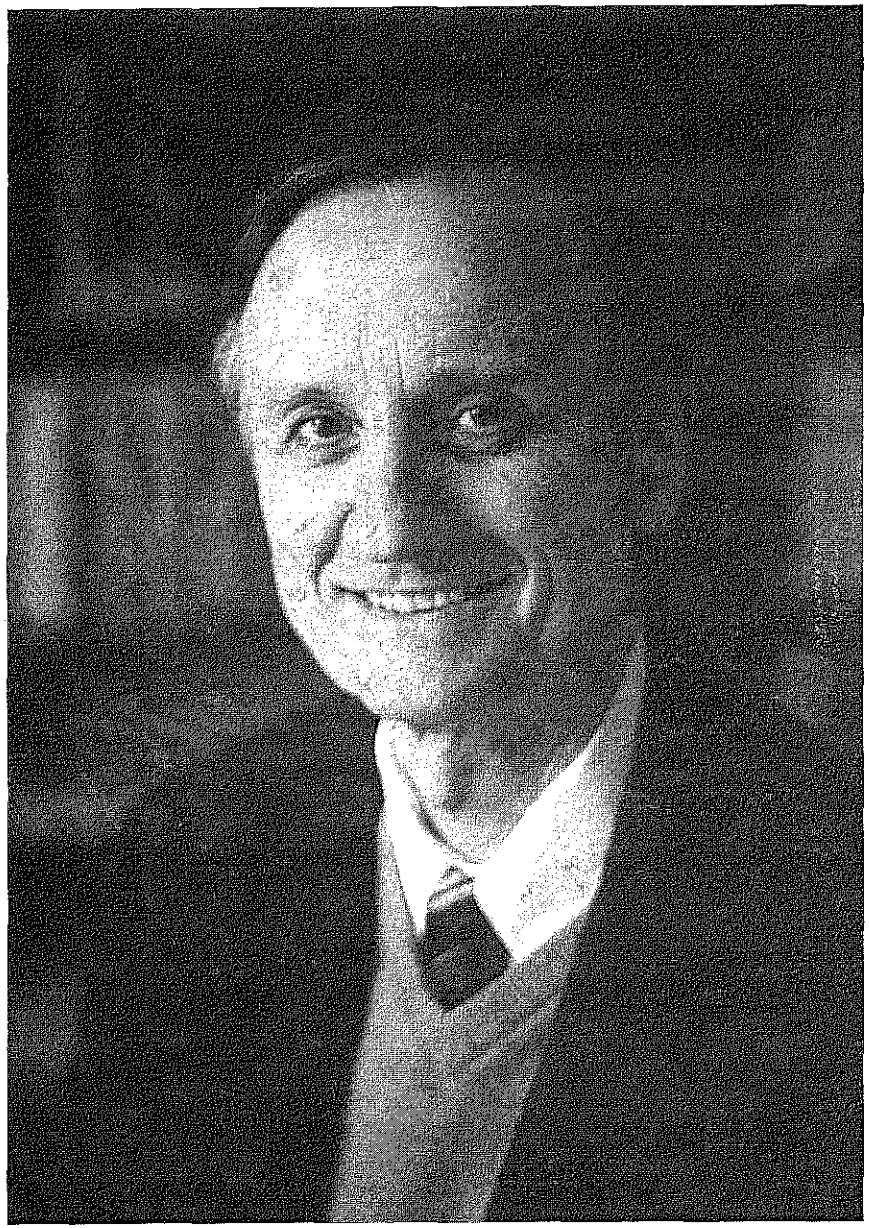

Envisioning Judaism

Studies in Honor of Peter Schäfer on the Occasion of his Seventieth Birthday

Edited by

Raʿanan S. Boustan, Klaus Herrmann,
Reimund Leicht, Annette Yoshiko Reed,
and Giuseppe Veltri

with the collaboration of

Alex Ramos

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The Contested Reception of *The Story of the Ten Martyrs* in Medieval Midrash

Raʿanan S. Boustan

Social and religious norms are inculcated not only through apodictic statements of law and ethics, but also through the persuasive and pervasive power of narrative; *nomos* and narrative are thus mutually dependent, especially in the types of highly cohesive and disciplined religious communities that existed prior to the rise of the liberal democratic state – and which, in many cases, continue to exist alongside it.[1] But I would insist that, even in the most intimate and homogeneous of communities, existing narrative traditions are likewise subject to processes of negotiation, revision, and contestation.[2] The quality and force of the authority that a narrative is made – more or less effectively – to bear for a community of shared norms is conditioned by the particular circumstances and aims of its transmission and reception.

My own commitment to this view of the tense dialectic between preservation and innovation that governed pre-modern Jewish literary culture is profoundly indebted to Peter Schäfer. As those familiar with even a small portion of his work know well, he has shown a keen eye throughout his career for precisely these ubiquitous, if often elusive, forms of "activist" reception. Of course, just as social and economic change in the pre-modern

[1] On the constitutive role of narrative in *initiating* a "normative universe," see the seminal analysis in R. Cover, "Nomos and Narrative," *Harvard Law Review* 97 (1983): 4–68. See also the reflections on this influential essay as well as on Cover's wider body of writings in M. Minow, M. Ryan, and A. Sarat, eds., *Narrative, Violence, and the Law: The Essays of Robert Cover* (Ann Arbor: University of Michigan Press, 1993).

[2] In distinguishing between an always prior "world-creating" ("paideic") pattern of communal order and an always subsequent "world-maintaining" pattern, Cover paints a rather romantic portrait – even if only as an ideal-type – of traditional communities in which "[d]iscourse is initiatory, celebratory, expressive, and performative, rather than critical and analytic" ("Nomos and Narrative," 13). Cover's two ideal-types quite explicitly map onto the divide between the traditional "religious community," on the one hand, and the "civil community" of the universalizing liberal democratic state, on the other. On relationship between the traditions of religious community and secular democracy that interrogates the very grounds of this distinction, in part through an alternative genealogy of the "secular," see J. Stout, *Democracy and Tradition* (Princeton: Princeton University Press, 2004).

world was rarely dramatic or even systemic, religious and intellectual innovations were primarily achieved piecemeal through often minor adjustments to long-standing literary traditions. In most cases, such interventions merely reflect the ongoing scribal work that is essential to the simple transmission of literary materials in an era before modern print-culture. But the tools of reception history have also proven productive across a wide range of historical fields for analyzing the negotiated nature of textual production and authority.[3] In some particularly delicious cases, such modifications can reveal the fundamental reconfiguration of regnant norms, identities, or even categories of knowledge.

Schäfer has repeatedly demonstrated how, from these often hard-won observations regarding the dynamics of appropriation and re-appropriation, the scholar can build toward larger insights in the history of religion: no firm boundary can be said to divide religion from magic, magic from mysticism, or Judaism from Christianity; these terms instead mark our own scholarly attempts to chart out the often obscure processes through which the historical actors in whom we are interested constructed their always-provisional forms of theological reflection, scholastic authority, and ritual power. Resisting the allures of homogenization as well as essentialism, attention to such micro-dynamics sensitizes us to the often tense conversations and, at times, out-and-out disagreements that contemporaries had with each other and, also, with their own predecessors as they renewed the "tradition."

In this paper, I trace the contested reception in early medieval midrashim of the Hebrew prose narrative known as *The Story of the Ten Martyrs*.[4] In earlier work, conducted in large measure under the generous guidance of Peter Schäfer, I argued that this unified cycle of rabbinic martyr stories developed out of earlier rabbinic and para-rabbinic traditions between the fifth and seventh centuries in Byzantine Palestine.[5] Systematic consideration

[3] On the active role of readers and reading as objects of study within the new "history of the book," see R. Chartier, *The Order of Books*, trans. L. G. Cochrane (Cambridge: Polity, 1994). See also the seminal discussion in M. de Certeau, *The Practice of Everyday Life*, trans. S. F. Rendall (Berkeley: University of California Press, 1984), 165–76.

[4] A comprehensive synoptic edition and accompanying German translation of the martyrology appears in G. Reeg, ed., *Die Geschichte von den Zehn Märtyrern* (TSAJ 10; Tübingen: Mohr Siebeck, 1985). An English translation of A. Jellinek's nineteenth-century edition of the martyrology (*Bet ha-Midrasch: Sammlung kleiner Midraschim*, 6 vols. [Leipzig: Friedrich Nies, 1853–1877; repr. Jerusalem: Wahrmann, 1967], 2:64–72, which is parallel to Reeg's recension I) is found in D. Stern, "Midrash Eleh Ezkerah; or, *The Legend of the Ten Martyrs*," in *Rabbinic Fantasies*, ed. D. Stern and M. J. Mirsky (New Haven: Yale University Press, 1990), 143–65.

[5] On the literary development and cultural context of the martyrology in Byzantine Palestine from ca. 450 to 700 CE, see R. S. Boustan, *From Martyr to Mystic: Rabbinic Martyrology and the Making of Merkavah Mysticism* (TSAJ 112; Tübingen: Mohr Siebeck, 2005). A dating and provenance in Byzantine Palestine was already suggested by L. Zunz, *Die synagogale Poesie des Mittelalters* (2d ed.; Frankfurt: Kauffmann, 1920; repr. Hildesheim: Georg Olms, 1967), 139–44; also P. Bloch, "Rom und die Mystiker der Merkabah," in *Festschrift zum siebzigsten Geburtstage Jakob Guttmanns* (Leipzig: Gustav Fock, 1915), 113–24.

of reflexes of or reactions to this narrative within early medieval midrashic literature can further assist us in fixing the chronology of its development and transmission. But the reception of the martyrology within other contiguous bodies of literature – in this case, rabbinic midrashim – can also help us asses how early medieval Jews read this often strange and troubling martyrological cycle. What type of authority did the narrative carry, especially in light of its role in the annual liturgy on the Day of Atonement? And how did these subsequent readers appropriate its themes and traditions for their own immediate literary or ideological purposes?

I should stress up front that it is not my aim here to trace the transmission of the martyrology itself, as it passed from its initial stages of composition and redaction into the medieval manuscript tradition, where it continued to be reworked and revised by scribes and scholars well into the high Middle Ages and the early modern period.[6] I will also not be able, within the confines of this paper, to explore the relationship between the prose versions of the martyrology and its various liturgical-poetic renditions produced in large numbers throughout the late ancient and medieval periods.[7]

Rather, I will argue that the distinctive theology of trans-generational sin and vicarious atonement that provides the narrative logic of *The Story of the Ten Martyrs* proved puzzling to medieval readers long before the modern period. The martyrology reflected long-standing traditions associated with the Day of Atonement, and it has formed one of the cornerstones of the Yom Kippur synagogue liturgy from Late Antiquity down to the present day.[8] Yet, neither the authoritative status of the narrative as liturgy nor its extraordinary popularity as evidenced by its wide distribution succeeded in stifling debate about its meanings or implications. By analyzing the ways Jewish writers redeployed the martyrology within their novel midrashic composition, we can catch them struggling actively with its theological meaning and narrative logic. As we shall see, there are no clean breaks or predictable outcomes, only negotiations within the horizons of the possible.

[6] Such a study would be of great value to the history of Jewish martyrology and to medieval European cultural history. For now, see Reeg, *Geschichte*, 14–32, which provides detailed description of the manuscripts and their diffusion, though further research is needed to determine the relationship between the various recensions and the geographic distribution of the manuscripts.

[7] For now, see the extensive collection of "ten martyrs" *piyyutim* published in A. Velner, *'Aseret Haruge Malkhut* (Jerusalem: Mosad ha-Rav Kook, 2005).

[8] See Boustan, *From Martyr to Mystic*, ch. 2.

In what follows, I analyze the use and interpretation of parts or all of *The Story of the Ten Martyrs* in a series of midrashic compilations produced from the seventh to twelfth centuries in the Byzantine and Islamic cultural spheres and eventually also in Western Europe. Significantly, the earliest of these midrashim are almost half a millennium older than the earliest extant manuscript witnesses from high medieval Europe on which our knowledge of the martyrology largely depends. I argue that, in each case, the midrashists did not merely absorb the martyrological norms of the narrative, but actively struggled with its message, thereby inevitably recasting its meaning.[9] In other words, even a narrative that carried the weight of rabbinic authority and liturgy was not spared critical and analytical scrutiny.

I begin by describing the distinctive theology of sin and atonement around which *The Story of the Ten Martyrs* is constructed. I then show that some of its earliest readers understood the martyrology in precisely the way I have proposed. However, in the eleventh century, the period immediately prior to the Crusades, we see at least one Jewish scholar actively challenging the theological premises of the martyrology. Yet, there is also evidence that the events of 1096 narrowed the range of interpretation, as *The Story of the Ten Martyrs* became a central tool in the arsenal of those who sought to justify the actions of the martyrs of 1096. In the end, I will suggest that a lopsided privileging of either rupture or continuity does not do justice to the dialectic between traditionalism and innovation that characterized literary production in this period. It is this productive tension that animates the relationship between narrative form and social meaning and renders it far from predictable.

Ancestral Sin and Vicarious Atonement in *The Story of the Ten Martyrs*

For the purposes of this paper, it will be necessary for me to repeat briefly the primary findings from my earlier research.[10] The events recounted in

[9] For an up-to-date overview of the midrashic collections produced over the course of this period and their chronologies, see M. B. Lerner, "The Works of Aggadic Midrash and the Esther Midrashim," in *The Literature of the Sages: Second Part: Midrash and Targum, Liturgy, Poetry, Mysticism, Contracts, Inscriptions, Ancient Science and the Languages of Rabbinic Literature*, ed. S. Safrai et al. (Compendia rerum iudaicarum ad Novum Testamentum 2.3B; Assen: Royal Van Gorcum, 2006), 133–229, esp. 150–55. Naturally, I also consulted the assessment regarding dating and provenance for individual midrashim in H. L. Strack and G. Stemberger, *Introduction to the Talmud and Midrash*, trans. and ed. M. Bockmuehl (Minneapolis: Fortress, 1996). In addition to these two works, I consult specific studies as appropriate.

[10] Boustan, *From Martyr to Mystic*, chs. 2–4.

The Story of the Ten Martyrs are imagined to take place during the Roman "persecutions" of the Jews during the second century CE. The text relates in gruesome detail the sequential executions of ten rabbinic sages at the hands of the Romans. The martyrology embeds these ten individual martyrological units within a single, unifying narrative structure.[11] According to this over-arching framework, the executions of the ten martyred sages are not due to their individual guilt or even to the immediate political circumstances of the persecution. Rather, their martyrdoms are explained as the direct consequence of the kidnapping and sale of Joseph by his ten brothers, as recounted in the book of Genesis. The deaths of these rabbinic martyrs are thus explicitly presented as vicarious atonement for the *original national sin* committed by the progenitors of the tribes of Israel. This narrative framework ultimately served as a flexible literary structure within which future redactors could organize shifting configurations of diverse martyrological material.

The work, which integrates rabbinic, liturgical, and apocalyptic materials and forms in a highly distinctive fashion, is in fact rather representative of the Jewish literary culture of Byzantine Palestine. The martyrology betrays a keen awareness of earlier rabbinic literature in general and of rabbinic martyrology in particular, but departs significantly from the theological as well as literary conventions of its source material. Rather than resort to the traditional conception of measure-for-measure punishment characteristic of earlier rabbinic martyrology, the creators of *The Story of the Ten Martyrs* pursued their own, idiosyncratic formulation of the problem of theodicy. They projected the cycle of sin, punishment, and ultimate reward out over the vast expanse of historical time that separated the progenitors of the Israelite people from the iconic founders of rabbinic Judaism. The suffering of the ten martyrs is neither a mark of their individual piety nor of their individual culpability, but a numerically perfect retribution for the sins of the collective. And just as *The Story of the Ten Martyrs* presents martyrdom as expiation for the sin committed by Joseph's brothers in the mythic past, so, too, it projects the salvific effects of martyrdom forward into a mythic future. Finally, the link between this future redemption and the divinely mandated afflictions of the past is embodied in the symbol of blood. The blood of the martyrs stands as God's pledge to shed the blood of Israel's enemies in retribution for the blood of Israel that they have spilled.

The connection between the sale of Joseph and rabbinic martyrological traditions, which played such a generative role in the literary formation of *The Story of the Ten Martyrs*, does not appear anywhere in classical rabbinic literature from the third and fourth centuries. Nor is it attested in the early

[11] Reeg, *Geschichte*, 33–34.

aggadic midrashim from fifth- and sixth-century Palestine. This striking absence seems to confirm internal literary analysis that points to the emergence of the martyrology as a fully developed work only in the fifth century and after. At the same time, the earliest versions of a coherent martyrology narrating the sequential executions of ten rabbinic sages and sharing certain literary features with prose versions of *The Story of the Ten Martyrs* begin to appear among the anonymous, pre-classical *piyyutim* dating to the fifth or sixth century.[12] These liturgical poems differ from the (later?) prose versions of this cycle in important ways, while nevertheless sharing certain key elements of their narrative structure.[13] Whatever the precise sequence and chronology of the prose and poetic forms of the martyrology, the *piyyutim* seem to support my proposed contextualization of the martyrology within the Jewish culture of Byzantine Palestine toward the end of late antiquity (prior to the eighth century).

Keeping in mind this all-too-brief summation of the distinctive narrative and theological features of *The Story of the Ten Martyrs*, we can move on to consider how the midrashists of the Middle Ages understood or reacted to the martyrology.

The Blood of the Martyrs in Palestinian Midrash

The prose form of *The Story of the Ten Martyrs* begins to register a presence within midrashic literature from the seventh or eighth century onward. A number of midrashic collections contain or reflect various constituent elements of the martyrology – and, in one case, perhaps a version of the

[12] The two earliest examples would appear to be *Az beshivyenu*, published in A. M. Habermann, "Ancient Piyyutim" [Hebrew], *Tarbiz* 14 (1942): 57–58, and in a slightly different form in S. Speyer, "The Dirge *Az be-vet shivyenu*" [Hebrew], *Sinai* 63 (1968): 50–55; and *Az be-ma'osi*, which may have been composed by the sixth-century liturgical poet Yannai, published in M. Zulay, *The Liturgical Poems of Yannai: Collected from Geniza-Manuscripts and Other Sources* [Hebrew] (Berlin: Schocken, 1938), 374–75. In addition, Ophir Münz-Manor and Michael Rand have also located among the Genizah materials another – still unpublished – *piyyut* version of the martyrology, which likely dates to the seventh century and may have been composed by Ela'zar birabi Qilir. I am currently working with them on these *piyyut* materials and their relationship to the development of the prose version of the martyrology.

[13] On the one hand, the *piyyutim* have no apparent connection to the Yom Kippur liturgy and appear to be in the genre of the *qinah* (dirge) intended for liturgical use on the 9th of Av. In addition, these early poetic versions lack all mention of the sale of Joseph, which is central to the theology of vicarious atonement in the prose versions, as well as such key narrative units as the ascent of R. Ishmael to heaven. On the other hand, like the prose versions, the *piyyutim* open with the paired deaths of Rabban Simeon ben Gamaliel and R. Ishmael ben Elisha, which is a fixed element of the martyrological cycle. On this frame narrative, see Boustan, *From Martyr to Mystic*, 71–81.

narrative as a whole. The use of the martyrology in these midrashim not only helps to date the martyrology, but also offers indispensable insight into how the work was first read and deployed at a time and in a place not too distant from its original cultural context. We will see that these earliest readers embraced and even elaborated the martyrology's distinctive theology of sin and atonement.

A complete version of *The Story of the Ten Martyrs* in prose is found embedded in the Palestinian midrashic collection *Midrash Shir ha-Shirim*, an exegetical commentary on the Song of Songs dating anywhere from the seventh to eleventh century.[14] Gottfried Reeg, the editor of an impressive synoptic edition of the martyrology, has shown that the version of the narrative that appears in this midrash contains every one of the thematic elements found in the various recensions of the fully developed form of the martyrology.[15] The version of the anthology that is embedded in this midrashic collection is a free-standing composition and appears, therefore, to be at least somewhat older than its surrounding literary context in the midrash. The inclusion of this version of the narrative within *Midrash Shir ha-Shirim* is consistent with – though does not decisively prove – my proposed dating of a relatively developed form of the martyrology to the sixth and seventh centuries. Yet, even if *Midrash Shir ha-Shirim* was redacted later than the seventh or even eighth century, its distinctive version of the martyrology appears to be the earliest *extant* prose form of the work.

[14] The martyrological anthology is found at *Midrash Shir ha-Shirim* to Song 1:3; the most reliable text remains E. Halevi Grünhut, ed., *Midrash Shir ha-Shirim* (2d ed.; Jerusalem: Wilhelm Gross, 1971), 3a–7a. On the basis of Ela'zar birabi Qilir's apparent dependence on traditions contained in *Midrash Shir ha-Shirim* as well as its linguistic affinities to the *Tanhuma* literature, Y. C. Wertheimer, ed., *Midrash Shir ha-Shirim* (Jerusalem: Ktav, 1971), 11–19, places the work in Palestine before the eighth century. In contrast, M. D. Herr, "Midrash," in *Encyclopedia Judaica*, 16 vols. (New York: Macmillan, 1971), 11:1507–14, assigns the text, or at least its final redaction, to approximately the eleventh century.

[15] Reeg, *Geschichte*, 55. The central building blocks of this narrative framework are as follows:

(a) the Roman Emperor uses Exod 21:16 as the basis for his judgment against the ten rabbinic martyrs,

(b) study of laws of the Paschal sacrifice,

(c) the ascent of R. Ishmael to heaven and his encounter with Metatron,

(d) Metatron's report of the heavenly trial in which the heavenly Principle of Justice presses his claims against Israel using Exod 21:16,

(e) the account of R. Ishmael's martyrdom, in particular his encounter with the Roman matron (elsewhere the emperor / king's daughter) and the subsequent removal of his beautiful face.

This frame comprises the first twenty-eight chapters of the text, or more than half of its total material. After this opening sequence, the various recensions differ considerably, suggesting that they built on a common narrative core but diverged in how they filled it out with supporting materials.

Like a number of other midrashim, *Midrash Shir ha-Shirim* links martyrological material to Song 1:3, "Your ointments yield a sweet fragrance; your name is like finest oil – therefore do the maidens love you (*'al ken 'alamot ahevukha*)." Most notably, in the early halakhic midrash *Mekhilta de-Rabbi Ishmael* (*Shirata* 2), the phrase "therefore do the maidens love you" (Song 1:3) is transformed into "unto death we have loved you" (*'alamot = 'ad mavet*) in order to give expression to Akiva's longing for self-sacrifice. Similarly, in *Song of Songs Rabbah* 1:22, this same verse is associated with Psalm 44:23 ("For your sake we are killed all day long, that we are regarded as sheep to be slaughtered") and is, therefore, understood as an allusion to the rabbinic martyrs.[16]

But, unlike these earlier midrashim, the redactor of *Midrash Shir ha-Shirim* seems to have perceived with impressive clarity how central the figure of Joseph is to the narrative logic of *The Story of the Ten Martyrs*. *Midrash Shir ha-Shirim* interprets the scent of the "ointments" in Song 1:3 as an allusion to Joseph as well as to his garment, which plays such a central role in his kidnapping and sale: "(For) at the time that his brothers sold him (into slavery), the scent of his garments dispersed all along the way and throughout the whole land of Egypt."[17] The gradual dissemination of Joseph's power and authority is thus likened to the slow diffusion of "sweet fragrance." By yoking the Song of Songs to the figure of Joseph, the text prepares the reader for *The Story of the Ten Martyrs* and its exploration of the erotics of martyrdom. Thus, in addition to providing the earliest evidence for the existence of *The Story of the Ten Martyrs*, *Midrash Shir ha-Shirim* also demonstrates that the first readers or, at least, users were cognizant of the generative role that the story of Joseph played in its narrative evolution.

Midrash Shir ha-Shirim does not, however, indicate explicitly how the midrashic compiler related to the emphasis within the martyrology on the atoning power of the martyr's blood. By contrast, other near contemporaneous midrashim suggest that the theology of sin and atonement in *The Story of the Ten Martyrs* resonated with wider currents in the Jewish culture of late antique Palestine or early medieval Byzantium. Thus, in *Midrash on Psalms*, a midrashic compilation that was composed and redacted in Palestine very gradually over the course of late antiquity and the medieval period,[18] we find the following interpretation of Psalm 9:13: *When He*

[16] For discussion of the theme of martyrdom in relation to Song of Songs exegesis, see especially D. Boyarin, *Dying for God: Martyrdom and the Making of Christianity and Judaism* (Stanford: Stanford University Press, 1999), 93–126; Boyarin, "Language Inscribed by History on the Bodies of Living Beings: Midrash and Martyrdom," *Representations* 25 (1989): 139–51.

[17] *Midrash Shir ha-Shirim* to Song 1:3 (ed. Grünhut, 3a).

[18] Strack and Stemberger, *Introduction to the Talmud and Midrash*, 322–23, follow those scholars who have emphasized that the compilation betrays no single redactional hand, but instead seems to have grown by accretions well into the Middle Ages, such that no definitive date for the collection as a whole can be given. Similarly, the need to assess each of the collection's textual units independently is emphasized in D. Lenhard, *Vom Ende der Erde rufe ich zu Dir: Eine rabbinische Psalmenhomilie (PesR 9)* (Frankfurt am Main: Gesellschaft zur Förderung Judaistischer Studien, 1990), 98–116. It is worth noting, however, that the material from the martyrology does belong to the first and older half of the work (on Pss 1–118); this, in turn, leaves open the possibility that the textual unit analyzed here dates to the early medieval period (approximately the seventh to tenth centuries).

makes inquisition for blood, He remembers them; He forgets not the cry of the afflicted:

> When the Holy One, blessed be He, comes to avenge the suffering of the righteous and demands requital for the blood of R. Akiva, He will also requite the blood of ben Qufya. What is meant by the end of the verse *He forgets not the cry of the afflicted* (Ps 9:13)? God will not forget Israel's blood shed by the nations of the earth – not only the blood of the righteous, but also the blood of any one of Israel slain in times of persecution and the blood of those ten executed by Rome: Rabban Simeon ben Gamaliel, R. Ishmael ben Elisha the High Priest, R. Yeshevav the Scribe, R. Hutspit the Translator, R. Simeon ben Azzai, R. Hanina ben Teradyon, and R. Akiva. Of them it is said *He forgets not the cry of the afflicted*.[19]

The text goes on to recount the story of the Roman ben Qufya, who was executed by the Roman authorities for sparing the life of R. Judah the Baker by ordering that someone else be martyred in his stead.[20] Then, expanding on the notion of divine vengeance introduced earlier, the text continues:

> R. Abbahu taught in the name of R. Eleazar: The Holy One, blessed be He, records (the name of) every single righteous man whom the nations of the earth put to death upon His purple robe, for it is said *He that is enrobed with the dead shall spread doom among the nations* (Ps 110:6). And the Holy One, blessed be He, will demand of the nations of the earth: "Why have you put to death R. Hanina ben Teradyon and all the others who were killed for the sanctification of My name?" And when the nations of the earth perjure themselves and reply "We did not put them to death," the Holy One, blessed be He, at once fetches His royal robe, so that He may judge them and decree their doom. Hence it is said, *He forgets not the cry of the afflicted* (Ps 9:13).

God keeps a record of Israel's sufferings, for which He will ultimately hold the perpetrators to account, by dipping His purple robe (*porfirion*) in the blood of the martyrs. A close parallel to this tradition found in the high medieval *Yalqut Shim'oni* explicitly explains that God's garment is red from the martyrs' blood:

[19] *MidPs* 9:13. I have modified the translation in W. G. Braude, trans., *The Midrash on Psalms*, 2 vols. (3d ed.; New Haven: Yale University Press, 1976), 1:144–46. Like Braude, I follow the Hebrew text in S. Buber, *Midrash Tehillim: ha-mekhunneh Shoher Tov* (Vilna: Romm, 1891), 88–89.

[20] I do not know of parallels to this story in classical rabbinic literature.

He that is enrobed with the dead shall spread doom among the nations (Ps 110:6) – Our rabbis taught: Every single life that Esau has eliminated from Israel, God has, as it were, taken the blood of that life and dipped His garment (in it) until it was colored red.[21]

I do not think it far-fetched to suggest that, from the perspective of the redactor of *Midrash to Psalms*, the garment that God has dipped in the blood of the martyrs stands at the opposite end of history from the bloodstained cloak brought by Joseph's brothers to their father Jacob after having sold him into slavery, which had inaugurated the cycle of violence and retributive justice in the first place.[22] Certainly, the midrashist who created this passage found in *The Story of the Ten Martyrs* narrative resources for articulating his muscular notion of redemptive violence.

At the same time, it is worth noting that *Midrash to Psalms* does not accord the ten rabbinic martyrs the unique status they possess within the theology of vicarious atonement formulated in *The Story of the Ten Martyrs* itself. In the martyrology, they are said to have been selected for execution because theirs is the first and only generation from the time of the patriarchs that has seen ten men equal in righteousness to the brothers of Joseph and thus singularly able to atone for their sin.[23] By contrast, the first part of the passage in *Midrash to Psalms* cited above relativizes the redemptive function of these specific martyrs by adding that God likewise is keeping a record of the martyred blood not only of ben Qufya, but also of "any one of Israel slain in times of persecution." Similarly, the second part of the passage insists that God's bloody garment contains a record of the names of "every single righteous man whom the nations of the earth put to death."

It may be significant, therefore, that, although the description of God's *porfirion* may have elicited in (some of) the creators and consumers of this midrashic passage an intertextual association with Joseph's bloodied garment, *Midrash to Psalms* nowhere makes this linkage explicit. The midrash takes the ten rabbinic martyrs as emblematic of what turns out to be a more general or inclusive conception of divine retribution.

[21] *YalqSh* to Psalms, § 869; my translation. See also *Bereshit Rabbati* to Gen 37:26 (ed. Albeck, 176); *Ten Martyrs*, III.52.5–9. The version found in the atypical recension III of *The Story of the Ten Martyrs* is almost identical to the passage in *MidPs*. This unit is not integral to the martyrology and was almost certainly copied from *MidPs* or from a common source. On the passage in *Bereshit Rabbati*, see below.

[22] The link between Joseph's blood-stained garment and the need for atonement on Yom Kippur is already found in the Second Temple period in *Jubilees* 34:13, 18, but is also present in earlier rabbinic, targumic, and payyetanic literature, e. g., *yYom* 7.5 (44b–c); *LevR* 10.6; *SongR* 4.4.5; *Tg. Ps.-J.* to Gen 37:31; Lev 9:3; and *Az be-'en kol* ll. 551–54 (J. Yahalom, ed., *Priestly Palestinian Poetry: A Narrative Liturgy for the Day of Atonement* [Hebrew] [Jerusalem: Magnes, 1996], 124).

[23] *Ten Martyrs* 21.8–9 (Reeg, *Geschichte*, *42–*45).

Due caution concerning the date of this extended passage in *Midrash to Psalms* is warranted, especially in light of the protracted process of redaction that gave rise to the compilation in which it is found.[24] But, whatever the precise dating of this unit, it articulates quite boldly a theology of divine retribution according to which God's eschatological redemption of Israel from their oppressors is closely linked to – and perhaps predicated upon – the spilling of blood in martyrological self-sacrifice.

Martyrdom, Vicarious Atonement, and the Purity of the "Special Dead"

The Story of the Ten Martyrs also registers in interesting ways in the early medieval midrashic commentary on the biblical book of Proverbs, known as *Midrash Mishle*.[25] This text was most likely redacted in the eighth or perhaps ninth century.[26] The provenance of *Midrash Mishle* is somewhat more difficult to pin down because it contains large quantities of earlier literary traditions from various Palestinian as well as Babylonian corpora; we must thus be content to locate it someplace where the redactor would have had access to a trans-regional stream of rabbinic and para-rabbinic traditions.[27]

Midrash Mishle alludes to or makes use of material from *The Story of the Ten Martyrs* in two separate chapters of its commentary to Proverbs (chs. 1 and 9). The first instance is a relatively brief discussion of the notion of vicarious atonement advanced by the martyrology. The second entails what I will argue is an extended citation of the martyrology – or at least of material closely associated with it. As we shall see, while these portions of the midrash represent direct engagement with the martyrology, their overall approach to its theology proves rather cautious.

The first passage, which is introduced as "another interpretation" (*davar aḥer*), belongs to an extended reflection on the sale of Joseph by his brothers (Gen 37:21, 27, and 29) and his dealings with them once he had risen to power in Egypt (Gen 43:34 and 49:26). Elements from the Joseph narrative inform and are interwoven with a running exegesis of Proverbs 1:11–13.[28]

[24] See note 18 above.

[25] B. L. Visotzky, trans., *The Midrash on Proverbs: Translated from the Hebrew with an Introduction and Annotations* (New Haven: Yale University Press, 1992). His translation is based on his own critical edition of the text, Visotzky, ed., *Midrash Mishle* (New York: Jewish Theological Seminary of America, 1990).

[26] Visotzky's preference for a ninth-century date largely depends on his reading of some passages as engaging in anti-Karaite polemic (*Midrash on Proverbs*, 7–12). See also Strack and Stemberger, *Introduction to the Talmud and Midrash*, 324.

[27] Visotzky, *Midrash on Proverbs*, 12.

[28] Visotzky, *Midrash Mishle*, 16–19; Visotzky, *Midrash on Proverbs*, 23–25.

The passage is triggered by Proverbs 1:11 (*If they say, "Come with us, let us set an ambush to shed blood, let us lie in wait for the innocent without cause"*): the "innocent without cause" is identified with Joseph, while his brothers, who had looked for an opportunity (*metsappin*) to kill him, are identified with those who "lie in wait" (*nitspennah*).[29] When the passage at last reaches Proverbs 1:13 (*We shall find every precious treasure, we shall fill our homes with loot*), it identifies the acquisition of "precious treasure" in the verse with the sale of Joseph, who had been precious to his father; of course, the verse also is said to allude to Joseph's intercession on behalf of his brothers and the help he provides them in acquiring as "loot" gold and silver from the treasuries of Egypt.[30] Thus, according to *Midrash Mishle*, these three verses in Proverbs 1 represent a rendering in miniature of the Joseph narrative that is recounted at much greater length in the book of Genesis.

It is in this context that the midrash reports the following statements regarding the sale of Joseph: "R. Joshua ben Levi said: The ten martyrs were seized [and slain] just for the sin of selling Joseph. R. Abun said: you must conclude that ten [are martyred] in each and every generation – and still this sin remains unexpiated."[31] This passage, like many other traditions in *Midrash Proverbs*, reflects the compilers' knowledge of relatively late narrative traditions from Palestine and Babylonia.[32] The linkage here between the sale of Joseph and the atoning deaths of the ten martyrs almost certainly signals the compiler's direct knowledge of *The Story of the Ten Martyrs*, in which the number ten is invested with precisely this expiatory function. But Rabbi Abun – or, more precisely, the redactor of this passage – thought that Rabbi Joshua ben Levi's teaching required further qualification: yes, the ten sequential deaths of the rabbinic martyrs were necessary to atone for the sin of Joseph's brothers, but, unlike what one *might* conclude from the martyrology itself, their deaths do not ultimately fulfill this task, but represent only one chapter in the ongoing gruesome work required of each and every generation to expiate the original national sin of the Jewish people. Rabbi Abun's insistence that "the sin remains unexpiated" would appear to be aligned with the assertion in *Midrash on Psalms* discussed earlier that the deaths of these ten martyrs should not be understood as especially efficacious or sufficient. I think it likely that this view was a reaction to the contrary position, namely, that God had not found – neither before nor after them – ten men in a single generation sufficiently pious to counterbalance

[29] Visotzky, *Midrash Mishle*, 16; Visotzky, *Midrash on Proverbs*, 23.
[30] Visotzky, *Midrash Mishle*, 18; Visotzky, *Midrash on Proverbs*, 24.
[31] Visotzky, *Midrash Mishle*, 18; Visotzky, *Midrash on Proverbs*, 24.
[32] On the relatively late source material attested in *Midrash Mishle*, see Visotzky, *Midrash on Proverbs*, 3–12.

the brothers of Joseph. What would appear to be at stake in the debate I have reconstructed is the exceptionality of the ten rabbinic martyrs. To what extent was their story to serve as the basis for liturgical commemoration of a unique and uniquely efficacious event? And to what extent were they intended either as exempla for future action or as models of sanctity that could be extended to others?

The second passage in *Midrash Mishle* that appropriates material from the martyrological literature likewise takes up precisely this question of the exemplarity of the ten rabbinic martyrs by considering the proper treatment of the body of a saint (*tsaddiq*), in this case the martyr Rabbi Akiva. The midrash narrates the internment of Rabbi Akiva following his imprisonment and execution. This story is not found in earlier rabbinic works, either Palestinian or Babylonian, but represents a significant departure from the established narrative cycle that had developed over the course of the third to sixth centuries in rabbinic circles.[33] This fascinating coda to the story of Rabbi Akiva's martyrdom is presented in *Midrash Mishle* as exegetical narrative affixed to a series of interpretations of the description of Lady Wisdom in chapter 9 of Proverbs.[34]

Having offered several interpretations of Proverbs 9:2 (*She has prepared the feast, mixed the wine, and also set the table*), *Midrash Mishle* records the following narrative:

> Another interpretation of *And also set the table* (Prov 9:2) – a story is told of R. Akiva who was confined in prison and was cared for by Joshua of Gerasa. Once, on the eve of a holy day, Joshua took leave of his master and went home, whereupon Elijah the priest (*ha-kohen*) came by and stood at the door to his house, calling, "Come out, Joshua! Come out, Joshua!"
>
> Joshua asked, "Who are you?"
>
> Elijah replied, "I am Elijah the priest, who has come to tell you that your master, R. Akiva, has died in prison."
>
> They both rushed off and found the gate of the prison open and the warden and everyone else asleep, while R. Akiva was lying on his bed. Elijah took charge of him and hoisted the corpse upon his shoulder, whereupon Joshua of Gerasa said to him,

[33] The figure of Joshua of Gerasa does appear in the specific context of R. Akiva's martyrdom in the fifth-century *Lamentations Rabbah* 3:44 (ed. Buber, 137), but that passage does not include the material found here. Conversely, Joshua of Gerasa, who is linked to R. Akiva in numerous sources, does not otherwise appear in the martyrological traditions; see especially *MekhY, Shirata* 2; *SifreDt* 32; *yBer* 9.7 (14b); *ySot* 5.7 (20c); *bBer* 61b; *bMen* 29b; *bEruv* 21b; *Tan, Tavo* 2; *TanB, Tavo* 4; *Sem* 8:9. For excellent treatment of the literary formation of the various branches of R. Akiva's martyr story, see now A. Tropper, "From Halakhah to Aggadah: The Formation of Rabbi Akiva's Martyrdom Narrative," in Tropper, *Like Clay in the Hands of the Potter: Sage Stories in Rabbinic Literature* [Hebrew] (Jerusalem: Merkaz Zalman Shazar, 2011), 111–54.
[34] Visotzky, *Midrash Mishle*, 65–76; Visotzky, *Midrash on Proverbs*, 49–53.

"Did you not tell me, 'I am Elijah the priest'? Surely it is forbidden for a priest (*le-kohen*) to render himself unfit by [contact with] a corpse!"

Elijah replied, "Enough of this, Joshua, my son! God forbid – there is no impurity in [the corpses of] the righteous nor even in [those of] their students (*'en tum'ah ba-tsaddiqim ve-'af lo' ve-talmidehem*)."

Having left the prison, they traveled all night until they reached the four-arched gateway of Caesarea. When they arrived at the four-arched gateway of Caesarea, they went down some descents and up three ascents. There they found a bier spread out, a bench, a table, and a lamp. They placed R. Akiva's corpse upon the bier, and immediately the lamp was lit and the table was set. At that moment, they exclaimed, "Happy are you, O laborers in Torah! Happy are you who fear God! Happy are you, R. Akiva, for whom a good resting-place has been found at the moment of your death!"

Therefore it is said, *And also set the table* (Prov 9:2).[35]

The central concern of this narrative is to establish the general principle that the body of a righteous martyr like Rabbi Akiva does not convey impurity; even a person of priestly lineage, as Elijah is here said to be, may come into direct contact with the remains of the very special dead.

Although otherwise unprecedented in earlier rabbinic sources, this story is most likely not original to *Midrash Mishle*, which fails to provide a wider narrative context for the death of R. Akiva as a martyr at the hands of the Romans. It is significant, then, that a version of this story also appears in almost all of the complete recensions of *The Story of the Ten Martyrs*.[36] This elaboration on the treatment and ultimate placement of R. Akiva's body in a cave likely developed originally within the context of the martyrological literature – and not *Midrash Mishle*, where it is placed as merely one association to the "table" of the verse from Proverbs 9:2. Indeed, *The Story of the Ten Martyrs* thematizes the redemptive power of deaths of the rabbinic martyrs, which will be realized through liturgical commemoration and recitation. The cave in which R. Akiva's body is laid to rest, the set table, the chair, and especially the lamp (*menorah*) all strongly suggest a cultic setting, one with strong echoes of the Christian cult of the martyrs.[37] While the evidence remains patchy, it would seem that the novel and distinctive approach to the question of whether the righteous Jewish dead convey impurity – just as "normal" Jews do – was part and parcel of wider developments within the Jewish treatment of the special dead. These developments would have a lasting impact on Jewish practice in the Middle Ages, not only in the new centers of Jewish life in Europe, but also in Palestine and especially the Galilee, where a landscape of holy sites comes into sharp focus by the High Middle Ages.[38]

[35] Visotzky, *Midrash Mishle*, 67–69; Visotzky, *Midrash on Proverbs*, 49–50 (with minor emendations).

[36] The narrative appears in various forms at *Ten Martyrs*, recensions I, III, V–X, ch. 31, para. 33–70 (Reeg, *Geschichte*, 72*–75*).

[37] On the affinities between this narrative and features of the burial of Jesus in a cave in the New Testament, see J.Z. Abrams, "Incorporating Christian Symbols into Judaism: The Case of *Midrash Eleh Ezkerah*," *CCAR Journal* 40 (1993): 11–21. I think the imagery echoes aspects of the Christian cult of martyrs more broadly as well.

Just as with Rabbi Abun's challenge to the uniqueness of the ten martyrs, here, too, martyrological traditions associated with the founding figures of rabbinic Judaism are treated with authority while also being modified. On the one hand, the compilers of *Midrash Mishle* harnessed material drawn from *The Story of the Ten Martyrs* in order to authorize the alteration of a religious norm, namely, the halakhic strictures imposed on visitors to the graves of the righteous by the impurity of the dead. On the other hand, the midrash foregoes or perhaps resists the temptation to elevate the specific rabbinic figures from the martyrology to an inimitable status, instead thereby simultaneously relativizing and extending the model of religious piety and power they embody.

A Critique of the Principle of Transgenerational Sin in *Bereshit Rabbati*

Let us now move into the midrashic literature produced in Western Europe in the eleventh century to consider the reception of *The Story of the Ten Martyrs* in one of the most fascinating works from this period, *Midrash Bereshit Rabbati*. In this midrash, we see quite starkly that the principle of transgenerational sin on which the martyrology is predicated struck at least some medieval Jewish scholars as peculiar and even problematic. How can *The Story of the Ten Martyrs* advance the notion – rejected explicitly in numerous biblical verses – that God would countenance the punishment for a capital crime committed by one generation to be meted out to later generations?

Bereshit Rabbati, a compilation of midrashic traditions on the book of Genesis, contains material produced by Moshe ha-Darshan (the Preacher) or his school in southern France (Narbonne) during the first half of the

[38] On the history of this process, reaching back into late antiquity, see the pair of important studies by E. Reiner, "Joshua is Rashbi, Hatzor is Meron: On the Typology of a Galilean Foundation Myth" [Hebrew], *Tarbiz* 80 (2012): 179–218; and Reiner, "From Joshua to Jesus: The Transformation of a Biblical Story to a Local Myth" [Hebrew], *Zion* 61 (1996): 281–317.

eleventh century.[39] Scholars agree that the extant form of *Bereshit Rabbati*, which is based on a single and now-lost manuscript, was not redacted by Moshe himself, although its precise relationship to his extensive body of writings remains debated.[40] It is difficult to determine whether a given compositional unit in the work reflects the activities of Moshe and his immediate circle or only those of later composers or redactors. It is worth noting that the passage under discussion here does take up themes that were central to Moshe's wider concerns, namely, Jewish conceptions of messianic redemption.[41] But whatever the precise authorship or dating of the particular tradition to be discussed here, *Bereshit Rabbati* is without question a repository for older literary traditions from the Byzantine cultural sphere.[42] This fact is consistent with its knowledge of and engagement with materials from *The Story of the Ten Martyrs*. Without compelling indications to the contrary, I treat this novel and otherwise unparalleled midrashic composition as a product of southern France, most likely prior to the First Crusade at the end of the eleventh century.

The material from *The Story of the Ten Martyrs* appears in *Bereshit Rabbati* as part of an extended exegetical expansion on Genesis 37:26, where Judah asks his brothers what gain they will have in slaying their brother Joseph.[43] I will not analyze this entire compositional unit in full, but will focus in on how it reworks elements of the martyrology. The martyrological

[39] For excellent recent treatment of his biography, work, and impact on later Jewish and Christian scholars, see H. Mack, *The Mystery of Rabbi Moshe Hadarshan* [Hebrew] (Jerusalem: Mosad Bialik, 2010).

[40] The standard edition is H. Albeck, ed., *Midrash Bereshit Rabbati* (2d printing; Jerusalem: Meqitse Nirdamim, 1967). According to Albeck, the work is an epitome of a longer original redacted by Moshe and hence most of it can be attributed to him (5–15). This view has dominated scholarship on this work until recently (see, e.g., Strack and Stemberger, *Introduction to the Talmud and Midrash*, 388–89). But Mack, *Mystery of Rabbi Moshe Hadarshan*, 188–94, argues that Albeck's assessment misconstrues the role that Moshe's midrashic writings play in the production of *Bereshit Rabbati*. Instead, Mack argues persuasively, I think, that, while the work does contain some of Moshe's writings, these make up only a fraction of its contents; rather than assuming Moshe's authorship, scholars must check each individual compositional unit for parallels attributed to Moshe and/or for literary signs of his authorship. In general, Mack views *Bereshit Rabbati* as a work that developed after the lifetime of Moshe and, through various stages of redaction, gradually achieved its current form.

[41] See discussion in Mack, *Mystery of Rabbi Moshe Hadarshan*, 109–18. These interests are especially apparent in the quotations from Moshe ha-Darshan preserved in Raymond Martini's *Pugio Fidei*.

[42] See the helpful overview of the reception of earlier Byzantine materials within Moshe's oeuvre in Mack, *Mystery of Rabbi Moshe Hadarshan*, 90–91. Mack builds upon the earlier conclusions of I.M. Ta-Shma, *Rabbi Moshe ha-Darshan ve-ha-Sefarim ha-Hitsonim* (Jerusalem: Touro College, 2001); and M. Himmelfarb, "R. Moses the Preacher and the Testaments of the Twelve Patriarchs," *AJS Review* (1984): 55–78.

[43] Albeck, *Midrash Bereshit Rabbati*, 173–78. Translations are my own.

material is drawn from what I call the "heavenly trial scene," which appears (with some variations) in all ten recensions of the prose form of the martyrology and is absolutely pivotal to its narrative logic.[44] *Bereshit Rabbati* does not cite this scene as an authority tradition or merely modify it slightly, as we saw earlier in the other midrashim. Instead, the author of this composition uses this material to craft a rhetorically complex meditation on the martyrology's theology of transgenerational sin, testing it against various biblical verses that explicitly address this issue.[45] As we shall see, however, while the midrash challenges this principle, it does not ultimately override the authority of the martyrology.

Before we proceed, a few words are in order about the heavenly trial scene as it appears within the context of *The Story of the Ten Martyrs* itself. Here, the heavenly trial scene is narrated by the angel Metatron to Rabbi Ishmael, who has ascended to heaven to learn whether it is in fact God's will that the rabbinic martyrs embrace their fate. In this original context, the Principle of Justice (*middat ha-din*) reminds God that he has failed to punish Israel for the sale of Joseph by his brothers. The allegation made by the Principle of Justice mirrors the accusation that had been lodged against the ten sages by the Roman emperor on earth.[46] Both the emperor below and the Principle of Justice above cite the scriptural authority of Exodus 21:16 (*He who kidnaps a man – whether he has sold him or is still holding him – shall be put to death*) to support their claim that the kidnapping of Joseph constitutes a capital crime. Israel's guardian angel, Michael, is cast in the role of defense attorney. Michael does not, however, mount a counter-argument to this verdict, but remains silent in the face of the prosecutor's charges against the founding fathers of the Jewish people and their latter-day counterparts.[47]

The midrash introduces its discussion of the power of the martyrs to atone for the sins of their ancestors with the tradition concerning God's

[44] *Ten Martyrs*, I–X.15.20–28 and 18.1–3 (Reeg, *Geschichte*, 30*–33* and 38*–39*). For analysis of the relationship among the multiple forms and shifting position of this vital scene, I refer the reader to my detailed comparison in Boustan, *From Martyr to Mystic*, app. B.

[45] On this principle and its ongoing reformulation across various documents and strata within the Hebrew Bible itself, I depend on the analysis in B.M. Levinson, *Legal Revision and Religious Renewal in Ancient Israel* (Cambridge: Cambridge University Press, 2008), esp. 57–88.

[46] *Ten Martyrs*, 10.6–10 (Reeg, *Geschichte*, 12*–13*).

[47] Interestingly, in a similar trial scene found in the medieval Hebrew apocalypse *Pirqe Mashiaḥ* § 1, Michael likewise fails to counter Sama'el's accusations against the Jewish people and is castigated for his silence by God: "The Holy One, blessed be He, said to Michael: 'You are silent, but I will defend my children, so that all the efforts of Sama'el will be of no avail,' about which is written, *It is I, announcing vindication* (Isa 63:1), and I will redeem them on the day of judgment" (Jellinek, *Bet ha-Midrasch*, 3:68; my translation).

scarlet cloak dipped in the blood of the martyrs, which I analyzed above.[48] This version of the tradition identifies the blood on God's garment as the blood of "Rabban Simeon ben Gamaliel, Rabbi Ishmael, and Rabbi Akiva, and the other righteous ones," thereby invoking the ten martyrs in precisely the "canonical" order of their executions known from the martyrology. This set piece is followed by a demonstration of how the patriarchs of Genesis knew and observed the entire Torah and are, therefore, culpable for transgressions that are only explicitly addressed in subsequent books of the Torah.

These units together establish the basis for the fundamental question the text wishes to address: even if we assume that Joseph's brothers were aware that kidnapping is a capital crime and therefore ought to have been punished with execution, how can God hold the rabbis accountable for the sins of the patriarchs? The midrash formulates the problem and its provisional solution as follows:

Unit A: Since the sons of Jacob knew the entire Torah and took it upon themselves [to keep its commandments], thus was it (i. e., the sale of Joseph) accounted to them as a great sin. And it was right that punishment should be exacted from them just as it had been from the (earlier) patriarchs. But because their sin in particular carried the death penalty and because they were the foundation of the world and because they were in the land of their enemies, the Holy One, blessed be He, did not wish to lay a hand upon them, but instead bore with them throughout all the generations until he could exact the punishment from those descendants of theirs who were equal to them in stature.[49]

According to this rationale, God did indeed violate his own principles of justice, but did so because of the dire exigencies of this particular situation.

But *Bereshit Rabbati* is far from satisfied with this answer. In stark contrast to the martyrology, the midrash does not allow Michael to remain silent in the face of the God's peculiarly *ad hoc* justification for holding ten sages from the Roman era responsible for the sin that Joseph's brothers had committed long ago. This verdict directly violates God's own explicit principle articulated in Deuteronomy 24:16 that children are not to be executed for crimes committed by their parents.

Unit B: And if you wish to argue, "Does not the Torah say, *children shall not be put to death for parents* (Deut 24:16) and, hence, why did these (ten rabbis whose deaths are reported in the *Ten Martyrs*) die for the sin of their ancestors?" This would not be a decisive counterargument, for that was precisely (the issue in) the dispute that the Principle of Justice conducted with Michael, the angelic prince of Israel.

[48] Albeck, *Midrash Bereshit Rabbati*, 176.
[49] Albeck, *Midrash Bereshit Rabbati*, 177.

Unit C: The Principle of Justice says: "It is written in the Torah, *For this is not a trifling thing for you* (Deut 32:47). And (the progenitors of) the tribes sold Joseph, thereby transgressing (the law in the verse), *He who kidnaps a man – whether he has sold him (or is still holding him – shall be put to death*; Exod 21:16). They were thus sentenced to death. But the sentence for (the crime of selling) Joseph has not yet been exacted from them or their descendants."

Unit D: Michael replies: "But it is already written in the Torah, *children shall not be put to death for (their) parents* (Deut 24:16). There is, therefore, no capital punishment for the sin of their ancestors."[50]

The midrash begins by providing the reasoning that Michael ought to have used in his capacity as the defense attorney, marking it with the phrase "if you wish to argue" (Unit B). It then cites, with only slight modifications, the words of the Principle of Justice found in the martyrology (Unit C); in this version, as if anticipating the midrashist's appeal to Deuteronomy 24:16, the prosecutor adds a rather heavy-handed citation of Deuteronomy 32:46–47, which makes clear that the very life of the people of Israel depends on their fulfillment of "all the words" of Moses. At last, Michael is given an opportunity to express the very same argument that had been articulated earlier in Unit B by the anonymous redactional voice (Unit D). I should stress that this simple and cogent argument is nowhere raised in the martyrology itself or, to my knowledge, in any discussion of the martyrology prior to *Bereshit Rabbati*.

From this basic impasse, the debate between defense and prosecution moves on to more general, though still closely related, questions, namely, whether divine justice, both in theory and practice, should show absolute parity between reward for ancestral merit and punishment for ancestral sin. Each has an opportunity to have their say:

Unit E: The Principle of Justice said before the Holy One, blessed be He: "You do not show improper judicial partiality. Thus, insofar as you rewarded children in accordance with the merit of the ancestors, should you not also exact punishment from children for the sins of their ancestors?"

Unit F: "But it is already written in the Torah, *showing kindness to the thousandth (generation)* (Exod 20:6), meaning that He dispenses the merit of the fathers to children *to the thousandth*, that is, generations that are innumerable. And it is written, *visiting the guilt of the parents on the children, upon the third (and fourth generations*; Exod 20:5), so that He only exacts punishment for the sin of parents from the children until the fourth generation. And there have already been (more than) four generations from that time until today."[51]

[50] Albeck, *Midrash Bereshit Rabbati*, 177.
[51] Albeck, *Midrash Bereshit Rabbati*, 177–78.

The Principle of Justices argues for an exact correspondence between the operation of ancestral sin and that of ancestral guilt. In reply, Michael points to the famous formulation in the Decalogue in Exodus that contrasts the approach God takes to reward with his approach to punishment: while guilt is transferred for only three or four generations, God's love abides for a thousand generations (Exod 20:5b; also Exod 34:7b). Of course, even this formulation was found to be excessive and was rejected – or, at least, marginalized – by later biblical writers, such as Ezekiel (18:1–4, 20) and Jeremiah (31:29–30).[52] The rabbis of late antiquity were perfectly aware of this process of revision, stating explicitly that Ezekiel's revision nullifies Moses' original teachings.[53] Michael's reasoning would seem to be impeccable – and I strongly suspect that the midrashist hopes it will prove persuasive to the reader as well.

Yet, it is the Principle of Justice who has the final word. In his frustration with this biblical model of divine justice, which apparently Michael has represented properly, the Principle of Justice offers neither scriptural prooftext nor even theological reasoning. Instead, he simply insists to God that it would violate His own imperative of judicial fairness if He were to maintain his promise to redeem the people of Israel while nevertheless exempting them from punishment for their crime.

> Unit G: "Master of the Universe, you are showing improper judicial partiality insofar as you did not exact from the tribes the death penalty to which they had been sentenced, nor do you wish to exact it from their descendants. If that is the case, let the oath that you made to the tribes (*shevu'ah she-nishba'ta la-shevatim*) be nullified as well, since the sin of death is carved upon their bones. Either exact the penalty from their descendants or nullify your oath." With these words, the Principle of Justice defeated Michael, for he had nothing to reply. So, Michael consented that the punishment would be exacted from their descendants and he consented to the ruling that the ten righteous men would be executed, lest the Holy One, blessed be he, nullify the oath of their merit (*shevu'at zekhutam*).[54]

The text twice alludes to an oath God has taken to sustain the merit of the ancestors for future generations; the first mention is placed in the mouth of the prosecutor and refers to the tribes of Israel, while the second appears in the narrative frame and links this oath to the deaths of the ten righteous martyrs. These allusions to God's oath are rather oblique, but I think they refer back to the martyrology, where God swears to bring down eschatological ruin on Rome as retribution for its role (albeit divinely appointed!) in carrying out the executions of the ten rabbinic martyrs; indeed, the redemption of Israel is here made conditional upon the Roman persecution and, conversely, the punishment of Rome upon the suffering of the martyrs.[55] The prosecutor reasons that it is one thing for God to leave a crime unpunished, but another matter entirely to insist on redeeming His people from the Romans without justification, that is, in the absence of martyrs' blood to serve as visible witness to the crime of their persecutors. It is telling that, at this stage in the debate, the Principle of Justice does not appeal to scripture but to the martyrology itself. He apparently can find no other authority to support his claim.

Yet, curiously enough, it is the shrill insistence of the angelic accuser that carries the day. In the striking logic of this midrashic composition, scriptural authority does not prove paramount. Instead, God's own roadmap for the punishment and redemption of the Jewish people – as narrated in the martyrology itself! – proves legally binding. In other words, the midrashist, through the figure of the Principle of Justice, makes the martyrology self-authorizing.

Even more interesting still, the composition ends with the following coda:

> Come and see how great the potency of this crime (i.e., the sale of Joseph) was: For Reuben was not even present and Zebulon did not support the sale, but because they protected[56] them (i.e., their other brothers) and did not tell their father (the truth), they were punished as if they had sold him themselves. And ten were executed for the ten sons of Jacob who knew about the sale.[57]

Reuben's opposition to his brothers' plans to murder Joseph (Gen 37:21–22) and his absence at the time of the sale are already attested in scripture (Gen 37:29). But the tradition regarding Zebulon's opposition to the sale is found neither in scripture nor elsewhere in midrashic literature. Instead, this idea may reflect the composer's knowledge of the Greek *Testament of Zebulon*, which likewise recounts how Zebulon sympathetically intervenes on Joseph's behalf to save him from the other brothers' murderous scheme.[58]

[52] For careful rhetorical and historical analysis of this process, see Levinson, *Legal Revision and Religious Renewal*, 60–67.

[53] *bMak* 24a.

[54] Albeck, *Midrash Bereshit Rabbati*, 178.

[55] *Ten Martyrs* I.19.1–4 (Reeg, *Geschichte*, *36 and *38). On this passage and on the interdependence of the redemption of Israel and the punishment of Rome more broadly, see Boustan, *From Martyr to Mystic*, 187–97.

[56] Following Albeck's emendation of שתנו to שחסו.

[57] Albeck, *Midrash Bereshit Rabbati*, 178.

[58] See *TZeb* 2:4–8: "As he (Joseph) was saying these words, I (Zebulon) was moved to pity and began to weep; my courage grew weak and all the substance of my inner being became faint within my soul. Joseph wept, and I with him; my heart pounded, the joints of my body shook, and I could not stand. And when he saw me crying with him, while the others were coming to kill him, he rushed behind me beseeching them. Reuben stood up and said, 'My brothers, let us not kill him, but let us throw him into one of those dry cisterns which our fathers dug and in which there is to be found no water.' Accordingly, the Lord prohibited any water from rising up in them so that Joseph's preservation might be accomplished" (translation from H. C. Kee, "Testaments of the Twelve Patriarchs," in *Old Testament Pseudepigrapha*, ed. J. H. Charlesworth, 2 vols. [Garden City: Doubleday,

In other words, the creators of this extended pericope in *Bereshit Rabbati* ultimately defer to the authority of narrative tradition rather than pressing the authoritative claims of scriptural hermeneutics.

What might this tell us about how the martyrology was read by at least one group of Jewish scholars in eleventh-century Europe? Although the midrash itself supplies the battery of objections raised by Israel's angelic advocate, Michael, it ultimately affirms the authority of the martyrology. The narrative stands, even if it leaves in its wake unsettling questions about the opacity or perhaps even imperfection of divine justice.[59] The midrash has thus succeeded in registering its puzzlement with a theology of martyrdom that is so obviously at odds with the limitations that had been placed on transgenerational guilt in the Hebrew Bible as well as in earlier rabbinic literature.[60] Yet, despite being subjected to close and careful scrutiny, this narrative about the collective punishment of these ten righteous martyrs apparently continued to inform Jewish notions of sin, punishment, and redemption in pre-Crusader Europe.

Rabbinic Martyrs as Retrospective *Exempla* in Post-Crusader Midrash

It will not be possible within the limits of this paper to consider what impact *The Story of the Ten Martyrs* may have exerted on Jewish responses to the Crusades. It may very well be that the Jewish culture of medieval Ashkenaz was already characterized by a martyrological *mentalité* prior to the First Crusade and that this cultural orientation might help explain why (some in) these Jewish communities responded to the threatening arrival of the Crusaders in the Rhineland in 1096 by choosing to slaughter themselves and their families preemptively.[61] But more work will be required to determine

1983–1985], 1:805). On the literary traces of the Greek *Testaments* in *Bereshit Rabbati*, see especially Himmelfarb, "R. Moses the Preacher," 55–78, although Himmelfarb does not discuss this particular passage or motif.

[59] On the constructive role that the unreliability of divine justice plays in the development of earlier rabbinic juridical conceptions and practices, see C.T. Halberstam, *Law and Truth in Biblical and Rabbinic Literature* (Bloomington: Indiana University Press, 2010), 109–46.

[60] See again Levinson, *Legal Revision and Religious Renewal*, 60–67.

[61] See especially I. Marcus, "*Qiddush ha-Shem* in Ashkenaz and the Story of Rabbi Amnon of Mainz" [Hebrew], in *Sanctity of Life and Martyrdom*, ed. I. Gafni and A. Ravitzky (Jerusalem: Merkaz Zalman Shazar, 1992), 131–47, esp. 136–40; and, more generally, I.M. Ta-Shma, "Suicide and Murder for the Sake of *Qiddush ha-Shem*: On the Place of *Aggadah* in the Ashkenazi Legal Tradition" [Hebrew], in *Facing the Cross: The Persecutions of 1096 in History and Historiography*, ed. Y.T. Assis et al. (Jerusalem: Magnes, 2000), 150–56; A. Grossman, "The Cultural and Social Background of Jewish

which view is supported by the differing uses to which the martyrology is put in *Bereshit Rabbati*, prior to the Crusades, and *Leqaḥ Tov*, in their wake.

Still, having seen some of the creative responses that the martyrology elicited in readers between the seventh and eleventh centuries, I think it instructive to consider what is likely to have been the first extensive redeployment of this narrative in the period following the events of 1096. The passage appears in *Leqaḥ Tov*, a commentary to the Pentateuch and the five Megillot made up primarily of older midrashic materials. This work was composed in central Europe (likely Bulgaria) by Tuvya ben Eliezer perhaps as early as 1097 and, following some editorial revision, achieved its final form within approximately a decade.[62] A condensed version of *The Story of the Ten Martyrs* appears at *Leqaḥ Tov* to Song of Songs 1:3, a verse that, as we saw earlier, often served as an exegetical hook on which to hang martyrological traditions.[63]

The martyrology is introduced by a redactional frame that directly relates it to those who had just been martyred during the First Crusade. Tuvya appeals to the martyrology as a precedent for the desperate acts of self-sacrifice committed by Jews in "the communities of Ashkenaz in the year 1096," casting these events as just the latest chapter in a continuous history of conflict between Jews and Christians:

> *Therefore do maidens love you* (Song 1:3): Because when the nations of the world … see the singularity of the righteous (or alt.: their act of unifying the divine name) who are killed for the sanctity of Your name (*'al qedushat shimkha*), they are driven to repent and they give praise to Your great name, just as happened in our day in the communities of Ashkenaz in the year 1096, when the sons of Se'ir (i.e., Esau) sought to go up to the Land of the Gazelle (i.e., Land of Israel) and struck against those communities, which were slaughtered for the sanctification of the name.[64]

This is a remarkable text. While it is motivated by recent events, it insists that the current generation of martyrs fits into a timeless mold reaching back to the ten rabbinic martyrs of old. Much like those anonymous au-

Martyrdom in Germany in 1096," in *Juden und Christen zur Zeit der Kreuzzüge*, ed. A. Haverkamp (Sigmaringen: Jan Thorbecke, 1999), 73–87; Grossman, "The Roots of *Qiddush ha-Shem* in Early Ashkenaz" [Hebrew], in *Sanctity of Life and Martyrdom*, 99–130. Compare, however, H. Soloveitchik, "Halakhah, Hermeneutics, and Martyrdom in Medieval Ashkenaz (Parts I and II)," *JQR* 94 (2004): 77–108, 278–99, which argues against the view that Ashkenzi culture had somehow paved the way for this response; in his view, the events of 1096 were wholly unprecedented and, in *halakhic* terms, an aberration and were only sanctioned retrospectively.

[62] On the provenance, dating, and contents of the work, see Strack and Stemberger, *Introduction to the Talmud and Midrash*, 356–57, and the literature cited there.

[63] The text of *Leqaḥ Tov* to the Song of Songs was published in A.W. Greenup, ed., *Perush Leqaḥ Tov 'al Megillat Shir ha-Shirim* (London, 1909), 14–15.

[64] Greenup, *Perush Leqaḥ Tov*, 14.

thors who continuously modified apocalyptic sources so that they would remain relevant to present circumstances, Tuvya brings the martyrology up to date. Moreover, quite unlike his predecessors who produced *Bereshit Rabbati*, Tuvya leaves no room for skeptical or subtle reading strategies. Martyrdom does have a decipherable logic, Tuvya ben Eliezer insists. The suffering is real and barely containable. The spectacle of righteous suffering experienced by the martyrs will serve eschatological ends, ultimately causing the gentile nations to repent and declare their new-found allegiance to the God of the Jews.

Tuvya does not explicitly inform his reader that he endorses the martyrology's theology of transgenerational sin, vicarious atonement, and eschatological redemption. But it is clear that the text's juxtaposition of ancient story with present circumstances lends poignancy to this well-worn tale. Still, in imbuing the martyrology with such powerful immediacy and such concrete referentiality, he has foreclosed the scope of interpretation. *The Story of the Ten Martyrs* is serious business, and not merely a narrative tradition, however authoritative, with which one ought to wrestle creatively. Whether *The Story of the Ten Martyrs* had an impact, direct or indirect, on those Rhineland Jews who took their and their families' lives during the First Crusade is difficult to say. But what I think we can say with considerable more confidence is that the events of 1096 reshaped the way that the Jews of Ashkenaz read the martyrological sources in the archive of Jewish culture.

Conclusion

Based on the foregoing analysis, I would like to suggest that *The Story of the Ten Martyrs* underwent three distinct phases of reception between the late seventh and early twelfth centuries. Our earliest readers of the martyrology, as reflected by *Midrash Shir ha-Shirim* and *Midrash Tehillim*, seem to have shared a common thought-world with the creators of the narrative. They did not have to work hard to link the martyrology to a wider discourse concerning the blood of the martyrs, its capacity to affect atonement, and its role in the eschatological redemption of Israel from the yolk of Christian Rome. For their part, the creators of *Midrash Mishle* appealed to narrative traditions closely associated with the martyrology in order to authorize the relatively novel principle that "the bodies of the righteous do not convey impurity." Yet, in so doing, this midrash further attenuated the exceptional status that might have been claimed for the martyred rabbis of the early Roman period, opening the door to the veneration of an ever expanding class of "special dead" in medieval Judaism. But while the martyrology had evidently become a stable element of the liturgy by the sixth and seventh centuries and could serve as justification for halakhic innovation, some readers in the new communities of Western Europe found the theological logic of the narrative dubious – and perhaps even bizarre and disturbing. Thus, the midrashists of eleventh-century Southern France who were responsible for the otherwise unattested materials found in *Bereshit Rabbati* produced a sustained composition that simultaneously questioned and ratified the authority of the martyrology. In effect, this extended literary "struggle" with the martyrology highlighted their skepticism about its unconventional, though not wholly indefensible, logic. It is impossible to gauge how representative this reaction might have been; indeed, it may be nothing more than a peculiarity of Moshe ha-Darshan and his school. But I would suggest that, at the very least, we cannot presume that the martyrology had found a simple and straightforward place within medieval Jewish culture, even while it could equally prove a compelling and influential cultural resource in the wake of the events of 1096.