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RABBINICAL THESIS

by

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# B I B L I O G R A P H Y

- |                               |  |
|-------------------------------|--|
| Graetz - 2 verb. <sup>?</sup> | Geschichte, 1863.  |
| Jost                          | Judenthum, 1857.   |
| Krauss                        | Monumenta Talmudica V, 1.  |
| Weiss                         | Dor Dor V'Dor'shav תרפ"ד - 1924.   |
| Rapoport                      | Erech Millin, Prague, 1852.  |
| Derenbourg                    | Essai sur l'histoire et géographie de la Palestine.                          |
| Schuerer                      | History - tr. by Macpherson.   |
| Strack u. Billerbeck          | Kommentar z N. T.  |
| Buechler                      | The Economic Conditions of Judea after the Destruction of the Second Temple. |
| Zeitlin                       | Megillat Ta'anit.  |

## S O U R C E S

- |                             |   |
|-----------------------------|---|
| Tacitus                     | History (Transl. in his Complete Works by Arthur Murphy), 1844. |
| Dio Cassius                 | History - ed. with Eng. trans. by E. Cary, 1925.                |
| Suetonius                   | Lives of the Caesars - Max Ihm, 1907.                           |
| Orosius                     | Adversum Paganos, Zangemeister, 1889.                           |
| Josephus                    | Bellum <sup>um</sup> Judaicum - Niese, 1894.                    |
| Tosefta                     | Zuckermann, 1881  |
| Midrash                     |   |
| Miurash Echa Rabbah         | ed. Buber, Vilna, 1899.   |
| Talmud Babli and Yerushalmi |   |
| Seder Olam Rabbah           | Amsterdam, 1711.  |
| Abraham ibn Aud             | - דברי מלכי בית שני - Amsterdam, 1711.                          |

## RABBINICAL THESIS

### I

As the title of this thesis might leave some doubt as to the precise limits of its subject matter, it might be well at the very beginning to prescribe the limits for it, and to define the subject under consideration.

As this is ostensibly an attempt to give a critical, comparative account of the Greek, Latin and Rabbinic sources for the Jewish War, it is unnecessary to treat of those details and topics which are not covered or, at least, touched by both the Semitic and the Greco-Latin accounts. We are primarily interested in the relation that these sources bear to one another and may, therefore, well pass over all independent and isolated information, important though it be, provided that it has no bearing on any of the other sources. This method of procedure may be upheld on the ground that the history as a whole, and even in critical fashion, has been treated at great length by more than one competent historian, and any attempt to go over it and treat the subject from the point of view of the history of a period would amount to sheer repetition of a somewhat inferior sort. Furthermore, the title of this thesis does not warrant our going into such extraneous material, but admits only of a treatment of the comparative value and merits of the sources which we use and a discussion of their convergence on individual facts and problems of that history. Good, detailed accounts of what actually happened during the four years of hectic activity and delirious excitement through which the people passed will be found in Jost, Graetz, Schuerer, Derenbourg, and others, with special attention often given to difficulties and frequent reference made to such problems as we shall discuss. It is, therefore, only in view of some new material which has turned up, and because of the peculiarly circumscribed nature of our topic that such a thesis finds justification for its appearance.

## II

As we have exercised our prerogative in prescribing the limits of this thesis, so we must exercise similar caution in our selection of the sources to be discussed. The Hebrew and Aramaic sources are, at least, apparently limited and are, as far as we know, confined to the two Talmuds and several of the Midrashim. Within these bounds we can approximately arrive at a knowledge of the various accounts dealing with our subject and even from this vast **מסכת ה' קהלת** succeed in extracting those reports which deal with our period. But the reports that we thus use are so few and scattered, and the Talmudic literature is so vast, that we cannot help feeling that such an important event as the Jewish War must have been a commonplace topic of discussion among the rabbis, and must, therefore, have received more attention in the literary activity and remains of the sages. The Talmud must be full of tales and laws and homilizing and historical incidents which refer directly to our period, but which remain in obscurity either because they are not in their proper historical setting or because the rabbis considered it unnecessary to connect certain events and institutions with their great national débaclé. This conclusion will later be borne out when we have occasion to refer to several reports of the first temple which must undoubtedly refer to the second. But that even these have by no means exhausted the references, and that there ought to be hundreds of more similar instances even couched in more obscure language so as to make their application and historical connection appear dubious--this should be clear to any one who is familiar with the rabbinical method of insinuating various things and often drawing conclusions by implication. Furthermore, we must remember that if the rabbis did refer to the circumstances surrounding the great calamity, it was always with a sense of horror and sorrow. This feeling often led them

to avoid mentioning the actual events of the tragedy so that what they relate of that particular time is dissociated from the time in which it occurred. This method of euphemizing the past is not unfamiliar to us. Likewise, the rabbis were much closer to the events; and things which now appear strange and disconnected to us had significance for them. They were familiar with all the allusions and thought it unnecessary to add to their sorrow by making explicit reference to the surrounding tragedy. For instance, it is quite conceivable that at least a large part of the Talmudic laws had their inception at this time--but in discussing these laws the rabbis would never make any allusion to their origin because of the chagrin they felt at having to think of such times.

So, in attempting to reconstruct the history of the War on the basis of Talmudic reports, we must give up all hope of ever unearthing all the references to the War, and must content ourselves with the few stray references that readily lend themselves to our search and investigation. It was, of course, impossible in preparing this thesis to read through all the rabbinic literature. I had to be guided solely by the few hints thrown out by Dr. Mann and by whatever additional information and accounts I was able to discover by the aid of cross references in the rabbinic literature. Looking up an unusual word in the dictionaries often led me to the investigation of passages which threw light on the subject. But, in spite of the paucity of material, all this gives a fairly well connected account when used side by side with other sources.

Thus we see that despite the lack of definite evidence in the rabbinic sources, we can sift our material fairly well and practically cover the ostensible references to the subject. This, however, is in no wise true of the Greco-Latin sources. In striking contrast to the scattered, indefinite reports of the rabbis, these accounts are infinitely numerous and can in most

cases be easily located. Well nigh all the ecclesiastical writers and most of the secular historians contain source material which if properly examined would alone require a life of study. But we can easily divide such sources into secondary and primary material. The latter is decidedly less extensive, and it has been the purpose of this paper to examine it. Practically every volume in the Byzantine Corpus has references to the War, but it of inferior caliber and in most cases can be traced to some of the sources here used. It is only in rare instances that a Greco-Latin historian like Orosius--just as in the case of Abraham ibn Daud in Jewish sources--who is acknowledgedly indebted to others, is able to contribute additional information to our knowledge of the period. But such information is due either to his supplementing the earlier writers by quotations from their works no longer extant, or to the fact that he relied on an entirely different source at variance with the one generally used by him, and now lost.

If we bear these facts in mind, we find ourselves in a better position to use our selective judgement in availing ourselves of the sources to be studied in this thesis. And so, we can practically limit our examination to three or four primary sources. Of greatest importance is Josephus, the Greco-Jewish historian who has devoted one whole treatise (Jewish War--except Book I which, however, really gives a sort of introduction to the tragedy) to the period under consideration; and throughout his other works are numerous references to some subject, generally corroborative of the statements in the War. The value of Josephus' accounts lies in the fact that he was not only a contemporary but also a witness of the events and incidents which he relates and he had an active hand in the conduct of the war, both on the Jewish and later on the Roman side. During the siege of Jerusalem, he was practically an eye witness



of the harrowing occurrences which he describes. Furthermore, his actual knowledge of Jewish internal affairs, and both Roman and Jewish politics, is profound, and he was often able to view things in the perspective of their effect on history.

It is, of course, inevitable that Josephus' writings should be regarded as a Tendenzschrift. His peculiar position and his indebtedness to the Flavian family made it imperative for him to bestow exaggerated praise on all their achievements and often pass over or condone those things which we can only censure. But this procedure, while certainly not laudable, is not peculiar to Josephus. We find a similar purpose in all the great histories of antiquity, and Tacitus, Suetonius and many others are full of the same adulation of the imperial families. But this does not affect our understanding of the actual course of events. We can usually read between the lines and, with the aid of historical insight and scientific testing of the facts, generally extract the kernel of truth from the superimposed mass of adulatory notices.

Furthermore, Josephus' interest and solicitude for the Jewish religion and Jewish people led him to view things in the proper light so that he was able to pass correct judgment on them. In taking this attitude toward Josephus, we find ourselves at variance with Graetz and all his followers, but that should not dismay us. For, after all, if we accept Josephus' own story of his conduct during the war--and there is apparently no reason to deny it-- we find little to censure therein. That he did all he could for the Jewish cause is evident from his account of the siege of Jotapata and also from a few stray remarks in Agassius. True, he ultimately did go over to the Romans, as Graetz laments, but it was only after he had utterly failed to improve the Jewish position and after he realized the futility of prolonging the contest. But

surely this course is not censureable. The inhabitants of Sepphoris and Ptolemais<sup>1</sup> and Jamnia<sup>2</sup> readily submitted to Vespasian without any opposition whatever, and of these three, Sepphoris and Jamnia later became leading centers of Jewish activity. Likewise, Johanan b. Zakkai himself says<sup>3</sup> that he would have gone over to the Romans had not the zealots prevented him ( כִּיּוֹנִי דָאִית )

מִלֵּל שׁוֹכֵן --although this is stated negatively, I believe the implication I have drawn is altogether warranted). And these were all representative Jews of impeccable Jewish sympathies. Why, then, should Graetz and others be so ready to condemn the action of Josephus which finds many parallels within the very heart of Jewish patriots? The truth is that whenever a prominent Jew is shown attention by the Goyim he is immediately suspected of having lukewarm Jewish sympathies, and his character is blackened and maligned because of his "treason" to the ancestral cause. We have seen too much of such superficial judgment in our own day not to be able to apply it to the case of Josephus.

Next of importance to Josephus in the list of Greco-Latin writers come Dio Cassius, Tacitus and Suetonius, all of them <sup>of</sup> about equal value for our purposes, and each contributing just some additional information to illuminate the subject. Orosius is avowedly dependent on Suetonius and Tacitus, whom he quotes as Cornelius. But in one or two instances he supplements the other accounts.

It is but natural that these historians should deal only with the Roman aspect of the Jewish War. They were not interested in Jewish politics or internal conditions, and consequently avoided mentioning them. Josephus and the Talmudical reports, on the other hand, are primarily interested in the effect of the War on the Jewish people, the suffering it caused and the methods used in carrying it to its unsuccessful conclusion. Thus, strictly speaking,

we are apt to find Josephus more in agreement with the Talmud and more closely related to it than to the other sources. The reverse of this also holds true-- which is exactly what we find when comparing the various reports.

There is one striking fact that will present itself to the readers of this thesis as well as to anyone who studies history directly from the sources. When reading Graetz or Jost, or even Schuerer, we somehow feel that our history presents a fairly continuous narrative illustrating the scientific law of causality. Now, whether or not this is true of history is still a moot question, but it can definitely be stated that very few instances bear out this law with anything like scientific accuracy. It requires nothing short of genius to construe the few isolated facts that depict the history of the past and weld these into one connected story, passing over and smoothing out all disjointed facts and omitting all contradictions. Such a method of writing history--so nobly expounded by Graetz--is quite helpful to the reader who is interested in tale rather than history; but the student may not rest content with such a presentation, especially when the sources and historical evidence seem to throw doubt on this. In other words, history must just as often be negative as positive. Instead of always reaching satisfactory conclusions, we must frequently be content to present the case as we find it with its isolated disjointed facts and arrive at no final interpretation of what actually occurred. This is still true although the historical science has made tremendous strides in the last few years, and has enabled us often to extricate the facts of the case from a mass of disconnected and unrelated things. Indeed, so extensive is our knowledge of the past that we can frequently weigh two equally reliable contradictory reports and arrive at the truth of the matter. But this is not always the case. And our inability to reach definite conclusions is especially

borne out by the period we are studying, for which the source material is so scant and the conflicting testimonies and historical errors numerous.

### III

In looking about for an apparent cause of the War that led to the destruction of the Jewish state, we are immediately confronted by difficulties. The Talmud and Midrash, in their prestidigitations style assert that mere trivialities were the cause. According to Gittin 56a,<sup>4</sup> the refusal of the priests to offer the sacrifice of Caesar was the direct cause of the outbreak of hostilities. Apparently no strained relations preceded the actual opening of hostilities. Not only is this highly unlikely in itself, but it is extremely improbable that the Romans should have taken such grave offense at such a slight matter. But here we see the so-called Tendenz which runs through the writings of the rabbis. Sacrifices and religious observances and ceremonials were of paramount importance to them, whereas political relations were considered insignificant. Here, as elsewhere, the rabbis were not entirely subject to phantasmagoric flights of the imagination. There is always a kernel of truth in what they say but they manage to obscure the real issue by stressing and cherishing trifles. That the incident of the sacrifice was connected with the outbreak of the War is clear from Josephus.<sup>5</sup> It is also evident from Josephus<sup>6</sup> that Zechariah b. Abkules<sup>7</sup> was instrumental or, at least, an important factor in urging and having the priests reject the sacrifice. This was, indeed, a contributory cause and was all that the rabbis cared to remember of that phase of the war.

But the attitude of the Romans to the whole affair seems to be better represented by the report in Lam. R. 24<sup>8</sup>, which explicitly states that the procurator ( השליטן ) wanted to have nothing to do with the Jews'

refusal to offer the sacrifice. He dismissed the informer ( **אִכּוּל בֵּית** **קורבן** = **אני מלשין** with a rebuke ( **נזף בֵּית** ). Of course, it was really too much for the rabbis to admit that the sacrifice played such a negligible role, so they added another to the story<sup>9</sup> and satisfied themselves with the story that the procurator took offense the second time he heard of the Jews' refusal and then became aware of the true import of their act.

But that the sacrifice did have more than a passing significance is borne out by Josephus,<sup>10</sup> who speaks of the incident as the cause or beginning of the War against Rome ( **Τὸ αὐτὸ δ' ἦν τὸ πρὸς Ῥωμαίους Πάλεμον καταβολή** ). What he means here, however, is that it was a contributory cause, for elsewhere he gives causes which seem more plausible and more in accord with the warlike spirit of nations.

In the matter of this refusal to offer the sacrifice of Caesar, the rabbinic reports are in close accord with Josephus.<sup>11</sup> Both<sup>12</sup> represent it as an impetuous act on the part of the zealots led by Eleazar b. Ananias<sup>13</sup> or Zechariah b. Abkulos, who is represented as a leader of the zealots side by side with Eleazar b. Simon.<sup>14</sup> <sup>15</sup> The rabbis feared the consequences and sought to kill him<sup>16</sup> or to prevail upon them not to omit the sacrifice.<sup>17</sup> But the fanaticism of the day won out and brought down the wrath of the authorities. The Talmud in its own way had to insert the story as to how the Romans were informed of the decision of the zealots and invented the characteristic tale of **מלשינות** which they ascribe to Bar Kamtza, against whom they had a grievance for another reason.<sup>18</sup> It is also characteristic of the Talmud to find a pilpulistic difficulty in the incident. According to the reports, they wanted to exonerate the Romans from the blame and said that the blemishes which had been put in the sacrifices (by Bar Kamtza after his break with them) were blemishes only for them and not for the Romans ( **בלבדן הוצא מומצ ולדירהו** ).

2010 127 ), for they were unaware that Bar Kamtza had acted so treacherously. Of course, the whole story of the blemishes is a fabrication to cover up the madness of the zealots, but it also shows that they did not feel so hostile to Rome.

It is quite likely that Graetz<sup>19</sup> is right in regarding the incident as a dispute between the Hillelites and Shammaites. This becomes especially clear when we bear in mind that the eighteen decrees<sup>20</sup> were formulated at this time and were the outgrowth of such a dispute. One of the important statutes of these was the prohibition against intercourse with foreigners and against accepting gifts from them.<sup>21</sup> The sacrifice of Caesar would naturally fall in this category.

In another place,<sup>22</sup> Josephus ascribes the outbreak to the rapacious activities of the last procurator, Florus, who robbed the Temple of seventeen gold talents. This caused a revolt in 66 <sup>A.D.</sup> B. C., 16 Iyyar,<sup>23</sup> which was followed by the plundering of Jerusalem by his soldiers.

Tacitus probably referred to this when he said<sup>24</sup> that the war started under Florus and was continued by Cestius Gallus. Now, it seems much more probable that such an act was responsible for the hostilities rather than a mere refusal to offer a sacrifice. But we find it difficult to account for such a performance of brigandage on the part of Florus unless we connect it with an overt act on the part of the Jews. And we find such an act adumbrated in Josephus.<sup>25</sup> The implication there is that cessation of the payment of tribute on the part of the Jews was the most important cause (Ρωμαίοι δὲ τὸν συνήθη δακνὸν αἰτούσιν). This at least accords with the general tenacy of warring countries, especially in Roman history. The slightest indication of recalcitrance in the payment of tribute brought down the wrath of Rome on even the most powerful subjects. And it is certainly conceivable that the zealots

who protested their allegiance to God alone and denied the authority of any other overlord should have incited the people to stop payment of the tribute and thereby disavow Roman authority.

The act of Horus, then, to which we have already referred, becomes intelligible. It was for the purpose of compensating the imperial treasury that he seized the money in the Temple. It was likewise to be expected that once the people had decided to stop further payment they would regard the act of Horus in no other light than we have noticed. They would naturally overlook the fact that he was but taking what legitimately belonged to Rome.

These data must be borne in mind. As far as I am aware, no historian has emphasized or even taken note of this laxity on the part of the Jews as the cause of the war. All seem to ascribe the whole blame to the beastly procurators, especially Cumanus, Felix and Florus, and they exonerate the Jews of all censure and even commiserate them for their sufferings under the tyrants. Now, we know that history does not proceed that way. Every quarrel must have two contending parties. The various accounts of the doings of the governors in Josephus are in thorough accord with what we know of the activities of Roman provincial governors. Nevertheless, we must hold that men do not act in this manner for no cause. The reports in Josephus may not be an exaggeration. They probably are not. But there must have been some provocation. The blackest crimes associated with Roman provincial governors always relate to the collection of the tribute and there is no reason to suppose that the case is different with Felix and Florus--especially since Josephus and others tell us that they were simply collecting tribute-money. That they tried to enrich themselves and practiced wholesale extortion ought to be equally obvious, and that the Jews rebelled against this would only be in line with what many other nations then did. But the first step towards de-equilibrizing the status quo seems to have

been taken by the Jews. They refused the tribute. The procurators not only tried to collect it, but also to overreach themselves and thus brought about the clash of arms. (Of course, the original provocation for all this may have been caused by Roman extortion several decades before the War.)

In view of this interpretation of the facts, the blame seems to rest on the Jews. This is unfortunate, but the testimony seems to point that way. Of course, it was only the hotspurs in the Jewish group that can be blamed. Johanan b. Zakkai and other peace-loving spirits would have purchased peace at any price and would never have gone to war. But they were overwhelmed by the fanaticism which swayed the crowd and its demagogic leaders.

The above presentation of the facts may seem uncertain, but there are several other more pointed references which leave this question in no doubt. In his famous speech to the Jewish populace,<sup>26</sup> Agrippa speaks of the lack of payment of tribute and the destruction of the porches of the tower of Antonia as two coequal causes of the War (οὐτε γὰρ Καίσαρι δέδωκατε τὸν φόρον καὶ τὰς στήλας ἀτεκώσατε τῆς Ἀντωνίας ).

Furthermore, Ab d R. N. IV seems to have a direct reference to this same recalcitrance of the Jews. Johanan b. Zakkai accuses the people of precipitating a war which could be averted merely by giving Vespasian one bow or one arrow ( חרב או חץ אחד ). Now, the commentaries tell us that this was a sign of submission. Submission to what? It must be that such submission was accompanied by the payment of tribute which was the generally recognized form of submission to Rome. We must remember that our source is late and probably lost sight of the fact that the despatch of such a bow or arrow had to be followed by the regular ~~pay~~ment of tribute.

These facts, therefore, confirm our suspicion that whether or not



the discontinuance of the tribute was the direct cause of a break, it was at least the most important factor. Wars are waged on account of failure to collect obligations, but never because of a refusal of one party to offer a prescribed sacrifice.

An event that preceded the actual outbreak of the War and is probably connected with the decision to discontinue the tribute is described in a rather late source,<sup>27</sup> which, however, seems to contain some reliable information and even supplements a similar account in Josephus.<sup>28</sup> Apparently a dispute arose<sup>29</sup> between the war party, the zealots, and the peace party over this very matter of the tribute. The latter was composed of the elders ( **זקנים** , i.e., the rabbis) and they had to flee Jerusalem. This was done to escape the wrath of Nero whose two legates had been sent to Jerusalem--probably to collect the tribute--and murdered by Eleazer (i.e., b. Ananias) and the Sicarii.<sup>30</sup> These elders had fled to Mount Sion whither the zealots pursued and slew many of them. Agrippa had sent an army to help them, but both were defeated. Elated over this victory and confident of their position, the zealots then burned the palaces of Agrippa and Berenice, which enraged both of them and estranged them from the Jewish cause. The former then complained to Nero of this shameful treatment and Nero sent Gessius Gallus to avenge him. He laid waste part of Judea but was finally shamefully defeated by Eleazer and repulsed. The same account is given in Josephus,<sup>31</sup> but the reason for the presence of Agrippa's soldiers is there not given. It is clear from the ~~text~~<sup>32</sup> that they had arrived there by pursuing Eleazer's troop from Mount Sion, but had to retire after their defeat at his hands. Thus the infuriated Agrippa was an important factor in determining the course of events that led to the War. He was right in trying to help the peace party at Mount Sion. He was justified

in having Nero protect his property, but he himself would probably have tried to avert the results of this conduct of his. It was an all around unfortunate situation.<sup>33</sup>

#### IV

We may now pass over the events that transpired during the course of the War for they are adequately related in Graetz and Schuerer. We again find the rabbinic account in harmony with Josephus regarding the early management of the War,<sup>34</sup> which fell to Eleazar b. Ananias<sup>35</sup> and Menahem b. Judah Ha'glilee.<sup>36</sup> The former is not to be confused with the late leader of the zealots, Eleazar b. Simon.<sup>37</sup> The first Eleazar is also mentioned elsewhere in Josephus<sup>38</sup> where he is spoken of as the son of Ananos (probably a variant of Ananias) the high priest, and also a high priest himself. He must have inherited revolutionary tendencies from his father who according to the Talmud,<sup>39</sup> wrote the Megillat Taanit, a scroll commemorating the Jewish victories of the past, in order to strengthen the people in the time of the revolt and to show them that they had as much to look forward to.<sup>40</sup> It is not at all certain, as Jost assumes, that the Megillah was written by Eleazar. In fact, the Talmud explicitly says it was done by Ananias b. Hezekiah.<sup>41</sup> This might have been composed just prior to 66 when Ananias was busy stirring up sentiment against Rome, but by 66 he was already very old and in that year he died. Just before his death, the rabbis assembled in his room and passed the יח דבר. This meeting may have been called by Eleazar. In fact, the son must have assumed the revolutionary mantle immediately after his father gave it up. The whole family, even as far back as the days of Herod, had been distinguished for revolutionary tendencies, and there is little doubt that this Ananias is

not the son of Hezekiah, the zealot, who was executed by Herod.<sup>42</sup>

It seems that the early leadership of the War was in the hands of priests. Side by side with this Eleazer, a Zechariah b. Amphiakallis<sup>43</sup> is mentioned,<sup>44</sup> a priest of prominent family who, with Eleazer b. Simon, was one of the firebrands in the zealot councils. He is mentioned in Josephus as one of those who was responsible for summoning the Iudaeans. In the Talmud, he is frequently referred to as being responsible for the destruction of the Temple. R. Jose<sup>45</sup> says his humility was the cause of burning the Temple.<sup>46</sup> When Bar Kamtza brought the Roman offerings with the blemishes which he had inflicted, the rabbis were disposed to sacrifice them and avoid trouble with Rome, but Zechariah prevented them. This led to the War. The rabbis, however, were so anxious to avoid this that they wanted to kill him.<sup>47</sup> This shows that there was a strong party in favor of peace that would have employed any means to secure it. This same passage shows that in the councils of the rabbis there were also fanatics like Zechariah, who was also a priest. The sympathies of the man are shown in the passage quoted from Lam R.<sup>48</sup> which says that when Bar Kamtza showed inclinations to Rome and was going to betray his country, Zecharian could have prevented him but did not. We have already noted that the rabbis' ascribing the cause of the War to the refusal to offer the sacrifice is but another evidence of their interest in the cult rather than the political situation.

Of no less importance than Zechariah b. Abkulos in the eyes of the rabbis was Komtzos b. Komtzos who shares equally with him the responsibility of having caused the War.<sup>49</sup> It is related that he had some disagreement with the rabbis which led to his estrangement and determination to provoke a war. He stopped at nothing to secure his revenge, and even had to fabricate a

false story and render the sacrifices unfit. His exact part in the early stages of the war, however, is by no means clear. The rabbis would make him a <sup>50</sup> מלשין to the government. Josephus merely says <sup>51</sup> that he was one of three leaguers of the pro-Roman party in Tiberias. Here, again, we have an agreement between the two sources, for the rabbis in looking back on the course of events would have regarded an anti-Jewish or pro-Roman sympathizer as a traitor and מלשין, even though the exact party he played and the damage he did is not related. He came from a prominent family from Perea. <sup>52</sup> This may account for the fact that he is singled out above all others for responsibility in the calamity. Or, we might say that he is simply held up as the symbol of all pro-Roman sympathizers, to whom the rabbis were wont to ascribe all the troubles, even as Graetz <sup>53</sup> assumes that Zechariah b. Abkulos is made the symbol of all zealots and fanatics, and therefore blamed for the catastrophe (ועונותיו החריב את ביתנו).

By far the most outstanding personality on the Jewish side during the War was, at least according to the Talmud, the personality alternately denominated as <sup>54</sup> זבין זט"ח and סיקרא. He is represented as the leader of the zealots and Sicarii (ראש בריוני דירושלים) who is not whole-heartedly in sympathy with the revolt, and would gladly abandon it were it not for the trust imparted to him by his position (מאי אילגיד דא) <sup>54</sup> (אמרנא ליה מידי קטלן לי). Furthermore, he is respectful to his uncle, Johanan b. Zakkai, and even devises a ruse whereby the latter can escape from Jerusalem and save the remnants of Jewish scholarship. If זט"ח / ז were the leader of the rebels as he is here depicted, it is quite unlikely that he should have been so conciliatory to Johanan, the leader of the peace party. It is contrary to all representations of the zealots in Josephus, and

even elsewhere in the Talmud. For instance, he assumes<sup>55</sup> just the opposite role, and instead of going to his uncle when called,<sup>56</sup> he summons Johanan to him at the slightest rumor of defection, and harshly rebukes him for uttering a lament over the ruthless destruction of the granaries. (That Johanan should play this questionable part is curious to say the least. Everywhere he is represented as the ardent champion of peace and ready to denounce the war party.<sup>57</sup> We should expect him to have uttered such an exclamation as **ו** when he heard of the burning of the storehouses. Why, then, did he dissemble before his nephew by changing it to **ו** or, if he did not prevaricate, why did he ever say **ו** when he heard of the burning? The whole incident is out of keeping with what we know of Johanan's character. There is an additional difficulty in this passage, which shows such a remarkable and sudden change in the character and attitude of **בן זכור**. In the first part of the passage, he is hostile to Johanan but later he becomes a friendly nephew who would be willing to discuss peace with the Jews were he not afraid of the consequences. Then, he lets his uncle escape from Jerusalem. The latter part, as we see, is in agreement with Gittin, but the incongruity in the whole selection is flagrant. I see no solution, unless we assume that the latter part was taken over from or modelled after Gittin--but we have no right to exercise such arbitrary judgment over texts for which there is no other evidence for evaluation. It is contrary to the canons of literary criticism.) This is, at least, more in accord with what we should expect.

We experience further difficulty in trying to account for his part in regard to the burning of the storehouses, which is related in all the sources just given. That he actually did this seems unquestionable.<sup>58</sup> But it is quite unlikely that the very person in charge of these storehouses and

food supply should take the initiative and destroy them. Either he would have refused to be responsible for the granaries or he would have protected them if in his care. Now, Koh. R. 7<sup>11</sup> and Lam. R. 1<sup>31</sup><sup>59</sup> explicitly state that he was in charge of them (והיה ממונה על האוצרות ראש קיסרין שבירושלים).

To bring the passage from Lam. R. into harmony with Koh. R. (which has the additional words שבירושלים) Buber<sup>60</sup> has ingeniously conjectured that

ראש ברית דירושלים is a gloss borrowed from Gittin 56a ראש קיסרין et al. He, therefore, believes the text in Koh. R. originally read וקיד

ראש קיסרין and that a copyist inserted שמבינה על האוצרות שבירושלים just before ראש קיסרין. His explanation of ראש קיסרין as a mistake for ראש סיקרין (= אצא סיקר) is indeed acceptable (although not essential to our understanding of the passage), but it still leaves us in difficulty as to how to explain why the guardian of the storehouses should burn them. Furthermore, the various references in Josephus<sup>61</sup> represent this act as a precautionary expedition, which is wholly out of keeping with what the officer in charge would have done. As an explanation of this passage, I, therefore, suggest the following conjecture which seems to be an improvement on what Buber has still left unsolved. The passage originally read: והיה ממונה (ביתא)

והיה ממונה על הסיקרין ראש סיקרין. The qualifying word, שבירושלים, may or may not have belonged to this.

It is neither essential nor out of place. Then, to explain or elaborate the word שמבינה, either because it seemed incomplete or because he mis-

understood the significance of ראש סיקרין, a copyist inserted

האוצרות (or על האוצרות, according as we understand the original to have read). This suggestion does no violence to an admittedly difficult text, and explains what appears to be unintelligible in the light of actual occurrences. As previously stated, ראש קיסרין would be a

possible reading, although not so desirable in view of the usual appellation of  $\text{בן זוטא}$  as leader of the zealots (  $\text{ר' זוטא סיקרא}$  or  $\text{זוטא בריון}$  ). As understood by the  $\text{מחנה כהונה}$  commentary (  $\text{ר' זוטא המלכה}$  ),  $\text{קיסר}$  would mean that  $\text{בן זוטא}$  was the governor of Jerusalem during the siege and would well accord with the role played by any of the three zealot leaders, Eleazar b. Simon, John of Gischala and Simon b. Giora, as described in Josephus.

The prominence ascribed to  $\text{בן זוטא}$  in the rabbinic sources leaves little doubt in our minds that he must be identified with one of the three leaders who, according to Josephus, controlled the city of Jerusalem and directed the conduct of the War in its most dangerous stage. But in trying further to identify him, we must resort to conjectures which, however, are not improbable. His treatment of Johanan b. Zakkai in the  $\text{ח$  and  $\text{ק$  incident would suit a description of Eleazar b. Simon, the zealot chief during the early stages of the siege. There is, however, more weight in favor of his identification with Simon b. Giora. If, as Schuerer<sup>62</sup> and others say, the latter is so called because his father was a proselyte (  $\text{ג}$  or  $\text{גורא}$  in Aramaic ), it is quite likely to suppose that  $\text{בן זוטא}$  is simply a euphemistic equivalent of  $\text{גורא}$  . If we pronounce the word

$\text{זוטא}$  , it can be explained as a strengthened Aramaic noun of the form of  $\text{זוטא}$  or  $\text{זוטא}$  , etc. It would mean that he was a fervent believer or truster in God and, therefore, is equivalent to the Greek and Latin metuens and sebomēnos . If, however, we pronounce it  $\text{זוטא}$  or  $\text{זוטא}$  , it becomes the regular form of the Aramaic participle, and may mean either a truster of God or, if taken as the passive participle, a trustworthy person. The last would, of course, be a very good euphemism for  $\text{גורא}$  ; i.e., the

people gave him the name to encourage him and make him feel thoroughly at home in the Jewish group, and not conscious or reminiscent of his early origin. It might, indeed, be argued that such a nick-name would make him all the more aware of it but, if this is true, it would be only for the purpose of complimenting him and drawing favorable attention to his origin that the epithet was bestowed upon him.

This identification of  $\text{נ'ו ז} / \text{ז}$  and Simon b. Giora,<sup>63</sup> seems to me to be well nigh established. As an alternative, however, I offer one which is by no means impossible and even from the etymological point of view more accurate. Josephus<sup>64</sup> speaks of a Justus b. Pistos whose characterization tallies quite well with that of  $\text{נ'ו ז} / \text{ז}$ . He was leader of the revolutionary party in Tiberias and was personally ambitious and anxious to aggrandize himself by sponsoring a change of regime ( $\epsilon\kappa\tau\acute{\alpha}\varsigma\ \mu\epsilon\tau\alpha\beta\omicron\lambda\eta\varsigma\ \sigma\iota\delta\eta\mu\epsilon\nu\omicron\varsigma\ \delta\iota\alpha\mu\alpha\rho\iota\sigma\tau\eta\varsigma\ \epsilon\alpha\upsilon\tau\eta\varsigma\ \pi\epsilon\pi\iota\sigma\tau\iota\kappa\eta\sigma\epsilon\iota\nu$ ). Pistos and  $\text{נ'ו ז}$  are the exact equivalents of one another. The verb  $\pi\iota\sigma\tau\epsilon\acute{\iota}\nu$  is often the Septuagint translation of  $\text{נ'ו ז}$ . So we have very good grounds for identifying these two. It is possible that Justus left Tiberias after its capture and took up his residence in Jerusalem, there becoming a leader in the zealot councils. It is thus hard to choose between the two possibilities. I incline to the former because Justus does not play as prominent a role in Jerusalem as Simon b. Giora did and  $\text{נ'ו ז} / \text{ז}$  is everywhere represented as the very center of all revolutionary activities in Jerusalem. Furthermore, we should have to assume that Justus went from Tiberias to Jerusalem whereas both  $\text{נ'ו ז} / \text{ז}$  and Simon b. Giora are represented as having carried on their activities in Jerusalem.

We find a reference to  $\text{נ'ו ז} / \text{ז}$  in Kel. XVII, 12, which



really does not offer any additional identification. It simply states there that he was a man of extraordinary strength. The *חזקו קדל* commen-  
 tary to Lam. R. 1<sup>31</sup> does identify him with the *חזקו ז* whom we have  
 been discussing, and in fact there is no good reason to deny this. The fanci-  
 ful theory of Rapoport<sup>65</sup> that he is the Athrongeus mentioned by Josephus<sup>66</sup>  
 has little in its favor except the authority of Rapoport. (The whole theory  
 is based, as in so many cases, on a fanciful etymology. *חזקו* is said to  
 be an apocapated form of *חזקו*, apple, which, in the Targum, is trans-  
 lated *מלכות*, which is the equivalent of the Greek *Αθρόγγιος* or  
 Athrongeus.) But Rapoport<sup>67</sup> is ultimately reduced to our own assumption--that  
 the *חזקו ז* of Kel. is the same as the one of Koh. R. and Lam. R. His  
 mistake, however, lies in his trying to place such a strong, virile leader of  
 the revolt as far back as the days of Archelaus, when Athrongeus lived.

An interesting variant of the relations of *חזקו ז* and Johanan  
 b. Zakkai is given in the Sefer Seder Hakabbalah:<sup>68</sup> "Abba Sikra, chief of the  
 Sicarii (*חזקו ס*, literally, robbers).....went forth in secret unto the  
 king, Vespasian, and asked that R. Johanan b. Zakkai be permitted to come forth  
 unto him (i.e., Vespasian). The king did as he was asked and he (Johanan) went  
 forth unto him. The king recognized his great wisdom and honored him and raised  
 him to the position of Governor of Jerusalem.....After the destruction of the  
 Temple, he (Johanan) went up to Jabneh." There is, indeed, something to be  
 said for this account. That Johanan was made governor of the city is unlikely,  
 but that he was spared after the destruction and was rewarded for his Roman  
 sympathies by being given charge of Jabneh is quite probable. Vespasian  
 (really, Titus) had heard of Johanan's overtures to the Jews, (This tradition  
 is well preserved in Ab d. R. N. IV which says the spies informed him *שריף*  
*מאחזבי רמי היר*), and might well have favored him with this boon. It

is also unlikely that Abba Sikra would have, or was even able to make such overtures to Vespasian on behalf of Johanan. The zealots maintained a close watch in the city and would have prevented all escape--and that Abba Sikra should devise the ruse of a fake burial for his uncle is almost unbelievable, if he were a leading zealot and the description of their actions in Josephus is accurate.

One incident is sufficient to describe the carryings on of the War party. Zechariah b. Baruch<sup>69</sup> was a leading citizen in Jerusalem whose wealth and power were an attraction to the zealots. Drumping up against him charges of treason and collusion with the enemy, they had him brought before a specially summoned tribunal or Sanhedrin which declared him innocent. As the judges were leaving the court, two zealots slew Zechariah in the presence of all as a taunt to them, and a sign of their contempt of the judges. Nothing more is said of the incident in Josephus. It was a comparatively gentle proceeding.

The same story is told<sup>70</sup> of a Zechariah b. Barachias,<sup>71</sup> who was killed between the altar and the Temple. The identification of these two Zechariahs seems quite well established<sup>72</sup> because of the similarity (almost identity) of names, the nature of the tragedy and the scene of the action.<sup>73</sup> For the same reasons, we must identify these two Zechariahs with the ones mentioned in the Talmud. For instance, in Lam. R.<sup>74</sup> a similar story is told of Zechariah b. Yehoyada and referred to the first Temple. We cannot prove that the account is wrong, but the similarity between this and the incidents just related is so striking that we feel inclined to equate them, especially since it is unlikely that their memory of incidents of the first Temple should be so clear and that two almost identical things should have occurred at the destruction of both Temples. But we can, at least, explain the cause of mistaken identity if our assumption is correct. The rabbis remembered a

Zechariah who had been murdered by the zealots. They could find no explanation for this and therefore assumed that he must have been a prophet who took them to task for something ( זיכר גדול ). But why speculate further when they already knew of such a Zechariah, the story of whom is told in 2 Chron. 24:20? Once they had hit upon this theory, they were left with no alternative but to ascribe the consequences of the event to Nebuzaradan, which they did. This accounts for the fact that in the various Talmudic reports about Zechariah, he is called a prophet ( נביא ), the rabbis evidently thinking all the while of Zechariah b. Yehoyada. It is difficult to correct an error once made.

But whereas Josephus merely mentions the incident in passing, the Talmud makes a great deal of it and ascribes to this occurrence responsibility for many serious consequences. In J. Taan. 69a <sup>75</sup> it is said that eighty thousand priests were slain to appease the anger of Zechariah. In other accounts, all the young men and the Sanheurin were thus vicariously slaughtered. In Lam. R. 220, the murder is made the cause of much famine and misery. (A parallel is here given to a story in Josephus <sup>76</sup> of a rich woman from Perea who moved to Jerusalem and lost all her money during the famine. So great was her misery that she had to resort to the inhuman act of killing and eating her infant son. In the Midrash, she is made the wife of Loeg b. Josef and her name is not given, but in Josephus she is called Mary bat Eleazer and her husband's name is missing. Another striking parallel to this with, however, importance differences, is the story in Gittin 56a of Martha bat Boethus who had formerly been very rich but lost all her money during the great famine. Her plight was so wretched that she could not secure any food with even great quantities of money, so she had to throw it away. Wandering in search of food one day, she

contracted a fatal disease and died.)

The famine in Jerusalem was indeed terrible. The harrowing description of the dire straits to which the people were reduced is given over and over again in Josephus.<sup>77</sup> The price of food was prohibitive. People had to eat dung and old shoes and other inorganic food. For a mere pittance, people would do the most daring things. They would wager to bring home five Roman heads in exchange for five dates,<sup>78</sup> and they had to suck the juice out of straw for sustenance.<sup>79</sup> The people were so reduced and so accustomed to the lack of food that when the Romans captured the city and administered food to them, it had to be taken in gradually.<sup>80</sup> This reminds us of the story told of R. Zadok in Gittin 56ab who had to have a special physician, a boon of Vespasian, take care of him after the siege. There may be some relation between the two accounts.<sup>81</sup>

Of course, no one was to blame for this state of affairs but the zealots themselves. Jerusalem did have plenty of provisions to withstand the siege, and though the remark<sup>82</sup> that the provisions would have lasted twenty-one years is undoubtedly an exaggeration, they were certainly well provided for. This is well attested by Tacitus.<sup>83</sup> There is no reason to deny that the three richest men of Jerusalem had looked after the needs of the people and made such provision.<sup>84</sup> But the fanatics lacked insight and instead of closely guarding these treasures, proceeded to burn them. In Josephus,<sup>85</sup> it is said that John of Gischala and Simon b. Giora set fire to the granaries and thus subjected Jerusalem to a terrible famine, which brought their ruin although they could have withstood any siege had they not resorted to such folly. In B. J. 7.8.1. the same act (although perhaps at a different time) is ascribed to the Sicarii in general and not any individuals. Another such predatory act is related of

the Sicarii in B. J. 4.7.2. This, as we have seen above, is quite in accord with the various Talmudical reports which refer it to ben Batiah.<sup>85</sup>

V

We now come to a consideration of the internal conditions in Jerusalem. Dio Cassius<sup>87</sup> has already informed us of the presence of numbers of foreign allies in the city. The Jews had sent to their kinsmen in Mesopotamia (probably Adiabene) for aid, and their petitions were received and granted.

The city was divided, according to Josephus,<sup>88</sup> into three hostile groups, of which Eleazer b. Simon and the zealots held the vantage point, in the sanctuary. Simon b. Gioaras and the Sicarii were in the lowest part of the city and practically controlled the situation. Between these two was John of Gischala and his party. The latter won the sanctuary by strategy and allied to himself Eleazer and in the face of great danger he and Simon made a pact of mutual aid. That the situation under these three firebrands was as black as it is painted in Josephus is denied by Graetz,<sup>89</sup> but the 'II and 711 incident<sup>90</sup> between Johanan and ben Batiah would seem to confirm the various tales of horror. We need not feel shocked at these happenings simply because they were carried out under representative Jewish leaders. Stories of war today are just as bad, and do not necessarily involve the reputation of the generals.

Graetz again<sup>91</sup> finds fault with Josephus for failing to mention the fact recorded in Tacitus<sup>92</sup> that the women helped the men during the siege and actively participated in the war. His accusation is that Josephus wanted us to think that the majority of the people were not in sympathy with the War which was caused and carried on by a small, powerful minority of fanatics. Possibly! But there is really no good reason to question the representations

of Josephus without some other evidence. It does, indeed, seem that the War was carried on in a spirit of maddest delirium and certainly did not have the support of the majority.

Josephus tells us<sup>93</sup> that corpses lay strewn about the city, unburied. The few who succeeded in paying last rites and honors to their dead friends and relatives had to carry them outside the city through a certain gate. This is precisely what the Talmud<sup>94</sup> tells us of Johanan b. Zakkai, only as we have already seen and shall have occasion to point out later, the incident here just bears a vague recollection of what actually happened, and because of the lapse of time the whole matter was referred to Johanan, whereas he certainly could not have played this part.

Religious conditions in Jerusalem were quite bad during the siege. Josephus tells us<sup>95</sup> there were several high priests in Jerusalem at the time. Once the zealots chose by lot a high priest who was utterly ignorant of the duties of his office, and was so poor that they had to contribute to his support and defray his expenses. Later on in the siege (i.e., after the second wall of the city had been captured) the daily offering ( T'QJ ) had to be abolished.<sup>96</sup> This happened, according to the Mishnah, on the 17th of Tammuz,<sup>97</sup> and might well have occurred at this time. At least, all are of the opinion that the Mishnah is in direct accord with Josephus<sup>98</sup> on this point. The explanation for this, as offered by Josephus and Schuerer,<sup>99</sup> is that there were no more men to offer it. This is probably correct; but, in addition, Graetz<sup>100</sup> offers the explanation that there were no animals to sacrifice (this suggestion was made by Bartenora in his commentary to the passage in Tan.). Both suggestions seem likely and represent the true state of affairs.

When the Roman soldiers finally entered the city, they must have

wrought havoc with the women. Eleazar b. Hakana<sup>101</sup> swears that during the siege his wife never left his hand. The very statement of the case here implies that it was an unusual case and that many other women had been torn away from their husbands and misused.

The actual duration of the siege was only about five months.<sup>102</sup> Wherever the Talmud speaks of it as lasting three or three and a half years, it must refer to the duration of the whole war.<sup>103</sup>

During the war, as we have already seen, there were many different parties within Jerusalem, constantly contending with each other. Josephus calls them by various names, as does, also, the Talmud. For instance, Josephus speaks of the followers of Simon b. Gioras as Sicarii and the men of Eleazar b. Simon as Zealots. This distinction at first appears tenable. But, then, John of Gischala who led a band of Galilean Zealots made an alliance with Eleazar and the two later made a truce with Simon. Later<sup>104</sup> we find the original Zealots, who were under the command of Eleazar, called Sicarii. Furthermore, we find the names used interchangeably and full descriptions of their activities in the following places in Josephus: B. J. 2.13. 2-3; 2.17.6; 4.7.2; 7.9.1. The Sicarii are, again, specifically mentioned in Machshirim I, 6, where the name is apparently used with reference to the whole war party and the fanatical robbers that went about plundering houses for food--of whom we read so much in Josephus. It does, indeed, seem unlikely that in the face of such famine the men of Jerusalem could have found enough water in which to hide their dried figs (דבילת), but aside from that, the representation of Machshirim is correct in speaking of the fear of the Jerusalemites for the Sicarii.

Side by side with these names, we find in the Talmud the names

בריוני<sup>105</sup>, ליסעים<sup>106</sup>, פריצים<sup>107</sup>, קגאים<sup>108</sup>

and <sup>ס'קרי</sup> (to which we have just referred). As we previously decided, <sup>קנאים</sup> probably represents a later reflection of the rabbis on the actual course of events.<sup>109</sup> The use of <sup>ל'שט'ם</sup> certainly applies, but as it occurs in a late source, we may at least pass over it. There remain the two words, <sup>מ'רצ'ם</sup> and <sup>ז'ריו'י</sup>, which do adequately represent conditions as we find them in Josephus. Although <sup>מ'רצ'ם</sup> also occurs in a late source, in fact by the same author, the whole passage seems to represent an earlier tradition and even shows some indication of having been extracted from an early source.

Reducing all these data to a conclusion, we must infer that the various names used are but different appellations of the same people. The war party really deserved such names, and that they vary we can explain by assuming: first, that the traditions themselves arose at different times and different places; and secondly, that the various activities of the men at different times could more appropriately be described by one name than another.

There still remained in Jerusalem the two rabbinic schools that must have had an active part, at least, in the early course of the War. The <sup>110</sup> Talmud makes much of their activity because the rabbis were greatly interested in religious disputes, but Josephus does not mention them, because during the War they played a part decidedly inferior to that of the Zealots. There can be no doubt, however, as to the relation of these parties to the Zealots and their activity in what we may call the religious background of the War.

Johanon b. Zakkai, the favorite disciple of Hillel, was leader of the Hillelites and as we know of his activities from other accounts, we can say that the Hillelites were the conciliatory peace party. The Shammaites were their opponents and actively supported the Zealots. <sup>111</sup> Due to the need of the



times and oppression from Rome, they made one decree after another, and finally forced the <sup>112</sup> *צדק* on the people. The correct explanation of the role taken by the Shammites is probably that they gave religious sanction to the enforced decrees and laws of the War Party.

The eighteen decrees of which we hear so much in the Talmud were forced upon the Hillelites under circumstances that we can connect only with the activities of the Zealots. Calling a hurried meeting in the rooms of Hananiah b. Hezekiah b. Garon,<sup>113</sup> the Shammites<sup>114</sup> saw to it that they would have a majority and posted guards outside the house to see that no opponent should enter and that no partisan should escape.<sup>115</sup> They even resorted to killing when their efforts were resisted. The Shammites did prevail and imposed the decrees upon the people, which were calculated to widen the breach between Israel and Rome. One of the important restrictions<sup>116</sup> was against accepting gifts from Rome. This may well refer, as Jost<sup>117</sup> thinks, to the incident of the Roman offering when Eleazer and the hotspurs refused to sacrifice it.

We are in no position to say when these eighteen laws were passed, but that it was either at the very beginning of the war (i.e., just before the Roman offering was refused) or immediately before that is apparent from the following evidence. Shab. 15b-17a puts the passages of these decrees in a time of straits when force was the usual thing. This happened on the day when Hananian was about to die ( *יבדק* ), and the mantle of the revolution was taken by his son, Eleazer. If his father, Hezekiah, lived in the time of Herod, it must have been at least near the revolt when he was ready to die. It appears from J. Shab. 30 (as also from the passages cited) that the action was taken when the rivalry between Bet Shammai and Bet Hillel was keenest. Now, it is evident from Erub 6b-7a and Erub 10b (= J. Berak 5b) that the dispute between the two schools was finally settled by a *בית חז* in Jabneh. We should

be justified in assuming that when the Talmud here speaks of Jabneh, it refers to the temporary incumbency of Eleazer b. Azariah since many important decisions were made, and many disputes settled at that time ( ד'ר'ז (ז) ). If, then, we place this <sup>317</sup> ד'ר'ז 90 or 100 C. E., which is the approximate time that Eleazer assumed the presidency, we arrive at no other time than the early days of the War for the passage of the eighteen decrees. It would take just about that time for the intense feeling between the two schools to have subsided--and no longer. Coupled, then, with the fact that the Talmud everywhere represents this as having taken place during the time of, and because of, a great civil calamity, of which we know no better example than the War itself, and also the fact that the identification of the Shammites and Zealots is established by Shab. 17a, all the evidence seems to point to the beginning of the War for the enactment of the decrees. Thus, the fanatics gave religious sanction to what they would have done anyway. Rashi<sup>118</sup> indeed gives support to our suggestion by saying that Eleazer and Joshua refer to this event when they give their philosophy of history. Joshua, who was always closely allied with the most liberal Pharisees and himself a staunch advocate of peace, naturally viewed the passage of these decrees as a national calamity. The war might have been prevented were it not for them. Eleazer took just the opposite view, and because of his inclination to Shammit tendencies looked upon the event in a very favorable light.<sup>119</sup> It does, indeed, appear from Shab. 17a that these decrees were only temporary and were accepted by the people only as long as the Zealots and Shammites used armed force. But they fell into disuse and had to be passed again in Jabneh, probably because of the Hadrianic persecutions, which, in a measure, duplicated the conditions of the War. This was done by their disciples, and was probably accomplished ד'ר'ז (ז) when the bat kol came and effected a reconciliation between the two schools. If this is true,

then Hananel and Nissim are equally right with Rashi in referring the opinions of Joshua and Eliezer to the temporary insanity of Eleazer b. Azariah.<sup>120</sup>

Another activity of the Zealots is seen in the Scroll of Fasts,<sup>121</sup> which has come down to us in the name of Hananiah b. Mezekiah.<sup>122</sup> Perhaps Jost<sup>123</sup> is right in assigning it to Eleazer, his son, because the Talmud speaks as if a whole group composed it.<sup>124</sup> But it really makes little difference, as both men were foremost in revolutionary propaganda, except that Hananiah may have been too old to write it, if it were composed at the beginning of or during the War. But we cannot date its composition. We merely know that it has an important relation to the War, and was composed<sup>125</sup> to strengthen the people in time of disaster by showing them the Jewish victories in the past, and holding up before them promises of similar victories. (This is precisely what the phrase there, *דְּיִמְחֻזֵּי דְּצִרְתָּ*, implies; viz., that in spite of the trouble they were then undergoing, they had better times to which to look forward.)

There are many un doubted references to the War in this Scroll and some of which are disputed, while the majority of them refer to pre-revolutionary days. Let us say, for the sake of conjecture, in order to facilitate the discussion, that the Megillah was composed in the year 67, certainly no earlier, for then we should be unable to explain the origin of passages which undoubtedly refer to the War and yet represent happenings which must have transpired until then.

The month of Elul has the following notice: *בְּשָׁנָה גָּדוֹלָה* (בְּיָמֵינוּ) *וַעֲקָן רֹמָאֵי מִירוּשָׁלַם*. Schuerer<sup>126</sup> connects this with the departure of Florus' army from Jerusalem as described in Josephus.<sup>127</sup> Zeitlin,<sup>128</sup> however, tries to prove from the calendar used by Josephus that it refers to the departure of Agrippa's soldiers from Jerusalem.<sup>129</sup> His reasoning

seems good, but it is so difficult to establish any certainty about the calendar then used. Furthermore, it would be odd, at least, to find Agrippa's men called **רומא** even though the Jews hated him and accused him of treason. A fact which lends support to Schuerer's argument<sup>130</sup> is the manuscript variant of the passage **וירחם מירחם רומא מירחם**. Florus actually left Palestine. Agrippa was at hand, and we later hear of him in Galilee, lending aid to Vespasian.

If our explanation of the purpose of composition of the Megillah is correct, then we find in the notice for Ab (**בזמנו נאסר בנאסר כהנא**) a reference to the **Hylophoria** of Josephus,<sup>131</sup> when Eleazar and his band burned the palaces of his father, Ananias, Agrippa and Berenice. So elated were they over this victory that they included it in the Megillah as a day of rejoicing.

Zeitlin<sup>132</sup> says that the notice in Sivan (**בזמנו נאסר בנאסר כהנא**) must refer to the capture of the tower of Antonia<sup>133</sup> which led to the evacuation of Jerusalem by Florus and his men. A manuscript variant, **ש** or **צור** would well fit a description of Antonia.

The removal of the publicans from Jerusalem on the 25th of Sivan (**בזמנו נאסר בנאסר כהנא** -- a variant gives the 21st of Sivan) must refer to the time when the Jews ceased paying tribute. We have observed that this probably happened before Florus' outrages, but Zeitlin<sup>134</sup> assigns it to the time immediately after the departure of Florus. His arguments are not convincing, but they have some probability.

On the 3rd of Tishri, we are told, the mentioning (**בזמנו נאסר בנאסר כהנא**) was removed from the documents. This must refer to the famous dispute in Yadaim<sup>135</sup> between the Galilean Sadducees (the reading here varies between Galilee and Zadoki, but my Mishnah reads Galilee Zadoki) and the Pharisees concerning the mentioning of the name of God in documents alongside that of the

ruler (our Mishnah reads *טלז קטמז בלשמה* which obviously renders the answer of the Pharisees, *טשז בלשמה*, not only an evasion but also unintelligible in the context. The original reading must, therefore, have been *טלז טשז בלשמה* in order to justify the retort of the Pharisees that he committed a like offense. The correct reading is even so an anagram for *טשז* which probably became distorted into its present form, *קטמז*, through a metathesis of the consonants. That this was the correct reading is attested by the Tosarists to *בבא בתרא 162a*, who, although quite confused as to the significance of the whole problem, do state that some Mishnahs read *טשז בלשמה*,<sup>136</sup> It is clear from<sup>137</sup> B. J. 2.8.1. that this anonymous Galilean is none other than Judas who taunted the Jews for recognizing the authority of any but God, His son, Menahem, was one of the early leauers of the revolt, and<sup>138</sup> on 6 Gorpaios, 65 C. E., which according to Zeitlin was the 3rd of Nishri that year, won a victory over the Romans. He then took the opportunity to put into practice the opinions of his father. There was no better way of denying Roman authority than to omit the name of the Roman ruler from Jewish documents, where it had heretofore been placed side by side with that of Jahveh.<sup>139</sup> The memory of such an event would be dear to the liberty loving Zealots, and they, therefore, inserted it in the Megillah.

"On the 22nd of Elul, they began to slay the wicked." This may possibly refer to the passage in Josephus<sup>140</sup> which speaks of the time that Menahem and his men slew those that could not escape to the three towers.<sup>141</sup>

"The 7th of Kislev is a holiday"--a rather curious statement. Zeitlin<sup>142</sup> may be right in connecting this with the victory of the Jews over Gestiis on the 8th of Nisus.<sup>143</sup> The event was so fresh in the minds of the

readers that it could be called a "holiday" without any elaboration.

"On the 28th of Tebet, the congregation sat in judgment." This must refer to the passage in Josephus<sup>144</sup> which speaks of the tribunal called by the Zealots to pass on the charges against Zechariah b. Baruch. Zeitlin<sup>145</sup> takes this same passage to refer to the return of the Sanhedrin to power after the defeat of Vespasian. But the following points may be urged against it. B. J. 4.5.4. implies that there was no legally constituted body in Jerusalem, but that the tribunal was called by a public proclamation and the judges had no real authority. There was not even another governing power in Jerusalem at the time, let alone the Sanhedrin. Furthermore, the best manuscript, P. omits

וְיָ and reads only כְּסֵדֶר, which might well represent such an haphazard tribunal as the Zealots called to condemn Zechariah, whereas it would be wholly out of place if applied to a Sanhedrin. But even if כְּסֵדֶר וְיָ is correct, it would designate a communal meeting or gathering, such as we have alluded to, rather than a Sanhedrin. It is, indeed, quite unlikely that the Sanhedrin ever functioned or could maintain its authority during the War.

"The 12th of Adar is the day of Tiron".<sup>145a</sup> Tiron is a good Greek word meaning, recruit. In view of this and the lack of any good explanations, there is no better reference to such a day than in Dio Cassius,<sup>146</sup> who says some Romans toward the very end of the War became disheartened and adopted Judaism (ΜΕΤΕΒΟΛΕΥΣΑΝ). The passage goes on to say that they became active supporters of the Jewish cause and gave them invaluable assistance during the siege. It seems probable that the Jews should have looked with great favor on such a day and would have incorporated it in their scroll of holidays and victories. This does not necessarily affect our previous suggestion that the Megillah was written by Eleazar b. Ananias and his confrères sometime before 67 C. E. As a matter of fact, this passage might have been interpolated later.

If we do not adopt such a view, we are at a loss to explain the passage.

"On the 17th of Adar the Gentiles rose against the remnants (or refugees) of the rabbis ( ~~4770~~ --Zeitlin translates this, Sepphoris) in the provinces of Chalcis and Bet Zabadin but there came salvation (to the Jews)." These were the attacks made on the Jews throughout Syria by the Greek inhabitants out of sympathy for Cestius after his defeat. <sup>147</sup> Josephus <sup>148</sup> speaks of these attacks which were made to prove the devotion of the inhabitants to the empire.

## VI

Josephus has devoted considerable space to a description of the last days of the siege, but the Talmud passes over this stage of the War with merely a few scattered references, and a general agreement on one point; viz., that the Roman general performed wholesale executions to appease the blood of the murdered Zechariah b. Baruch.

But before the actual seizure of the city and the Temple, a number of signs had appeared both in and outside the city. There appeared in the sky a star resembling a sword and a comet that continued for a whole year. <sup>149</sup>

At the ninth hour of night during the feast of Passover, a great light shone as bright as day. <sup>150</sup> A fanatic, who had proclaimed the doom of the city as early as 62 ( *τὸς ταραγμωτέων τοῦ ἱεροῦ* ), came out again with ever greater and more caustic denunciation, to the utter confusion of the people. In view of the terrors of the Zealots described by Josephus and their eternal vigilance for all opposition, it is almost inconceivable that such a person should have been allowed to wander about the city proclaiming, "Woe, woe to Jerusalem!" But we must remember that by this time the numbers of Zealots had been so thinned out that they had little time to busy themselves with

lunatics. Their time was taken up in defending the city.

It is possible that this prophet of doom was none other than Zechariah b. Baruch of whom the Midrash<sup>151</sup> says, *היה'ל מדבר גדולות*, he began taunting the people. Josephus<sup>152</sup> calls the man a peasant and husbandman (*ἀγροικός*), but John the Baptist, who was certainly considered a prophet, is frequently thus characterized.

With such prophecies of doom we may compare Yoma 59b where Johanan b. Zakkai foretells the destruction of the Temple, and also Gittin 56a which tells of R. Zauok who fasted for forty years before the destruction in order to avert it. That is the version of the story as told in the Talmud, but the fasting bears a close resemblance to the symbolic prophecies of Isaiah and Jeremiah, who would walk barefoot around the city to bring the approaching doom to the attention of the people. It is quite likely that R. Zauok used this means to warn them.

Alongside of these external predictions, there were several biblical verses and "oracular" statements which were either interpreted as forecasting the fall, or misinterpreted as foretelling victory for the Jews. Josephus<sup>153</sup> and Tacitus<sup>154</sup> mention such a verse. It was to the effect that one from their land would conquer and rule the world. Both writers agree that the Jews mis-understood this since it really referred to Vespasian who was first proclaimed emperor by the legions in Palestine (or, according to some accounts, in Egypt). Modern criticism seems unjustly to regard this as a christological prediction.<sup>155</sup>

Another such prediction is given in Josephus,<sup>156</sup> viz., that the city would be destroyed when civil war prevailed therein. There seems to be no rabbinic parallel for this. But, on the other hand, a verse saying that Jerusalem would be either saved or destroyed for Titus<sup>157</sup> does bear a close



resemblance to the verse quoted from Isaiah 10:34<sup>158</sup> to the effect that Jerusalem and the Temple would fall only through the attack of a King. The rabbis identify him with Vespasian. Both passages seem to represent a later reflection on what actually happened. The Talmudic account would, therefore, be dependent on Josephus if there were any relation at all between the two.

These prophecies soon saw fulfillment when, on the 10th of Ab,<sup>159</sup> (Taan. 29a assigns the actual destruction to this day but says the burning was on the 9th), a soldier, contrary to the order of Titus, threw a firebrand into the Temple and started the conflagration. Josephus<sup>160</sup> takes great pains to exonerate Titus of this act and even says<sup>161</sup> that he ordered the burning of the Temple gates only as a last resort. He was intent on preserving the shrine of Israel's God. Graetz<sup>162</sup> accepts this account and assumes that Titus' friendship for Berenice would have hindered him from such a ruthless act. Now, even if we did not have evidence to the contrary, we should have to decide against both Josephus and Graetz. The former was Titus' friend and might be expected to have absolved him from such blame before the Jewish people. Graetz forgets that Berenice's palace had been burned by the Jews and that she was probably alienated from them. Furthermore, the necessities of the case and the practices of warfare would have rendered the destruction of the Temple indispensable. It had been the hotbed of the revolt, and the center of all Zealot activities. Only by its extirpation could Titus hope to prevent another such rebellion in the future.

But these speculations find good support in the Latin writers. Sulpicius Severus<sup>163</sup> says Titus wanted to destroy the Temple in order to extirpate Christianity, for since that religion was the daughter of Judaism, the destruction of the latter's place of worship would bring about the doom of the

former. This is certainly what Graetz<sup>164</sup> calls a monkish reflection on a political question, but that need not affect our using the information. It is to be expected that a monk living many centuries later would put this interpretation on an historical event, but that does not mean that he invented the event. Here, as elsewhere, Sulpicius is undoubtedly dependent on Tacitus, whose history is not complete in this regard.

Orosius,<sup>165</sup> who is largely dependent on Tacitus and Suetonius, agrees in this with Severus but assigns different motives to Titus. The Temple was burned in order to fill out a number, which either must have had some mystical significance or represented a prophecy which we no longer know.<sup>166</sup> Here, again, the original source has disappeared, but there is no reason to question Orosius' account although the reasons he may ascribe to Titus seem fictitious.

After the destruction of the Temple, Titus called together his six generals<sup>167</sup> to see what should be done.<sup>168</sup> After the destruction was complete, only the western wall of Jerusalem was left, as it was spared by Titus.<sup>169</sup> The Midrash<sup>170</sup> tells a similar story. Vespasian called together his generals (this time four in number) to a council and gave to each a quarter of the city to demolish (the Midrash, of course, does not say this but the punishment meted out to Phungar by Titus makes it clear that Titus had given each orders to demolish the city). Amgar (the reading of Super--he is represented as the leader of the four, and it is safe to say that in speaking of him the rabbis had in mind Tiberius Alexander. Amgar is spoken of as a former friend and neighbor of the Jews. The description suits the apostate) spared the western wall and although his disobedience was punished by Titus, the wall was allowed to stand.

Destruction and devastation reigned supreme in Jerusalem and Judea.

The surrounding country, Josephus tell us, was covered with dead bodies and  
171  
arrenched with blood. How well the Talmud remembered the tragedy! In Gittin  
57ab, we are told, the dead bodies filled the rivers and streams up to the sea.  
The wadis were so full of gore that the Gentiles were able to fertilize their  
vineyards with it for many years and produce thriving crops. (This passage os-  
tensibly refers to the Betar massacre, but because of the similarity of details  
to the description in Josephus and because the number of warriors, 80,000, tal-  
lies with the number of priests killed in the Temple when it was destroyed, we  
assign it to the Jewish War. The Talmud had been talking about Betar and as  
the section concerned really begins a new topic, there is no reason to suppose  
that it still refers to Betar.)

In examining several passages which seem to have a bearing on our  
subject, we meet a difficulty. The Talmud ascribes certain events, that are  
supposed to have happened in the year 586, with such vividness and often accu-  
racy of detail, that we cannot help wondering how the rabbis ever remembered  
so far back. We must conclude that many references to Nebuchadnezzar, Nebuzar-  
adan and the first Temple indubitably refer to the second. A notorious example  
of such historical inaccuracy is furnished by Lam. R. 172 Nebuchadnezzar is  
said to have shot an arrow in the name of Rome. 173 But Rome had not yet come  
into existence! If we say, the rabbis were speaking anachronistically, then why  
not also assume that Nebuchadnezzar is an archaism for Vespasian, especially  
since the account here tallies so well with other ostensible references to the  
second Temple? It is a variant account of Gittin 56a which ascribes the  
shooting of the arrow to Nero. Likewise, both Gittin 57b and Sanh. 96b speak  
of the conversion of Nebuzaradan which is also a variant of the same story about  
Nero. In these various accounts, Nebuzaradan and Nebuchadnezzar are used

interchangeably just as we shall see in the case of Nero and Vespasian. In Lam. R.<sup>174</sup> Nebuchadnezzar is mentioned instead of his general because the war was carried on in his name, and although the whole passage refers to the second Temple, the rabbis thought it more appropriate, as long as they were resorting to an anachronism, to do it properly and use the name of the king in whose name the general waged war. Similarly, in Gittin 56b and Sanh. 96b, Nebuzaradan, who is everywhere in such cases used as the equivalent of Vespasian, is mentioned because Nero had already disappeared from the scene and Nebuzaradan (i.e., Vespasian) had become emperor. The conversion of Nebuchadnezzar as told in Lam. R.<sup>175</sup> is almost an exact parallel of the conversion of Nebuzaradan as told in Gittin 57b (and Sanh. 96b). This confusion resulted from the fact that in the case of Babylon the rabbis had only a general and a king to deal with, but in the War they had two kings, Nero and Vespasian (they probably knew nothing of Otho, Galba and Vitellius), to reckon with.

A similar anachronism is related in Taan. 29a (ת"ר). A very accurate account of the destruction of the first Temple--even to the priestly watch on duty--is given, and of the second Temple it is merely said, "Likewise" (וכן כפי שזכרנו). How does it happen that the details coincide so agreeably? How is it that the rabbis, whose memory of happenings in the first Temple must have been very dim, tell what occurred the first time and then apply it to the second Temple instead of doing just the opposite? Here, the Talmud agrees with Josephus<sup>176</sup> in ascribing the burning of both Temples to the same day (9th of Ab--Josephus says the 10th, because he borrowed his account of the first from Jeremiah). The Talmud here also tells how the priests threw themselves into the fire when they saw the Temple burning. Josephus<sup>177</sup> has the same story but does not impute to the priests such lofty, heroic motives. Titus had to tell them it was unbecoming for priests to survive the Temple.

The number of victims in the War is variously reported. Josephus<sup>178</sup> says 1, 100, 000 were killed in Jerusalem alone, and that there had been 2,700,000 there at the beginning of the War. Orosius,<sup>179</sup> quoting Tacitus and Suetonius, regards 600,000 as a more probable number, but he also quotes the figures given by Josephus, only to disregard them, however, in favor of the smaller number. Gittin 57b puts the number at 940,000 for Jerusalem and 2,100,000 for a certain other battlefield ( *17 תלמי* -- as was previously pointed out, this account is given under the events connected with the first Temple. Its connection, however, with the Zechariah b. Baruch incident would alone justify its being placed where we put it). The first number is in about as close agreement with Josephus as we can expect. The second number is probably a reliable estimate of those killed during the War outside of Jerusalem.

The termination of actual fighting and the culmination of the War<sup>180</sup> which was brought about by the capitulation of Masada in the month of Nisan, 181 C. E. 73 brought with them a change of policy in the Roman government. The Jewish property which Titus and Vespasian had seized as war measures was gladly returned to the people. As early as the capture of the second wall, Titus had promised to return to them the possessions and property he had seized, if they would submit to him.<sup>182</sup> Again,<sup>183</sup> he tried to persuade them to desist and promised to restore each unto his own possessions. (Buechler<sup>184</sup> is of the opinion that the wealthy received their land back from Titus, and that many of them, like Josephus, lived outside of Palestine, enjoying only the revenues of the land. This is a likely conjecture inasmuch as Josephus<sup>185</sup> says that Titus ordered the sale of Palestine. This was probably done for a nominal fee with the purpose of restoring the property to the original owners. It would not be surprising if Titus thus favored the rich to the exclusion of the poor, but the

promises ascribed to him by Josephus and the whole Talmudic discussion of this point make it seem likely that Titus kept to his word and showed no favoritism in the matter.) These promises were carried out after the completion of the War, as we gather from Josephus and as we learn explicitly from the Talmud.

Gittin 55b definitely speaks of the restoration of such confiscated property to its lawful owners before the War. During the War it had been confiscated and then the original owners were allowed to buy it back if they had enough money. If not, the property had to remain in the hands of its Roman administrator for twelve months, after which time anyone could buy it by paying an additional fourth of its value to the original owner.

Now, the Talmud does not say that this law applied to the War of 66-70; but its position in the context and certain other reasons which we enumerate below require our assigning it to this time. Derenbourg<sup>186</sup> and Rosenthal<sup>187</sup> do indeed assign it to the Hadrianic persecutions. J. Gittin 47b offers no help to a solution of the problem. As the law is quoted here, it is referred to the time of a Shemad ( שְׁמָד ) which would certainly seem to apply better to the Hadrianic persecution since שְׁמָד refers to a persecution and not a war--and the Jewish War was in no sense such a religious persecution--and שְׁמָד is often used as the general name for that persecution.<sup>188</sup> But we may regard this as an haphazard use of שְׁמָד and in view of more cogent reasons assign it to our War.

<sup>189</sup>  
The Mishnah says there were three stages in the development of this law. The last enactment regarding it was passed during the administration of Rabbi ( ר' קהנא ב"ר ז' ). Rabbi would not have made two different decisions about the same law, so we assume that the second stage in its development ( ש"ל אחרים ) must have been some time before this. What

period or occasion would be more appropriate for us to place such a law than immediately following the Hadrianic persecutions? For the same reason, we should be compelled to assign the first stage in the development of this law to the time immediately following the War of 70. That is, after both Hadrian and Titus had made concessions to the people and decided to restore their property to them (Jerusalem, of course, would have been omitted in the case of Hadrian, for Jews were not allowed to live there after c. 136), the rabbis set to work to devise some practical means of redistributing the confiscated property. The use of <sup>מִשְׁנֵת הַדְּבָרִים</sup> to describe the first stage lends support to this interpretation. It is always used to denote some Mishnaic compilation before the time of Akiba and though this alone does not enable us to date the law accurately, yet coupled with the fact that Josephus speaks of a confiscation of the property and hints about its return, it does permit us to place the origin of the law immediately after the War in 70; i.e., as soon as the rabbis in Jabneh could organize the Academy, etc. <sup>190</sup> Schuerer <sup>191</sup> calls attention to the fact that Titus did not restore the confiscated property, but farmed it out to the tenth legion, <sup>192</sup> and kept it as his own property. <sup>193</sup> This, however, is no difficulty and does not conflict with the Talmudic account. If we understand by the passage that Titus farmed out all his property to the tenth legion, then they were the ones, designated as <sup>מִשְׁנֵת הַדְּבָרִים</sup> in Gittin, from whom the Jews obtained it in turn. But we need not assume that the tenth legion had exclusive rights to Palestine. Titus might have, and probably did, give them land to use for quartering purposes, but it is likely that he returned the greater part of the land to the people in accordance with the assurance he had given them. Furthermore, we might give the statement in Josephus such an interpretation that the difficulty would disappear. Instead of taking <sup>יִשְׂרָאֵל</sup>

ὡς τὴν χώραν φυλάττων to mean he retained  
 it as his private property, we should take it as a distinction which he drew  
 between Palestine and the colonies. The latter were governed by imperial and  
 senatorial administration, but Titus retained Palestine for himself and it was  
 administered under his own supervision. Not only is this a plausible explana-  
 tion, but it even appears more satisfactory. Then we can take ἀποδοῖναι<sup>194</sup>  
 in the sense of "sell" which is its usual meaning instead of giving it the  
 forced interpretation of "farm out".<sup>195</sup> The passage in Vita<sup>196</sup>, likewise, be-  
 comes clear and no contradictions remain, for it would simply mean that Titus  
 left the tenth legion in Palestine to preserve order. That became its home  
 even as Egypt, Gaul, etc. became the homes of other legions.

## VII

Titus, himself, left Palestine shortly after the capitulation of  
 Jerusalem. He arrived in Rome in the year 71 C. E.<sup>197</sup> and had a joint triumph  
 with his father. Both generals received the title of Imperator, but neither  
 received that of Judaeus, a more significant title.<sup>198</sup> In their triumph they  
 carried the utensils which Titus had brought from the Temple,<sup>199</sup> including the  
 menorah and the golden table. The Talmud<sup>200</sup> adds that he took along also the  
 curtain ( אכילת ) and all the holy vessels ( כלי הקדש ).  
 At the end of the triumph, Simon b. Gioras<sup>201</sup> was put to death. Such was the  
 end of the Zealot leader!

Now, the Talmud has some stories about both Titus and Vespasian  
<sup>202</sup>  
 which bear further scrutiny. It is related that when Titus entered the  
 Temple after its destruction, he took two zonot with him and on a Sefer Torah  
 before the altar committed romication. What an ignominious deed for the heir  
 apparent of the Roman empire! Did the Talmud actually believe Titus capable of



such vulgarity? There seems here to be an allusion to the general reputation of the prince. It is known that he was a debauched profligate of the worst sort while he was a prince, and became sober only when the affairs of state compelled him; i.e., when he became emperor.<sup>203</sup> The Talmud may have had reference to his private character, but it is more likely that the rabbis were wrought up over something else.

Titus lived in Rome with Berenice, sister of Agrippa and former queen of the Jews. She was his consort and concubine, and expected to become his wife. But Titus had to sacrifice his private desires to state policy and reluctantly he dismissed Berenice from Rome.<sup>204</sup> It was bad enough that he had thus desecrated the Jewish name by living in adultery with her. It was even worse that he let her go in this fashion.

Since, therefore, it is legitimate to interpret like in terms of like, we may use a Midrashic method in explaining the Talmudic passage. Much though the rabbis may have disliked Berenice, she still represented for them the Jewish people and its good name before Rome. Titus' relations to her were therefore considered a defilement of the land of Israel, which they spoke of in this case as the Sefer Torah. It is in this metaphorical way that the rabbis expressed their protest against all similar laxity in marital relations and particularly in this instance.

The loose usage of the titles of Caesar, king and emperor in Josephus has led many to think that Josephus was inculging in wholesale adulation of his patrons. This, however, is not true. Titus, for instance, is given these titles frequently in Josephus after the third book and Vespasian is, of course, subject to this honor even oftener. Likewise, the Midrash and Talmud confer these titles on them. In Gittin et al., Johanan addresses Vespasian as

king ( *מלך* ). Of course, the Talmud offers an elaborate explanation of this, but it is wholly unnecessary. It was a usual form of address to men in such a position. Domitian, Tacitus tells us, <sup>205</sup> was acclaimed Caesar by his soldiers. As this occurred long before the accession of Domitian, and as Tacitus is certainly not guilty of such sycophancy--as his description of Domitian everywhere brings out--we must conclude that these titles were not loosely conferred upon Titus and Vespasian by Josephus and the rabbis, but that they were mere expressions of high esteem and unusual honor.

We now come to a point which has bothered many historians of the period and passed over by others as mere groundless legend. Gittin 56a says that during the War--and presumably just before the destruction of Jerusalem--Nero became convinced of the futility of his attempts to conquer Jerusalem and became a proselyte. We have already seen that this is only a variant, although the original, of the same story about both Nebuchadnezzar and Nebuzaradan. It is, indeed, strange that the rabbis should have let their fancy wander so far afield. We may set it down as a general rule that though the rabbis had no historical instinct and in historical matters were guilty of endless confusion, they never consciously distorted facts or perverted history. What, then, is the explanation of this curious notice?

As we have seen in the case of Nebuchadnezzar and Nebuzaradan, the name of the king or emperor is often used for the general who actually carries on the war in his master's name. The imperial standard thus receive the ultimate credit for all victories and achievements. Nero, therefore, can here stand only for Vespasian who directed the early conduct of the War. This becomes clearer when we look a few lines lower and find that Vespasian took charge of affairs. But here Vespasian stands for Titus. The rabbis here regarded

Vespasian as the actual conqueror ( *זר עזק תלת טני* ). But we know this to be false (and the rabbis, themselves were aware of it<sup>206</sup>). Titus was the last general to be appointed for the management of the War and Vespasian came immediately before him. Furthermore, the same language is used to describe the appointment of both Titus and Vespasian (in the former case *סדרה עליוהו* and for Vespasian *סדר עליוהו לגיון* --the use of the suffix with *סדר* for Vespasian is an insignificant variation and may be ascribed to a scribe). The Talmud here means that Nero was first sent against Jerusalem and he was followed by Vespasian. This is impossible for Nero did all the military appointing and there was none higher than he to give him such an assignment. The use of *סדר* and *עליוהו* also implies that a general from outside was employed to assume control of the situation and it could, therefore, not refer either to Florus or Gesti, the two predecessors of Vespasian.<sup>207</sup> In view of this, it becomes clear that what they meant was as follows: Nero appointed Vespasian as general to conduct the War and when he became emperor Titus was left there to conclude the siege ( *סדרה עליוהו לצססניוס* ). Nero was used for Vespasian and the latter for Titus. By the conversion of Nero, the rabbis, therefore, refer to a conversion of Vespasian. This is, undoubtedly, a confused allusion to the love affair of Titus for Berenice,<sup>208</sup> which the rabbis had ever present in their memory.

They, perhaps, overstep the privileges of even legendary history when they derive R. Meier from this conversion of Nero. It is indeed possible that R. Meier did descend from Titus and Berenice, but there is a simpler explanation of this passage. Once they had confused Vespasian or Titus and Nero, it was only another step to derive Meier's origin from him because of the etymological meaning of both Meier and Nero (i.e., as it appears in Hebrew).

This interpretation of the Talmudic passage is borne out by  
Suetonius.<sup>209</sup> It is there stated that when Vespasian reached Mount Carmel, he  
consulted an oracle as to the outcome of the War. Rashi tells us<sup>210</sup> that that  
was the significance of the arrows which Nero shot: **לְקַדְּשׁוֹם קֶסֶם כְּטִי' הָ סוּמָךְ לִירוּשָׁלַם**.  
He wanted to learn if the outcome of the War would be favorable to him. It is  
interesting to see that Rashi here preserves an accuracy of tradition usually  
unobtainable by him. In using **סוּמָךְ**, he shows us that it was not merely  
outside of Jerusalem that Vespasian did this, but on his march southward when  
he came to take charge of Roman affairs in Palestine. This, coupled with that  
fact that in both places<sup>211</sup> Vespasian is said to have consulted the oracle,  
proves conclusively that Vespasian must be understood for Nero where the latter  
is used in the passage in Gittin. (It was, of course, natural for all generals  
to consult the oracle before wars and even battles, but in the whole Jewish  
War we hear of it only in these two cases. This coincidence alone justifies our  
conclusion. This reconstruction of the passage makes the conjecture of one  
scholar wholly unnecessary, who is of the opinion that Nero is a mistake for  
Nikanor,<sup>212</sup> who is thought by him to have become a convert. But Josephus says  
nothing to this effect.) It is in view of this that we can understand the same  
story when told of Nebuchadnezzar and Nebuzaradan. They are but variants of  
Vespasian of whom the original conversion is related.

#### VIII

Let us now turn back to an incident which had no place in the pre-  
ceding discussion. We are all familiar with the story in Gittin<sup>213</sup> of the  
dramatic exit of Johanan b. Zakkai, his prophecy of the good fortune of Vespasian  
and his subsequent reward by him. The historicity of this account has been

disputed on the ground that Vespasian never besieged Jerusalem and that Johanan could not have come into such intimate association with him, and that his exit from Jerusalem is altogether too dramatic to admit of probability. We can immediately dispense with the last objection. The Talmud does often clothe historical facts in a mythical setting. To the first two we can answer that Vespasian was in the act of preparing for the siege of Jerusalem when he heard of Nero's death.<sup>214</sup> Johanan might have effected an escape from the city and made overtures to Vespasian to help him save the remnants of scholarship. (We learn from Pesach 26a that Johanan had been a prominent teacher before the destruction of the Temple and it was, therefore, up to him to procure such a favor.) But the Talmud does not say Johanan met Vespasian just outside of Jerusalem.<sup>215</sup> It says כִּי רָמַט לְהָתָם, "when he reached that place".<sup>216</sup> He might have gone to meet the general while he was still in Galilee and under such circumstances it is likely that Vespasian would have received him well, since he was already known to the Romans as the leader of the peace party.<sup>217</sup> At such a time, Johanan might have delivered to Vespasian his prophecy or his accession to the throne (such prophecies were common in antiquity. Schuerer<sup>218</sup> gives a mass of literature and parallel sources for such prophecies). At this time, it would have been possible for Johanan to leave the city, for in the early stages of the War the Zealots and Sicarii had not become so powerful and vigilant. Thus, we find that, from purely internal evidence, the Talmudic report is at least plausible. It can withstand the test of all accurate historical analysis. (We may, indeed, question the Talmudic exaggeration that Vespasian gave Johanan Jabneh. We learn from Josephus<sup>219</sup> that Jabneh had gone over to the Romans as early as 66 or 67 and that the peace party was in the majority and very sympathetic with Rome. Gittin 56b also tells us that Jabneh had a well

established school (תלמידי בית החכמים). The probability is that Vespasian bestowed some significant favor on Johanan because of his peace activities, and because of his imperial patronage and great scholarship Johanan was accepted in Jabneh after the War as the leader of the school and, perhaps, even the Nasi, until a reorganization was effected.)

Still we find in Josephus<sup>220</sup> a similar forecasting of Vespasian's good fortune. The details tally in more ways than one and it may be that the rabbis simply ascribed the prophecy to Johanan because of their prejudice in his favor and their utter dislike of Josephus. This seems obvious from the fact that two such similar prophecies would not have been delivered by two such prominent Jews concerning the same event. The weight of probability is against it. So we must conclude either that both Johanan and Josephus delivered these prophecies, or that Josephus was a liar, or that the rabbis ascribed to Johanan more than was his due. We have given up the first conjecture. The second is wholly unlikely since the Latin writers are almost unanimous in ascribing such a prophecy to Josephus. Dio Cassius<sup>221</sup> gives a direct quotation from Josephus which we no longer possess:

וַיֵּן מֵעַם שְׂוֹעִים, מֵעַם  
ἐν αὐτῷ δὲ λύσεις αὐτοκράτωρ γενόμενος

<sup>222</sup>  
Suetonius confirms the quotation delivered by Josephus: et unus ex-nobilibus captivis Josephus, cum coieretur in vincula, constantissime asseveravit fore ut ab eodem brevi solveretur (this reminds us of the passage in Dio) verum iam imperatore. In slightly different form, the same passage is quoted in Orosius<sup>223</sup> who says that the legions urged Vespasian to become emperor and the most insistent of these was Josephus who was then in chains. This seems to be (although Orosius himself mentions it in the name of Suetonius) the original of

all the prophetic claims advanced by Josephus. It is, indeed, plausible that Josephus was very urgent on Vespasian when the legions wanted him to become emperor, and that Josephus later exaggerated or misconstrued this into a prophecy, whereas we moderns have to exercise our ingenuity and imagination to a considerable extent to believe that such a prophecy was delivered immediately after the fall of Jotapata. All the evidence is thus definitely confirmatory of the truth of Josephus' claims to prophecy or prediction or foresight or whatever we call it.

As for Johanan, we may look to Ab d R N IV for a more probable account of his fate. He remained in the city until its fall and was suitably rewarded by Vespasian for his steadfastness to Rome. In view of this, we better understand the words in Gittin 56b ( לֹא שׁוֹכֵן בּוֹן לְאֶחָד מֵהֶם ) which would be more or less unintelligible if Johanan really left the city. If he actually waited to escape and meet Vespasian until the latter was preparing for the siege, he would have been prevented by the Zealots from carrying out his ruse. Abba Sikra and the Zealot vigilantes would never have permitted this and his escape in spite of them would have been impossible as Josephus himself tell us.<sup>224</sup> But the rabbis remembered the Jewish prediction of Vespasian's future and ascribed it to Johanan who stood out before them as the hero of the whole War.

Shortly after the delivery of this prophecy--or whatever we decide upon regarding it--Vespasian himself found occasion to realize a cherished ambition and become emperor. Different writers naturally place different interpretations on his conduct at this critical moment and we can but choose between them. Tacitus<sup>225</sup> says Berenice used her influence to help him realize his aspirations (sic! Josephus represents it as having been forced upon him; but his testimony is not altogether reliable in view of the fact that he was deeply

indebted to the whole Flavian family) and won his favor by giving him rich gifts. Dio Cassius<sup>226</sup> definitely confirms the testimony of Tacitus, saying, however, that he did nothing to achieve his aim until Nicianus (as per Josephus) urged him to take the crown but that he had before that had aspirations of his own, and was wondering what to do when he heard of Galba's death and the subsequent disorders in Rome. Zonaras<sup>227</sup> is not so generous to Vespasian and accuses him of setting out to Rome immediately when he heard of the revolt of Otho and Vitellius. He had hopes of joining the struggle, coming out victorious, and winning the crown. This does, indeed, seem more consonant with what we know of the behavior of Roman generals in such instances, but in view of the priority of both Tacitus and Dio<sup>228</sup> we must decide in favor of their accounts, not that they present Vespasian in a more favorable light, but because they ought to represent a more original tradition.

## IX

There remain just a few individual facts which have a bearing on our subject, and which we must consider before bringing it to a close. A war of Titus is mentioned in Sotah 49a (Mishnah: פולמוס טיטוס). This is recognized as a corruption of פולמוס קיטוס; i.e., the war of L. Quietus who lived and fought against the Jews under Trajan. J. Sotah 24 bc<sup>229</sup> says it was eighty years from the war of Asverus to that of Vespasian. This is approximately correct, if we assume, with Graetz, that Asverus is a corruption for Varrus who in 4 B. C. suppressed a revolt.<sup>230</sup> This gives us seventy-four years. It is further stated that twenty-four<sup>231</sup> years elapsed between the wars of Vespasian and Quietus (which we emended for פולמוס טיטוס). This is an obvious error for 11" which most texts now read.<sup>232</sup> If we begin the



reckoning with the opening of the War in 66, we have 116 as the date of the war of Quirinus. This is approximately accurate. Trajan began the conflict about 113 and it lasted until his death in 117, and continued into the reign of Hadrian when it was soon quelled, only to break out again<sup>235</sup> under Bar Kochba in 132-3. Thus, if we make slight allowances for the peculiar methods of Jewish calculation and of counting the number of years, we find that the statements of J. Sotah and Seder Olam are not amiss as is generally supposed.

We find several correspondences between the Jewish sources and Josephus in regard to the trickery of the Jews. Josephus<sup>234</sup> tells how the Jews got the Roman soldiers between the towers and slew many and, again, how they got them into the cloister and there set fire to it and burned them. Y. Taan 69b tells of still another stunt. The Jews made the Romans thirsty by giving them salted food ( מלוחים ) and to quench their thirst they drank from some wineskins filled with air which the Jews had offered them. This caused them to choke ( ישיב ליה גו פוצץ הוה רוחא בפק והוה חנק ליה ). The tales do not tally, but it is interesting to note that the rabbis had some recollection of the pranks played by the Jews on the Romans.

Josephus<sup>235</sup> gives a short remark which has a world of importance for our theological knowledge, but which we cannot elucidate, because of insufficient data and lack of elaboration in the passage. It is there stated that Jahveh had taken up his abode in Italy. Coming as this does from one of the most civilized and intellectual Jews of his time, this statement of the localization of the deity cannot fail to impress us with the primitive turn of Jewish mind even at that date. It would be unfair to argue here that Josephus was merely sycophanting to Rome. He was far too ardent and zealous a Jewish theologian and spirit to allow his political biases to encroach on his theological beliefs.

In B. J. 6.2.4. it is stated that the Jews had rights of capital punishment under Roman rule (οὐκ ἦμεῖς δὲ τοὺς ὑπερβαίντας ἡμῶν ἀναφέρειν ἐπέτρεψαμεν καὶ Ρωμαῖοις). This is, indeed, strange in view of our general understanding of the general Jewish history under the Roman protectorate, but we have no reason to question such an explicit statement.

In B. J. 5.2.1. and 6.2.2. the city of Gophna is mentioned. It also occurs in J. Taan. 69a.

Schuerer<sup>286</sup> quotes what he considers a spurious inscription of Titus, which speaks of several generals before Vespasian and Titus, and calls Jerusalem a city, intemotatan omnibus ducibus ante se aut frustra petitam aut omino. This inscription may be spurious, but it contains a reliable tradition and is closely related to the passages previously quoted from Ab d R N שִׂיחוֹ לְפָנָיו שֶׁל טִיטוֹס. The latter has generally been taken to mean Florus and Gestius, and it is these two whom Titus or his forger probably had in mind when writing omnibus ducibus.....aut frustra.....aut omino.

We have seen that it is possible to establish an approximate date for the composition of the Greek and Latin sources, but we are utterly lost when trying to give an accurate, or even approximate, date for the Talmudic accounts except, of course, by ascribing the process of their origin, development and composition to the years 70-500.

We have seen many close resemblances between Josephus and the Talmudic accounts. They were, undoubtedly, interdependent. Josephus displays an uncanny knowledge of Jewish history, tradition, myth, and folk lore; and he even shows a familiarity with the halacha, in many cases of which he is at

variance with the Talmud. But his acquaintance with the Midrashic methods of the rabbis is, perhaps, even more striking because we should not expect to find it in him. In fact, the whole fourth section of the sixth book of B. J. ch. 5, reads like an extract from any rabbinical Midrash. The interpretation of the biblical verses could not be more rabbinical, and he certainly must either have borrowed it from the rabbis or must have been so saturated with Jewish teaching as to be responsible for it himself. In view of this, we cannot wonder that Josephus and the Talmud are so often in agreement--and though there may be superficial discrepancies and apparent contradictions, a critical analysis of the Talmud documents will often remove these and show that the two are ultimately in concord and harmony. It is only natural that the lapse of years between the happenings recorded in Josephus and the writing down of the rabbinical traditions should have dimmed the memory of the rabbis so as to introduce into their reports confusion and inaccuracy. But remembering that, after all, the rabbis were moralists, preachers and theologians and not historians, we can overlook all their deficiencies with a smile and thank them for having handed down to us what would otherwise appear dry, historical facts, clothed in a spirit that makes them interesting and written down in the life-blood of their rich experiences.

The Commedia di Dante

# N C T E S

1. B. J. 3.2.4.
2. Ibid, 4.8.1.
3. Gittin 56b-71. from t.
4. אמר ליה לקיסר מרדו בך יהודא... צבותנותו של ר' זכריה החריבה  
top of page צת ביהנו
5. B. J. 2.17.1.
6. Ibid, 4.4.1; v. infra.
7. Gittin 56a et al.
8. ed. Buber 142 ff.
9. Lam. R. ib.
10. B. J. 2.17.2.
11. ib.
12. e.g. Gittin 56a, Lam. R. 4<sup>2</sup>.
13. B. J. ib.
14. Ibid, 4.4.1.
15. Gittin and Lam. R. ib.
16. Gittin ib.
17. B. J. ib.
18. v. inf.
19. Note 27.
20. v. inf.
21. Shab. 13 b sq.
22. B. J. 2.14.6-9; 2.15.1.
23. v. Schuerer I, 2 p. 208.
24. Hist. 5.10.
25. B. J. 5.9.4.
26. Ibid, 2.16.5.

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27. עמוד ז' ג.פ. דברי מלכי בית שני.
28. B. J. 2.17.6.
29. op. cit.
30. פריצים . This word seems to represent an early tradition and may be regarded with בריוני of Gittin 56 et al as the word which most accurately describes the group labelled by Josephus as Zealots and Sicarii. Graetz is of the opinion that קנאים used in Ab d R. N. VI better preserves the details, but this is in no wise certain. Of course, קנאים is a translation of Ζηλωτες of Josephus or vice versa; but whereas the latter may represent for Josephus a picture of what happened, the rabois of the peace party must have given the fanatics a more opprobrious appellation than קנאים which, after all, does convey a subtly favorable impression. It seems, therefore, that the other accounts which speak of the war party as בריוני or פריצים give a better description of conditions at the time. Certainly, the depredations of Simon b. Giora can be called by no other name than פריצות . These names are also more in harmony with the spirit of the time, because they have no theological prejudices inherent in them, whereas קנאים --it may not have been so to the rabbis, however--certainly conveys a certain theological impression and bias which is distasteful to modern ears, although it may have been pleasing to the Jews of the War.
31. B. J. 2.17.6.
32. l.c.
33. It is also to be noticed that in B. J. 7.6.7. Eleazer b. Simon, leader of the Zealots, exonerates the Romans of having caused the War and lays the blame partly on the Jews and partly on the Greek peoples with whom they were living

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in the various cities, like Damascus, Caesarea, etc.

34. It is to be noted that as far as we can discern the Talmud does not concern itself with the happenings in Galilee, Perea, etc.

35. B. J. 2.17.2.

36. Ibid, 2.17.8.

37. Ibid, 5.1.2 e.g.

38. Mt. 18.2.2. and 20.9.3.

39. Shab. 13b.

40. v. Jost 440.

41. The commentary of Habbenu Hananel ad loc. has the fuller reading, b. Gorion, which is better.

42. His son, Eleazer, is mentioned in two other places in the literature, Semakot vi and Sifre נשח (Friedmann 126b).

43. The reading φαλέκου is inferior and is given by only one manuscript. It is due to a secondary reading ἀφεκαλλει, from which the α dropped, so that the corruption to φαλέκου came as a result of the metathesis of the κ and λ. The superior reading which is attested by the most reliable manuscripts, leaves no doubt in our mind as to the identification of this Zechariah b. Amphikallis and Zechariah b. Abkulos of Gittin 56 et al. The variant of this name as given by Zuckermandel in Tos. Shab. XVII, 6 is οὐβιρ'יצ which is simply another form of οὐβιρ'יצ (also found in Tal. - v. Jastrow - ad. loc.) which is also a variant given by Niese for ἀμφικαλλει (B. J. l.c.). That ו and ז were commonly interchanged is attested by numerous examples. It is also natural that the μ of the Greek dropped out in the Hebrew for euphonic reasons. This identification of Amphikallis and Abkulos was suggested by Jost 444<sup>2</sup> and accepted by Graetz 386<sup>3</sup> but neither was aware of the manuscript readings.

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They knew of him only as *Ιεραρίας υἱὸς φαλέκου*

44. B. J. 4.4.1.

45. The other readings are given in Buber, Lam. R. IV, 3.

46. Tos. Shab. XVI, 7 - he acted neither according to Bet Hillel nor Bet Shammai but probably as a Zealot. Lam. R. (ib) gives a somewhat fuller account of the same story about him that we find in Gittin 56a.

47. Gittin ib.

48. IV, 3 וְהָיָה סִבְקָבִידוֹ לַמַּחֲמֵה וּלְצִמְחָה.

49. Gittin, 55b אֶקְמָצָא וְכִי קָמָצָא חֲרִיב יְרוּשָׁלַיִם.

50. אֵיכּוֹל בֵּית קִירְזֶהוּן or the accounts is translated by Rashi as אֶחָד מֵעֵינֵי.

51. Vita 9.

52. Jos. ib., ie., his brother Krispos was eparch of Agrippa.

53. 386, 371.

54. Gittin 56a.

55. Lam. R. 1<sup>51</sup>.

56. as in Gittin.

57. e.g., Gittin 56a - אֶחָד מֵעֵינֵי הָיָה.

58. We have heretofore assumed that אֶחָד מֵעֵינֵי and אֶקְמָצָא are identical. This becomes especially clear from our present discussion. And, aside from the fact that the representations of them are everywhere the same even to minute details, and that both are also called sororal nephews of Johanon b. Zakkai, we have conclusive proof of their identification in the interchangeable use of their names in Lam. R. 1<sup>51</sup>, ed. Buber.

59. ed. Buber.

60. Lan. R. ad loc.

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61. B. J. 4.7.2.; 5.1.4.; 7.3.1.
62. I, 2 p. 232<sup>n.73</sup>.
63. Whose name also occurs *Mid O. LXXI*, 7 and *Tac. Hist. V*, 12.
64. *Vita* 9.
65. *Erech Millin* 257 .
66. B. J. 2.4.3.
67. *Ib.*
68. *Amst.* 1711, p. 2, .
69. B. J. 4.5.4.
70. *Matth.* 23:35.
71. For the whole literature on the subject and its relation to the question before us, v. *Strack* v. *Billerbeck*, *Jomm.* ad. loc.
72. *Schuerer* denies this, I, 2 p. 229<sup>n.62</sup>, for no reason whatsoever. He is probably of the opinion that the N. T. account must be contemporary with its apostolic authors and, therefore, could not speak of something which happened prior to the War.
73. *J. Taan.* 69a says he was killed in the לְעֵזֶר הַכֹּהֲנִים which is not the precise location given in *Matth.*, but we must remember that the story was fresher in the memory of the Gospel author. The rabbis may have tried to make the crime appear more severe by referring it to the Priestly Court. But it is sufficient to note that both accounts place it in the Temple. The rabbis, however, may have had some recollection of the story in *Matth.*, for they ask whether the crime was committed in the Court of Israel or in the Court of Women, which was approximately located between the Temple and the altar, as in *Matth.* *Josephus*, however, is more in agreement with the *Talmud* in placing it in the middle of the Temple.



## NOTES

74. Pesik. 23.
75. et al.
76. B. J. 6.3.4.
76. B. J. 6.3.4.
77. cf. e.g., B. J. 5.1.4.; 4.13.6-7; 5.12.3-4; 6.3.3.
78. Ab d R N VI.
79. ib. and Gittin 56a.
80. B. J. 5.13.4.
81. For further information and parallel sources, v. Schuerer I, 2p. 241<sup>nl02</sup>.
82. Gittin 56a et al.
83. Hist. V, 12 ap. Graetz 397<sup>47</sup>.
84. Gittin 56a et al.--they were Nikodemus b. Gorion, b. Kalba Sabua and b. Tsitsis Hakeset.
85. B. J. 5.1.4.
86. In connection with John of Gischala of whom so many dark crimes are related in Josephus of which not the least is the burning of the storehouses, it is worthy to note that he was an old friend of Simon b. Gamliel, who in one particular instance was ready to follow his advice in a dangerous situation. Now Graetz (362) takes this passage from Josephus (Vita 38) to prove that John was really not as bad as he is represented. Perhaps! But if he were the leader of the Zealots and his party were reduced to such extremities, it is only natural that he should have resorted to such atrocities. They are to be expected in war. Furthermore, his friendship with Simon b. Gamliel proves nothing to this effect. On the contrary, the passage in Josephus seems to say that Simon was easily influenced by the revolutionary propaganda and were it not for the superior and cooler judgment of Ananias, would have committed himself to the error of taking the command of Galilee from Josephus. We

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must here agree with Josephus that such a procedure would have hastened the advent of the calamity.

87. LVI, 4.

88. B. J. 5.1.3.

89. 390.

90. v. sup.

91. 398<sup>51</sup>.

92. Hist. V, 12.

93. B. J. 5.13.7.

94. Gittin 56a.

95. B. J. 6.2.2. et al.

97. equal to July 70 A. D., according to Schuerer, I, 2p. 212<sup>n108</sup>.

98. B. J. 6.2.1.

99. ib.

100. 400<sup>67</sup>.

101. Ketub. II, 9.

102. Graetz, 384<sup>6</sup>.

103. ib.

104. B. J. 7.8.1.

105. Gittin.

106. Sefer Hakabbalah.

107. *יד מלכי ז'א שג' .*

108. Ab d R. N.

109. This "appellatio post eventum" may have been influenced by B. J. 7.8.1. which speaks of their advocacy of the rule of God to the exclusion of all others.

110. e.g., Shab. 13b-17a.

111. v. Weis, *Das I*, 186.

112. Shab. 1.c.
113. Who was probably a son of the Zealot, Hezekiah, killed by Herod--v. Ant.
14. 9.2.-3.
114. According to Jost 437, Eleazer b. Hananiah was instrumental in calling this meeting.
115. Shab. 17a.
116. For the whole list, v. Shab. 1.c. and Weiss, op. cit. 195.
117. 1.c.
118. To the Baraita, Shab. 153b.
119. Hananel and Nissim, ad. loc., are at least in more accord with the general Talmudic use of ב'י' ב'י' ב'י' when they refer these opinions of Joshua and Eliezer to the assumption of the presidency by Eleazer b. Azariah; but Rashi likewise was aware of this use of ב'י' ב'י' ב'י'. His ascription of it to the eighteen decrees is therefore all the more convincing.
120. The opinion given above practically coincides with that of Graetz, 5, III, n. 26, who places the passage of the decrees during the revolt. My reasons are slightly different. Weiss (loc. I, 190), on the other hand, says they were enacted during the patriarchate of Simon b. Gamliel. His reasons, however, are not convincing. For additional literature on the subject of the eighteen decrees, v. Lerner, Magazin für Gesch. u. Wissenschaft vol. 9-10, and Zeitlin, R. E. J. 1914, who follows Graetz.
121. Megillat Taanit.
122. Shab. 13b.
123. 440.
124. חגיגה ב' חזקיהו וסיעתו or, according to the fuller and better reading given in Hananel ad loc., חגיגה ב' חזקיהו בן גרין וסיעתו.
125. So Jost 1. c.

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126. I, 2p. 212<sup>n10</sup>.
127. B. J. 2.17.10.
128. Zeitlin, 94f.
129. B. J. 2.17.18.
130. Zeitlin ib. also quotes it from Graetz.
131. B. J. 2.17.5.
132. 91 f.
133. B. J. 2.15.6.
134. 93.
135. IV, 8.
136. v. Zeitlin 99<sup>n269</sup>.
137. ap. Zeitlin 99.
138. B. J. 2.17.8.
139. For whole discussion of the Megillah passage, v. Zeitlin 97 ff.
140. B. J. 2.17.8.
141. v. Zeitlin 96.
142. 100 f.
143. B. J. 2.19.9.
144. B. J. 4.5.4.
145. 105.
- 145a. For the various theories on this word and passage, v. Zeitlin 108.
146. 65.5.4.
147. v. Zeitlin 112 f.
148. B. J. 2.20.2. and Vita, 6.
149. B. J. 6.5.3.
150. ib.
151. Lam. R. Pesik. 23.

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152. ib.

153. B. J. 6.5.4.

155. v. e.g. Murphy's Tacitus, p. 504, n. 6.

154. Hist. 5. 13.

156. B. J. 4.6.3.

157. B. J. 5.9.2.

158. Gittin 56b.

159. B. J. 6.4.5.

160. ib.

161. B. J. 6.4.2.

162. 405<sup>1</sup>.

163. ap. Schuerer, I, 2 p. 244<sup>n.115</sup>.

164. ib.

165. 7.9.5-6.

166. The passage is: Itaque Titus, imperator ab exercitu pronuntiatus, templum in Hierosolymis incendit ac diruit, quod a die conditionis primae usque ad diem eversionis ultimae manserat annis mille centum et duobus. So, Orosius evidently believed Solomon built the Temple in 1032.

167. The leader of whom was Tiberius Alexander, the nephew of Philo--B. J. 4.10.6; 5.1.6.

168. B. J. 6.4.3.

169. B. J. 7.1.1.

170. Lam. R. 1<sup>31</sup>.

171. B. J. 3.9.3.; 3.10.9.

172. Pesik 23.

173. לשמה של רומי --the variant of this quoted in suber, au  
 זורק הקץ לשם ג'טיוכ'א א' לשם צור או לשם לוקי'א loc., is

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and does not allay the difficulty since Nebuchadnezzar knew no more of Laodicea and Antioch than he did of Rome.

174. 1b.
175. Pesik. 23.
176. B. J. 6.4.5.
177. B. J. 6.5.1.
178. B. J. 6.9.3.
179. 7.9.7.
180. B. J. 7.8.1-7; 9.1-2; 7.7.1; Tac. Hist. II, 79.
181. v. Schuerer, I, 2, p. 255<sup>n</sup>. 125.
182. B. J. 5.8.1--
183. B. J. 6.2.2.
184. Econ. Cond. 8.
185. B. J. 7.6.6.
186. Essai, Note XII, p. 475 f.
187. Monatsschrift, 37 pp. 106, 57-63, 105-110.
188. A parallel to this passage is found in J. Ketub. 2bc.
189. 1. c.
190. The name of the law as it occurs in the Talmud affords an interesting study in etymology. Graetz and others were led, following Rashi ad loc., to ascribe the origin of the name to the Sicarii as described in Josephus (e.g. B. J. 2.13.2-3, 17.6; 4.7.2; 7.8.1; 7.9.1). Rashi and Graetz thought that the Jews were compelled by the robbers to hand their property over to them in order to save their lives ( *כיוצא שנתן לו שירא קרקע* ) and that after the war they got it back. This explanation is unlikely since the court and original owners would not have labelled the property as Sikarikon and thus given it and the confiscator an opprobrious appellation when they

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were desirous of recovering it. Jastrow is of the opinion that Sikarikon is a metathetical disguise for Kaisarikon, meaning, of course, that the property had been seized by Titus and made a part of the royal domain. This suggestion offers no improvement over that of Graetz since it is difficult to conceive why the rabbis should have disguised something which had the good will of the emperor connected with it. Superior to both of these suggestions is the etymology offered by Feist (Monatsschrift 71) who derives it from *συγκρίνω* or *συγκρίσις*, a word in use in the legal parlance of that time for precisely that purpose. Furthermore, his contention that Latin words, although used by the people in their speech, never became a part of the Jewish legal terminology is quite well taken. Feist would, therefore, vocalize the word *קריס*, the equivalent of the perfect participle, *συγκρικισ*, which by the laws of phonetics would readily give *קריס* in Hebrew.

191. I. 2. p. 253<sup>nl37</sup>.

192. Vita 76.

193. B. J. 7.6.6.

194. l.c.

195. Schuerer l.c.

196. 76.

197. Schuerer, I, 2, p. 249.

198. Dio. O. LXV, 7.2.

199. B. J. 7.5.5.

200. Gittin 56b.

201. B. J. 7.5.6.

202. Gittin 56b. Lam. R. 5<sup>8</sup> furnishes a parallel to this.

203. Murphy's Tacitus 521.

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204. Beronice ab urbe dimisit, invitus invitam, Tac. l. c.
205. Hist. III, 86.
206. cf. Gittin 56b.
207. cf. Ab d R. N. IV-- כָּשֶׁם שִׁיבָאָה עַל שְׁנֵי רֵשׁוֹנִים שֶׁהָם לִבְנִים.
208. For the story of their relations, v. Juvenal, Satires VI and Tac. Hist. II, 2.
209. Vesp. 5.6.
210. Gittin 56a.
211. Suet. l.c. and Gittin l.c.
212. B. J. 5.6.3.
213. 56 ab.
214. B. J. 4.9.
215. This, however, is to be gathered from the remark of Vespasian, Gittin 56b, מִיֵּזֵל אֶת־לֵבָא וְאֵינוֹס אַחֲרֵיהּ מִסְדְּרָא.
216. Gittin 56a.
217. Ab d R N IV.
218. I, 2, p. 223<sup>n.41</sup>.
219. cf. Quechler 4, 6; and Graetz 385.
220. B. J. 3.8.9.
221. LXVI, 1 f.
222. 7.9.3.
223. Vesp. 5.6.
224. B. J. 4.9.3, 5, 10, 11.
225. Hist. II, 59-60--v. Graetz 396<sup>1</sup>.
226. LXIV, 8.3.
227. ap. Dio O. p. 252.
228. Zonaras lived in the twelfth century.



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229. Taken from Seder Olam R. ch. 30.

230. B. J. 2.5.1-3; Ant. 17.10.9-11.

231. A variant, fifty-two, occurs in modern texts, but the Amst. 1711 ed. which  
I am using has <sup>75</sup> .

232. Some scholars disregard this important variant and accept the inferior  
reading for reasons that I cannot ascertain.

233. Seder Olam R. says sixteen years later.

234. B. J. 5.3.3; 6.3.3.

235. B. J. 5.9.3.

236. I, 2, p. 249 f.<sup>n.128</sup> .