**Was there a ‘Time of Persecution’?**

**[a] The ‘Time of Persecution’ and Roman Policy**

The period of destruction known as the “time of persecution” (*she‘at ha-shemad*), which ostensibly stretched from the Bar Kokhbarebellion until Hadrian’s death in 138 CE, left no mark outside rabbinic literature. It did, however, become an established fact in the historiography of the period.[[1]](#footnote-2) The Romans were not satisfied with quashing the rebellion and destroying the cities of Judea; they sought to completely uproot the Jewish religion. This is the overall picture that emerges from several groups of sources taken together. In the first and main set of sources, Jewish sages of the period attest to the danger involved in fulfilling some of religious commandments. A second group of sources depicts the killing of sages and others as a result of having observed the commandments. A third group includes references to the “time of persecution” and the generation that experienced it, suggesting that, at that time, the reigning kingdom subjugated the Jews, forced them to transgress religious prohibitions, and performed executions under extremely torturous conditions.

This combination of sources would seem to leave no room for doubt that, at least for a certain period of time, the Romans sought to systematically prevent Jews from performing commandments, just as Antiochus Epiphanes had done three centuries earlier. However, two interconnected questions call for further scholarly clarification: (1) What was the scope of these persecutory decrees? And (2) What exactly was their purpose? These questions arise due to the difficulty in characterizing the imperial policy toward 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 aggressive toward the Jews, and reflected the beginnings of an effort to uproot Jewish existence. Were the persecutory decrees meant to implement such a policy?[[2]](#footnote-3)

Indeed, according to Herr, Hadrian sought to uproot Jewish difference because of his universalism, and he therefore propagated a general policy against observance of religious commandments other than the prohibition on idol worship, which he believed would provoke too great a resistance.[[3]](#footnote-4) Lieberman, on the other hand, suggested a complex and multi-staged picture, grounded in an attempt to contextualize the decrees in a set of familiar Roman principles, thus limiting the role of any anti-Jewish inclination: In the first stage, Hadrian forbade the Jews from performing circumcisions and from gathering publicly. Other commandments were prohibited later, under the pretext that they constituted rebellion against the kingdom or witchcraft, while the Caesar’s rituals were enforced only sporadically and locally.[[4]](#footnote-5) Isaac and Oppenheimer interpreted the decrees as directed only against religious commandments with a national character. In this context, the decree against Torah study is also interpreted as an attempt to undermine the sages’ leadership.[[5]](#footnote-6)

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, embedded in interpretive and ideological literature, into a systemic policy of the Roman government, if such a policy indeed existed. In this regard, Smallwood made do with a general claim about the voidance of the principled Roman policy of protection of the Jewish way of life.[[6]](#footnote-7) Moreover, critical examination has led several scholars to attribute only a more limited set of decrees to this period. Schäfer, in a detailed deliberation, has challenged the accepted identification of “the time of danger” (*she‘at ha-sakanah*)with Hadrian’s persecutory decrees.[[7]](#footnote-8) Taking matters in a different direction, Kalmin has shown convincingly that the prohibition against studying Torah is characteristic of Babylonian traditions.[[8]](#footnote-9) Such examinations have contributed to a reduction in the scope attributed to the decrees, while maintaining the accepted framework.

Close examination of the characteristics of these Talmudic traditions necessitates a new way of looking at the problem. Opposing the tendency to merge the sources into one general historic picture, the dynamic nature of the traditions and the changing contexts in which they were set reveal several different perspectives within rabbinic literature itself. As such, I will claim that while Roman policy cannot be reconstructed via rabbinic literature, various ideological schema can be identified within which martyrdom in the name of religious commandments was situated and the persecution of the Jews depicted. We will see that the approach of the Tannaim is consistent with that of Josephus, who differentiated between the Jews’ devotion to the Torah and their status in the Roman Empire. On the other hand, the later sources expanded the scope attributed to the decrees and refined the descriptions of martyrdom. Moreover, they also created a new language in order to give renewed meaning to this historic memory. As we shall see, the coining of the phrase “time of persecution” in these sources was bound up with the creation of the same polarized world-view of persecution and resistance, which Heinemann and others ascribed to the sages.[[9]](#footnote-10)

**[b] Martyrdom for the Commandments**

The development of one tannaitic tradition, which deals with the commandments for which Jews martyred themselves, 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. A passage in Sifre Deuteronomy recalls Jews’ martyrdom during the time of persecution: ‘Rabban Shimon ben Gamliel says: any commandment over which Israel martyred itself in the time of persecution is performed publicly, while any commandment over which Israel did not martyr itself in the time of persecution is still performed casually’.[[10]](#footnote-11) Ostensibly, this statement constitutes testimony from a contemporaneous sage regarding restrictions on fulfilling commandments, as well as the scope of the decrees which led to a partial uprooting of Jewish life. However, a comparison to the parallel statement in the *Mekhilta de-Rabbi IShemael* raises doubts about this historical account:

“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 themselves 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-12)

The affinity between the *Mekhilta* and the *Sifre* is obvious. However, the tradition recorded in the *Mekhilta* is clearly not referring to decrees from the time of persecution, as evidenced by the fact that it mentions the Temple and the Jubilee year. The simple interpretation of this passage is that Jews did not make the effort necessary to preserve certain commandments, and that these were therefore ultimately no longer upheld at all. The expression “sacrificed themselves” (*natnu nafsham*) does not refer here specifically to martyrdom in God’s name, but rather refers more broadly to the willingness to exert every effort to cling to Torah.[[12]](#footnote-13) Accordingly, the commandments enumerated were not prohibited by the Romans, but rather signify the scope of common ritual observance.[[13]](#footnote-14)

A comparison of the two parallel passages indicates the trajectory of the tradition’s development. While the tradition initially dealt with the Jews’ general efforts to observe the commandments at any cost, it was later adapted into a description of Jewish perseverance against the Romans’ attempts to uproot observance of the commandments. It is difficult to determine precisely when reference to “the time of persecution” was appended to the core tradition. Nevertheless, one can clearly observe a reinterpretation of martyrdom within the defined framework of the struggle between the Jews and their rulers over observance of the commandments. In what follows, we will combine this textual phenomenon with other processes which illuminate the establishment of the new outlook. Before that, we will sketch a general picture of the tannaitic traditions which deal with martyrdom for the commandments and their connection to trends in ancient Jewish literature.

Several tannaitic sources reference observance of commandments during “the time of danger” [*she‘at ha-sakanah*]. These sources refer to the recitation of the *Shema*, 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-15) The sages from Usha, such as Rabbi Shimon ben Gamliel, Rabbi Judah and Rabbi Meir, discuss concrete events which took place during the “time of danger”, on the basis of which it is reasonable to presume that they are referring to their experiences during the rebellion of Bar Kokhba. However, there is nothing in these sources identifying the “time of danger” with a Roman decree against the observance of the commandments.[[15]](#footnote-16) At a time when Jews were hiding from danger, it is difficult to see how they could have observed the commandments relating to *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 reasonable to interpret this “danger” as implying a concerted effort to prevent the Jews from observing the commandments. Such is the case, for example, in the following source: ‘Rabbi Meir said: we were once seated in the study house before Rabbi Akiva and we recited the *Shema* inaudibly because of a certain quaestor who was standing at the entrance. They said to him: evidence cannot be brought from a time of danger’.[[16]](#footnote-17) Why were they forced to be silent? Perhaps because the quaestor was sent to enforce the decree against the recital of the *Shema*, which defies the Caesar’s divinity?[[17]](#footnote-18) Alternatively, they may have been forced to perform *all* their deeds in secret, as is reasonable to assume about an instance in which they read from the Megillah at night – during the time of danger.[[18]](#footnote-19)

It is, of course, impossible to draw a precise line between a prohibition against observance of commandments, on one hand, and a state of war and rebellion which makes observance of the commandments difficult, on the other. It is not impossible that there were indeed instances of the first type. However, given the difficulty in establishing the existence of such prohibitions, one must begin by examining the manner in which tannaitic sources themselves conceptualize the situation. As in the passage from the *Mekhilta* discussed above, the phrase, “time of danger”, characteristic of tannaitic sages, focuses on the self-sacrifice required in order to observe commandments, despite the dangers involved; no reference is made to the causes of the danger, nor to the specific timeframe in which it occurred. As a rule, the tannaitic sources do not deal with Roman rule and its goals, nor with confrontation with it.[[19]](#footnote-20) Therefore, even if religious persecution and an attempt to prevent the Jews from observing the commandments existed, they were excluded from these sources. The tannaitic literature disconnects self-sacrifice and devotion to commandments from concrete historical circumstances and from a struggle over the existence of Judaism.

One prominent characteristic in tannaitic literature’s stories of martyrdom is a total lack of reference to any legal procedure or details of the Roman indictments.[[20]](#footnote-21) This is evident in the conversation between Shimon and Ishmael as they were taken to be executed: ‘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-22) This question is not about the motivation of the executioner but rather about the judgment of heaven, which held Rabbi Shimon to a higher standard in punishing him over a very small misdeed.[[22]](#footnote-23) The tannaitic tradition regarding Rabbi Hananya ben Teradion is no more illuminating of the reasons for the Roman decree of execution.[[23]](#footnote-24) What concerns the *midrash* here is his and his family’s acceptance of the judgment. The unspecified Roman sentence is simply a means for implementing God’s just will, which gives each person their true recompense. These sources attempt to project divine justice onto 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 homiletical exegesis, ‘“With all of your soul” – even if He takes your soul’, reflect a different aspect of this approach.[[24]](#footnote-25) In the Land of Israel version of Rabbi Akiva’s sentence before Turnus Rufus, no reference is made to Rabbi Akiva’s guilt in the eyes of the Romans; rather, what is explained is that these circumstances enabled him to actualize his personal love of God with all his soul.[[25]](#footnote-26) 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-27)

It seems proper to interpret Rabbi Nathan’s exegesis of the love of God which Jews demonstrate through observance of the commandments (‘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 against the observance of certain commandments, it should be noted that it shares the characteristics of the earlier dialogue about martyrdom for the commandments.

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 commandments. 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-28)

This source enabled scholars to enumerate the commandments against whose performance the Romans set decrees: circumcision, Torah study, matza and *lulav*. However, beyond the difficulty in understanding the motivation for the Roman prohibition of commandments 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 commandments 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-29) Moreover, it is not at all clear that the person is being executed as a result of an ordered trial. As such, without taking into account the concrete circumstances of the execution – whether political, military or national – the language that the Jews used inwardly and outwardly was their commitment to Torah and commandments. 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 Romans.

The tannaitic sages were not the first to contextualize martyrdom for commandments and for Torah in such a way. Josephus also chose to describe the phenomenon of sacrifice for Torah as an entrenched Jewish trait that does not stem from Roman persecution and hatred and does not depend on those circumstances. On his account, this central phenomenon exemplifies the Torah’s power in instilling values and virtues, rather than reflecting behavior in the context of 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:

Has anyone ever heard of a case of our people… proving traitors to their laws or afraid of death? I do not refer to that easiest of deaths, on the battlefield, but death accompanied by physical torture, which is thought to be the hardest of all. To such a death we are, in my belief, exposed by some of our conquerors, not from hatred of those at their mercy, but from a curiosity to witness the astonishing spectacle of men who believe that the only evil which can befall them is to be compelled to do any act or utter any word contrary to their laws.[[29]](#footnote-30)

In this passage, Josephus outrightly attempts to shift the act of 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 the Jews’ rebellion against their overlords by transforming warriors fighting for their freedom into martyrs willing to die so long as they are not made to transgress their Torah. He describes the execution by Titus of prisoners taken in the Roman-Jewish War as an expression of their piety: they are prepared to die rather than say anything against the Torah.[[30]](#footnote-31) Daniel Schwartz has presented a similar picture regarding Josephus’ description of the Essenes: According to Josephus, they suffered cruel torture at the hands of the Romans for having observed the commandments, while making no reference to their military activity or their political aspirations.[[31]](#footnote-32)

Battles, rebellions and punishments were thus incorporated into the uniform paradigm of a willingness to die rather than transgress the commandments.[[32]](#footnote-33) Both early rabbinic sources and the writings of Josephus identify various phenomena of self-sacrifice with the clear value of martyrdom for observance of the Torah. This paradigm neutralizes the Romans’ function in harming the Jews’ traditions and way of life.[[33]](#footnote-34) The sages even add to and strengthen this paradigm by ascribing their suffering and death exclusively to God’s will and His just decree.

**[c] History of the “Persecution”**

Alongside the paradigm in which Josephus and the tannaitic sages laid out their descriptions of religious martyrdom was an alternative historiographical paradigm 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 Eleazar, 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 lie buried an aged priest and an aged woman and seven sons, because of the violence of the tyrant who wished to destroy (katalusai) the way of life (politeia) of the Hebrews. They vindicated their nation, looking to God and enduring torture even to death’.[[34]](#footnote-35) After the author describes their victory in battle, he claims that, because of them, their enemies did not take control over 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-36)

A number of features come together in this literary and ideological tradition. Sacrifice takes place against the backdrop of an attempt to destroy the Jewish way of life, and it is due to these individual martyrs that the entire nation is saved. 4 Maccabees is also ascribed to the start of the tannaitic period,[[36]](#footnote-37) but it endows self-sacrifice over observance of commandments 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 constellation has roots in a literary tradition which goes back to 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’ commitment 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-38) and, as we have seen, are uncharacteristic of tannaitic literature. Nevertheless, the various components of this tradition of martyrdom are revealed at different stages in the development of the Talmudic traditions relating to this period. Indeed, it is possible to trace the transformation and reworking of the tannaitic materials, and their adaptation to fit this alternative discourse.

First and foremost, the use of the phrase “time of persecution” becomes increasingly established. The term appears only twice in the Tosefta, in both instances within comments qualifying an early ruling by tannaitic sages. For example, Tosefta *Shabbat* states: “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 “time of persecution”, but during the “time of persecution”, one must sacrifice himself even for the smallest of commandments”.[[38]](#footnote-39) In parallel passages we learn that this ruling was made in the name of Rabbi Shimon ben Jehozadak, an early amoraic sage, while a comment regarding the “time of persecution” was added in the name of Rabbi Johanan in the Babylonian Talmud.[[39]](#footnote-40) Taken together, these sources demonstrate that the “time of persecution” was not part of the early tannaitic tradition. Here and in Tosefta *Avodah Zarah*, another reference to the time of persecution appears as a complementary note to laws and traditions which did not take this reality into account.[[40]](#footnote-41)

In the Jerusalem Talmud, the phrase “time of persecution” becomes a euphemism for the political reality in the time of the Bar Kokhbarebellion. It replaces the phrase “time of danger”,[[41]](#footnote-42) which does not appear in the Jerusalem Talmud with its original meaning, and the “danger” thus turns into decrees issued directly against the Jews.[[42]](#footnote-43) In the Jerusalem Talmud we find repetition of the phrase, “at first they decreed persecution in Judea…and they became enslaved to them”. Thus, the phrase “time of persecution” 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 subjugate the Jews in various ways, disinheriting them of their lands and taking their wives.[[43]](#footnote-44) The “time of persecution”, based on its usage in the Jerusalem Talmud, seems to refer to a distinct period, which included systemic attacks on the Jews, in terms of observance of commandments and in other respects. However, the identification of the Bar Kokhbarebellion with the “time of persecution” suggests that, as far as the Amoraim of the Land of Israel were concerned, the attempt to persecute Jews and cause them to transgress their religious precepts is that which stood at the heart of the Roman persecution.[[44]](#footnote-45)

In light of the conceptual process that we have identified, we must reexamine the relationship between the title *meshummad*, apostate, familiar to us from tannaitic literature, and the phrase *she‘at ha-shemad,* time of persecution. It is commonly accepted that the *meshummadim* were those people who were forced to transgress commandments during the time of persecution, that ‘before the time of persecution, there were no apostates’, and that the meaning of the term was expanded from there to include those who left Judaism by choice.[[45]](#footnote-46) On the other hand, it seems that the basic meaning of the term *meshummad* is not related to persecution or coercion; rather, it is simply a euphemism for the wicked who have been destroyed and cut off from the world. The root *sh-m-d* is already used 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 a Pesher from Qumran on this chapter, we find: “They are tyrants of the covenant, the evil of Israel who were cut off and destroyed from the world”.[[46]](#footnote-47)

The *Sifra*, like Pesher Psalms, also describes the *meshummadim* as those “who do not accept the covenant”.[[47]](#footnote-48) The connection of the apostates to the sentence of cutting-off is elucidated in the central tannaitic source that defines them. The law in Tosefta *Horayot* 1, 5 (p. 474) that defines the *meshummad* is based on the verse which deals with the sentence for 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 *meshummad* is someone who acts with a high hand, as exemplified in Rabbi Shimon ben Eleazar’s articulation in the *Tosefta*: “Even one who does something that is not abominable”. This euphemism for an evildoer appears in its Aramaic form as early as *Megillat Ta’anit* (22 Elul), apparently referring to Jewish Hellenizers.[[48]](#footnote-49) At its base, the description *meshummad* does not serve as testimony to the occurrence of religious persecution, but rather to the abandonment of Jewish religion in favor of the Roman world. The phrase “time of persecution” and the verb *leshammed* (“to persecute”) frame this as religious persecution.[[49]](#footnote-50)

Beyond the usage of the phrase “time of persecution”, descriptions of martyrdom reflect a paradigm of confrontation to an increasing degree. In the initial layer, the people clash over observance of commandments; later on, and their deaths are imbued with national and historic meaning. Thus, for example, the Jerusalem Talmud does not present Paphos and Lulianos’ executions as arbitrary, as it is portrayed in the tannaitic literature, but rather as a consequence of their refusal to perform the pouring-out rites (or at least to pretend to perform them).[[50]](#footnote-51) In a similar vein, Rabbi Akiva’s expounding of the verse, “therefore worlds have loved you” in the *Mekhilta*, in which the nations of the world offer Israel to join them, is transformed in Song of Songs Rabbah into a confrontation over participation in idolatrous rites, thus adding an element that does not appear in the original expounding.[[51]](#footnote-52) Another midrashcontains a detailed description of Jews being forced to participate in idolatry in a generation of persecution. A Jew is brought before a judge and required to deny his God, and even to perform the pouring-out ritual before an idol.[[52]](#footnote-53) In a later midrash one even finds a repetition of the story of the mother and her seven sons, adapted to the Roman context, even though the story 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-54)

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-55) but the elements that have been described suffice to indicate a reframing time of persecution in accordance with the historiographical paradigm of martyrdom. In this fashion the 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 Paradigm**

In light of the textual developments that we have identified, we must find a way to explain the conceptual and historiographical upheaval in the descriptions of martyrdom for the commandments, as well as the change that occurred in the portrayal of Roman persecution of the Jews. What motivated the shift from the early descriptions of religious self-sacrifice to stories of religious conflict within a paradigm of persecution and resistance? To be sure, neither paradigm represents the reality of the time transparently. While the earlier Rabbinic traditions intentionall repress the conflict with Rome, the later traditions acted to shape a foundationless image of an imperial attempt to liquidate the Jewish way of life. The question is thus not which description is true, but rather what motivated the reframing of historic memory.

At this point it is necessary to consider the role played by the discourse of Christian martyrdom. Lieberman, who observed the similarity between the descriptions of execution in midrashand 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 time of persecution, claiming that the Jews were treated likewise”.[[55]](#footnote-56) 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 deal with the experience of otherness under the Roman Empire. The history of the rabbinic traditions regarding martyrdom over observance of the commandments thus impacts on the essential question which preoccupies scholars of that time period, regarding the roots and characteristics of the martyrdom phenomenon among Jews and Christians in ancient times.

Jews and Christians in the first two centuries of the Common Era depended 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 by means of public martyrdom 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 of God over Caesar worship.[[56]](#footnote-57) The Christians’ aspiration to die publicly subverted the Romans’ show of strength, which was undermined by those who hurried to unite with their savior in death. Thus is formed the characteristic complex of martyrdom: a head-on struggle over religious truth that can only be resolved 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 paradigm.[[57]](#footnote-58) In order to ground their status in the Roman Empire, Jewish authors such as Josephus required a different discourse on death, centering not on persecution and resistance, but rather on devotion, heroicism and sacrifice. This orientation fits well with the Jews’ ambivalent status in the Roman Empire. The Roman world placed a challenge before the Jews, and many elected to submerge themselves in the Roman environment. This peripheral existence[[58]](#footnote-59) is reflected in the language of self-sacrifice for the commandments, through dialogue with the Roman surroundings but without direct conflict.

Each community – the Christian and the Jewish – created a different paradigm of death in the name of heaven, shaped by their respective standings in the Roman Empire and fitting with their self-image vis-à-vis this context. Through terminological changes in Rabbinic literature, we are witness to a gradual change in the discourse of self-sacrifice, and to a deepening alignment of this discourse with the Hasmonean traditions and the developing Christian model of martyrdom, both of which were characterized by a strong sense of persecution. The transmitters of the Talmudic traditions did not invent Jewish suffering in the period of the Bar Kokhbarevolt, but they portrayed it within the parameters of the world-view available to them, imbuing it with new meaning under the persecuting conquerors. 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, pp. 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, pp. 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, pp. 365-377. [↑](#footnote-ref-2)
2. For a description of the deterioration in the Romans’ 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, which Goodman calls the “ Final Solution”, was implemented by Hadrian with the establishment of Aelia Capitolina. This goal was embodied in the destruction of the Temple, according to the account of Sulpicius, if it preserves the words of Tacitus himself: ‘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 H. Levi, ‘Tacitus on the Origin and Manners of the Jews’ [Heb.], Zion 8 (1943), p. 82). However, the relation between the destruction of the location of Jewish ritual and the uprooting of the Jewish way of 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 Jews’ 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 generates uncertainty as to whether Hadrian’s “decrees of persecution” (if these indeed occurred – 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, and 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-3)
3. M.D. Herr, ‘Persecutions and Martyrdom in Hadrian’s Days’, *Scripta Hierosolymitana* 23, (1972), pp. 85-125 [↑](#footnote-ref-4)
4. S. Lieberman, ‘Persecution of the Religion of Israel’, *Salo Wittmayer Baron Jubilee Volume on the Occasion of his Eightieth Birthday*, Hebrew section, Jerusalem 1975, pp. 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-5)
5. B. Isaac and A. Oppenheimer, ‘The Revolt of Bar Kokhba: Ideology and Modern Scholarship’, *JJS* 36 (1985), pp. 33-60 (59). See more below. [↑](#footnote-ref-6)
6. Smallwood, pp. 464-466. [↑](#footnote-ref-7)
7. P. Schäfer, *Der Bar Kokhba-Aufstand: Studien zum zweiten jüdischen Krieg gegen Rom*, Tübingen 1981, pp. 194-235. [↑](#footnote-ref-8)
8. R. Kalmin, ‘Rabbinic Traditions about Roman Persecutions of the Jews: A Reconsideration’, *JJS* 54 (2003), pp. 21-50. [↑](#footnote-ref-9)
9. Lieberman, in ‘Persecution of the Religion of Israel’, p. 228, retained the distinction between the phrase “time of danger”, common in tannaitic sources, and the phrase “time of persecution”, which appears in later sources, but he understood this as proof that the persecutions intensified, culminating finally in an attempt to completely uproot the Jewish religion. Generally speaking, Lieberman was aware of the different value of tannaitic and amoraic testimony (see p. 218), but he wished 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 received the writings of my friend, Noah Bickart, who suggests describing the processes in the same light I suggest herein. [↑](#footnote-ref-10)
10. Sifre Deuteronomy, chapter 76, p. 141 (based on Vatican manuscript 32). Cf. Babylonian Talmud, Shabbat 130a, in which the characteristic alternative, “time of the kingdom’s decree” replaces “time of persecution”. [↑](#footnote-ref-11)
11. Mekhilta de-Rabbi Ishmael*,* ShabataA, p. 343. [↑](#footnote-ref-12)
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 commandments that does not necessarily entail death. [↑](#footnote-ref-13)
13. The Mekhiltapreserves an astonishingly similar list to the one that appears in Justin Martyr’s dialogue with Trypho, describing the commandments that were still upheld after the Temple’s destruction (clause 46, *Roke’ah* p. 139). [↑](#footnote-ref-14)
14. See Mishnah Shabbat 19, 1; Mishnah Eruvin 10, 1; Mishnah Megillah 4, 8; Mishnah Ketubot 9, 9; Tosefta Berakhot 2, 13 (p. 9); Tosefta Eruvin 5, 24 (p. 117); Tosefta Sukkah 1, 7 (p. 257); Tosefta Megillah 2, 4 (p. 349); ibid, 3, 30 (p. 362); Tosefta Ketubot 1, 1 (p. 56); ibid, 9, 6 (p. 89); Tosefta Bava Metzi’ah 2, 17 (p. 69). [↑](#footnote-ref-15)
15. For details, see A. Tropper, ‘As Clay in the Potter’s Hand: Deeds of the Sages in rabbinic literature’, Jerusalem 2011, p. 149, footnote 101, following Schäfer, *Der Bar Kokhba-Aufstand*, pp. 194-235. Cf. M. Benovitz, ‘Times of danger in the Land of Israel and Babylonia’, Tarbitz 74 (2005), pp. 5-20. Benovitz is of the opinion that the “time of danger” is not restricted only to Hadrian’s decrees. [↑](#footnote-ref-16)
16. ToseftaBerakhot2, 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 quaestor could reasonably be found). Cf. 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-17)
17. Lieberman, ‘Persecutions of the Religion of Israel’, p. 227. [↑](#footnote-ref-18)
18. ToseftaMegillah2, 4 (p. 349). Additionally, what does the term “danger with no commandment involved” imply, as it appears in the Mishnah and Toseftaregarding 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 commandments, or alternatively, that the *mezuzah* and phylacteries identified a person as Jewish? [↑](#footnote-ref-19)
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-20)
20. The story of Rabbi Eliezer in Tosefta Hulin2, 24 (p. 503) is an exception in this regard, as he was accused as a Christian. His story thus fits the pattern of Christian martyrology. [↑](#footnote-ref-21)
21. Mekhilta de-Rabbi Ishmael, Nezikin18, p. 313. [↑](#footnote-ref-22)
22. Cf. the adapted version in Avot de-Rabbi Nathan*,* Version A, chapter 38; Version B, chapter 41 (pp. 114-115). The dialogue between Rabbi Hananya ben Teradion and Eleazar ben Parta in the beraitain Babylonian Talmud, Avodah Zarah 17b is also meant to conceal the Roman considerations in favor of divine justice. [↑](#footnote-ref-23)
23. SifreDeuteronomy, section 307, p. 346. Rabbi Hananya ben Teradion was burnt with his Torah scroll, according to the law regarding books of magic. See Lieberman, ‘Persecution of the Religion of Israel’, footnote 28.

    Roman Law regarding destruction of books of magic.

    Cf. the description in the Babylonian Talmud, regarding the binding of the Torah scroll. [↑](#footnote-ref-24)
24. Mishnah Berakhot8, 5; Tosefta Berakhot6, 7 (p. 35). Scholars have attempted to identify the innovation of Rabbi Akiva, 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’, *Zion* 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 within the approach characteristic of tannaitic (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 [d]. [↑](#footnote-ref-25)
25. Jerusalem Talmud, Berakhot9, 5 (p. 14b); Jerusalem Talmud, Sotah5, 7 (p. 20b). Mandel, ‘Was Aqiva a Martyr?’ characterizes the story in the Jerusalem Talmud as “political drama”. In my opinion, his perceptive analysis is not consistent with this characterization. [↑](#footnote-ref-26)
26. Mekhilta de-Rabbi Ishmael, Shira 3, p. 127. [↑](#footnote-ref-27)
27. Ibid, ba-ḥodesh 6, p. 227. Cf. Leviticus Rabbah 32, 1 (p. 735). [↑](#footnote-ref-28)
28. Tropper, ‘As Clay’, p. 150, footnote 101 proposes that the connection between commandments and death is a literary instantiation of the principle of “an eye for an eye”. [↑](#footnote-ref-29)
29. Against Apion II, 232-234 (Loeb edition, p. 387). [↑](#footnote-ref-30)
30. Against Apion I 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 also *Against Apion* II, 272, 291-292 and the commentary there. [↑](#footnote-ref-31)
31. Wars I, 151-153 (cf. Philo, ‘Every Good Man is Free’, 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-32)
32. Another example of a similar adaptation can be found in Josephus’ two descriptions of the priests’ devotion to Temple ritual in the time of Pompey’s conquest. Cf. Wars I, 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 Gaius’ temple. According to Philo, the Jews expressed willingness to sacrifice themselves so as not to behold an evil greater than death (On the Embassy to Gaius, 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-33)
33. This is not to ignore Rome’s role 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’, *Zion* 72 (2007), pp. 5-36. [↑](#footnote-ref-34)
34. 4 Maccabees, New Revised Standard Version, 17:9-10. [↑](#footnote-ref-35)
35. On the martyrs’ role in saving Israel in 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-36)
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-37)
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 this is what gave rise to these traditions. In this regard he agrees with G. Bowersock, *Martyrdom and Rome,* Cambridge 2005, who 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 resistance 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 rabbinic literature. [↑](#footnote-ref-38)
38. Tosefta Shabbat15, 17 (p. 75). [↑](#footnote-ref-39)
39. Cf. Jerusalem Talmud, Sanhedrin3, 6 (21b), Shevi’it4, 1 (35a), and Babylonian Talmud, 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* (cf. Sifra,Aḥarei Mot*,* ch.13, clause 14 [86b]), while the matter of persecution 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 time of persecution’, but it is unclear on what he bases this, and it seems to fit the language of the comment in the Tosefra, ‘Whom is it discussing’. [↑](#footnote-ref-40)
40. Mishnah Avodah Zarah4, 6 permits the mummification of kings, and the Tosefta(5, 6 p. 468) limits this to a case of persecution. This is because “it is impossible that there was no Israelite there forced to worship’ (Jerusalem Talmud, Avodah Zarah5, 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-41)
41. Cf. ToseftaEruvin5, 24 (p. 117) and Jerusalem Talmud, Eruvin9, 1 (25c). [↑](#footnote-ref-42)
42. For the Talmuds’ interpretations of “time of danger” in Tosefta Kethubot1, 1 (p. 56), which constitutes the basis on which weddings ceased to be performed on Wednesdays, see Lieberman, *Tosefta ki-Peshuta*, pp. 186-187. [↑](#footnote-ref-43)
43. Jerusalem Talmud, Kethubot1, 5 (25c); Gittin5, 6 (47b); Shabbat6, 2 (8a); Kiddushin4, 1 (65c). [↑](#footnote-ref-44)
44. This meaning of ‘persecution’ 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 mean only to collect taxes’. This shows that the Amoraim understood ‘persecution’ as entailing forced transgression of commandments. [↑](#footnote-ref-45)
45. This is in accordance with Lieberman, *Tosefta ki-Peshuta,* Shabbatp. 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, ibid. [↑](#footnote-ref-46)
46. Pesher Psalms 1, 3-5, lines 12-13 (Kimron, 2, p. 302). This language is also used to describe the fate of the wicked in Community Rule 5:19 (‘and He will destroy all blasphemers of his word from the earth’), which runs parallel to the description of the fate of the wicked among the nations in 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-47)
47. Sifra, Nidava Parshata2, 3 (4c). [↑](#footnote-ref-48)
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-49)
49. See Lieberman, ‘Persecution of the Religion of Israel’, p. 228: “Persecution (*extirpation*)is a word used by the monarchy to note total uprooting of religions”. [↑](#footnote-ref-50)
50. Jerusalem Talmud, Sanhedrin3, 6 (21b), *Shevi’it* 4, 1 (35a). [↑](#footnote-ref-51)
51. Song of Songs Rabbah7, 2. [↑](#footnote-ref-52)
52. *Arukh* entry 162 a, brought by Lieberman, p. 229. [↑](#footnote-ref-53)
53. For the meanings of these differences see J. Guttman, ‘The Mother and Her Seven Sons in the *Aggada* and in the *Sifre HaHashmonaim* 2 and 4’, M. Schwebe and J. Guttman (eds.), *Book of Johana Levi*, Jerusalem 949, pp. 25-37. [↑](#footnote-ref-54)
54. This process reaches its climax with the post-Talmudic work which belongs to the circle of the *yordei ha-merkavah*, ‘Story of the Ten Martyrs’, in which it is revealed to the sages that their deaths will bring about the end of the Roman Kingdom. See Y. Dan, ‘The Story of the Ten Martyrs: Its Origins and Development’, *Studies in Literature Presented to Simon Halkin*, E. 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-55)
55. Lieberman, ‘Persecution of the Religion of Israel’*,* p. 231. [↑](#footnote-ref-56)
56. Bowersock, p. 16, compares Christian 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 the formation of Christian identity in contradistinction to Roman identity, see E. Castelli, *Martyrdom and Memory: Early Christian Culture Making,* New York 2004. [↑](#footnote-ref-57)
57. In light of this, I do not think one can accept Boyarin’s claim that the discourse of martyrology was reshaped by both Jews and Christians in the second century (when, according to him, the two communities had not yet completely separated). 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 superficial similarity between the Christian and Jewish sources. While Christians told stories of martyrs who declared their faith before the Roman judge, the tannaitic sages are preoccupied amongst themselves with justifying the deaths decreed for them. Boyarin isolates the erotic component from the 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 a shared attitude toward death in the name of heaven. [↑](#footnote-ref-58)
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-59)