmael, my son, from the day on which the ten tribes sold Joseph, God has not found unto this day ten such righteous men to exist in one generation, equal to those of the ten tribes, and therefore God now exacts punishment from you."³⁰

Thus in Midrash Ele Eskera and in Maase Asara Haruge Malchut, and Asara Haruge Malchut, the legend giving the reasons for the fixing upon ten as the number of martyrs is completed. The parable about the trees and the iron in Midrash Ele Eskera and in Maase Asara Haruge Malchut is an entirely new feature; while the ascent of R. Ishmael into heaven, his discussions with Gabriel, or Metatron, the detailed demand of the attribute of justice for punishment for the sin committed by Joseph's brothers, are developments upon the material presented in Hachalot Rabati, and Masachet Atsilot.³¹ While in the Hachalot Rabati and Masachet Atsilot,³¹ it first speaks of the seizure of four men on a Thursday, in Asara Haruge Malchut,³² it speaks of the summoning and trial of R. Simon b. Gamaliel and his companions on/^aThursday. Midrash Ele Eskera and Maase Asara Haruge Malchut do not mention the seizure of the martyrs on a certain day, but speak merely of ten martyrs, whom the king summons. It is to be noted that the reasons

29b. Masachet Atsilot p. 449b; it is to Suriel to whom Ishmael directs his question.

30a. M.E.E. p. 440b; M.A.H.M. p. 445a; A.H.M. p. 448b.

b. According to Recanati; Perush, Perek Vayyeshab, and Shalsholet Ha-Kabala 31a, each of the ten martyrs was killed for a certain tribe.

c. Cf. Yalkut Reuben; Perek Vayyeshab, p. 155b, Warsaw Edition. The attribute of justice demanded that the ten tribes be punished for participating

Demetrius (see next page)

for the execution of the martyrs in these sources is totally different from that ^{reason} given in Talmudic sources. In the earlier Talmudic sources, individual teachers are martyred because of their disobedience to Roman laws, enacted against their religion. In these later sources, in *Hechalot Rabati*, *Masechet Atsilot*, *Midrash Ele Eskera*, *Maase Asara Haruge Malchut*, and *Asare Haruge Malchut*, the reason for the martyrdom of ten becomes entirely legendary, being punishment for the sin incurred by Joseph's brothers, when they sold him into slavery. Even in these later sources, however, some of the legends concerning individual martyrs retain reasons for martyrdom similar to those of earlier sources.

Zunz points out the possibility of the number ten which legend fixes upon as being the number of the martyrs, being due to events occurring in the days of the Zealots, when, according to one source, ten were killed. "And Simon, the murderer, killed ten righteous men, members of his family, because they had protested against the death of the scribe, Aristuas."³⁴

30c. in the sale of Joseph. So they were driven out of the Garden of Eden; "and when these souls went out from the garden of Eden, they were given clothes, that is to say, the bodies of the Tanaim, the Haruge Malchut, who are known; and all of them were turned over to the serpent for slaughter."

31. *Hechalot Rabati* p. 113b; *Masechet Atsilot* p. 449b.

32. A.H.M. p. 448a.

34. a. Zunz: S.P.M. p. 141, end.

b. Josephus Gorionides, p. 791.

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3. VENGEANCE THEME

In Midrash Ele Eskera, Maase Asara Haruga Malchut, and Asara Haruge Malchut, as well as in Masechet Atsilot and Hechalot Rabati, there is largely developed the theme of vengeance, vengeance to be wreaked by God against the Romans, for the martyrdom of His righteous ones. There is not a single account in Midrash Ele Eskera or in its variants, according to which the individual martyrs do not assure the Roman emperor of punishment in store for him. In legend, at least, could the Romans be made to pay for the persecutions and martyrdoms they inflicted upon the Jewish people during the period of the Hadrianic persecutions. The theme of vengeance to be exacted from Rome, is treated completely in Hechalot Rabati and Midrash Ele Eskera.

The ten martyrs were designated for execution because of the demand of the attribute of justice that ten righteous men be made to pay for the crime committed by the brothers of Joseph, when they sold him into slavery.³⁵ God accordingly turned over the ten into the power of Samael, protecting spirit of Rome, but gave him the choice of freeing them, or of being terribly plagued, if he permitted them to be executed. Samael was determined that the ten righteous men should be executed, and it was declared therefore that vengeance would be exacted from him. Punishment inflicted upon Samael, meant of course punishment inflicted upon Rome and Romans, "R. Ishmael said: All possible warnings and threats were directed against the wicked Samael. He however answered: I take everything upon myself; but these ten great men of Israel must be destroyed. Thereupon did Saharariel, the Lord, God of Israel, become so angry against Samael, that he should accept upon himself all these teachers, that he did not take the time to say to the scribe: Write down the worst punishments, and the most terrible and fearful and destructive plagues against wicked Rome, but He, Himself, took

35. Pirke de. R. Eliezar. p. 292. Masechet Atsilot. p. 449b. Hechalot Rabati, p. 113b; M.E.E. p. 441a; M.A.H.M. p. 444a; A.H.M. p. 448a.

pen in hand, and wrote down the following punishment. For the day of revenge which inevitably is put aside for Rome, will a cloud appear over wicked Rome, which for six months long will send down hail upon man and beast, silver and gold, fruit and all implements. Then another cloud will take its place, and for six months will send down evil leprosy and disease, and all imaginable plagues upon wicked Rome. Indeed matters will come to such a pass, that each man will say to his neighbor: Here is wicked Rome, and everything in it for a penny.

Whereupon the person to whom the offer is made will answer; I don't care for it.

Said R. Ishmael: When I came and made known this testimony from before the throne of glory, all the companions rejoiced, and made that day before Nehunia b. Hakana a day of feasting and rejoicing. Furthermore said Nasi in his rejoicing: let us have all kinds of music, and drink wine, since God is bound to exact vengeance from Rome, and perform wondrously against her.

Said R. Ishmael: What did the heavenly Bet-Din do in that hour? The command was given to the angels of destruction, who descended, and brought such complete destruction upon Lupinus, the emperor that there remained not a single refugee in his palace. Rufa, the wife of his youth, his maid-servants, and all his concubines were killed; all his children, all the members of his house, were killed and burnt. Said R. Ishmael: What did they do to that wicked person? They confounded him with his dead, because they were lying before him. When any one stretched forth his hand to take any of the dead of Lupinus, the wicked, a pit would seize him; and when he drew back his hand, the pit would release him. They were lying before him, and gave off an awful stench. And he became ashamed, because of the princes who entered his presence and left."³⁶

A much similar account is found in Midrash Ele Eskera, where the reason given for vengeance taking is somewhat different. God's wrath was kindled against Samael because he became boastful of his powers, when he saw that the decree

36. Hachalot Rabati p. 113b.

67. against the ten sages was about to be promulgated. God thereupon demanded that Samael release the ten sages, or suffer all kinds of imaginable plagues. Samael refused. God then summoned his scribe Metatron, and dictated the punishment for Rome.³⁷ "When Samael, the wicked one, saw that God was about to seal the decree turning over the ten righteous ones into the power of the wicked kingdom, he rejoiced greatly, and became boastful, saying: I have conquered Michael, the prince. Immediately the anger of God burned against Samael, and He said to him: No, Samael, either you shall free from slaughter the ten sages of Israel, or you shall take upon yourself for all future time the plagues of leprosy; one of the two you must accept. Samael the wicked said to Him: I shall not deliver the ten righteous from slaughter, and I shall accept upon myself Thy decree, as Thou hast spoken. Immediately the anger of God was kindled against Samael, and he had not finished speaking, before God summoned Metatron, the scribe, the great prince, and said to him: Write down and seal for six months, plagues, leprosy, risings, scabs, inflammations, withering, and evil boils, against wicked Rome; and brimstone and fire against man and beast, silver and gold, and all which they have. Until one man will say: Here, take Rome, and all that is in it for a penny, and his companion will answer: I do not care for these things, ~~as~~ as I cannot enjoy them."³⁸

The grim distress of Rome, such as is depicted in these two legends in Hechalot Rabati, and Midrash Ele Eskera may be based upon actual fact, reflecting occurrences during the second half of the sixth century, when the Longbards invated Italy. "To picture the desolation of Rome in the first epoch of Byzantine rule, when the people were tormented with hunger and thirst, and in constant fear of the sword of the Longbards,---the deeply stirred imagination may make an effort, but the strength is lacking to present such a terrible and demonic nightmare."³⁹ And legend, aware of the downfall and disintegration of the Roman Empire, read into Rome's misfortunes the visitation of divine punishment for the martyrdom of the ten sages.

37. In Hechalot Rabati, p.113b, God wrote down the punishment of Rome, Himself.

38. M.E.E. p. 441a

39.a Philip Bloch: Rom und die Mystiker der Merkabah, p. 118

b. Bloch quotes from Gregorovius' History of the State of Rome . . .

B. - ACTUAL MARTYRS IN LEGEND

1. R. Simon and R. Ishmael

The names of only five martyrs are mentioned by all the later sources¹ dealing with the martyr legend. They are R. Simon, R. Ishmael, R. Akiba, R. Hanania b. Teradion, and R. Juda b. Baba.² That these were actually martyred at various times during the reign of Hadrian, has been shown. It has been seen how already in times shortly following their executions, legend had begun to weave garments of phantasy about them. During the course of the centuries intervening between the period when the Talmudic literature was being composed and compiled, and the period during which the later sources dealing with the martyr legend were written down, the legendary accounts concerning the martyrs continued to grow; added details, new features, being constantly incorporated.

The growth of the legendary accounts concerning R. Simon and R. Ishmael seems to have been particularly rapid. Their deaths are briefly alluded to in the Midrashim to Tehillim and Echa.³ In Hechalot Rabati, they are mentioned, among the four prominent men, who were taken captives by the Roman authorities.⁴ The first complete legend concerning the deaths of R. Simon and R. Ishmael is found in Masechet Atsilot. "At the foot of the mountains were two caves opposite each other, in one of which lay buried R. Ishmael b. Elisha, and in the second of which lay buried his companions, who were of the Asara Haruga Malchut. Now when R. Simon b. Gamaliel and R. Ishmael were going out to be killed, R. Simon b. Gamaliel said to R. Ishmael: My heart goes out, because I do not know why

1. Zunz: G.V. p. 148

2. Midrash Echa 2:46; Yalkut Echa p. 167a, Venice edition; Midrash Tehillim 9:13; Midrash Tehillim p. 92d, Venice edition; Hechalot Rabati, p. 116b; M.E.E. p. 441b; M.A.H.M. p. 444a; Masechet Atsilot p. 449b; Perush Lekach Tov to Megilat Shir Ha-Shirim pp. 14, 15.

3.a. Midrash Tehillim 9:13; Midrash Echa 2:46 Yalkut Echa 167a, Venice Edition.
b. Zunz: S.P. d. M. p. 140.

4. Hechalot Rabati p. 113b; Masechet Atsilot p. 449b.

69. I am to be killed. Said R. Ishmael to him: Did ever a man come to you for judgment, while you were putting on your Talith, or drinking your cup, or putting on your shoes (whom you meanwhile kept waiting)? The Tora says: 'If thou afflict him'. And a great affliction and a small one are the same. It is also written: 'My anger shall burn, and I shall kill you with the sword.' R. Simon b. Gamaliel replied: 'You have comforted me.'⁵

The legend concerning the deaths of R. Simon and R. Ishmael is found in its completed form in Midrash Ele Eskera, and in its variants, Maasa Asara Haruge Malchut, and Asara Haruge Malchut. "Immediately R. Ishmael descended (from heaven), and reaching the earth, told his companions that the decree had been determined upon, and written, and sealed. And while they on the one hand complained that so harsh a decree as this had been determined upon, they rejoiced, on the other hand, that God had considered them, by reason of their righteousness and goodness, equal to the tribes.⁶ They were sitting in pairs, R. Ishmael the high priest, and R. Simon b. Gamaliel; R. Akiba and R. Hanania b. Teradion; R. Elasar b. Shamua and R. Jeshebab, the scribe; R. Hanina b. Hachinai, and R. Judah b. Baba; R. Huzpith, the interpreter, and R. Juda b. Dama. The king entered, followed by all the nobles of Rome. He asked: Who is to be killed first? R. Simon b. Gamaliel said: I am a Nasi, son of a Nasi, of the seed of David, King of Israel, peace be upon him; I would be slain first. R. Ishmael, the high-priest, said to him: I am a high-priest, the son of a high priest, of the seed of Aaron, the priest, I would be slain first, and let me not witness the death of my companion. Then said the king: This one says, I wish to be killed first, and this one says, I wish to be killed first. This being the case, cast lots;

5. Masechet Atsilot p. 449b.

6a. Cf. A.H.M. p. 449a

6b Cf. M.A.H.M. p. 445a.

70. They did so, and the lot fell upon R. Simon b. Gamaliel.

The king commanded that his head be cut off; and they did so. R. Ishmael took the head, and placed it between his knees, crying over it bitterly, exclaiming: Alas for the law, and alas for its reward. The tongue, which was in the habit of explaining the law in seventy different ways, now licks the dust. And he continued to weep and lament over R. Simon b. Gamaliel. Thereupon the king said to him: Instead of weeping over your companion, you had better weep over yourself. R. Ishmael replied: I do bewail myself at the thought that my companion was above me in the knowledge of the Tora, and in wisdom. And I weep also, because he preceded me in reaching the throne on high. While he was thus speaking, weeping, lamenting and wailing, the king's daughter looked out of her window and gazed upon the beautiful face of R. Ishmael, the high-priest. Her tender feelings overcame her on his behalf, and she sent to her father, asking him to grant her one request and petition. The king sent back word: O my daughter, whatever thou shalt say, will I do, except that having to do with R. Ishmael and his comrades. She then sent back word, saying: I beg of you to save his life. He replied: I have sworn. Then she said: If this be so, I beg of you to give orders to strip the skin from the face of Ishmael. When they reached the spot, where he was wont to place the Tefillin, he cried out a great and bitter cry, at which both heaven and earth shook. He cried out a second time, and then even the throne of God's glory trembled. Meanwhile, the ministering angels spoke before God: A pious man such as this, to whom Thou didst show all the hidden treasures of the world, and most of those above and below, shall he die in so terrible a manner? A death worse than the death of the wicked? Is this the Tora, and this the reward? God replied to them: Leave him alone; this meritorious action shall stand for generations after him. What am I to do for my son? It has been decreed, and none can annul it. Thereupon a Bath Kol went forth and said: If I hear one further sound of complaint, I shall reduce the whole world to a state of waste and desolation. When R. Ishmael heard this, he became silent. The king said to him: All along thou didst not weep or cry, and

71. now thou criest? He replied: not for my own life do I cry, but on account of the commandments of the Tefillin which have departed from me. Said the king: Hast thou still faith in God? He replied: Even tho I be put to death, I shall trust in Him. With these words his soul departed."⁷

The following legend concerning the deaths of R. Simon and R. Ishmael are found in Tobiah b. Eliezer's "Perush Hekach Tov to Megilat Shir Ha-Shirim". "Thus went out the name of the righteous in the place where they were killed for the sanctification of the name of God; ~~and~~ such as R. Simon b. Gamaliel, the prince of Israel, and R. Ishmael b. Elisha, the high priest, son of a high priest. When the soldiers came, in the days of the wicked government, and found them sitting in the court yard, occupied with the laws of Passover, they arrested them, and brought them before the king. When he came to kill R. Simon b. Gamaliel, Ishmael said to him: By thy life, begin first, with me, that I may not witness the death of my companion, for I am a high-priest, the son of a high-priest. When he turned then to kill R. Ishmael, R. Simon b. Gamaliel said to him: Begin first with me, for I am a prince, the son of a prince. Immediately he cut off the head of R. Simon b. Gamaliel. When he sought to kill R. Ishmael, the daughter of the king requested that the skin be stripped from his face; for he was as beautiful as Joseph, the righteous. They stripped the skin from his chin to the place where the Tefillin had rested. Thus they (R. Simon and R. Ishmael) received upon themselves the judgment, and died for the sanctification of the name of God."⁸

The account in Masechet Atsilot concerning the deaths of R. Simon and R. Ishmael seems to follow almost completely the account in Mehilta Mishpatim.⁹ The main difference being, that R. Simon of the Mehilta becomes in Masechet Atsilot

7. M.E.E. p. 441b.

8. a. Perush Lekach Tov to Megilat Shir HaShirim pp. 14, 15.
b. Cf. J.E. vol. 12, p. 169b; Strack: Einleitung in Talmud und Midrash.
p. 224, g.

9. Mehilta Mishpatim c. 18.

72. R. Simon b. Gamaliel and he does not address R. Ishmael as "my teacher", as he does in the Mehilta account. The editor of Masechet Atsilot having identified R. Simon as the son of Gamaliel, and probably thinking of him as the Nasi who lived in the days of Titus, recognized the difficulty involved in having such a personage address R. Ishmael as "my teacher", and therefore omitted these two words. Masechet Atsilot does not include all of the material found in the Mehilta account--the prophetic remarks of R. Akiba being left out. The only entirely new feature in the Masechet Atsilot account is the reference to the grave of R. Ishmael, and the grave opposite it, in which the other martyrs lay buried. No reason is given for the deaths of R. Simon and R. Ishmael, but it is evident from other parts of Masechet Atsilot that they were executed because of the crime committed by Joseph's brothers, when they sold Joseph into slavery. The penalty of that crime was visited upon the heads of ten great men, among whom R. Simon and R. Ishmael were numbered.¹⁰

In Midrash Ele Eskera, the legendary account concerning the deaths of R. Simon and R. Ishmael is completed. From the untitled R. Simon and R. Ishmael of the Mehilta,¹¹ to the R. Simon b. Gamaliel and R. Ishmael of Masechet Semachot,¹² to the R. Simon b. Gamaliel, a Nasi, the son of a Nasi, and R. Ishmael b. Elisha, a priest, the son of a high-priest, of Abot de R. Nathan,¹³ to the R. Simon b. Gamaliel, a Nasi, the son of a Nasi, of the seed of King David, and R. Ishmael b. Elisha, a high-priest, the son of a high-priest, of the seed of Aaron, the priest, of Midrash Ele Eskera,¹⁴ can the legendary development of the titles of these two martyrs be traced. The reason for their martyrdom is the sale of Joseph by his brothers, for which crime, they, among ~~the~~ ten great men, must suffer. Knowing their fates, they complain no longer, as the earlier sources¹⁵ have them complain, one asking the other why such should have been his fate,

10. Masechet Atsilot p. 449b.

11. Mechilta Mishpatim c. 18.

12. Masechet Semachot c.8.

13. Abot de R. Nathan c. 38, p. 43d

14. Midrash Ele Eskera p. 441b.

15. Mechilta Misphatim c18; Masechet Semachot c.8; Abot de R. Nathan c.38, p. 43d.

73. and being told why by his companion, but they both complain and rejoice. Complain because it is their fate to be cruelly martyred, and rejoice because God deemed them to be the equal of the ten tribes. The lament of R. Ishmael over the head of R. Simon is much more elaborate than in any previous source.¹⁶ The lament of R. Ishmael is not cut short by the executioner's ax, as it is in earlier sources.¹⁷ Bidden to weep for himself, rather than for R. Simon, R. Ishmael tells the king that he does weep for himself, but only because his companion is more learned in the Tora than he is, and had preceded him to heaven.¹⁸ A new feature is introduced in Midrash Ele Eskera, when hearing R. Ishmael's cries of lament over the head of R. Simon, the king's daughter looked out of her window, and struck by ~~the~~ his beauty is moved to intercede for him with her father.¹⁹ Failing to move her father, the princess begged that the skin of R. Ishmael's face be stripped of, that she might always gaze upon it. The command to do so was given and carried out. An element of great emotional appeal is added in this connection, when it is told how R. Ishmael stoically bore the torture of having the skin stripped from his face, until the spot was reached where he had been wont to place the Tefillin. Then he cried out once so greatly and bitterly that the earth shook, and again, so that the throne of God trembled. He desisted only when told by a heavenly voice that were he to cry out once more, the world would be destroyed.²⁰ A powerful ending to the legend concerning the death of R. Ishmael is added in Midrash Ele Eskera, when in answer to the king's question whether after all his sufferings he still had faith in God, R. Ishmael asserted that faith with his last words.²¹ The pleas of the

16. M.E.E. p. 441b; M.A.H.M. p. 455a

17. Abot de R. Nathan c.38 p. 43d; Seder Elijahu Raba c. 30.

18. a. M.E.E. p. 441b.

b. In M.A.H.M. p. 445b it is the executioner who bids R. Ishmael to weep for himself.

19. a. M.E.E. p. 441b; M.A.H.M. p. 445b; A.H.M. p. 449a.

b. cf. Avoda Zara 11b; Hulin 123a

20. a. M.E.E. p. 441b

b. cf. M.A.H.M. p. 445b. Gabriel bids R. Ishmael cease his cries.

21. M.E.E. p. 441b.

74. of the angels for R. Ishmael are similar to the pleas of Moses for R. Akiba, when God had shown Moses the tragic end in store for R. Akiba.²²

Midrash Ele Eskera and Maase Asara Haruge Malchut dwell at length upon the beauty of R. Ishmael. No one from the days of Joseph on, was so beautiful as R. Ishmael.²³ Among the seven beautiful men of the world was R. Ishmael. "It is said with regard to R. Ishmael b. Elisha, the high-priest, that he was of the seven beautiful men of the world; and these are: Adam, Jacob, Joseph, Saul, Abraham, R. Abahu, and R. Ishmael. When they brought R. Ishmael to Rome, all the women who saw him had seminal issues. When he was brought before the king, the latter said to him: Are there any more like you among your people, or are there any more beautiful than you? He replied: No. Immediately he ordered that he be killed."²⁴

According to Midrash Ele Eskera when R. Ishmael was met in heaven by Gabriel, he was asked by him: "Art thou Ishmael, concerning whom day by day, the Creator utters the praise that He has a servant on earth resembling His own appearance in brilliancy?"²⁵ The following explanation is given for R. Ishmael's beauty. "It was said with regard to R. Ishmael, the high-priest, that he was one of the seven beautiful men in the world, his face resembling that of the angel of the Lord of Hosts. When the greater part of the life of his father Jose had passed, his wife said to him: My husband how is it that I see so many men, whose seed have prospered, and who have children, while we have neither male nor female child as heir? R. Jose answered: Perhaps it is because their wives took more care of themselves, when they went out from the bath houses. Should anything improper happen to them (after leaving the bath house), they would return and bathe a second time, and therefore would be successful with their seed.

22. M.E.E. p. 441b; M.A.H.M. p. 445b.
b. cf. Menahot 29b.

23. a. M.A.H.M. p. 445b.
b. cf. Yalkut Reuben p. 64b, Amsterdam edition. "The Soul of R. Ishmael is the soul of Joseph and Adam. Thus he was very beautiful as Joseph was. Hence they stripped the skin off his face, as the brothers stripped off the coat of Joseph. And just as Joseph was captured by the Egyptians so was he captured by the Romans, and rescued." cf. Gittin 58a.

24. M.A.H.M. p. 445a.

25. M.E.E. p. 440b.

75. She said: If this is what prevents me, I shall be most careful with regard to these things. When she visited the bathhouse the next time and upon leaving it, met a dog, she returned and bathed a second time. When she left she met a pig and she returned and bathed a third time, and so on, until she had bathed 80 times. Then God said to Gabriel: This righteous women is putting herself to too much trouble. Go and appear to her in the guise of her husband. Immediately Gabriel departed, and went down, and sat at the entrance of the bath house; and he appeared to her, according to the likeness of her husband, Jose. He took her hand, and led her to her house. That night she became pregnant. And when Ishmael was given birth to, he was as beautiful as Gabriel.²⁶ How legend has labored with the figure of R. Ishmael, making him finally a most heroic martyr, beautiful as the angels on high, a being half-divine!

The companion of R. Ishmael, R. Simon, who was killed first, and for whom R. Ishmael mourned so bitterly, was, according to another legend contained in Maase Asara Haruge Malchut, not killed at all, but escaped with his life. "The attribute of justice said to God: O Master of the World, the sons of Jacob have sold Joseph for twenty pieces of silver; and Israel has served seven gods, as it is said, And the children of Israhel continued to do that which was evil in the eyes of the Lord. (Judges 10:6)....You should punish on this account one righteous man in every generation. Thereupon God issued a decree against the ten elders, in the days of Turnus Rufus the wicked. Immediately he sent an officer to arrest R. Simon b. Gamaliel. That officer came, and stood by the door and said: R. Simon b. Gamaliel is sought after by the government. R. Simon b. Gamaliel heard this, and hid himself. The officer went to him secretly, and said to him: If I save you, will you bring me into the life of the world to come? R. Simon b. Gamaliel began to weep and said: There are some who acquire life in the world to come only after many years, and some acquire life in the world to come in one

26. M.E.E. pp. 440b, 441a. Ishmael b. Jose should be Ishmael b. Elisha.

(b) cf. M.A.H.M. p. 444b. Here, father of Ishmael is recognized as being Elisha.

76. hour. The officer asked him: Do you agree to this? He replied: Yes. Said the officer, Swear to me. He swore to him. Then the officer went up to a roof, and threw himself from it, and died. Our rabbis say that whenever one of their (the Roman) officials dies (enforcing a decree), the decree becomes void. A heavenly voice went forth and said: That officer is prepared for life in the world to come."²⁷

It does not seem likely that this legend of the escape of R. Simon b. Gamaliel is earlier in origin than the legend dealing with the deaths of R. Simon b. Gamaliel and R. Ishmael b. Elisha, and hence contains a kernel of truth,-- namely that R. Simon b. Gamaliel may have been arrested once, and escaped, only to be arrested again and executed according to the narrative of other accounts. Not only are there the legends concerning the deaths of R. Simon and R. Ishmael found in earlier sources, but the legend concerning the escape of R. Simon b. Gamaliel seems to be a natural development, coming later than the legends dealing with his death. It represents the natural desire on the part of the people, to save the lives of their beloved heroes; to give a happy ending to the tragic details concerning one of those who had been designated for martyrdom. At last in imagination could those, worshipped by the people, be thought of as having escaped tragic ends. A similar legendary tendency, to save the lives of those known to have suffered for their faith, is revealed in a legend concerning R. Hanania b. Teradion, who is snatched from the jaws of death.²⁸

Only in one other place, in Maase Asara Haruge Malchut²⁹ is the name of Tarnus Rufus mentioned, in addition to the mentioning of his name in connection with the legend of the saving of the life of R. Simon b. Gamaliel. In all other parts of Maase Asara Haruge Malchut, and in all of the later sources, is no mention of Tarnus Rufus made. A Lupinus³⁰ is spoken of, or a Luliam.³¹ Elsewhere there is mentioned only "the emperor of Rome,"³² or simply "the emperor."³³

27. M.A.H.M. p. 446b

28. Hedhalot Rabati p. 114a

29. M.A.H.M. p. 447a

30. Hedhalot Rabati, pp. 113b, 114a.

31a. A. H. M. p. 448b

(see next page)

Tobiah b. Eliezar in *Perush Lekach Tov* to *Megilat Shir-Ha-Shirim* accepts completely the legend concerning the deaths of R. Simon and R. Ishmael. His account seems in part to follow the account in *Abot de R. Nathan*.³⁵ In *Abot de R. Nathan*, R. Ishmael b. Elisha tells R. Simon b. Gamaliel, who bemoans his lot, that punishment has come to him, because he may have acted arrogantly while teaching his pupils, on the Temple mount. In *Perush Lekach Tov* to *Megilat Shir Hashirim*, no explanation for their lot is either sought or given by either R. Simon b. Gamaliel or R. Ishmael b. Elisha; but as in *Abot de R. Nathan*, their activities take place in the temple precincts. Found expounding the laws of Passover in the temple court, they were arrested, tried and condemned. This fact which is taken as a cause of their arrest,--their expounding the laws of Passover,--was in *Maase Asara Haruge Malchut*, and *Asara Haruge Malchut*, taken as consequence of their arrest. While awaiting execution, they passed the time expounding the laws of Passover.³⁶

The account in *Perush Lekach Tov* to *Megilat Shir Ha-Shirim* possesses the dramatic portion, in which the two Rabbis plead with the executioner to be killed first. R. Ishmael's full name in this account is R. Ishmael b. Elisha, a priest, son of a high priest. It has also the graphic outlines of the story, developed in full in *Midrash Ele Eskera*, and its variants, of the stripping of the skin from the face of R. Ishmael, because of the request of the king's daughter. Ishmael was as beautiful as Joseph, this account briefly states.

31b. Zunz: *S.P.d. M.* p. 141, note a. Zunz believes that the name Lupinus, which is interchangeable with Rufinus, may stand for Hadrian. (cf *Zohar*, p. 58b). He also believes that Lupinus may possibly stand for Tineus Rufus, the governor of Palestine during the period of the Hadrianic Persecutions.

32. *Midr. Ele Eskera* p. 440b.

33. *M.A.H.M.* p. 444a

34. *Perush Lekach Tov* to *Megilat Shir Hashirim* pp. 14, 15

35. *Abot de R. Nathan* c. 38, p. 43d.

36. *M.A.H.M.* p. 445a; *A.H.M.* p. 449a

2. R. AKIBA:

R. Akiba is considered by all the later sources to have been one of the ten martyrs.¹ The first full account dealing with R. Akiba, is found in Midrash Mishle.² This account has simply taken some of the main Talmudic passages about R. Akiba, and incorporated them into one, unbroken story, adding only an account of R. Akiba's burial. Thus it includes without any change the story found in Berakot 61b, dealing with the warning given to him by Pappus b. Juda; the parable of the fox and the fishes he related to Pappus b. Juda; the imprisonment of both; the death-torture of R. Akiba; his telling his pupils how he came to understand the meaning of "with all your soul" and his dying with the word "echod" on his lips. Interspersed in this account is included the story found in Erubim 21b, where it is narrated how Joshua HaGarsi served R. Akiba in prison, how the warden spilled out half of the water he was carrying to R. Akiba, and how R. Akiba instead of using the little water that was left, to drink, utilized it to wash his hands. There is included also the story found in J. Berakot IX, 14b (and in J. Sota V, 20c) of how R. Akiba laughed while being tortured, and told Tannus Rufus who had accused him of being either a magician or bearing his torture with contumacy that he was neither a magician nor was he bearing his torture with contumacy. He laughed because he had discovered the meaning of the phrase 'to love God with all your soul'. Midrash Mishle adds these new details; that when Yom Kippur approached, Joshua Hagarsi left R. Akiba and went home; that on Yom Kippur day R. Akiba was killed; and tells how R. Akiba was buried. Here legend has created a story entirely new, and tells in a dramatic manner how and where R. Akiba was buried. "After R. Akiba died, they did not leave him for burial, but brought him back to the prison, where the jailor watched him. Then came Elijah the Righteous, and stood at the door of Joshua HaGarsi. He said to him: Peace be unto you, Rabbi. The latter answered: Peace be unto you, my teacher and master. Who are you? Are you in need of anything? I am a priest,

1. cf p. 54 note 2 (typewritten page 68)

2. Midrash Mishle c.9

79. Elijah replied, And I have come to tell you that R. Akiba lies dead in the prison. Immediately both went there, found that the doors of the prison were opened, and that the jailor was asleep, and that all the people of the prison were asleep. He put R. Akiba upon a bed and went out. Then Elijah of blessed memory joined him and put R. Akiba on his shoulder. When Joshua HaGarsi saw this he said to Elijah: My master, did you not tell me that you were a priest, and is not a priest forbidden to become unclean by reason of a dead body? Elijah answered: By thy life, R. Joshua, my son, far be it, for there is no uncleanness among the righteous, nor among their pupils. And they bore him all night long, until they came to Antipatris of Caesaria^{2a}. When they arrived there they went up three steps and down three, and a cave opened up before them. They saw in it a chair, a stool, a table, a bed, and a candlestick. They put R. Akiba on the bed and went out. Then the cave closed, and a light burned by the bed. When Elijah of blessed memory saw this, he said, Happy are ye O righteous, and happy ye toilers in the Tora, and happy ye upon whom is the fear of heaven, for in the world to come, a place in the garden of Eden is reserved for you; happy art thou, R. Akiba, who found for thyself so good a shelter in the hour of thy death."^{2b}

Maase Asara Haruga Malchut³ contains the same material as Midrash Mishle c.9. with regard to the story of Joshua Ha-Garsi being forced to spill out half of the water he was bringing to R. Akiba and with regard to R. Akiba's using what little was left to wash his hands, and also with regard to the burial of R. Akiba, whose body was taken from the prison house by Elijah and Joshua HaGarsi. It contains however some additional elements. Elijah reveals his identity to Joshua Ha Garsi, who in the Midrash Mishle account seems to have been unaware of it. It is said, furthermore, according to Maase Asara Haruge Malchut that when the body of R. Akiba was brought out, rows of ministering angels mourned for him, and that the road on which Elijah and Joshua Ha-Garsi carried the body was lighted with

2a. cf. Buber's Midrash Mishle c.9, p. 62. note 18.

2b. Midrash Mishle c.9

3. M.A.H.M. p. 446b, p. 447a

80. a brilliancy similar to that of the firmament. The body was brought to a pavilion of Caesaria^{3a} where after descending 3 steps and ascending six steps, a cave was revealed, containing also a bed, table, chair and candelabra. This account does not say that R. Akiba was placed on the bed, but contains the remarkable statement that Joshua Hagarsi refused to leave the cave, until Elijah told him whom the bed was for. Elijah told him it was for the wife of ~~Tinnus~~ Rufus, the wicked. There has been mention of the relationship of R. Akiba and the wife of ~~Tinnus~~ Rufus before in the comment of Rashi, who narrates a legend, according to which R. Akiba told the wife of ~~Tinnus~~ Rufus that he was destined to marry her.⁴ The statements in Maase Asara Haruge Malchut and Midrash Mishle that R. Akiba was buried in a cave in Caesaria, may be based upon the statement made in Masechat Semachot that he was killed there.⁵

The story of the burial of R. Akiba, is also contained in Midrash Ele Eskera.^{5a} There it is told that Elijah had borne R. Akiba on his shoulder for a distance of five ~~parasangs~~, when he was met by R. Joshua Ha-Garsi. In response to a question whether being a priest it was not forbidden for him to touch a dead body, Elijah told R. Joshua Ha-Garsi that the bodies of the pious do not cause defilement. R. Joshua accompanied Elijah, until they came to a beautiful cave, in which they found a couch, and a lighted candle. Elijah took R. Akiba by the head and R. Joshua took him by the feet, and they put him on the couch.

After the angels had bewailed the death of R. Akiba for three days and nights, Elijah took him and brought him up to a seat on high. There all the souls of the pious and sainted ones assembled to listen to the disquisitions which R. Akiba gave.^{5a} The details in this account are somewhat blurred over. They are not as

3a. cf. Buber's Midrash Mishle, c.9, p. 62, note 18.

4. Rashi, Nedarim 50b

5a. Mag. Semachot c.8.

b. cf. Buber's Midrash Mishle c.9. p. 62, note 18.

5. a. Midr. Ele Eskera p. 442 a

81. complete as those in Midrash Mishle c.9 or in Maase Asara Haruge Malchut. Without being told, according to the account in Midrash Ele Eskera, R. Joshua Ha-garsi knew Elijah as a priest, whereas in the previous accounts, ~~xxxMidr~~ Elijah told R. Akiba that he was a priest. According also to the account in Midrash Ele Eskera, Elijah was already bearing the body of R. Akiba on his shoulder, when R. Joshua Ha-Garsi met him. It is to be noticed that the Joshua Ha-Garsi of Midrash Mishle, and Maase Asara Haruge Malchut, become in Midrash Ele Eskera, R. Joshua Ha-Garsi.

With regard to the disquisitions carried on by R. Akiba in heaven, Midrash Ele Eskera tells that on the day when R. Elasar b. Shamua was killed, his pupils asked him what he saw. He told them that he saw R. Akiba and R. Juda b. Baba engaged in a debate over questions of the Halacha,---a debate decided in R. Akiba's favor by R. Ishmael, the high-priest, R. Elasar b. Shamua told his pupils furthermore, that he saw the souls of the righteous purifying themselves, in order to enter the heavenly abode, and listen to the disquisitions of Akiba.⁶

In addition to the details of the burial of R. Akiba, the account in Midrash Ele Eskera concerning him, deals with his imprisonment and execution. "And after him (R. Ishmael) they brought out R. Akiba b. Joseph, who used to inquire into the meaning of the crowns of the letter in the Tora, as they were given to Moses on Mt. Sinai. When they brought R. Akiba out to be killed, a message came to the emperor, informing him that the king of Arabia had invaded his land. He was compelled to go out against him. He commanded that R. Akiba be imprisoned until he returned from the war. When he returned from the war he commanded that R. Akiba be ~~xxx~~ brought out. They raked his flesh with iron combs, R. Akiba, reciting meanwhile: 'The Lord is righteous, the Rock, perfect in His work, for all His ways are justice. A God of faithfulness and without iniquity, just and right is He. A heavenly voice went out and said: Happy art Thou, R. Akiba, who wert righteous and upright, and whose soul departed with the words: Justice and righteousness.'⁷ This legend seems to bear out what has previously been

6. M.E.E. p. 443b.

7. a. M.E.E. p. 442a

b. cf. Menahot 29b, where Moses sees Akiba "explaining every letter of the

82. found to be true; that R. Akiba spent some time in prison before he was executed. According to Tobiah b. Eliezer in Perush Lekach Tov to Megilat Shir- Ha-Shirim, R. Akiba was imprisoned for twenty years, during which time he was tortured by having pointed quills shoved under his finger nails. At the end of that time he was brought out and killed, dying with the word "Echod" on his lips. 8

8. Perush Lekach Tov to Megilat Shir Ha-Shirim, p. 15.

R. Hanania b. Teradion was recognized by all of the later sources as having been a martyr.¹ The account of the seizure, and execution of R. Hanania b. Teradion as given in Avoda Zara² is repeated with practically no changes whatsoever in Midrash Ele Eskera.³ The details concerning his being seized for holding public assemblies, and studying the Tora, his being wrapped in the scroll, and being burnt with it, the placing of damp wool on his heart, the acts of the executioner, the telling of seeing the letters fly away, are the same in both accounts. The difference being that instead of asking his daughter why she weeps, and telling her that he is reconciled to being burnt because of the scroll of the Torah, which is being burnt with him, as the account in Avoda Zara has it, in Midrash Ele Eskera the pupils of R. Hanania b. Teradion ask him why he weeps, and he tells them that he weeps not for himself, but because of the scroll of the Tora which is being burnt with him. Midrash Ele Eskera adds with regard to R. Hanania b. Teradion: "It was said of him, that he never derived any advantage from his fellow-creatures and that it never entered his mind to wish his neighbor any harm."³

One legend however does with R. Hanania B. Teradion what another legend does for R. Simon b. Gamaliel.⁴ It has him escape with his life. And not only does R. Hanania b. Teradion escape with his life, but Lupinus who had commanded his execution is killed in his stead, and R. Hanania assumes his place on the throne." R. Ishmael said: Suriel the prince of appearances said to me, My beloved, I shall tell you what the God of Israel did. In that hour. . . I went down and I afflicted and pushed Lupinus out of his palace, where he was sleeping that night, and I brought him to the swine and hound den. And I took R. Hanania b.

1. p. 68, note 2.

2.a. Avoda Zara 18a

3. a. M.E.E. p. 442a; M.A.H.M., p. 447b.

b. cf. Perush Lekach Tov to Megilat Shir Ha Shirim, pp. 14, 15, which merely tells that Hanania was discovered teaching the Tora, He was burned together with the scroll.

4. M.A.H.M. p. 446b.

84. Teradion, and put him asleep, and brought him into the house of Lupinus the emperor. On the morrow came the executioners, angry at R. Hanania b. Teradion who had been studying and doing wonderful things in the Beth HaMidrash, and who had been teaching Tora to the great ones of Israel, to cut off his head. The emperor Lupinus appeared to them like R. Hanania b. Teradion, and they cut off his head. And R. Hanania b. Teradion took the royal crown for himself, and ruled over wicked Rome instead of Lupinus the emperor for six months. During that period he killed six thousand officers, one thousand for every month."⁵ And immediately following this story there is another story which tells that Lupinus instead of R. Hanania b. Teradion was thrown into the fire, and in this wise all of the ten sages were saved. The reason for this reversal of fortune is given as follows: "Because the announcer went forth from the ends of the firmament proclaiming: Any scheme which wicked Rome concocts against the nobles of Israel, to destroy them, Soharariel, the God of Israel becomes aware of; for even the innermost that which evil Rome thinks against my children is accounted against them before me, as if they had actually carried it out."⁵ Commenting on the burning of Lupinus instead of R. Hanania b. Teradion and the similar exchange of other Romans for the martyrs Babya b. Asher says that the reason R. Hanania and his companions are called martyrs is not because they were actually martyred, but because they were willing to be martyred. "The statement that R. Hanania b. Teradion was exchanged for Lupinus, the emperor, and that Lupinus the emperor was burnt, and in a similar manner the other martyrs escaped, is to be wondered at. For it is written there: And according to this manner, all the sages of Israel, and I have heard with regard to this that just as Isaac was exchanged for a ram, and the reward was fixed for him, as if he had been brought near, and his body had been sacrificed on top the altar, so were the sages of Israel exchanged for

5. Hechalot Rabati, p. 114a, M.A.H.M. p. 447b.

get chapter 11 of page 447b edition

85. others. And when they tasted the taste of death, in being seized and condemned, they received their punishment, and it was as if they had been killed."^{5a}

The natural desire of the Jewish people to believe that their heroes were saved from tragic ~~the~~ ends, or the wish that their heroes might have been saved from tragic ends, and the desire for vengeance against traditional enemies, which if impossible of realization in fact, was possible of realization in fancy, find complete expression in this legend. Not only is R. Hanania b. Teradion saved, but his would-be executioner is killed in his place, while R. Hanania b. Teradion, who had been miraculously interchanged with him, ruled in his stead for six months, and had six thousand Romans killed. And according to the second version, Lupinus was burnt instead of R. Hanania b. Teradion, and in a similar fashion did the rest of the sages escape with their lives. At least then in legend could the evil Romans be made to suffer for their crime, and punishment be inflicted upon them. The assumption of Bloch⁶ that this legend adumbrates a faint reflection of a tragic reality, other than that which actually occurred in Hadrianic times, seems to be entirely wrong. As the result of a similar legendary process was the life of Simon b. Gamaliel reported to have been saved.^{6a}

When legend accepts the fact that R. Hanania b. Teradion and his companions were killed, it retains the idea that the Romans were to be punished for killing

5a. Babya b. Asher. ~~Safer~~ Rabenu Behai, p. 62d.

6a. Philip Bloch: Rome and die Mystiker der Merkavah. Bloch believes that in the second half of the 6th century, a persecution of prominent Jewish teachers took place in Italy and that their names of the martyrs given in Hechalot Rabati, and Midrash Ele Eskera and its variants were designations for Jewish teachers, martyred in Italy, whose identity was somehow or other revealed to the public.

b. It seems that the Jews were fairly well treated during that period.

6a. M.A.H.M. p. 446b.

(Deutsch. Hist. of the Jews. p. 37)

86. God's chosen ones. God always required the blood of those who had died for the sanctification of His name.⁷ "R. Abahu in the name of R. Elasar said: God makes a notation in his ledger with regard to every righteous one whom the peoples of the world kill....God then says to them: Why have you killed my righteous ones, such as R. Hanania b. Teradion, and all those who were killed for the sanctity of my name? They would deny the accusation, and say: We have not killed them. Immediately God would bring out His ledger and judge them."⁸ And legend has it, accepting the death of R. Hanania b. Teradion, that thru him, God was to wreak vengeance on Rome. Information to this effect was received by R. Ishmael while he was in the Merkabah.⁹

7. Megilat Taanit 17a; Kohelet Rabati 118a; Yalkut Leviticus 22:30
Taanit 18b. Masechet Semachot 55a.

8. Midrash Tehillim 9:13

9. Hechalot Rabati p. 114a; Masechet Atsilot p. 449b.

4. R. JUDA B. BABA

The last of the five martyrs named by all the sources is R. Juda b. Baba.¹ In the accounts in Midrash Ele Eskera and in Maase Asara Haruge Malchut, it can be seen how the unadorned statements in the Talmud regarding his being killed while ordaining pupils between Usha and Shefaram, are taken and embellished and rounded out into a complete story, thru the growth of legend. "After R. Hanania b. Teradion, they led forth R. Juda b. Baba. He had never known what it was to have real sleep from his 18th to his 80th year. He slumbered as a horse does. The time of day on which they brought him out for execution was some time Friday afternoon. He implored them to give him some little respite, so as to enable him to perform one more precept, which God had enjoined upon him. They said to him: Have you still faith in your God? He replied: Yes. Then they asked him: Has your God upon whom you rely, strength? He answered: Great indeed is the Lord, and highly to be praised. His greatness is unsearchable. They replied: If He has strength, why does He not deliver you and your companions from the power of the government? He answered: We deserve death from the great and fearful king; and he has turned us over into the hands of the emperor in order to require our blood from his hands. They came and told his words to the king. He sent for him and said: Is it true, what they have told me about you or not? He answered: It is true. Then the emperor said: How impudent you are! Even while standing at the very portals of death, you are forward. R. Juda said to him: Woe to you, emperor, you wicked son of a wicked parent; Did not God look down upon the destruction of His temple and the slaughter of his pious and righteous ones and forbear to execute vengeance immediately? His pupils said to him: Our teacher, you should have humored him. He said to them: Have you not learned that he who flatters the wicked will ultimately fall into his hands? He then said: By thy life, O emperor, grant me a little time, that I may fulfill one commandment and its name is Sabbath,--which is from the world to come. He answered: I will listen to you and grant your request. Immediately he began with the 'Sanctification of the day' and 'the heavens and the earth were finished' and he recited

1. P. 68 note 2.

88. them cheerfully and with a loud voice; and all the bystanders wondered at him. And when he reached the words 'which God created and made', they did not permit him to finish, for the emperor commanded that he be killed. They killed him, and his life departed at the word 'God.' A heavenly voice came forth and said: Happy art thou, R. Juda; thou wert like an angel of God, and Thy life departed at the word 'God.' The emperor then gave a command, and they cut his body to pieces, and cast them to the dogs, so that he received neither burial nor funeral oration."⁴

The details of this legend with regard to R. Juda b. Baba, are all entirely new fabrications. The reason for the martyrdom of R. Juda b. Baba given in the Talmud, his ordaining pupils and his meeting death by being pierced through by 300 spears, is left out altogether in this legend. R. Juda is one of the ten martyrs who had been turned over to the power of Rome because of the selling of Joseph by his brothers. How skillfully this legend excites one's sympathies for R. Juda b. Baba. He had not enjoyed real slumber from his 18th to 80th year. Seized for execution on Friday afternoon, his only concern was that he be permitted to recite his prayer. His assertion of continued faith in God is much like that of R. Ishmael.⁵ And again is there echoed the note of vengeance to be inflicted upon the emperor for taking the lives of the martyrs. The doubt expressed by the emperor with regard to the power of God, who had He been really strong would have delivered R. Juda b. Baba from him, and R. Juda b. Baba's assertion that he merited death, ~~by him~~ but that the emperor would be punished for his acts, form a theme which has already found expression in Talmudic literature. For instance in the conversation between Trajan and the two brothers Pappus and Lulinus, who had been condemned to death by him. "Trajan said to them: If you are the people of Hananel, Mishael and Azariah, let now your God deliver you from my hands as he delivered them from the hands of Nebuchadnezzar. They replied to him: Hananel, Mishael and Azariah were completely righteous men, and Nebuchadnezzar was a worthy man and it was fit that a miracle should be performed through him. But

4. M.E.E. p. 442b

5. M.E.E. p. 441b

89. you are a wicked king, and are not deserving enough to have a miracle performed thru you. And we merit death. If you do not kill us, God can find other means.. However God will require our blood from you."⁶ R. Juda meets his death with the word "God" on his lips; and the parts of his dismembered body are cast to the dogs. Legend was not content with the report of R. Juda's death as given in the Talmud but it added revolting details to make his death appear more terrible, and hence the crime of the Roman emperor still greater, deservant of the punishment which as has been seen, legend metes out.⁷ Being cast to the dogs, and being neither mourned over nor buried seems to be an elaboration upon various statements in early sources, which tell us that because ~~of~~ the political conditions were too dangerous, the people dared not publicly mourn over R. J_uda b. Baba, after he had met his death.⁸

Another legend with regard to R. Juda b. Baba, somewhat similar to the legend in Midrash Ele Eskera, is found in Maase Asara Haruge Malchut. "And after him.(R. Hanania b. Teradion) they led forth R. Juda b. Baba. He had not known real sleep from his 17th to his 70th ~~ix~~ year; he slept as a horse does. He had never committed any sin, nor had he said with regard to the unclean that it was clean, nor with regard to the clean that it was unclean. There had not been a man in the Beth HaMidrash whom he had not enlightened (with regard to the words of the Tora). And he fasted for 26 years. All the days of his life were free from guilt. His companions had never stumbled over a word of the Halacha with him; and he had rejoiced with them. He called his pupils 'Rabbi' and he studied with them day and night. On the day he was killed he was 70 years of age. That day was Thursday and he was sitting, fasting, Now there was an old man,--Reuben b. Atstrubol was his name. He sent for him; and he came. Reuben said to him: My teacher, I know that you are a completely righteous man, but what can I do when the wicked kingdom presumes to destroy our pearls, except be you willing to permit me to die in your stead, that you may be saved. Said R. Juda to him: Reuben, my brother, if we are unable to annul the decree of a human ~~king~~ being, how shall we be able to annul that of God? But make sure of

6. a Taanit 18b; Kohelet Raba 118a; Masechet Semachot 55a

b. Seder Eljahu Raba pp 151-3

90. your words and bless the judgment of truth. His pupils said to him: Do you not wish to taste anything before you are killed? He said to them: What, up till now, when I did not know in which way I was to walk, I did not taste anything, now that I do know in which way I am to walk, shall I taste anything? It is said that he tasted nothing; and thus he was killed, and his soul departed. A heavenly voice went out and said: Happy art Thou, R. Juda b. Baba whose body is guiltless, and whose soul departed in innocence."⁹

How legend has dealt with R. Juda b. Baba. It made of him almost a saint. Absolutely sinless, modest and meek, a devoted student and teacher, a man who fasted for 26 years, who refused to taste anything at the moment of death,---he was indeed a personage whom the readers of the legend could fairly worship. The remarkable offer of his friend, Reuben b. Atstrubal to take R. Juda's place is a noteworthy addition to the legend dealing with R. Juda b. Baba. This account differs also from the account in Midrash Ele Eskera in that it changes the time like a horse he slept/ from 17 to 80 years to from 17 to 70 years and adds that on his 70th birthday he was killed. His death occurred on Thursday, and not Friday afternoon. According to legend R. Juda b. Baba occupied an important position in heaven. He was seen there by Elasar b. Shamua debating with R. Akiba--a debate which was settled by R. Ishmael, the high-priest in R. Akiba's favor.¹⁰

Perush Lekach Tov^{10a} takes over the Talmudic account which tells how R. Juda b. Baba was discovered ordaining pupils between Usha and Shefaram, and was pierced through by 300 spears.^{10b}

7. Hachalot Rabati pp. 113b, 114a. M.E.E. p. 441a; M.A.H.M. p. 446b.

8. Sota 48b; J. Sota 24b; T. Sota 13:4; Sanhedrin 11a; Shir Ha-Shirim Raba 38c ed. Frankfort on the Oder, 1705

9. M.A.H.M. p. 467a, b.

10. M.E.E. p. 443b.

10a. Perush Lekach Tov to Megilat Shir Hashirim p. 15

10b. Sanhedrin 14a; Avoda Zara 8b.

5. R. HUZPITH AND R. JUDA HA-NAHTOM.

In addition to R. Simon, R. Ishmael, R. Akiba, R. Hanania b. Teradion and R. Juda b. Baba whom earlier sources indicate as martyrs, and who are considered by all later sources¹¹ to have been martyred, there are R. Huzpith, the interpreter and R. Juda Ha-Nahtom, whom earlier sources indicate as being martyrs, and who are considered also by some later sources to have been martyrs. R. Huzpith, the Interpreter, is considered by all the later sources, we have considered, to have been martyred, with the exception of Hechalot Rabati, and Massehet Atsilot, which do not mention his name.¹² R. Juda Ha-Nahtom is considered by only a comparatively few later sources to have been martyred.¹³

The Talmud speaks of R. Huzpith the interpreter as a martyr, only in connection with the giving of a reason for Aher's apostasy. The reason being that he saw the tongue of R. Huzpith pulled out.¹⁴ The name of Hanania b. Teradion, as a martyr, is merely mentioned in Midrash Echa and Midrash Tehillim. In the account concerning R. Huzpith in Midrash Ele Eskera it is seen how legend has added the story of his death and made him too, as it made of all those it considered martyrs, a wonderful and lovable and pity-provoking personage. "And they brought forth R. Huzpith, the interpreter. It is said with regard to him, that he was 130 years of age, when he was brought out to be killed. And he was beautiful of form and beautiful in appearance, like unto an angel of the Lord of Hosts. They came and told the king about his beauty and old age, and said to him: By thy life, O Lord, have mercy upon this old man. The emperor said to R. Huzpith: How old are you? He answered: 130 years less one day; and I beseech you to delay with me until my day has been completed. The emperor said to him: What matters

11. p. 68 note 2.

12. Midrash Echa 2:46, Midrash Tehillim 9:13; Perush Lekach Tov to Megilat Shir Ha-Shirim p. 14; M.E.E. p. 441b; M.A.H.M. p. 444a; Recanati, Perek Vayyesheb.

13. Midrash Echa 2:46; Midrash Tehillim 9:13; Perush Lekach Tov to Megilat Shir Ha-Shirim p. 14.

14. Hulin 142a; Kiddushin 39b.

it to you whether you die today or tomorrow? He answered: In order that I may carry out two more commandments. The king said: Which commandments do you wish to perform? He replied: To recite the Shema in the evening and morning, to acknowledge as supreme the great and wonderful and only Name. The emperor said to him: O impudent and arrogant one, how long will you trust in God who cannot deliver you from me? Behold my fathers destroyed the temple, and the carcases of his servants were strewn round about Jerusalem, with no one to bury them. Your God is old and can no longer deliver; had He power, he would have avenged Himself, His people, and His temple, as He exacted vengeance from Pharaoh, Sisera, and from all the kings of Canaan. And when R. Huzpith heard this, he wept greatly, and seized his garments and tore them because of the blasphemy, and reproach against the blessed Name. And he said unto the emperor: Woe unto you, O emperor, what will you do in the latter days, when God will visit punishment upon Rome and upon your Gods? The king then said: How long am I to argue with this fellow? And he commanded that he be killed, and they stoned him, and hung him. Then his princes and sages came and beseeched him to be permitted to bury R. ~~XXXXXXXX~~ Huzpith ~~xxxTeradion~~ for they took pity on his old age. And the king gave permission to bury him. And his pupils came and buried him, and they mourned over him, with a great and heavy lament."¹⁶

Here again is emphasized the theme of the revenge God was to exact from the Romans because of their actions against His righteous ones. The blasphemy of a Trajan¹⁷ is here far outdone by the Roman emperor, for which he is assured punishment by R. Huzpith,---a punishment and a revenge which is fully meted out to the Romans according to developed legend.¹⁸ A powerful appeal is added in this account, when it speaks of the advanced age of R. Hanania b. Teradion, and the reason why he beseeched the emperor to permit him to live one day more. His courageous replies to the king, his death, and details of his burial, are

16. M.E.E. p. 443a

17. Taanit 18b; Koheleth Raba 118a; Masechet Semachot 55a.

18. Hechalot Rabati pp. 113b, 114a; M.E.E. p. 441a; M.A.H.M. p. 446b.

features added in this account which occur in no other place. R. Huzpith, too, is regarded as a man of great beauty. His beauty is emphasized in the passage in Perush Lekach Tov to Megilat Shir Ha Shirim concerning him. "R. Akiba said with regard to R. Huzpith the Interpreter: Thou art the most beautiful of men; grace is poured upon thy like. For he knew 70 languages. And they seized him, and killed him." 18a

R. Juda Ha-Nahton, whose tongue was also seen to have been pulled out by Aher, ¹⁹ is for some reason or other not dealt with extensively by later sources. His name is mentioned in Midrash Echa as being among those of the ten martyrs. In speaking of the revenge ~~of~~ God seeks from those who kill His righteous ones, Midrash Tehillim mentions R. Juda Ha-Nahton and a certain Ben Kufia, who tried to save his life. "God is bound to require the blood of R. Juda Ha-Nahton and of Ben Kufia. For one time the wicked kingdom decreed that R. Juda Ha-Nahton should be killed. What did Ben Kufia do? He made himself a judge, and judged that he should be chastised with a rod; and he decreed that a different person should be killed in his stead. So that person was cut into pieces and he was saved. An evil report spread, which said that he had not been killed. Then the kingdom decreed that both of them should be killed. And Ben Kufia was cut into pieces, because he had taken pity on R. Juda Ha-Nahton. And God is bound to seek vengeance for the shedding of their blood." ²¹ R. Tobiah b. Eliezer tells of the learning and piety of R. Juda Ha-Nahton, and explains the meaning of his name, and reports that he was caught fleeing and killed. ²² R. Juda Ha-Nahton never walked four cubits without Tora. And why is his name called R. Juda Ha-Nahton? Because he brought forth words of the Tora, so that all of them were sweet and desirable. And they found him fleeing and killed him. ²² With R. Juda Ha-Nahton is completed the list of those men whom Talmudic literature knows as martyrs, and whom later legendary accounts deal with.

18a. Perush Lekach Tov. to Megilat. Shir Ha-Shirim p. 14.

19. J. Hagiga II, p. 77b; Ruth Raba 48b, Frankfort on the Oder, 1705

20. Midrash Echa 2:46

21. Midrash Tehillim 9:13

22. Perush Lekach Tov to Megilat Shir-Ha Shirim p. 14, 15.

C. LEGENDARY MARTYRS.

There are a number of men, whom later legendary accounts consider to have been among the ten martyrs, for whose actual martyrdom there are no Talmudic sources or sources in the literature of Talmudic times. Several hypotheses may be assumed with regard to these men, whom earlier sources do not proclaim to be martyrs; (1) that they actually were martyrs, whose deaths were not recounted in such earlier sources as are known of, and whose deaths somehow or other were known to later sources; (2) that later sources simply took the name of contemporaries of the actual martyrs, and assumed that they had been killed; (3) or that both of the preceding hypotheses may in some instances prove to be true. That is to say, that some of those mentioned by later sources as being martyrs, actually were martyrs, and that others were contemporaries of the actual martyrs. It seems to us however, that the second hypothesis is the most probable one;—that such men as are mentioned only in later sources as being martyrs, were merely contemporaries of actual martyrs or lived in times shortly preceding or following them, and that therefore legend attributed martyrdom to them. And if there are indications that some of those mentioned by later legend as being martyrs, died during the period of the Hadrianic persecutions, there is no reason to believe that their deaths were other than natural ones.

1. R. Jeshebab.

R. Jeshebab is one whom all later sources with the exceptions of *Hehalot Rabati* and *Masechet Atsilota* quoted in connection with the ten martyrs, agree upon as having been among the ten martyrs.²² *Midrash Echa* and *Midrash Tehillim* list him as being one of the ten martyrs.²³ *Midrash Ele Eskera* has a completely developed legend concerning R. Jeshebab. *Midrash Ele Eskera* states: "It is

22a. *Midrash Echa* 2:46; *Midrash Tehillim* 9:13; M.E.E. p. 443a. M.A.H.M. p. 447b, *Perush Lekach Tov* to *Megilat Shir Ha-Shirim* p. 15.

23. *Midrash Echa* 2:46; *Midrash Tehillim* 9:13.

said that on the very day he was led forth to be executed, he became 90 years of age. When he was being brought out his pupils came to him and said to him: Our teacher, what will happen to the Tora? He said to them: The Tora will be forgotten from Israel, because the wicked people have presumed to destroy our pearls from our midst. Would that I might serve as an atonement for the generation. I see that there is not a single street in Rome, in which some one has not been slain by the sword; for this wicked people will continue to shed innocent blood from Israel. They said to him: Our teacher, what will happen to us? He answered: Let each man take care of his neighbor; love justice and peace; perhaps there is hope. The emperor said to him: Old man, what is your age? He said to him: I am 90 years old today. And before I went out from my mother's womb, it was determined by God that I and my companions should be turned over to you, in order that our blood might be required from you. The king asked him: Is there a second world? He answered: Yes; and woe unto you, and alas for your shame, when the blood of His pious ones shall be exacted from you. The king commanded: Hurry up and kill this one also, and I shall witness the strength and might of this God, and what He shall do to me, in the second world. And he commanded that he be burnt."²⁴ The theme of revenge is here again and emphasized. Being assured by R. Jeshebab that punishment would be visited upon him, the king commanded that the aged rabbi be burned.²⁵

The account in Maase Asara Haruge Malkhut which deals with R. Jeshebab is similar to, and may be based upon the account in the same midrash, and upon the account in Midrash Ele Eskera, concerning R. Juda b. Baba.²⁶ "It is said that on the day R. Jeshebab was killed, he was sitting and fasting. His pupils said to him: Rabbi, do you care to taste anything before you are killed? He said to them: Is it not fit for a servant to pattern after his master; and is it not fit that I should be like R. Juda b. Baba, who was killed while fasting? The wicked one commanded that he be killed while he was reading the Shema. When he

24. M.E.E. p. 443a, b.

25. cf. Taanit 18b; Kohelet Raba 118a; Massech Semachot 55a.

26. M.A.H.M. p. 447b; M.E.E. p. 442b.

reached 'and the Lord spoke unto Moses saying,' his life departed. He was killed and cast to the dogs; and he was neither mourned nor buried."²⁷ Like R. Juda b. Baba he fasted till his death, and was killed while he recited the Shema. His body, like that of R. Juda b. Baba was cast to the dogs, and he too was neither mourned over, nor buried.²⁸ R. ~~R~~ Tobiah b. Eliezer in Perush Lekach Tov says with regard to R. Jeshebab that "he was of the remnant of the pious men, and that he was seized in his bed and killed."²⁹

R. Jeshebab was a companion of R. Akiba.³⁰ There is no record of his death. The reason probably that legend designated him as a martyr was because he was an associate of R. Akiba. One can imagine that because R. Huzpith, the interpreter, ~~xxx~~ was known to have been martyred, it was felt by legend that another official of the Sanhedrin, the scribe, R. Jeshebab, suffered martyrdom. In Midrash Echa and Midrash Tehillim the name of R. Huzpith and R. Jeshebab follow one another.³¹

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2. R. ELASAR B. SHAMUA

R. Elasar b. Shamua is first mentioned as being among the ten martyrs in Hechalot Rabati and Masehet Atsilot.³² Midrash Ele Eskera has a completely rounded out account dealing with the martyrdom of R. Elasar b. Shamua. "It is said with regard to R. Elasar b. Shamua that on the day he was brought out to be killed, he was 105 years of age. From his youth, until the end of his days, had no one heard him give utterance to a foolish expression; nor had he ever quarreled with his neighbors in word or deed. He was meek and humble of spirit, and for 80 years he sat in fasting. The day on which he was killed was Yom Kippur. His pupils came to him and said: Our teacher, what do you see? He replied: I see R. Juda b. Baba carried on his bier, and the bier of R. Akiba b. Joseph placed close

27. M.A.H.M. pp. 447b, 448a.

28. cf. Taanit 18b; Kohelet Raba 118a; Masechet Semachot 55a.

29. cf. Perush Lekach Tov to (Megilat) Shir Ha-shirim p. 15.

30. Ketubot 50a; Hulin 2:4-2.

31. Midrash Echa 2:46 ; Midrash Tehillim 9:13.

32. a. Hechalot Rabati p. 116b. (b) Masechet Atsilot p. 449b.

to him. They are arguing with each other over the Halacha. They asked him: Who decides between them? He said: R. Ishmael, the high priest. They then asked: Who wins the point? He replied: R. Akiba, because he has labored in the Tora, with all his might. He said to them: My sons, I see furthermore, that the souls of the righteous are purifying themselves in the waters of Silah, in order to enter clean into the heavenly academy today, to listen to the explanations of R. Akiba b. Joseph with regard to the Day. And angels being golden chairs for the righteous to sit upon in cleanliness. Then the emperor commanded that he be killed. Then a heavenly voice went out and said: Happy art thou, R. Elasar b. Shamua, who wert clean, and whose life departed on the word 'cleanliness.'³³

The theme of revenge does not occur in this passage, but it does come in the related passage in Maase Asara Haruge Malchut. "The day on which R. Elasar b. Shamua was brought out to be killed was on a Friday, and they sought to kill him at noon. He said to them: Wait, I beseech you, until I have fulfilled the commandments of Sabbath. They said to him: Do you rely on the Sabbath; and what is the Sabbath? He replied: It is a small commandment which God has commanded me to observe, and Sabbath is its name. Concerning it, it is written: Those who profane it shall be put to death. They said to him: If your God is a great king in the heavens, why does He not deliver you from the government? He said to them: In order that He may require our blood from you. This was reported to the king, who summoned him to his presence. He said to him; Are you not an arrogant people? Even at the portal of death you persist in your presumptuousness. He replied: It is better that I should die by your hand, and not by heaven. Already has it been said: Whosoever flatters his companion, will in the end fall by his hand. The king said to him: Why does not your God deliver you from the kingdom? He answered: I have already told your servants, who asked me--In order that punishment may be exacted from you. Said the king: let Him exact punishment now. He replied: What, when His house was destroyed, and His Temple burnt, He showed Himself long suffering, should He not do so now? Then the king gave a command, and they led him

out, and executed judgment upon him. After he had gone out, his pupils said to him: Our teacher, you should have humored him in the matter. To which he replied: Shall it not be given to R. Elasar, to be like his companions who died for the name of Heaven? The order came to kill him, and he began with 'the sanctification of the day'. They said to the executioner: Let him finish. When he reached 'which God created and made' he slew him. His life departed on the word 'God'. A heavenly voice went out and said: Happy art thou, Elasar, in this world thou wert like a god, and thy life departed on the word 'God.'".³⁴

This passage in Maase Asara Haruge Malchut is almost completely similar to the passage in Midrash Ele Eskera, dealing with R. Juda b. Baba.³⁵ Were one to interchange names, or leave them out of consideration, there would be practically no difference in the details of the two accounts. The only difference would be that the account in Midrash Ele Eskera concerned with R. Juda b. Baba, speaks of him as having slept after the manner of a horse from his 17th to his 80th years. The legend with regard to R. Elasar b. Shamua probably did not pursue the course of natural legendary development, but was cut whole out of ready made materials.

R. Elasar b. Shamua certainly was not martyred during the period of Hadrianic persecutions, and lived for a number of years after the close of that period. Being among those ordained by R. Juda b. Baba, near the end of the period of persecution, he had to quit Palestine, and seek other parts.³⁶ It is said that he was among those who became the custodians and disseminators of Jewish tradition.³⁷ R. Elasar b. Shamua was the teacher of R. Juda-Ha-Nasi.³⁸ According to the Talmud, R. Juda Ha-Nasi was born on the day that R. Akiba was killed.³⁹ It is

34. M.A.H.M. p. 448a

35. M.E.E. p. 442b.

36.a. Sanhedrin 14b; Sanhedrin 13b; Avoda Zara 8b.

37. a. J. Hagiga p. 78d
b. Zunz: S.P. d. M. p. 14

38. Menahot 18a; Erubim 53a; Yebamot 84a; Yoma 79b.

39. Kiddushin 72b.

surprising, in view of the facts,--his escape from the Roman soldiers after he and his companions had been ordained by R. Juda b. Baba, his being considered among those who became the disseminators of tradition, being a teacher of R. Juda Hanasi, who was supposed to have been born on the day R. Akiba died--that later legend could have fixed upon R. Elasar b. Shamua as being one of the 10 martyrs.

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3. R. ELASAR B. DAMA

R. Elasar b. Dama is considered by a number of later sources to have been among the ten martyrs.⁴⁰ Hechalot Rabati and Masechet Atsilot merely mention the name of R. Elasar b. Dama.⁴¹ Maase Asara Haruge Malchut tells only that R. Elasar b. Dama was killed because of his observance of the commandments concerning the Tefillin.⁴³ Midrash Ele Eskera contains an elaborate legend dealing with R. Juda b. Dama. "R. Juda b. Dama was brought forth to be killed on the eve of Shabuoth. Said R. Juda b. Baba to the emperor: By thy life, give me a little time, that I may fulfill the commandments with regard to the festival, and sanctify it, in order to praise God who has given us the Tora. The emperor asked: And do you still trust in the Tora, and the God who gave it? He said: Yes. The emperor asked: What is the reward of your Tora? He replied: With regard to it, David said, 'How great is Thy goodness which Thou hast stored up for those who fear Thee.' The emperor said to him: There are no fools in the world like you, who believe in another world. He replied: There are no fools in the world like you, who deny the living God. And woe unto you also for your shame and reproach when you see us with the Lord in the light of the Life, and you shall sit in lowest Sheol in the lowest class. Immediately the anger of the king burned against him, and he ordered him to be tied by the hair of his head to the tail of a horse, and be dragged through every street in Rome. And after that he commanded

40. Masechet Atsilot p. 449b; Hechalot Rabati, pp. 113b, 116b; M.E.E. p. 442a; M.A.H.M. p. 448a.

41. Hechalot Rabati, pp. 113b, 116b; Masechet Atsilot p. 449b.

43. a. M.A.H.M. p. 448b.

b. This passage in M.A.H.M. recalls the law issued by the Romans against the wearing of tefillin - the violation of the law resulting in the

that his body be cut into pieces. Then came Elijah of blessed memory, and took the pieces, and buried them in a cave ~~xx~~ near the river which runs before Rome. And ^{of} all/the Romans heard a wailing and crying voice for thirty days rising from the midst of that cave, and they came and told the emperor. He said to them: Tho the world be reduced to desolation and waste, I shall not desist until I have completed my desire with regard to those ten men, as I have sworn. Now one of the sages of Rome was there, and he said to the emperor: O Lord, emperor, know that you are acting foolishly in this matter, and that you are making an exceedingly great mistake, when you stretch forth your hand against the people of the Lord, without any mercy. Know that your latter end will be bitter, for behold it is written in the Lord of the Jews: A God of mercy and compassion, and long-suffering. And furthermore it is written: And He will repay those who hate Him, and destroy them. When the emperor heard this, his anger became kindled against that old man, and he commanded that he be strangled. And when the elder heard this, he hastened and circumcised himself. Immediately after he was strangled, his body could not be found, its whereabouts was unknown. The king trembled greatly; but in spite of all this, his anger was not appeased, and his hand remained outstretched."⁴⁴

This account in Midrash Ele Eskera contains many of the details usually found in the other accounts in Midrash Ele Eskera,---the accused being brought forth on the eve of some holy day, his begging for a little time in which to fulfill some commandment, warning the emperor of the punishment in store for him. This account contains some additional elements, however. The activities of Elijah seem not to have been confined to R. Akiba,⁴⁵ but were directed also towards R. Juda b. Dama. After R. Juda b. Dama had been killed, and his body cut to pieces,

44a. M.E.E., p. 442a

b. It seems probable that Juda b. Dama is mistaken for Elasar b. Dama. Juda b. Dama is known only in Midrash Ele Eskera, and may have been confused with Juda b. Baba. Shalsholet Ha-Kabala, p. 31, A.B. furthermore confuses the name of Juda b. Dama with that of Juda b. Tema.

c. cf. Bacher: Agada der Tannaiten, vol 1, p. 265, note 4; p. 266, note 2.

45. M.E.E. p. 442a; Masechet Atsilot p. 449b.

along came Elijah, and buried the parts of the body in a cave, which was near the river which flows before Rome.⁴⁶ The story of the burial of R. Juda b. Dama in a cave by Elijah, may be dependent upon the story, according to which R. Akiba was buried in a cave by Elijah.⁴⁷ Another additional element is contained in the protest of one of the king's advisers against his order that the ten sages be killed. The refusal of the emperor to turn aside from his decision to kill the ten sages, even tho Rome perished, is similar to the refusal of Samael to do so when warned by God of what would result from the carrying out of his plan.⁴⁸

If the R. Elasar b. Dama considered in these later sources is the Elasar b. Dama, the nephew of R. Ishmael, who is mentioned in the Talmud, he could not have been a martyr; for the Elasar b. Dama mentioned in the Talmud, died as a result of a snake bite.⁴⁹

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4. HANINA B. HACHINAI

Hanina b. Hachinai is mentioned as being one of the ten martyrs.⁵⁰ It is only in Midrash Ele Eskera, however, that his name is more than mentioned: "R. Hanina b. Hachinai was brought out to be killed on an Erev Shabas. All his days had been spent in fasting, from the time he was 12 years of age until he was 95. His pupils said to him: Rabbi, do you care to taste anything before you are killed? He replied: Up till now, I have afflicted myself and did not eat or drink, and now, when I do not know which way I am to go, you tell me to eat and drink? He began with 'the sanctification of the day' and 'the heavens were finished' and reached 'and he sanctified him'. They did not permit him to finish, and killed him. A heavenly voice went out and said: Happy art thou, R. Hanina b. Hachinai,

46. In "The Itinerary of Benjamin Tudela" p. 41, the following statement occurs: "And in another cave on the banks of the Tiber you find the sepulchres of those holy men, the ten martyrs of the kingdom."

47. M.E.E. p. 442a

48. Hechalot Rabati, p. 113b; ~~xxxx~~ Midr. E.E. p. 441.

49. Avoda Zara 47b; J. Avoda Zara 40d.

50. Hechalot Rabati p. 116b, where he is called Hanania b. Hanichai; Masechet Atsilot p. 449b. M.E.E. p. 443a; M.A.H.M. p. 448a.

who wert holy and whose life departed in holiness with the words, 'and He sanctified.'⁵¹

Like R. Juda b. Baba,⁵² and R. Elasar b. Shamma⁵³ R. Hanina b. Hachinai was brought out on Friday, and died reciting the Friday eve prayers. Like R. Juda b. Baba he refused to taste anything before he died.⁵⁴ It is likely that ^{the} materials of which the account concerning R. Hanina b. Hachinai were composed, were taken from the account concerning R. Juda b. Baba.

Hanina b. Hachinai, was a younger contemporary of R. Akiba.⁵⁵ With Ben Azzai and others he was in the school-house of Tarfon.⁵⁶ There is no record of his death. If the R. Hanina b. Hachinai of Midrash Ele Eskera is the same person as Hanina b. Hachinai, mentioned in the Talmud, it is extremely unlikely that he died as a martyr during the Hadrianic persecutions. According to Midrash Ele Eskera he died when he was 95 years of age. His birth would have taken place about the year 40, making him an older and not a younger contemporary of R. Akiba.

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5. JOHANON B. DAHAVAI

Johanon b. Dahavai is mentioned by Hechalot Rabati,⁵⁷ (or as he is called in Masechet Atsilot, Elasar b. Dahavai,)⁵⁸ as being one of the ten martyrs. If he is the Johanon b. Dahavai mentioned in the Talmud, he could not have been martyred during the Hadrianic persecutions, inasmuch as, according to the Talmud, he speaks in the name of R. Juda b. Tema.⁵⁹ And R. Juda b. Tema was a Tana of ⁶⁰ the fourth generation.

51. M.E.E. p. 443a

52. M.E.E. p. 442b

53. M.E.E. p. 443b; M.A.H.M. p. 448a

54. M.A.H.M. p. 447b

55. Ketubot 62b; Sanhedrin 17b; Genesis Raba c. 61, p. 71c.

56. T. Berakot 4:16

57. Hechalot Rabati p. 116b.

58.a. Masechet Atsilot p. 449b.

b. There is a confusion in the names, which should in both places be Johanon b. Dahavai, since the Talmud speaks only of Johanon
(see next page)

6. JONATHAN B. UZIEL

Jonathan b. Uziel is mentioned in these later sources, Hechalot Rabati⁶¹ and Masechet Atsilot,⁶² as being in the company of the martyrs. If he is the same Jonathan b. Uziel who is mentioned in the Talmud, there is little likelihood of his having been a martyr. Jonathan b. Uziel is spoken of as being one of the most prominent of Hillel's pupils.⁶³ If he was only 20 years old at the time of the death of Hillel, who died about 40 A.D.,⁶⁴ he would have had to reach the age of at least 115 to have been martyred during the Hadrianic persecutions. There is ~~xxx~~ no record of his having lived so long.

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7. R. JOSE

R. Jose is mentioned in Midrash Tehillim as being one of the ten martyrs.⁶⁵ If it is the same R. Jose whom the Talmud speaks of, he was not martyred during the Hadrianic persecutions. He was ordained by R. Juda b. Baba, and escaped together with his companions, when the Roman soldiers seized and killed R. Juda b. Baba for ordaining them.⁶⁶ A story is told in the Talmud, that R. Jose

58b) ~~since the Talmud speaks only of Johanan ben Dahavai~~
~~b. Dahavai~~, assuming that the Johanan b. Dahavai of Hechalot Rabati is the same person as the Johanan b. Dahavai mentioned in the Talmud, Sanhedrin, 4b.

59. Sanhedrin 4b.

60. Strack: Einleitung, p. 133a

61. Hechalot Rabati p. 116b.

62. Masechet Atsilot p. 449b.

63. Suka 28a; Baba Batra 134a.

64. Derenbourg: Histoire de la Palestine p. 177

65. Midrash Tehillim 9:18.

66. Sanhedrin 14b; Avoda Zara 8b.

was exiled to Sepphoris for not having defended the character of the Roman government when it was defamed. "R. Juda, R. Jose, and R. Simon, were sitting together. A certain Juda, the son of proselytes was sitting near them. R. Juda began: How pleasant are the works of this people. They have created markets, made ferries, and built market places. R. Jose remained quiet. R. Simon b. Johai said: All that they have done, has been for themselves only. They created markets, in order to traffic with whores; baths, in which to find pleasure for themselves; ferries, in order to collect taxes. Juda, the son of the proselytes went and repeated their words. The government heard of them; and ordered that Juda should be honored because he had exalted the Romans; Jose should be exiled to Sepphoris because he had kept silence; and that Simon, who had defamed, should be killed."⁶⁷

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8. R. ELIEZAR THE GREAT.

R. Eliezar the Great is mentioned in Hechalot Rabati as being one of the ten martyrs.⁶⁸ If he is the same R. Eliezar the Great, concerning whom the Talmud speaks, he could not have been a martyr, because his death was a natural one.⁶⁹ His death occurred before the period of persecution commenced,--his pupils, among whom were R. Akiba, could ask him for instruction, when they went to pay him a sick call.⁷⁰

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9. SIMON B. AZAI.

Simon b. Azai is mentioned in Midrash Echa as being one of the ten martyrs.⁷¹ R. Tobiah b. Eliezar in Perush Lekach Tov to Megilat Shir Ha-Shirim says with regard to Ben Azai: "The son-in-law of R. Akiba was so occupied with

67. Shabas 33b.

68. Hechalot Rabati p. 116b

69. Berakot 28b.

70. Sanhedrin 101a; Berakot 28b.

71. Midrash Echa 2:46

the Tora, that he left his wife. It was while Ben Azai was in the Bet HaMidrash that he was killed."⁷² If the Simon b. Azai or the Ben Azai mentioned in Midrash Echa and in Perush Lekach Tov to Megilat Shir Ha-shirim is the same Ben Azai, whom the Talmud mentions, there is reason to believe that he died a natural death. The Talmud has it that he was among the four who entered into Pardes, the other three being Ben Zoma, Aher and R. Akiba, and that as a result he died.⁷³

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10. R. Tarfon

R. Tarfon is also mentioned in Midrash Echa as being one of the ten martyrs. According to Midrash Echa, however, there is a disagreement as to whether or not R. Tarfon was a martyr. Some would have it that ^{it was} not R. Tarfon who was martyred, but R. Elasar b. Harsom.⁷⁴ R. Tobiah b. Eliezer in Perush Lekach Tov to Megilat Shir Ha-shirim says with regard to R. Tarfon: "R. Tarfon was very concerned with the commandments. Once there was a famine in the land, and he betrothed 300 women in order to enable them to eat of the Teruma. And they found him in the court and blinded him"⁷⁵

R. Tarfon was a contemporary of R. Akiba, and accompanied him when he visited R. Elasar b. Hyrkanos (or the Great)⁷⁶. There is no record of his death. The very uncertainty of Midrash Echa as to whether R. Tarfon or R. Elasar b. Harsom suffered martyrdom, serves to indicate that neither was martyred.

On the whole, we believe our hypothesis to have been substantiated by the proof given--that those considered by later legend to have been martyred, whom earlier and comparatively authentic sources do not mention, were not martyred;

72. Perush Lekach Tov to Megilat Shir Ha-Shirim p. 15.

73. a. Hagiga 14b.

b. Zunz: S.P.d. M. p. 142, l. 35

74. Midrash Echa 2:46

75. Perush Lekach Tov to Megilat Shir Ha-Shirim pp. 14, 15

76. Sanhedrin 101a.

either dying natural deaths during the period of Hadrianic persecutions, or having lived before, or living after that period. No evidence could be adduced to show that any of them were martyred at any time.

CHAPTER IV - MARTYRS IN POETRY.

The legend concerning the ten martyrs had a long period of development. To the brief mentionings of individual martyrs, numbering all told seven, in the Talmud, are added various passages in Midrashim Echa, Mishle, Tehillim, which contain comparatively full legends concerning individual martyrs, and which mention ten martyrs, and to these additions are joined the rounded out, detailed and comprehensive legends concerning the ten martyrs found in ~~a~~ later sources.⁷⁷ Besides the development of the legend concerning the martyrs which can be followed from Talmudic sources to Midrash Ele Eskera and its variants, the theme of the martyr legend has been utilized by poetry. In the poetical renditions of the legend concerning the ten martyrs no new details are added, no further development takes place.

The following are the poetical compositions dealing with the martyr legend which have come to our notice. The poem called *אבנה אנכי חטאתי להי* written by Ephraim b. Jacob, who was born in 1133.⁷⁸ The poem called *ה' אלהים* written by Menahem b. Jacob, who died in 1203.⁷⁹ It is embodied in the Selihot for Erev Yom Kippur.⁸⁰ The poem called *אזכור ימים בקדש* written by Joseph Ezovi of Perpignan about 1270. It is translated by Israel Gollancz from a manuscript available to him.⁸¹ The poem called *שונבה לא שבה* written by Salomo b. Isaac Gerundi, who was a pupil of Nachmanides from 1250-1270.⁸² The poem called *אני חטאתי לאישי* written by Jehuda b. Schemarja who lived in the latter

77. Hechalot Rabati; Masechet Atsilot: Midrash Ele Eskera; Maase Asara Haruge Malchut; Asara Haruge Malchut.

78. Zunz: L. d. S. P. p. 291 no. 14.

79. Zunz: L. d. S. P. pp. 294, 296, no. 22.

80. Rodelheim: Seder Selihot Mikol Hashana p. 14.

81. a. Israel Gollancz pp. 149-160 in "Translation from Hebrew and Aramaic."
b. Zunz: L. d. S. P. p. 480. no. 2

part of the 14th century.⁸² Zunz translates the poem, which has only a passing reference to "the ten martyrs".⁸⁴ There are a number of poetical compositions dealing with the ten martyrs, the time of the origin of which we have not been able to ascertain. The poem called *אגדת ארז* written by Meir b. Jechiel.⁸⁵ It is embodied in the Kinot for Tisha-Bab.⁸⁶ The poem called *אגדת ארז* written by a certain Jehuda.⁸⁷ It is embodied in the Selihot for Rosh Hashana, and in the Selihot for Mincha of Yom Kippur.⁸⁸ The poem called *אגדת ארז* written by Antoli b. Joseph.⁸⁹ The poem called *אגדת ארז* written by Moses b. Chiya.⁹⁰ The poem called *אגדת ארז* written by Matatia b. Joseph. There is a late Tehina called *Neue El Mole Rahamim Tehina*, written in Yiddish, which deals with the theme of the ten martyrs. It mentions only six of them by name, R. Simon, R. Akiba, R. Hanania b. Teradion, R. Jeshebab, R. Huzpith, R. Elasar b. Shamua.⁹¹

The poems dealing with the legend of the ten martyrs which we have been able to examine, almost entirely follow the material in *Midrash Ele Eskera*, *Maase Asara Haruge Malkut*, and *Asara Haruge Malkut*. The poems do not contain all the features nor all the details of these later sources, (*Midrash Ele Eskera* and its variants). The martyrs are the same as in *Midrash Ele Eskera* and its variants. In the poems *El Elohim Etsaka*,⁹² and *Ele Eskera*,⁹³ the names of ten martyrs are given, being R. Simon, R. Ishmael, R. Akiba, R. Juda b. Baba, R. Hanania b. Teradion, R. Jeshebab, R. Huzpith, R. Elasar b. Shamua, R. Juda b. Dama, and R. Hanania b. Hachinai. The poem, *Ezkor Yomim Mikedem*,⁹⁴ speaks of ten martyrs

82. Zunz: L. d. S. P. p. 484, no. 3

83. Zunz: L. d. S. P. p. 369. no. 1

84. Zunz: S. P. d. M. p. 321.

85. Zunz: L. d. S. P. p. 489, no. 3. end.

86. Seder Kinot for Tisha-Bab. Hebrew Publishing Co. pp. 83, 84

87. Zunz: L. d. S. P. p. 398, no. 2.

88. Rodelheim: op cit. pp. 66 ff, 72 ff.

89. Zunz: L. d. S. P. p. 313.

90. Zunz: L. d. S. P. p. 338, no. 3

91. Found in "Neue Lange Rosch Chodesh Bentschen Techina" printed in Breslau in 1824. It is interesting to note that the legend of the ten martyrs formed a theme for poetical composition for such a long time.

92. Rodelheim: op cit. p. 14.

93. Rodelheim op cit. pp. 66, 72

94. Gollancz: op cit. pp. 149-160

but mentions only nine by name, being the same names as mentioned in El Elohim Etsaka, and Ele Eskera, the name of R. Hanina b. Hachinai being omitted. Gollancz fills the gap by writing two verses dealing with R. Hanina b. Hachinai, based upon Midrash Ele Eskera. The poem, Arze Lebanon, speaks of ten martyrs, but mentions only eight by name; being the same as those mentioned in the other poems, the names of R. Juda b. Dama and R. Hanina b. Hachinai being omitted. Three of the poems, El Elohim Etsaka⁹⁵, Ezkor Yomim Mikedem,⁹⁶ and Ele Eskera⁹⁷ give the reason for the martyrdom of ten as being the punishment for the sale of Joseph by his brothers; and the poems tell that the law requiring the death penalty for the selling of a man into slavery was discovered by the Roman emperor, while he was studying the Tora. According also to the⁹⁸ poems, after the sages had been condemned to death by the emperor, they asked for and received a respite of three days, during which R. Ishmael ascended to heaven, and ascertained that the decree was of divine origin. In the poem Ele Eskera, R. Ishmael was met by "a man clothed in linen" when he entered heaven.⁹⁷ These details, we see, are similar to those of Midrash Ele Eskera and its variants. The poem Arze Lebanon⁹⁸ does not tell why the sages were martyred, but begins with a lament over the ten martyrs, mentioning briefly eight of them.

The details concerning the deaths of R. Simon and R. Ishmael in these poems follow the details as given in Midrash Ele Eskera, and its variants. In three of the poems, Ezkor Yomim Mikedem⁹⁹, Arze Lebanon,¹⁰⁰ and Ele Eskera,¹⁰¹ it is told with regard to R. Akiba that he was tortured to death, by having his

95. Rodelheim op cit. pp. 14, 15

96. Gollancz: op cit pp. 151-3

97. Rödelheim op. cit. pp. 73-74

98. cf. Seder Kinot for Tisha Bab pp. 83, 84

99. a. Gollancz op cit, p. 156. (b) cf. Berakot 61b.

100. Rodelheim: op. cit. p. 83

101. Rödelheim: op. cit. p. 74

flesh raked with iron combs. The poem, *El Elohim Etsaka*,¹⁰² not only tells how R. Akiba was killed, but tells also that he was buried in a cave by Elijah and Joshua b. HaGarsi; altho it does not give the details as to how he was brought from the prison to the cave, nor a description of the cave, as does *Midrash Ele Eskera*.¹⁰³ This poem takes over, in addition, the story from the Talmud of how the activities and tragic end of R. Akiba were shown to Moses by God.¹⁰⁴ The deaths of R. Hanania b. Terddion, R. Elasar b. Shamua, R. Hanina b. Hachinai, R. Huzpith, R. Jashebab, and R. Juda b. Dama are but briefly mentioned, by the poems we have examined. The only poem which mentions R. Juda b. Baba more than briefly is *El Elohim Etsaka*,¹⁰⁵ which tells of his not sleeping naturally.¹⁰⁶ The poem, *El Elohim Etsaka*,¹⁰⁷ speaks also of the punishment to come to Rome, in the form of a cloud which would rain down evil plagues upon the city for twelve months.¹⁰⁸

The legend of the ten martyrs became of important liturgical interest. The various poets were not interested in adding to the martyr legend, but in making use of it as a suitable theme for poetry. It would seem that in developing as the martyr legend did, from isolated facts to a rounded out, completely detailed legendary whole, and finally being made the theme of poetical composition, it followed a natural course of development. A similar progress of a legend may be traced, for instance in the development of the legend about king Arthur. Beginning with a few facts about a Celtic chieftain, legend developed a completely rounded story with regard to King Arthur, which was canonized, so to speak, in Sir Thomas Malory's "La Morte D'Arthur." The legend was then turned into poetry by Spencer and Tennyson, and was further developed. The legend concerning the ten martyrs found its highest development in *Midrash Ele Eskera* and its variants, *Maase Asara Haruge Malchut* and *Asara Haruge Malchut*.

102. Rodelheim: op. cit. pp 15, 16.

103. M.E.E. p. 442a; M.A.H.M. p. 447a.

104. Menahot 29b.

105. Rodelheim: op. cit. p. 17.

106. M.E.E. p. 442b; M.A.H.M. p. 447a

107. Rodelheim p. 17.

108. Hechalot Rabati, p. 113b; Midrash Ele Eskera p. 441a.