**Was there an “Hour of Destruction”**

**[a] The Hour of Destruction and Roman Policy**

The period of destruction, which stretched from the *Bar Kokhba* rebellion until Hadrian’s death in 138, left no impression outside Talmudic literature. It did, however, become an established fact in the historiography of the time.[[1]](#footnote-1) Rome was not satisfied with squashing the rebellion and destroying the cities of Judea; it sought to completely uproot the Jewish religion. This picture arises by taking together several groups of source types. In the first and main type of sources are the Jewish scholars of the period, who made mention of the danger involved in fulfilling certain mitzvot. A second type of sources depicts the killing of scholars and others as a result of having performed these religious commandments. A third type includes references to the hour of destruction and that generation, which shows how the kingdom of the time enslaved Israel, forced the Jews to transgress religious prohibitions, and performed executions under torturous conditions.

This grouping of sources seems to leave no room for doubt that Rome wished, at least for a certain period of time, to systematically prevent Israel from performing mitzvot, just as Antiochus Epiphanes wished to do three hundred years earlier. However, researchers needed to clarify two intertwined questions: what was the scope of the decrees of destruction, and what exactly was their purpose. This was due to the difficulty in characterizing the imperial policy towards the Jews. On the one hand, Jewish ritual was considered ancient and respected, and thus enjoyed protection. On the other hand, Roman policy, ever since the Flavian period and the destruction of the Temple, was at times violent towards the Jews, and reflected initial buds of an effort to uproot Jewish existence. Were the persecutions meant to implement such a policy?[[2]](#footnote-2)

Indeed, according to Herr, Hadrian sought to uproot Jewish variance because of his universalism and therefore propagated general policy against observance of religious commandments other than idol worship, the prohibition of which he believed would raise too great an opposition.[[3]](#footnote-3) Lieberman, on the other hand, suggested a complex and gradual picture, stemming from an attempt to anchor the decrees in a set of familiar Roman principles, limiting anti-Jewish trends. In the first stage, Hadrian forbade the Jews from circumcision and from gathering. Other mitzvot were later prohibited, portrayed as rebellion against the kingdom or as witchcraft, while the Caesar’s rituals were enforced only sporadically and locally.[[4]](#footnote-4) Isaac and Oppenheimer interpreted the decrees as directed only at religious commandments of a national character. In this context, the decree against Torah study is also interpreted as an attempt to undermine the religious scholars’ leadership.[[5]](#footnote-5)

It goes without saying that the attempt to reconstruct Roman policy from Talmudic sources is fraught with difficulties. First and foremost is the question of how to translate the Jews’ perspective, entrenched in interpretive and ideological literature, to systemic policy of the Roman government, if such a thing existed. In this regard, Smallwood made due with the general claim about the voidance of the principled Roman policy of protection of the Jewish way of life.[[6]](#footnote-6) Moreover, critical examination has led several researchers to restrict the decrees attributed to this period. Schafer, in his detailed deliberation, undermined the accepted identification of “the hour of danger” with Hadrian’s decrees of destruction.[[7]](#footnote-7) In a different direction, Kalmin convincingly showed that the prohibition against studying Torah is characteristic of Babylonian traditions.[[8]](#footnote-8) Such examinations contributed to the limitation of the scope of decrees while maintaining the accepted framework.

That being said, study of the characteristics of the Talmudic traditions requires a new presentation of the problem. Opposing the tendency to conglomerate the sources into a general historic picture, the dynamic nature of the traditions and the changing contexts in which they were set reveal several different perspectives within Talmudic literature. As a result, I will claim that while Roman policy cannot be reconstructed via Talmudic literature, various ideological orders, in which martyrdom in the name of religious commandments was situated and the persecution of the Jews was sketched, can indeed be identified therein. We will see that the approach of the Mishnaic scholars fits with that of Josephus, who differentiated between the Jews’ devotion to the Torah and their status in the Roman Empire. The later sources, however, not only expanded the scope of the decrees and crystalized the descriptions of martyrdoms, they also created a new language in order to give renewed meaning to its historic memory. As we shall see, the coining of the term “hour of destruction” in these sources was bound up with the creation of the same polarized world-view of persecution and opposition, which Heinman and others ascribed to the Talmudic scholars.[[9]](#footnote-9)

**[b] Martyrdom in the name of Mitzvot**

The development of one tannaitic tradition, which deals with the mitzvot over which Israel martyred itself, illustrates the transition between varying historical pictures. There is a clear textual connection between the two parallels in which this tradition appears, yet at the same time its development can be traced. In *Sifri Devarim*, Israel’s martyrdom during the hour of destruction is recalled: ‘R’ Simon ben Gamliel says: any commandment over which Israel martyred itself in the hour of destruction is performed publicly, while any commandment over which Israel did not martyr itself in the hour of destruction, \_\_\_\_\_\_’.[[10]](#footnote-10) This statement seems to be testimony from a scholar of the period of restrictions on fulfilling mitzvot, regarding the scope of the decrees which led to uprooting part of Jewish life. Yet a comparison to the parallel statement in the *Mekhilta d’Rabbi Ishmael* casts doubt over the nature of this historic picture:

“It is an everlasting sign” – ‘This tells us that the Shabbat will never be voided from Israel, and you will find that each and every thing over which Israel sacrificed itself was ultimately upheld by them, and each and every thing over which Israel did not sacrifice itself was ultimately not upheld by them. This includes Shabbat and circumcision and Torah study and ritual immersion, over which Israel sacrificed itself and which are still upheld, while such things as the Temple and courts and the *shemita* and Jubilee years over which Israel did not sacrifice itself are no longer upheld’.[[11]](#footnote-11)

The connection between the *Mekhilta* and the *Sifri* is obvious, yet the tradition in the former is clearly not discussing decrees of the hour of destruction, as is proven by the mentions of the Temple and the Jubilee year. The simple interpretation of this passage is that Israel did not make the necessary effort to maintain certain mitzvot, and they were therefore ultimately lost. ‘Sacrificed itself’ here does not specifically mean martyrdom in God’s name, but willingness to make an effort to cling to Torah.[[12]](#footnote-12) Accordingly, the listed mitzvot were not those prohibited by Rome but are a description of the scope of standard ritual observance.[[13]](#footnote-13)

Comparing the two parallel passages indicates the direction of the tradition’s development. While the tradition initially dealt with the Jews’ general efforts to observe the mitzvot at any cost, it later turned to Jewish perseverance against Rome’s attempts to uproot observance of the mitzvot. It is difficult to say when “the hour of destruction” was added to the basic tradition, but in any event a renewed interpretation of martyrdom within the defined framework of the struggle between the Jews and Rome over observance of the mitzvot is clear to see. In what follows, we will attempt to join this textual phenomenon with other processes which illuminate the establishment of the new outlook. Before that, we will sketch a general picture of the Mishnaic traditions which deal with martyrdom over the mitzvot and their connection to trends in early Jewish literature.

Several Mishnaic sources reference mitzva observance during “the hour of destruction”. These sources include the recitation of the *Shma*, reading of the Torah, *sukkah*, circumcision, phylacteries, reading of the Megillah, establishment of marriage and divorce courts, the *prozbol* and the mandate to return lost items.[[14]](#footnote-14) Because the scholars from Usha, such as R’ Shimon ben Gamliel, R’ Yehuda and R’ Meir, discuss concrete events which took place during the hour of danger, it is reasonable that their intentions relate to their experiences during the rebellion of *bar Kokhba*. Yet there is nothing in these sources to identify the hour of danger with a Roman decree against the mitzvot.[[15]](#footnote-15) At a time when Jews were hiding from danger, it is difficult to see how they could have observed the mitzvot of *Eruv*, establishing courts, or how they could have successfully retained documents for future use. It was certainly a bad idea to walk around with a circumcision knife.

In certain instances, it is reasonably possible to interpret the danger on the backdrop of a concerted effort to prevent the Jews from observing the mitzvot, for example, in the following source: ‘Rabbi Meir said: we were once seated in study before Rabbi Akiva and we recited the *Shma* inaudibly because of a certain cassador who was standing at the entrance to the study hall. They said to him: evidence cannot be brought from the hour of danger’.[[16]](#footnote-16) Why were they forced to be silent? Because the quaestor was sent to enforce the decree against the recital of the *Shma* which defies the Caesar’s divinity?[[17]](#footnote-17) Alternatively, they may have been forced to perform all their deeds in secret, as is reasonable to assume about a time in which they read from the Megillah at night, during the hour of danger.[[18]](#footnote-18)

It is, of course, impossible to draw an exact line between the prohibition against observance of mitzvot and between a state of war and rebellion which makes observance of the mitzvot difficult, and the possibility that there were instances of the first type may certainly not be dispensed with. Yet, given the difficulty in establishing the existence of the prohibitions, the way in which the Mishnaic sources conceptualize the situation must be examined first. As in the *Mekhilta d’Rabbi Ishmael*, above, usage of the concept “hour of danger”, characteristic of Mishnaic scholars of the time, places the martyrdom required in order to observe mitzvot, despite the riskiness, in the center of its focus, without reference to the causes of the danger or the specific timeframe in which it occurred. As a rule, the Mishnaic sources do not deal with Roman rule, its goals or a confrontation with it.[[19]](#footnote-19) Therefore, even if religious persecution and an attempt to prevent the Jews from observing the mitzvot existed, they were excluded from these sources. The Mishnaic literature disconnects martyrdom and devotion to mitzvot from any concrete historical circumstances and from a struggle over the existence of Judaism.

One prominent characteristic in Mishnaic literature’s stories of martyrdom is a total lack of reference to any legal procedure or details of the Roman indictments.[[20]](#footnote-20) This is evident in the conversation between Shimon and Ishmael as they were taken to execution: ‘Rabbi Ishmael and Rabbi Shimon were already being taken to execution when Rabbi Shimon said to Rabbi Ishmael, “Rabbi, I am forlorn for not knowing over what I am being killed”’.[[21]](#footnote-21) The question is not about the motivation of the executioner but about the judgment of Heaven, which held Rabbi Shimon to a higher standard in punishing him over a very small misdeed.[[22]](#footnote-22) The Mishnaic tradition regarding Rabbi Hananya ben Tradion is no more illuminating of the reasons for the Roman decree of execution.[[23]](#footnote-23) What troubles the *midrash* is his and his family’s acceptance of the judgment. In that case, the anonymous Roman sentence is simply a means for implementing God’s just will, which gives each person their true recompense. These sources attempt to spread Divine justice to these situations by crowding out the job of the Roman occupier, his goals and his policy.

The sources identified with the tradition of Rabbi Akiva, as embodied in the exegesis, ‘”With all of your soul” – even if He takes your soul’, reflect a different aspect of this approach.[[24]](#footnote-24) Even in the Land of Israel’s version of Rabbi Akiva’s sentence before Tornosropus, no reference is made to Rabbi Akiva’s guilt in the eyes of the Romans. What is explained is that the circumstances simply enabled him to actualize his personal love of God with all his soul.[[25]](#footnote-25) The most detailed expression of this appears in Rabbi Akiva’s exegesis in the *Mekhilta*, in a dialogue between the beloved woman and the daughters of Jerusalem, who are identified as the nations of the world. The beloved woman loves her lover to death, and she inspires admiration of her handsome lover among the other daughters, who wish to join her. The nations of the world do not chase her; they are impressed by the beauty she describes and by the strength she exhibits.[[26]](#footnote-26)

It seems proper to interpret Rabbi Nathan’s exegesis of the love of God which Israel demonstrate through observance of the mitzvot (‘for those who love Me and who observe my commandments’) in the same light. Despite the tendency to view this source as historical testimony to the Roman’s decrees regarding certain mitzvot, it should be noted that it shares the characteristics of the earlier dialogue about martyrdom for the mitzvot.

“Rabbi Nathan says, ‘for those who love Me and who observe my commandments’, that is Israel who reside in the Land of Israel and give their souls for the mitzvot. Why are you being executed? For having circumcised my son; Why are you being burned? For having studied Torah; Why are you being crucified? For having eaten matza; Why are you receiving lashes? For having shaken the *lulav*; and say ‘that I have been hit in my lover’s house’, these lashes have endeared me to my Father in heaven.”[[27]](#footnote-27)

This source gave researchers a list of the mitzvot against whose performance the Romans set decrees: circumcision, Torah study, matza and *lulav*. Yet beyond the difficulty in understanding the motivation for the Roman prohibition of mitzvot such as matza and *lulav*, it should be noted that the only perspective presented here is that of the person to be executed, who wishes to justify his fate (whether before other Jews or gentiles, it is not clear). He explains the lashes he receives as payment for the mitzvot which he upheld. The sentenced man is preoccupied with heaven’s account, and not with the clause of Roman law that causes his suffering.[[28]](#footnote-28) Moreover, it is not at all clear that the person is being executed as a result of an ordered trial. As such, without taking the concrete circumstances of the execution into account – political, military or national – the language that the Jews used inwardly and outwardly was their obligation to Torah and mitzvot. According to Rabbi Nathan, there is no other purpose for which death is worthy, yet he does not need to classify his martyrdom in the framework of a persecution or of a national-historic confrontation between Jews and Rome.

The Mishnaic scholars were not the first to contextualize martyrdom for mitzvot and for Torah in such a way. Josephus also chose to describe this phenomenon as an entrenched Jewish trait that does not stem from Roman persecutions and hatred and does not depend on those circumstances. According to him, this central phenomenon embodies the Torah’s power in providing values and grooming the ideal character, rather than any activities within a political-national conflict. He further believes that, unlike the constitutions of Greek cities which were abandoned with changing circumstances and loss of freedom to the point that they were completely forgotten, the Jews continue to cling to their Torah despite the innumerable hardships that befell them with each change of power. Here Josephus adds:

“Does anyone know of such an instance here…that they transgressed their laws or feared death, and not an easy death on the battlefield, but a death of terrible bodily pain, thought to be of the harshest sort? I myself am of the belief that some of our conquerors chose this death [for our coreligionists], not due to hatred of their prisoners but because of a desire to view the amazing sight of humans who believe that evil will only befall them if they are forced to act against their laws.”[[29]](#footnote-29)

In this manner, Josephus outrightly attempts to broadcast the martyrdom from the weighty conflict between the Jews and Rome onto the public stage where the value of the Torah may be portrayed. The language of values employed by Josephus may be different than that of Rabbi Akiva and Rabbi Nathan, yet the martyrdom functions just the same. This is not the only place in which Josephus attempts to obscure Jewish rebellion against their overlords and changes warriors fighting for their freedom to martyrs willing to die so long as they are not made to transgress their Torah. He describes their execution by Titus as an expression of the piety of the prisoners from the war over the Temple’s destruction: they are prepared to die so long as nothing is said against the Torah.[[30]](#footnote-30) Daniel Schwartz provided a similar description of the Essenes. According to Josephus, they suffered cruel torture at the hands of the Romans for having observed the mitzvot, while making no reference to their military activity or their political aspirations.[[31]](#footnote-31)

Battles, rebellions and punishments were thus inserted into the uniform mold of a willingness to die rather than transgress the mitzvot.[[32]](#footnote-32) Early Talmudic sources join with Josephus, who identifies various phenomena of self-sacrifice with the clear value of martyrdom for observance of the Torah. This framework neutralizes the Romans’ function in harming the Jews’ traditions and way of life.[[33]](#footnote-33) The sages even add to and strengthen this framework when they ascribe their suffering and death exclusively to God’s will and His just decree.

**[c] History of the “Destruction”**

Alongside the framework in which Josephus and the Mishnaic scholars shaped descriptions of religious martyrdom was an alternative historiographical framework with roots in the tradition of the martyrs who fought head-on against Antiochus. In the summarizing chapter of 4 Maccabees, dedicated to the description of the deaths of Elazar, the mother and the seven children at the hands of Antiochus after refusing to eat forbidden foods, we find words of praise for the executed: “Here a lofty old man and an old woman and her seven sons were buried by an evil tyrant who commanded to destroy (katalusai) the law (politeia) of the Hebrews, and they gave merit to their nation in raising their eyes to their God, and suffered torture until their deaths”.[[34]](#footnote-34) After the author describes their success in battle, he establishes that in their merit, their enemies did not overtake the nation, the tyrant was punished and the land was purified. They even atoned for the nation’s sins, and in their merit Divine Providence saved Israel.[[35]](#footnote-35)

A number of characteristics merge in this literary and ideological tradition. Sacrifice occurs on the backdrop of an attempt to destroy the Jewish way of life, and in the merit of those individual martyrs, the entire nation is saved. 4 Maccabees is also ascribed to the start of the Mishnaic period,[[36]](#footnote-36) but it endows self-sacrifice over observance of mitzvot with an essential function in the direct confrontation with the persecuting authority, which guaranteed the martyrs’ success against the persecutor via the act of death. This conceptual conglomeration is anchored in the roots of this literary tradition as far back as in 2 Maccabees. This earlier version of the description of the confrontation between Antiochus and Elazar the Elder, the mother and her seven sons significantly deviates from the simple exaltation of the martyrs’ obligation to Torah observance. It makes repeated reference to the victory awaiting them against Antiochus, who is to be harshly punished (7: 17, 19, 36). On the other hand, the children declare that God will eventually have mercy on the nation because of their punishment and death (6: 12-13; 7: 32-33, 38). The killing of the innocent children leads to God’s vengeance at the hands of Judah the Maccabee (8: 2-6).

Stories of confrontation such as these, which carry weighty historical and national meaning, do not exist in Josephus’ writings,[[37]](#footnote-37) and, as we have seen, are uncharacteristic of Mishnaic literature. Yet the various components of this martyr tradition are revealed at different stages in the development of the Talmudic tradition relative to this period. We can follow the adaptations and the processing of the Mishnaic materials, and their adjustment to this alternative discourse.

First and foremost, the use of the term “hour of destruction” becomes more widely accepted. The term appears only twice in the *Tosefta*, and only in a comment qualifying an early ruling of Mishnaic scholars. Thus we learn in *Tosefta Shabbat*: “Nothing takes precedence over saving life, other than idol worship, illicit sexual relations and murder. What does this relate to? This relates to a time not in the “hour of destruction”, but during the “hour of destruction”, one must sacrifice himself even for the smallest of mitzvot”.[[38]](#footnote-38) In a parallel line we learn that this ruling was made in the name of Rabbi Shimon ben Jehotzadak, an early Talmudic sage, while a comment was added to it regarding the “hour of destruction”, attributed to Rabbi Johanan, in the version appearing in the Babylonian Talmud.[[39]](#footnote-39) Taken together, these sources demonstrate that the “hour of destruction” is not part of the early Mishnaic tradition. Here and in *Tosefta Avoda Zara*, another reference to the hour of destruction appears as a complementary note to the laws and traditions which did not take this reality into account.[[40]](#footnote-40)

As early as in the Jerusalem Talmud, the term “hour of destruction” becomes a euphemism for the political reality in the time of the *Bar Kokhba* rebellion. It replaces the term “hour of danger”,[[41]](#footnote-41) which does not appear in the Jerusalem Talmud with its original meaning, and the danger turns into outright decrees against the Jews.[[42]](#footnote-42) In the Jerusalem Talmud we find repetition of the phrase, “at first they decreed destruction in Judea…and they became enslaved to them”. Thus, the term “hour of destruction” refers, in the Jerusalem Talmud, to the circumstances which led to the prohibition of wearing buckled sandals on Shabbat or to the Samaritans spreading beyond Samaria. This is also the period in which the Edomite empire worked to enslave Israel in various ways, disinheriting them of their lands and taking their wives.[[43]](#footnote-43) The “hour of destruction”, based on its usage in the Jerusalem Talmud, seems to refer to a distinct period, which included systemic attacks on the Jews, both in terms of mitzva observance and in other respects. Yet the identification of the *Bar Kokhba* rebellion with the “hour of destruction” teaches that as far as the Talmudic scholars of the Land of Israel were concerned, the attempt to destroy Israel and cause the people to transgress their religious precepts is that which stood at the heart of the Roman persecution.[[44]](#footnote-44)

In light of the conceptual process that we have identified, we must reexamine the relationship between the title *meshumad*, “destroyed”, familiar to us from Mishnaic literature, and the term “hour of destruction”. It is commonly accepted that the destroyed are those people who were forced to transgress mitzvot during the hour of destruction, “and before the hour of destruction, there were no destroyed people”, and the meaning was expanded from there to include those who left Judaism by choice.[[45]](#footnote-45) On the other hand, the basic meaning of the destroyed does not seem to relate to persecution and coercion; this is simply a euphemism for the wicked who have been destroyed and cut-off from the world. This root is used as early as in Psalms to describe the ultimate fate of evildoers, who were to be punished with *karet*, “cutting-off”: “And sinners were destroyed together, evildoers were ultimately cut-off” (Psalms 37:38), and in the Dead Sea Scroll’s rendering of this chapter: “They are tyrants of the covenant, the evil of Israel who were cut off and destroyed from the world”.[[46]](#footnote-46)

The *Sifra*, as in the rendering in Psalms, also describes the destroyed as those “who do not accept the covenant”.[[47]](#footnote-47) The connection of the destroyed to the sentence of cutting-off is elucidated in the central Mishnaic source that defines them. The law in *Tosefta Horayot* 1, 5 (p. 474) that defines the destroyed person is based on the verse which deals with the sentence of the worst type of sinner: “But the soul that uses a high hand…that soul shall utterly be cut off, his iniquity shall be upon him” (Numbers 15: 30-31). The destroyed is someone who functions with a high hand, as exemplified in Rabbi Shimon ben Elazar’s articulation in the *Tosefta*: “Even one who does something that is not abominable”. This euphemism for an evildoer appears in Aramaic as early as in *Megillat Ta’anit* (22 Elul), apparently referring to Jewish Hellenists.[[48]](#footnote-48) At its base, the description “destroyed” does not serve as testimony to the existence of religious persecution, but to abandonment of religion in favor of the Roman world. The term “hour of destruction” and the verb “to destroy” frame this as religious persecution.[[49]](#footnote-49)

Beyond usage of the concept “hour of destruction”, descriptions of death in the name of God reveal a growing similarity to the framework of confrontation. At the first level, the people clash over observance of mitzvot, and their deaths are eventually imbued with national and historic meaning. This explains why the Jerusalem Talmud does not present Papos and Lolyanus’ executions as arbitrary, despite their portrayals in Mishnaic literature, but as a consequence of their refusal to perform the pouring-out rites (or to pretend, at least, to perform them).[[50]](#footnote-50) In a similar light, Rabbi Akiva’s expounding of the verse, “therefore worlds have loved you”, as it appears in the *Mekhilta* as the nations of the world’s offer to Israel to join them, is presented in *Shir HaShirim Rabba* as a clash over participation in idolatrous rites, which is an element that does not appear in the original exegesis.[[51]](#footnote-51) A different *midrash* contains a detailed description of the Jews being forced to participate in idolatry in the generation of destruction. The Jew is brought before the judge and made to deny his God, and even to perform the pouring-out ritual before an idol.[[52]](#footnote-52) A later *midrash* contains a repetition of the story of the mother and her seven sons, fit into the Roman context, even though it has its roots in Antiochus’ persecution. The major difference is that in the original story, the family refuses Antiochus’ demands that they partake in forbidden foods, while in the later retelling, they are required to bow to an idol, and they clash with the Caesar over God’s existence.[[53]](#footnote-53)

The atoning function of being put to death in God’s name and thus bringing about victory over Rome was added in later versions of the traditions of the martyrs,[[54]](#footnote-54) but the elements that have been described more than suffice in indicating a retelling of the hour of destruction so as to fit into the historiographical martyrdom framework. The time period thus came to be presented as a time of religious persecution to the point of participation in idolatrous rites.

**[d] Adoption of a Renewed Framework**

On the backdrop of the textual progressions that we have identified, we must find a way to explain the sharp conceptual and historiographical changes to the descriptions of self-sacrifice in the name of mitzva observance, and the change that occurred in the imagery of the Roman persecution of the Jews. What motivated the change from the early descriptions of religious devotion to stories of religious conflict in the context of persecution and opposition? To be sure, neither frameworks accurately reflect the reality of the time, with the earlier Rabbinic traditions purposely ignoring the conflict with Rome, and the later traditions essaying to create a baseless picture of an imperial attempt to liquidate the Jewish way of life. The question is therefore not which description is true, but what motivated the reframing of historic memory.

At this point it is necessary to consider the function of Christian martyrdom vocabulary. Lieberman, who insisted upon the similarity between the descriptions of death in *midrash* and in Christian martyrdom literature, already suggested that “the interpreters presented us with the acts of the empire toward Christians, which they saw with their own eyes, and ascribed them to Hadrian’s hour of destruction, claiming that the Jews were treated likewise”.[[55]](#footnote-55) Yet instead of using this source of information to reconstruct past events, the Christian model may have provided a new conceptual framework in which to cope with the experience of Otherness under the Roman Empire. The history of the rabbinic traditions regarding martyrdom over observance of the mitzvot bears on the essential question which preoccupies researchers of that time period, about the roots and characteristics of the martyrdom phenomenon among Jews and Christians in ancient times.

Jews and Christians of the years 0-200 CE relied on a common literary foundation, while their differences in status under the Roman Empire channeled this tradition in different directions. The literary and ideological framework of martyrdom in the Hasmonean literature was well-suited to the needs of early Christians, who gradually honed their methods of public confrontation between Roman rule and Christian identity. The Christian form of struggle against Roman rule via public self-sacrifice was a direct consequence of Christianity’s status as an illegal religion under the Roman Empire. Roman legal institutions themselves served the early Christians as a public stage on which to proclaim their choice in God over the Caesar’s ritual.[[56]](#footnote-56) The Christians’ aspiration to die publicly subverted the Romans’ show of strength, whose edge was blunted against those who hurried to unite with their savior in death. Thus was created the characteristic component of martyrdom: a head-on struggle over religious truth that can only be decided by death.

Despite the Jewish roots in the descriptions of the Hasmonean martyrs, Jewish literature from the outset of the Roman period seems to have diverged from this conceptualization.[[57]](#footnote-57) In order to establish their status in the Roman Empire, Jewish authors such as Josephus required a different language of death, based not on persecution and opposition but on devotion, strength and sacrifice. This trend fits well with the Jews’ ambivalent status under the Romans. The Roman world placed a challenge before the Jews, and many elected to submerge themselves in the Roman environment. This peripheral existence[[58]](#footnote-58) is reflected in the language of self-sacrifice over the mitzvot, through dialogue, but without direct conflict, with the Roman surroundings.

Both the Christian and the Jewish communities created specific patterns of death in the name of heaven, which were shaped by their respective standings in the Roman Empire and fit with their self-image in contradistinction to their surroundings. Through terminological changes in Talmudic literature, we are witness simultaneously to a gradual change in the language of self-sacrifice, and to a deepening compatibility with both the Hasmonean traditions and the developing Christian model of martyrdom, characterized by a strong sense of persecution. The shapers of the Talmudic traditions did not invent Jewish suffering in the period of the *Bar Kokhba* revolt, but they did describe it within the confines of the world-view available to them and imbue them with new meaning under the destruction occupiers. This process also sharpened the contrast, and the traditions were tailored to a world-view of true hatred of Israel.

1. See G. Alon, ‘The Jews in their Land in the Talmudic Age’ part 2, Tel Aviv 1971, pages 43-47, 263; A. Oppenheimer, ‘Bar Kokhba Rebellion’, The Land of Israel from the Destruction of the Second Temple through the Muslim Conquest, Jerusalem 1982, pages 73-74; M.D. Herr, ‘From the Destruction of the Temple until the Ben Kusba Rebellion’, The History of the Land of Israel: The Roman-Byzantine Period, Jerusalem, Jerusalem 1985, pages 365-377. [↑](#footnote-ref-1)
2. For a description of Rome’s deteriorating treatment of the Jews from the Temple’s destruction and onwards, see M. Goodman, ‘Trajan and the Origins of the Roman Hostility to the Jews’, *Past and Present* 182 (2004), pp. 3-30. Goodman ascribes this to Flavian policy which was perpetuated by Trajan, under whom Jew hatred flourished (as reflected in Tacitus’ writings). He strove to completely obliterate the Jews from the Roman Empire. This policy, termed by Goodman as “The Final Solution”, was implemented by Hadrian with the establishment of Ilia Capitoline. This goal was embodied in the destruction of the Temple, according to Solpheus, if it preserves the words of Tacitus’ writings: ‘but others, including Titus himself, believed that the Temple should be destroyed, principally in order to completely remove the Jews’ religion, for once the roots are uprooted, the stems will easily be lost’ (this is the reconstruction suggested by Y. Levi, ‘Tacitus’ Writings on the Antiquity of the Jews and their Qualities (End)’, Zion 8 (1943), page 82). But the relation between the destruction of the location of Jewish ritual and the uprooting of Jewish life is more complex. Rives demonstrates, by distinguishing between ritual as a point of political identity (as it was viewed in Roman eyes) and Jews’ lifestyle-shaping national traditions, how the Flavians paradoxically preserved Jews’ rights. While Rome wished to control the first component so as to ensure Jew’s assimilation into the Empire, it was uninterested in the second component. See J. Rives, ‘Flavian Religious Policy and the Destruction of the Jerusalem Temple’, J. Edmondson et. al. (eds.), *Flavius Josephus and Flavian Rome*, Oxford 2005, pp. 145-146. This creates uncertainty as to whether Hadrian’s “decrees of destruction” (if there were such things, see below) may fit with Rome’s policy towards the Jews. So, for example, Isaac believes that the Roman policies of tolerance towards ancient rituals (outside the borders of the city of Rome) held towards the Jews as well, ad that Hadrian was no exception to this policy. B. Isaac, ‘Roman Religious Policy and the Bar Kokhba War’, P. Schafer, (ed.), *The Bar Kokhba War Reconsidered: New Perspectives on the Second Jewish Revolt against Rome,* Tübingen 2003, pp. 37-54. [↑](#footnote-ref-2)
3. M.D. Herr, ‘Persecutions and Martyrdom in Hadrian’s Days’, *Scripta Hierosolymitana* 23, (1972), pp. 85-125 [↑](#footnote-ref-3)
4. S. Lieberman, ‘Persecution of the Religion of Israel’, The Jubilee Book in Honor of Shalom Barron, Hebrew section, Jerusalem 1975, pages 213-245; S. Lieberman, ‘The Martyrs of Caesarea’, *Annuaire de l’Institut de Philologie et d’Histoire Orientales et Slaves* 7 (1939-1944), pp. 395-445. [↑](#footnote-ref-4)
5. B. Isaac and A. Oppenheimer, ‘The Revolt of Bar Kokhba: Ideology and Modern Scholarship’, *JJS* 36 (1985), 33-60 (59). See more below. [↑](#footnote-ref-5)
6. Smallwood, pp. 464-466. [↑](#footnote-ref-6)
7. P. Schäfer, *Der Bar Kokhba-Aufstand: Studien zum zweiten jüdischen Krieg gegen Rom*, Tübingen 1981, pp. 194-235. [↑](#footnote-ref-7)
8. R. Kalmin, ‘Rabbinic Traditions about Roman Persecutions of the Jews: A Reconsideration’, *JJS* 54 (2003), pp. 21-50. [↑](#footnote-ref-8)
9. Lieberman, in ‘Persecution of the Religion of Israel’, p. 228, retained the distinction between the term “hour of danger”, so common in Mishnaic sources, and the term “hour of destruction”, appearing in later sources, but he understood this as proof that the persecutions intensified, culminating finally in an attempt to completely uproot the religion. As a rule, Lieberman is aware of the different value of Mishnaic vs. Talmudic testimony (see p. 218), but he wishes to retrieve historical information from all of them. Kalmin, p. 50, claims conversely that the difference in terminology is simply stylistic, and carries no indication of a change in perspective towards the events. After writing this, I was given the writings of my friend, Noah Bickert, who suggest describing the processes in the same light I suggest herein. [↑](#footnote-ref-9)
10. *Sifri* Deuteronomy, chapter 76, p. 141 (based on Vatican manuscript 32). Compare with Babylonian Talmud tractate Shabbat, page 130A, in which the characteristic alternative, “hour of the kingdom’s decree” replaces “hour of destruction”. [↑](#footnote-ref-10)
11. *Mekhilta diRabbi Ishmael, Shabata* A, p. 343. [↑](#footnote-ref-11)
12. See P. Mandel, ‘Was Aqiva a Martyr? Palestinian and Babylonian Influences in the Development of a Legend’, R. Nikolsky et al (eds.), *Rabbinic Traditions between Palestine and Babylonia*, Leiden 2014, pp. 306-353. In footnote 21, Mandel discusses at length the meaning of self-sacrifice for the mitzvot that does not necessarily take the shape of death. [↑](#footnote-ref-12)
13. The *Mekhilta* preserves an astonishingly similar list to the one that appears in Justinian Martyr’s dialogue with Trifon, describing the mitzvot that were still upheld after the Temple’s destruction (clause 46, *Roke’ah* p. 139). [↑](#footnote-ref-13)
14. See Mishnah tractate *Shabbat* 19, 1; Mishnah tractate *Eruvin* 10, 1; Mishnah tractate *Megillah* 4, 8; Mishnah tractate *Ketuboth* 9, 9; *Tosefot* commentary on tractate *Berakhoth* 2, 13 (p. 9); *Tosefot* commentary on tractate *Eruvin* 5, 24 (p. 117); *Tosefot* commentary on tractate *Sukkah* 1, 7 (p. 257); *Tosefot* commentary on tractate *Megillah* 2, 4 (p. 349); ibid, 3, 30 (p. 362); *Tosefot* commentary on tractate *Ketuboth* 1, 1 (p. 56); ibid, 9, 6 (p. 89); *Tosefot* commentary on tractate *Bava Metzi’ah* 2, 17 (p. 69). [↑](#footnote-ref-14)
15. For details, see A. Tropper, ‘As Clay in the Potter’s Hand: Deeds of the Sages in Talmudic Literature’, Jerusalem 2011, p. 149, footnote 101, following Schaffer, ‘The *Bor Kokhba* Rebellion’, pp. 194-235. Compare with M. Benovitz, ‘On the Hour of Danger in the Land of Israel and in Babylonia’, Tarbitz 74 (2005), pp. 5-20. He is of the opinion that the Hour of Danger is not restricted only to Hadrian’s decrees. [↑](#footnote-ref-15)
16. *Tosefta Berakhoth* 2, 13 (p. 9). In the Erfurt manuscript “in the study house” is missing, and in print it appears after “before Rabbi Akiva”. In light of this, Herr surmised in *Persecutions* p. 12 that the event occurred in the jail (a location in which a cassador could reasonably be found). Compare with H. Shapira, ‘The Study Hall in the Later Years of the Second Temple and the Mishnaic Period: Institutional and Conceptual Aspects’, doctoral thesis, Jerusalem, 2002, pp. 139-140, proving that this does not refer to the study hall structure but is describing the activity. [↑](#footnote-ref-16)
17. Lieberman, ‘Persecutions of the Religion of Israel’, p. 227. [↑](#footnote-ref-17)
18. *Tosefot Megillah* 2, 4 (p. 349). Additionally, what does the term “danger with no mitzvah involved”, as it appears in the Mishnah and *Tosefta* regarding phylacteries and *mezuzot* made improperly (perhaps for the sake of covering it up?). Is there evidence here that the Romans persecuted those who performed these mitzvot, or alternatively, that the *mezuza* and phylacteries identified a person as Jewish. [↑](#footnote-ref-18)
19. In general, Rome is a present absentee in this literature. For one suggested explanation of this phenomenon, see I. Rosen-Zvi, ‘Is the Mishnah a Roman Composition’, *The Face of Torah: Studies in the Texts and Contexts of Ancient Judaism in Honor of S. Fraade,* M. Bar Asher Siegel et. al. (eds.), Göttingen 2017, pp. 487-508. [↑](#footnote-ref-19)
20. The story of Rabbi Eliezer in *Tosefta Hulin* B, 24 (p. 503) in an exception in this regard, as he was accused as a Christian. His story thus fits the pattern of Christian Martyrology. [↑](#footnote-ref-20)
21. *Mekhilta diRabbi Ishmael, Nezikin* 18, p. 313. [↑](#footnote-ref-21)
22. Compare the adapted version in *Avot diRabbi Nathan* Version A chapter 38, Version B chapter 41 (pp. 114-115). The dialogue between Rabbi Hananya ben Tradion and Elazar ben Parta in the *berayta* in Babylonian Talmud tractate *Avoda Zara* page 17b is also meant to conceal the Roman considerations in favor of Divine justice. [↑](#footnote-ref-22)
23. *Sifri* Deuteronomy, section 307, p. 346. Rabbi Hananya ben Tradion was burnt with his Torah scroll, according to the law regarding books of magic. See Lieberman, ‘Persecutions of the Religion of Israel’, footnote 28.

Roman Law regarding destruction of books of magic.

Compare and contrast with the description in the Babylonian Talmud, regarding the binding of the Torah scroll. [↑](#footnote-ref-23)
24. Mishnah *Berakhoth* 8, 5; *Tosefta Berakhoth* 6, 7 (p. 35). Scholars attempted to identify a new idea of Rabbi Akiva’s, who saw in death the actualization of loving God, similar to Christian writers of the time. See S. Safrai, ‘Kiddush Ha-Shem in the Teachings of the Tannaim’, *Tzion* 54 (1979), p. 28-42 (32-36); D. Boyarin, ‘On the History of Martyrism in Israel’, *A Crown for Life: Studies in Talmudic and Rabbinic Literature in Honor of Professor Hayyim Zalman Dimitrovski,* D. Boyarin et. al. (eds.), Jerusalem 2000, pp. 3-27. For our purposes, this is an internal distinction in the framework of Tannaitic literature’s typical approach (as opposed to Christian Martyrological literature) which disconnects the act of self-sacrifice from the aspect of confrontation with the authorities. Regarding the relation between the Jewish and Christian traditions, see below, section [e]. [↑](#footnote-ref-24)
25. Jerusalem Talmud tractate *Berakhoth* 9, 5 (p. 14b); Jerusalem Talmud tractate *Sotah* 5, 7 (p. 20b). Mandel, ‘Was Aqiva a Martyr?’ characterizes the story in the Jerusalem Talmud as “political drama”. In my opinion, his analysis is on-the-mark but does not fit with this characterization. [↑](#footnote-ref-25)
26. *Mekhilta diRabbi Ishmael*, ‘song’ 3, p. 127. [↑](#footnote-ref-26)
27. Ibid, ‘in month’ 6, p. 227. Compare Leviticus *Raba* 32, 1 (p. 735). [↑](#footnote-ref-27)
28. Tropper, ‘As Clay’, p. 150, footnote 101 proposes that the connection between mitzvot and death is a literary instantiation of an eye for an eye. [↑](#footnote-ref-28)
29. Against Apion B, 232-234 (Kasher edition, p. 66). [↑](#footnote-ref-29)
30. Against Apion A 43. See Barclay’s commentary on this clause: J.M.G. Barclay, *Flavius Josephus: Translation and Commentary, vol. 10: Against Apion,* Leiden 2007, pp. 32. See *Against Apion* B as well, 272, 291-292 and the commentary there. [↑](#footnote-ref-30)
31. Wars B 151-153 (compare Pilon, ‘On All Upright Men being Free’, cc. 8991). See D. Schwartz, ‘Desert and Temple: On Religion and State in Judea in the Second Temple Period’, ‘Priesthood and Monarchy: Religion-State Relations in Israel and the Nations’, Y. Gafni and G. Motzkin (eds.), Jerusalem 1987, pp. 61-78, 70. [↑](#footnote-ref-31)
32. Another example of a similar alteration can be found in Josephus’ two descriptions of the Priests’ devotion to Temple ritual in the time of Pompeius’ conquest. Compare Wars A 145-151, ‘They believed the sacred rituals to take precedence over the saving of their lives’, to the later description in Antiquities 14, 66-67, ‘Better that they suffer all the suffering available to them alongside the altars than that they transgress a single law’. Against this backdrop, we should note Josephus’ version of the Jewish protest against the decree of the graven image in Gaios’ temple. According to Pilon, the Jews expressed willingness to sacrifice themselves so as not to behold an evil greater than death (The Delegation to Gaios, 229-236). According to Josephus, on the other hand: “We will not be able to transgress a commandment of our Torah…We will not fight but die so as not to transgress the laws” (Antiquities 18, 263-271). This is not about preventing the decree but individual determination not to transgress the laws. [↑](#footnote-ref-32)
33. This is not to downplay Rome’s roll in Jewish suffering, but the eschatological process is in God’s hands alone. See A. Schremer, “Midrash and History: God’s Power, the Roman Empire, and Hopes for Redemption in Tannaitic Literature’, *Tzion* 72 (2007), pp. 5-36. [↑](#footnote-ref-33)
34. 4 Maccabees, 17 9-10. [↑](#footnote-ref-34)
35. On the martyrs’ role in saving Israel in *Sifri* 2 and 4Maccabees, see J.W. van Henten, *The Maccabean Martyrs as Saviours of the Jewish People: A Study of 2 &4 Maccabees,* Leiden 1997. [↑](#footnote-ref-35)
36. For a discussion of the dating of 4 Maccabees see, among others: T. Rajak, ‘The Fourth Book of Maccabees in a Multi-Cultural City’, Y. Furstenberg (ed.), *Jewish and Christian Communal Identities,* Leiden 2016, pp. 134-150. [↑](#footnote-ref-36)
37. For a discussion on whether Josephus was familiar with these stories see: S. Shepkaru, *Jewish Martyrs in the Pagan and Christian Worlds,* Cambridge 2006, pp. 44-52. Shepkaru believes that the absence of these stories from Josephus’ writings prove that they were created at a later stage. Moreover, Josephus’ writings are overtly influenced by the value of Roman self-sacrifice, and it is quite possible that that is what gave rise to these traditions. In this regard he agrees with G. Bowersock, *Martyrdom and Rome,* Cambridge 2005, which ascribes the Hasmonean martyr traditions to the Roman period and Christian influence. For opposing views, see D. Schwartz, ‘2 Maccabees: Introduction, Translation and Interpretation’ Jerusalem 2004, p. 22 and footnote 16, and T. Rajak, ‘Dying for the Law: Martyr’s Portrait in Jewish Greek Literature’, *The Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction,* Leiden 2001, pp. 99-133. Rajak rejects Bowersock’s view and emphasizes the continuity of motifs from the Hasmonean period, the central one being opposition and self-sacrifice to save the nation. For our purposes, it should be emphasized that even if the Hasmonean martyr stories cannot be confidently dated, they reflect a separate approach which was adopted in the Christian model and had only secondary influence over Talmudic literature. [↑](#footnote-ref-37)
38. *Tosefta Shabbat* 15, 17 (p. 75). [↑](#footnote-ref-38)
39. Compare Jerusalem Talmud tractate *Sanhedrin* 3, 6 (21b), tractate *Shevi’it* 4, 1 (35a) and Babylonian Talmud tractate *Sanhedrin* 74a. The destruction is interwoven in each Talmud in different ways. While in the Babylonian Talmud, destruction and publicity appear in parallel, it seems from the Jerusalem Talmud that the distinction between individual and public was transmitted together with the basic law at the session in the attic at *Netaza* (compare *Sifra Aharei Mot,* chapter 13, clause 14 [86b]), while destruction was added later, in the Talmudic deliberations. Notice that in the source in the Babylonian Talmud, Rabbi Johanan says ‘we learned that it is only not in the hour of destruction’, but it is unclear on what he bases this, and it seems to fit the language of the comment in the *tosefta,* ‘Whom is it discussing’. [↑](#footnote-ref-39)
40. The Mishnah tractate *Avoda Zara* 4, 6 permits the mummification of kings, and the *tosefta* (5, 6 p. 468) limits this to a case of destruction. This is because “it is impossible that there was no Israelite there forced to worship’ (Jerusalem Talmud tractate *Avoda Zara* 5, 8 [45a]; This law does not seem to appear in its proper place. While the consideration in the Mishnah is about whether the gentiles who left the mummies nullified them, only at this point does the possibility arise that Jews may have been forced by the authorities to participate in this ritual. [↑](#footnote-ref-40)
41. Compare *Tosefot Eruvin* 5, 24 (p. 117) and Jerusalem Talmud *Eruvin* 9, 1 (25c). [↑](#footnote-ref-41)
42. For the Talmuds’ interpretations of ‘hour of danger’ in *Tosefta Kethuboth* 1, 1 (p. 56) which constitutes the basis on which weddings ceased to be performed on Wednesdays, see Lieberman, *Tosefta KiPeshuta*, pp. 186-187. [↑](#footnote-ref-42)
43. Jerusalem Talmud *Kethuboth* 1, 5 (25c); *Gittin* 5, 6 (47b); *Shabbat* 6, 2 (8a); *Kiddushin* 4, 1 (65c). [↑](#footnote-ref-43)
44. This meaning of ‘destruction’ is derived from the debate in the Jerusalem Talmud (*Sanhedrin* 3, 6 [21b]) over Rabbi Yannay’s dispensation to plow in the seventh year. In this instance, the authorities ‘do not mean to destroy you, and I mean only to collect taxes’. This shows that the Talmudic scholars understood ‘destruction’ as any transgression of mitzvot. [↑](#footnote-ref-44)
45. This is in accordance with Lieberman, *Tosefta KiPeshuta, Shabbat* p. 402, footnote 45. See M. Moreshet, ‘A Lexicon of the New Verbs in Tannaitic Hebrew’, Ramat Gan 1981, pp. 30-371. See discussion of other etymologies suggested for this verb, there. [↑](#footnote-ref-45)
46. Interpretation of Psalms 1, 3-5, lines 12-13 (Kimron, 2, p. 302). This language is also used to describe the fate of the wicked in the 19th community rule (‘and He will destroy all blasphemers of his word from the earth’), which runs parallel to the description of the fate of the wicked of the gentiles of the Book of Jubilees. They descend to the netherworlds and the place of judgment, and no memory of them will remain, ‘They will likewise destroy all idol worshipers’ (22 22). [↑](#footnote-ref-46)
47. *Sifra, Nidava Parshata* 2, 3 (4c). [↑](#footnote-ref-47)
48. See V. Noam, *Megillat Ta’anit*, pp. 232-234. For an overview of studies and sources, see M. Arad, “The Public Transgressor of Shabbat: A Talmudic Term and its Historic Meaning”, Jerusalem 2009, pp. 238-242. [↑](#footnote-ref-48)
49. See Lieberman, *Persecution of the Religion of Israel*, p. 228: “Destruction *extirpatio* is a word used by the monarchy to note total uprooting of religions”. [↑](#footnote-ref-49)
50. Jerusalem Talmud *Sanhedrin* 3, 6 (21b), *Shevi’it* 4, 1 (35a). [↑](#footnote-ref-50)
51. *Shir HaShirim Raba* 7, 2. [↑](#footnote-ref-51)
52. *Arukh* entry 162 a, brought by Lieberman, p. 229. [↑](#footnote-ref-52)
53. For the meanings of these differences see J. Guttman, ‘The Mother and Her Seven Sons in the *Aggada* and in the *Sifri HaHashmonaim* 2 and 4, M. Schwebe and J. Guttman (eds.), Book of Johana Levi, Jerusalem 949, pp. 25-37. [↑](#footnote-ref-53)
54. This process reaches its climax with the post-Talmudic work which belongs to the circle of Pleroma, ‘Story of the Ten Martyrs’, in which it is revealed to the scholars that their deaths will bring about the end of the Roman Kingdom. See Y. Dan, ‘The Creation and Trends of the Story of the Ten Martyrs’, *Literary Studies Presented to Shimon Hellkin*, A. Fleischer (ed.), Jerusalem 1973, pp. 15-22; R. Boustan, *From Martyr to Mystic: Rabbinic Martyrology and the Making of Merkavah Mysticism,* Tübingen 2005. These authors examine the Christian and mystical contexts that lent the story an apocalyptic form. [↑](#footnote-ref-54)
55. Lieberman, *Persecution of the Religion of Israel,* p. 231. [↑](#footnote-ref-55)
56. Bowersock, p. 16, compares Christion martyrdom to the ways in which other contemporaneous groups opposed the ruler’s tyranny. For a detailed description of the nature of the conflict between Christianity and Rome regarding authority and law, and creation of Christian identity in contradistinction to Roman identity, see E. Castelli, *Martyrdom and Memory: Early Christian Culture Making,* New York 2004. [↑](#footnote-ref-56)
57. Therefore I do not believe that Boyarin’s claim that martyrological language was influenced anew by both Jews and Christians in the second century, when he claims that the two communities had not yet completely separated, can be accepted. See D. Boyarin, *Dying for God: Martyrdom and the Making of Christianity and Judaism*, Stanford 1999, pp. 93-97. At this stage there is only a loose connection between Christian and Jewish sources. While Christians create stories of martyrs who declare their faith before the Roman judge, the Mishnaic scholars are preoccupied amongst themselves with justifying the deaths decreed for them. Boyarin isolates the erotic component for the other circumstances and performance of the execution. Additionally, he heavily relies on Rabbi Eliezer’s story despite his having been tried as a Christian. This story testifies to the presence of Christians in Jewish communities, but not to the mutual relationship with death in the name of heaven. [↑](#footnote-ref-57)
58. For more on this concept and its value in understanding antisemitism in the Roman world see A. Avidov, *Not Reckoned Among Nations: The Origins of the so-called Jewish Question in Roman Antiquity,* Tübingen 2009. [↑](#footnote-ref-58)