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RABBIS, ROMANS, AND MARTYRDOM— THREE VIEWS

I

The Jewish encounter with Rome provoked, as is well known, a variety of responses ranging from active revolt to public collaboration. Rabbinic figures, too, did not stay out of the debate. Indeed, the wars waged against Rome and the concomitant conflicts within the Jewish people itself generate some of the most dramatic and poignant episodes in Rabbinic literature; one need merely recall the stories told of R. Yohanan b. Zakkai's ongoing struggle with the Zealots of Jerusalem and his flight from the city, or the martyrdom of R. Akiba at Roman hands some fifty-odd years later. I propose to treat a pair of stories told about R. Elazar b. Perata, R. Hanina b. Teradyon, and R. Jose b. Kisma, as further exemplars of this conflict; indeed, I believe they are more finely wrought than the more well-known narratives. Our three rabbis are pitted against each other by the Talmudic narrator, though many aspects of their confrontation remain below the surface. With each position on the political/religious spectrum occupied by a respected protagonist, the virtue of each option—and each character—is allowed expression.

II

Each story focuses on two of our three rabbis, with Hanina b. Teradyon figuring in both. The first story tells of R. Hanina and R. Elazar b. Perata:¹

Our Rabbis taught: When R. Eleazar b. Perata and R. Hanina b. Teradion were arrested, R. Eleazar b. Perata said to R. Hanina b. Teradion: Happy art

thou that thou hast been arrested on one charge; woe is me, for I am arrested on five charges. R. Hanina replied: Happy art thou, who hast been arrested on five charges, but wilt be rescued; woe is me who, though having been arrested on one charge, will not be rescued; for thou hast occupied thyself with [the study of] the Torah as well as with acts of benevolence, whereas I occupied myself with Torah alone . . . ²

When they brought up R. Eleazar b. Perata [for his trial] they asked him, 'Why have you been studying [the Torah] and why have you been stealing?' He answered, 'If one is a scholar he is not a robber, if a robber he is not a scholar, and as I am not the one I am neither the other.' 'Why then,' they rejoined, 'are you titled Master?' 'I,' replied he, 'am a Master of Weavers.' Then they brought him two coils and asked, 'which is for the warp and which is for the woof?' A miracle occurred and a female-bee came and sat on the warp and a male-bee came and sat on the woof. 'This,' said he, 'is of the warp and that of the woof.' Then they asked him, 'Why did you not go to the Meeting-House?' He replied, 'I have been old and feared lest I be trampled under your feet.' And how many old people have been trampled till now?' he was asked. A miracle [again] happened; for on that very day an old man had been trampled. 'And why did you let your slave go free?' He replied, 'No such thing ever happened.' One of them then was rising to give evidence against him, when Elijah came disguised as one of the dignitaries of Rome and said to that man: As miracles were worked for him in all the other matters, a miracle will also happen in this one, and you will only be shown up as bad-natured. He, however, disregarded him and stood up to address them, when a written communication from important members of the government had to be sent to the Emperor and it was dispatched by that man. [On the road] Elijah came and hurled him a distance of four hundred parasangs. So that he went and did not return.

They then brought up R. Hanina b. Teradion and asked him, 'Why hast thou occupied thyself with the Torah?' He replied, 'Thus the Lord my God commanded me.' At once they sentenced him to be burnt, his wife to be slain, and his daughter to be consigned to a brothel.

The punishment of being burnt came upon him because he pronounced the Name in its full spelling. But how could he do so? Have we not learnt: The following have no portion in the world to come: He who says that the Torah is not from Heaven, or that the resurrection of the dead is not taught in the Torah. Abba Saul says: Also he who pronounces the Name in its full spelling?—He did it in the course of practising, as we have learnt: Thou shalt not learn to do after the abominations of those nations, but thou mayest learn [about them] in order to understand and to teach. Why then was he punished?—Because he was pronouncing the Name in public. His wife was punished by being slain, because she did not prevent him [from doing it]. From this it was deduced: Any one who has the power to prevent [one from doing wrong] and does not prevent, is punished for him. His daughter was consigned to a brothel, for R. Johanan related that once that daughter of his was walking in front of some great men of Rome who remarked, 'How beautiful are the steps of this maiden!' Whereupon she took particular care of her step. Which confirms the following words of R. Simeon b. Lakish: What is the meaning of the verse, The iniquity of my heel compasseth me about?—Sins which one treads under heel in this world compass him about on the Day of Judgment.

As the three of them went out [from the tribunal] they declared their submission to [the Divine] righteous judgment. He quoted, "The Rock, His work is perfect; for all his ways are justice." His wife continued, "a God of faithfulness and without iniquity, just and right is He;" and the daughter

quoted, "Great in counsel and mighty in work, whose eyes are open upon all the ways of the sons of men, to give everyone according to his ways, and according to the fruit of his doing." Said Rabbi: How great were these righteous ones, in that the three Scriptural passages, expressing submission to Divine justice, readily occurred to them just at the appropriate time for the declaration of such submission.³

The story opens with a conversation between the two men—the only conversation they will have with each other. They weigh the relative chance each has of escaping Roman justice and its penalty; both seem equally anxious to remain alive. Yet we note that the conversation—and the concern it dramatizes—is initiated by R. Elazar b. Perata. R. Hanina is ostensibly as eager as his fellow detainee to be released, but we shall have reason to examine this question again. The two agree, again, that Elazar must face the more weighty charges; but they disagree as to the implications of this fact. Elazar himself takes a realistic attitude: the heavier the charges, the worse it will go. Hanina's attitude is religious: what is a criminal act by Roman lights is a *mitsvah* in God's eyes, and so he who faces the more severe accusation also possesses more merit—and will be saved. Hanina will be proved right, though not in the way he anticipated. Now, in presenting the encounter of the two men in these terms it ought to be noted that I have identified the "Torah" of Hanina and the "Torah and acts of benevolence" of Elazar with the charges they will face.⁴ "Torah" and "acts of benevolence" are not activities external to the narrative itself but rather lie at the heart of events and determine their path. Yet even at this point, and without special pleading, it is clear that while both "Torah" and "acts of benevolence" are pleasing to God and serve Him, they are also *different* kinds of things. The superiority of Elazar is not quantitative but qualitative; the ethically-oriented *gemilut hasadim* demonstrates a virtue that could not be achieved, say, by more study of Torah.

Elazar is then accused of being a student of Torah and a brigand, of indeed being a master of students, of not visiting the Meeting House, and of freeing his slave. (An interrogator was an interrogator, even then: not, "Did you . . . ?" but "Why did you . . . ?") He denies all these charges. In each instance—even the first—his denial is a patent fabrication, and he would indeed have been caught out were it not for divine intervention.

We are now able to characterize Elazar. He is a man who both freed his slave—an act for some reason offensive to the Romans—and taught Torah. Moreover we must infer that just as he was in fact guilty of the latter charges, so was he guilty of the former. Despite the common adage that one could not be both scholar and robber or live by both book and sword, Elazar clearly did. To be a "robber" in

Roman parlance was really to be a rebel, a fighter for Jewish independence.⁵ These activities, then, represented Elazar's "Torah" and "acts of benevolence," his balance and weave of the purely theocentric and the political-ethical.⁶ Elazar's activist stance is embodied by his response to the Roman tribunal: he will fight, above all, to stay alive even if he must deny that he is a loyal Jew. He will announce that he does *not* study Torah, teach others, free slaves, or maliciously avoid Roman company. As an activist, he has no use for mere demonstration, even for *kiddush hashem*. And Elazar gets what he wants (and what Hanina predicted). He cannot, of course, save himself—human (and Jewish) activism has its limits. But he is saved by the miracles wrought by an activist Lord. Despite the occasional Talmudic wariness of the miraculous, it is clear that God (and the narrator) approve of R. Elazar b. Perata.

R. Hanina's response to his accusers was different. He too was an activist, yet his activism paradoxically forbade him to evade the Roman charges and attempt to save himself. Asked why he taught Torah, he could only answer forthrightly and personalistically: Because my God commands me to do so. It would not be fair to characterize R. Hanina as a man in quest of a martyr's fate; in the opening conversation both men revealed their desire to escape death, though R. Elazar, appropriately, may have displayed the greater interest. The reason, rather, lies in Hanina's ethos, in his response to Roman power as a whole. He did not engage in acts of direct physical rebellion, but taught Torah—publicly and demonstratively. To have denied that fact now would amount to a betrayal, for he would then renege at the moment when the greatest demonstration of faithfulness to God's command was possible. Hanina, indeed, goes to his death declaring his faith in God's justice. Perhaps this is the ironic meaning of Hanina's reply to Elazar: *my crime—that of open spiritual confrontation—will not permit me to be saved. . . .* Be this as it may, God allows Hanina, too, to follow his path to its end and does not rescue him from the Roman executioner.

Our story has presented, then, the two classic types of Jewish activists. R. Elazar believes that one must wield both book and sword, that deeds—of both Torah and arms—are superior to declarations. For R. Hanina, the teaching of Torah and the doing of God's commandments uncompromisingly are Israel's duty. (Interestingly, the rabbis do not conceive of the third logical possibility, the wielding of sword alone, as a posture they could present; the third rabbinic figure we shall encounter argues a different position altogether.) For one, politics and even violence are unavoidable; for the other, they are irrelevant or worse (distracting? forbidden?). Elazar survives, while Hanina is killed. Is this the narrator's verdict on the viability and

legitimacy of each response? It depends, of course, on how one reads Hanina's initial confession to Elazar—as a belated acknowledgment that he was wrong, or as an ironic—indeed irenic—acceptance of the denouement. Hanina's death (and that of his family) is described as the just divine judgment on the sin committed during his life, and he is declared a hero for his saintly resignation to God's verdict.⁷ Much as R. Hanina had taught the Torah publicly but had not attempted to unseat the Romans who forbade it, he now announces his acceptance of God's will. He certainly wins the approval of the narrator in doing so.

III

The second story sees R. Hanina in different perspective. Here he is balanced against a rabbi who urges acquiescence with Roman edicts, perhaps even collaboration. From this perspective, R. Hanina is the activist. Yet in many ways Hanina remains the same Hanina.

Our Rabbis taught: When R. Jose b. Kisma was ill, R. Hanina b. Teradion went to visit him. He said to him: 'Brother Hanina, knowest thou not that it is Heaven that has ordained this [Roman] nation to reign? For though she laid waste His House, burnt His Temple, slew His pious ones and caused His best ones to perish, still is she firmly established! Yet, I have heard about thee that thou sittest and occupiest thyself with the Torah, dost publicly gather assemblies, and keepest a scroll [of the Law] in thy bosom!' He replied, 'Heaven will show mercy.'—'I,' he remonstrated, 'am telling thee plain facts, and thou sayest "Heaven will show mercy"! It will surprise me if they do not burn both thee and the scroll of the Law with fire.' 'Rabbi,' said the other, 'How do I stand with regard to the world to come?'—'Is there any particular act that thou hast done?' he enquired. He replied: 'I once mistook Purim-money for ordinary charity-money, and I distributed [of my own] to the poor.' 'Well then,' said he, 'would that thy portion were my portion and thy lot my lot.'

It was said that within but few days R. Jose b. Kisma died and all the great men of Rome went to his burial and made great lamentation for him. On their return, they found R. Hanina b. Teradion sitting and occupying himself with the Torah, publicly gathering assemblies, and keeping a scroll of the Law in his bosom. Straightaway they took hold of him, wrapt him in the Scroll of the Law, placed bundles of branches round him and set them on fire. They then brought tufts of wool, which they had soaked in water, and placed them over his heart, so that he should not expire quickly. His daughter exclaimed, 'Father, that I should see you in this state!' He replied, 'If it were I alone being burnt it would have been a thing hard to bear, but now that I am burning together with the Scroll of Law, He who will have regard for the plight of the Torah will also have regard for my plight.' His disciples called out, 'Rabbi, what seest thou?' He answered them, 'The parchments are being burnt but the letters are soaring on high.' 'Open then thy mouth' [said they] 'so that the fire enter into thee.' He replied, 'Let Him who gave me [my soul] take it away, but no one should injure oneself.' The Executioner then said to him, 'Rabbi, if I raise the flame and take away the tufts of wool over thy heart, will thou cause me to enter into the life to

come?" "Yes," he replied. "Then swear unto me" [he urged]. He swore unto him. He thereupon raised the flame and removed the tufts of wool from over his heart, and his soul departed speedily. The Executioner then jumped and threw himself into the fire. And a bath-kol exclaimed: R. Hanina b. Teradion and the Executioner have been assigned to the world to come. When Rabbi heard it he wept and said: One may acquire eternal life in a single hour, another after many years.

R. Jose b. Kisma and R. Hanina did not meet frequently, for R. Jose had to wait until he was visited by Hanina on his sick-bed (his death-bed?) to issue his foreboding, disapproving, prophecy. Perhaps R. Hanina even avoided his colleague until sickness (and the duty to do an "act of benevolence"!) compelled a visit. As with the opening conversation in our first story, the two men (and here too Hanina does not open the conversation) discuss the relevance of different ways of life to survival in difficult times; put more broadly, they discuss the proper Jewish response to Rome.

Jose's warning is thoughtful, despite its personal tone. Indeed, it is an accusation as much as a warning. Jews, he argues, must bow to Roman power even if this means abandoning parts of the Torah. For the same God who gave the Torah is also the master of history, and He has clearly handed the rule over the world to Rome. Refusal to acknowledge this fact brings death—certainly and deservedly. Not only will you die in your wilful rejection of God's will, Jose accurately tells Hanina, but your apparent loyalty to Torah will in fact guarantee its destruction: your Torah will be burnt with you. *How dare you?* This position—its ideological underpinning and its prognosis alike—is familiar in first-century Jewry. While the Temple stood, Agrippa told Jews not to revolt against Rome because she ruled with God's consent, and R. Yohanan b. Zakkai warned the rebels that *they* would be responsible for the Temple's sure destruction. The depth of Jose's disapproval is revealed in the seemingly lighter conversation which follows. When Hanina strives to win a conciliatory admission that his path may indeed lead to death but that its spiritual merits will win him salvation, Jose responds that salvation will come only from "acts of benevolence."⁸ Prudence, he says, is the only moral posture; it is not merely self-serving. To carry on business—even spiritual business—as usual and rely on Heaven's mercies is irresponsible. Yet despite Jose's self-confidence, the sick rabbi strikes a poignantly uncertain, doubting note: "would that thy lot were my lot." Hanina is the same man we met in the first story; singlemindedly, he devotes himself to the teaching of Torah and lets events go their own way. His antagonists move on paradoxically parallel paths; both Elazar b. Perata and Jose b. Kisma believe it is the Jew's task to respond to history, to engage events.

R. Jose is buried by Romans and their Jewish associates who also eulogize him. It appears that other Jews avoided the funeral, either because of their dislike of the man or because of their dislike of Romans. R. Hanina, who had earlier found time to visit the sick R. Jose, also absented himself. He was, however, in the vicinity: Romans returning from the funeral come upon him teaching Torah publicly and defiantly, and he is immediately arrested and brought to punishment. This telescoped sequence of events is suggestive. Does R. Hanina deliberately station himself so as to be caught out teaching Torah in flagrant violation of Roman edicts, virtually seeking martyrdom?⁹ Is the narrator suggesting a link between R. Jose and the death of R. Hanina, as though the former is ultimately, if indirectly, responsible? On the other hand, is just the opposite true—was Hanina punished only after Jose's death but not during his life, because Jose protected him? This possibility adds a dimension of depth, complexity, and sympathy, to Jose and his historical path: though he accuses Hanina, he also saves him. The "collaborator's" deepest loyalties rest with the defiant teacher of Torah who will not come to bury him and doubtless does not think for a moment that he was protected only by virtue of a despised association with Rome.

Hanina's own understanding of his fate and of the meaning of events is given in his response to his daughter, on the one hand, and his students on the other. These responses supplement each other; one need not choose between them. In both instances, R. Hanina identifies himself—either explicitly or implicitly—with the Torah scroll which burns with him. Jose *had* correctly yoked the fate of Torah with the fate of its human protagonist, but he had misunderstood the meaning of this common future. To his daughter, who sees her father burnt alive, Hanina promises the certainty of God's vengeance. God allows His Torah (and His Temple and His sages) to be destroyed, but a day of reckoning will come. Though she (naturally enough) focuses on her father's desperate situation, Hanina teaches his daughter that the burning of the Torah (even as an aspect of Roman legal procedure) is the primary outrage—and that it is precisely as he is devoted to Torah and suffers its fate that he too will be avenged. Consistently it is God, not man, who will redeem history ("Heaven will show mercy") in Hanina's scheme. Certainly, the destruction of both the Torah scroll and its human teacher—himself—is a heinous act and must be avenged; the physical facts of history are significant. Hanina's students are given a different response.

Wiser, less involved, and eager, they ask what *he*, Hanina, sees. Like his daughter, Hanina sees the scrolls aflame—but unlike her (and in subtle rebuke to Jose b. Kisma who also saw only the destruction of the scrolls), Hanina sees the letters and words aloft, returning

to their heavenly source. The truth of the Torah, its meaning, the verbal element that confers sanctity on the parchment, cannot be destroyed for it derives from an indestructible source; it can only return to that source (and hence remain constantly available and “giveable”). He too, Hanina implies, cannot be destroyed; his body, too, can be burned—but that is all that fire can touch. Hanina’s visionary contrast of body and soul provokes his students’ suggestion (made, ironically, to save Hanina *physical* torment!) that he free his soul which is in any case untouched by the physical fire, by hastening his body’s death. Hanina’s reply, normatively seminal as it may be, rounds out the world-view he has argued before: it is only God who gives life and it is only He who may rightfully recall His creation.

IV

These, then, are the three classic rabbinic responses to the challenge of Rome. Elazar b. Perata undertakes to both fight Rome and teach Torah; Hanina b. Teradyon lives and dies to demonstrate the Jew’s uncompromising devotion to God and Torah; Jose b. Kisma teaches his people how to preserve themselves intact into the future. The narrator, I think, does not judge his characters or their political postures; each, we are led to believe, has its virtues. If survival is a verdict, both Elazar b. Perata and Hanina b. Teradyon survive, though of course in different ways. Who suffers the most? R. Jose b. Kisma.

NOTES

1. b. *Avodah Zarah* 17b–18a. I treat these materials as literature, and so have virtually eschewed purely biographical or historical discussion. I have also avoided questions of literary history or philological analysis. I have used the translation of A. Mishcon (Soncino Press, London, 1935) with minor modification.
2. I omit the Talmudic continuation, which clearly derives from *Avodah Zarah* 18a and breaks the flow of the narrative. Here is the omitted passage:

This accords with the opinion of R. Huna. For R. Huna said: He who only occupies himself with the study of the Torah is as if he had no God, for it is said: ‘Now for long seasons Israel was without the true God.’ What is meant by ‘without the true God’?—It means that he who only occupies himself with the study of the Torah is as if he had no God.

But did he not occupy himself with acts of benevolence? Surely it has been taught: R. Eliezer b. Jacob says: One should not put his money into a charity-bag, unless it is supervised by a learned man such as R. Hanina b. Teradion!—He was indeed very trustworthy, but he did not practise benevolence.

But has it not been taught: He said to him [R. Jose b. Kisma]: I mistook Purim-money for ordinary charity money, so I distributed [of my own] to the poor!—He did indeed practise charity, but not as much as he might have done.

3. See n. 7.
4. See n. 6.
5. To be called a “brigand” in sources reflecting a Roman perspective identifies one as a

rebel. See B. Jackson, *Theft in Early Jewish Law* (Oxford U. Press, 1972), pp. 35, 37, 251 ff.

6. This is, I confess, an extravagant reading of “acts of benevolence”; it goes far beyond even J. Goldin’s (see his “Three Pillars of Simeon the Righteous,” *PAAJR* XXVII [1958], pp. 43–47) broad understanding of the term. Moreover, “Torah and acts of benevolence” is a common *topos*: see e.g. *Berakhot*, 5b, 8a; *Bava Kama* 17a; *Sanhedrin* 98b; *Mishnah Avot* 6:9 (Jose b. Kisma!). But if the term is used ironically in our story, it could in fact refer to ethical/ political activity.
7. The two paragraphs concerned with this question (“The punishment . . . ,” “As the three . . . ,”) may contain differing attitudes towards this question. I included the first paragraph in the narrative text rather than embark on the speculative task of separating out amoraic and tannaitic elements. A basic question of literary history is thus posed by *Sifre Deuteronomy* sec. 307 (ed. L. Finkelstein, p. 346), which presents a shorter version of our narrative but also includes elements found in the story to follow.
8. S. Lieberman’s reconstruction and retranslation of this passage would, of course, rule out this reading. See his “*Redifat Dat Yisrael*,” *Jubilee Volume for S. Baron* (Heb.) (N.Y., 1975), pp. 220–221.
9. Lieberman, *op. cit.*, p. 219, interprets other elements in our narrative as demonstrating, too, that R. Hanina wished to flaunt his disobedience and invite *kiddush hashem*. *Maharsha* makes a similar claim, pointing to a fine distinction between the Torah taught by R. Elazar b. Perata (who teaches an oral, invisible, Mishnah) and R. Haninah (who teaches from a palpable and detectable Torah scroll).