

# The Ten Martyrs

Dr. Deena S. Rabinovich

Director, Legacy Heritage Foundation Scholars Program, Stern College for Women

A late midrash tells the following story:

*After the destruction of the Temple, the impudent of the generation said “what loss have we suffered? After all, we still have scholars amongst us who teach us His Torah and mitzvot.” At once God put the idea in the heart of the Roman emperor to study the Law of Moses with the wise men and elders. He began with Bereishit and continued until they came to this verse: וְגֹנֵב אִישׁ אֶת אֶחָיו וְשָׂא אֹתוֹ עַד עָבְדוֹ וְנִמְצָא בְיָדוֹ מוֹת יוֹמֵת (Shemot 21:16). Upon reading this verse he commanded that his palace be filled with shoes. He then called for ten sages of Israel to be brought before him, had them seated on golden chairs, and challenged them thusly: “What is the law regarding a man who kidnaps his brother and sells him into slavery?” They replied “The Torah states that such a man must be put to death.” “If so,” continues the Emperor, “you are all obligated to die.” “Why?” they asked. “For the sale of Yosef, who was sold by his brothers. Had the brothers been present I would have judged them, but as they are no longer alive, you shall bear the sins of your forefathers.” The rabbis asked for three days in which to seek a defense to the charges. Then they prevailed upon Rabbi Yishmael the Kohen Gadol to recite the Divine Name and ascend to Heaven to see if such a decree against them had been sealed by the Almighty. Rabbi Yishmael accepted the mission and reported back that the decree was indeed ordained in Heaven. In the end, the Sages were publicly executed by the Romans.*

The killing of individual Sages is attested to in the Talmud and early midrashim. Scholars have tracked the development of the idea that ten Sages were killed (the lists, though, are not uniform), and eventually framing the story presented above, which is briefly mentioned in *Midrash Shir HaShirim* and in more detail in *Midrash Eleh Ezkerah*.<sup>1</sup> These midrashim form the basis of several *piyyutim* (most notably *Eleh Ezkerah*, “These I Will Remember,” and *Arzay Halevanon*, “The Cedar Trees of Lebanon”).<sup>2</sup>

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<sup>1</sup> In addition to the above, there is a brief mention of ten men who died in *Eicha Rabbah* 2:4, and a slightly different list in *Midrash Tehillim*, *Shochar Tov* 9:13. The first mention of the term *Asarah Harugei Malkhut* is found in *Midrash Mishlay* 1:13, where Rabbi Yehoshua ben Levi connects the death of the *Asarah Harugei Malkhut* with the sale of Yosef by his brother (there is no list, however, of who these *Asarah Harugei Malkhut* were). See Ra’anan Abusch’s dissertation, *From Martyr to Mystic: “The Story of the Ten Martyrs,” “Hekhalot Rabbati,” and the Making of the “Merkavah Mysticism”* (Princeton, 2004), p. 114, for a complete listing of sources and names. See also [עשרה הרוגי מלכות במדרש ובפיוט של אלתר ולנר](#), הוצאת מוסד הרב קוק, תשס”ה, for a presentation about the deaths of each one of the martyrs listed.

<sup>2</sup> *Eleh Ezkerah* is recited by Ashkenazim on Yom Kippur and by Sephardim on Yom Kippur and Tisha B’av; *Arzay Halevanon* is recited by Ashkenazim on Tisha B’av. For an extensive of other *piyyutim* on the same topic, see [עשרה הרוגי מלכות במדרש ובפיוט של אלתר ולנר](#), הוצאת מוסד הרב קוק, תשס”ה.

The narrative raises numerous questions on different planes—symbolic, historical and theological. What is the significance of shoes? Did the emperor wish the Sages to see the shoes and derive some lesson from them? Moreover, how can the Sages be sentenced to death for something done more than a millennium earlier? Maybe the emperor stopped his studies too soon. Had he continued, he would have heard **לא ימותו אבות על בנים ובנים לא ימותו על אבותם**, fathers should not die for the sins of the sons and sons should not die for the sins of the fathers (Devarim 24:16). One wonders, in any event, where the emperor would have encountered the idea of punishing some for the crimes of others—Roman law punishes one for one’s own crimes.

Once we add the names of the Ten Martyrs, the list of questions grows longer. The Rabban Shimon ben Gamliel who is mentioned is presumably the one who died during the siege of Jerusalem around 70 CE (there is no evidence suggesting that the second Shimon ben Gamliel was martyred). However, Rabbi Akiva was martyred following the failure of the Bar Kochba revolt in 135 CE. Were the martyrs killed at one time or over generations? As we have seen, the story features Rabbi Yishmael the Kohen Gadol—was there such a person? Were not the High Priests of the late Second Temple Saducees? As to the framing story itself that the Romans killed ten Sages at one time—why is there no mention of such an event in the Talmud or early midrashim where the deaths of several of the rabbis identified as the Ten Martyrs are recounted?<sup>3</sup> Why does the story insist on ten martyrs being brought to the emperor together?<sup>4</sup>

If we conclude that the story is ahistorical and is meant to teach a lesson, what is that lesson? And why have we chosen to include it as part of our liturgy on the two most somber days of our calendar year—Yom Kippur and Tisha B’av?

Let us return to the shoes. The Biblical text informs us that Yosef was sold for 20 (pieces) of silver (Bereishit 37:28). It is not at all clear from that verse that it was the brothers who received the silver, but most rabbinic interpretations assume that the brothers were involved in the sale (and see Bereishit 45:4). In this case, though, there is earlier evidence that our late midrash was

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<sup>3</sup> The death of R Judah ben Baba is recorded in *TB Sanhedrin* 14a; the death of R Haninah ben Teradion is recorded in *TB Avodah Zarah* 18a; there is a mention that it was seeing the tongue of R Judah ben Hanahtum that prompted Elisha ben Abuyeh to become an apostate (*TB Kiddushin* 39b; *TB Hullin* 142a). R Akiva’s death is found in *TJ Berachot* 9:5; *TJ Sotah* 5:5; and *TB Berachot* 61a. The Talmud mentions the tongue of R Judah ben Hanahtum carried by a dog in its mouth and R Huzpit’s tongue was found lying in the dung; neither death, however, is attributed to the Roman government.

<sup>4</sup> The *Tosefta Sotah* 13 records a prophecy said by Shmuel ha-Koten at his deathbed that **אף הוא אמר בשעת מיתתו** שמעון וישמעאל יישמעאל להרבא וחבריה לקטלא, Shimon and Yishmael would die by the sword. Many see this as a reference to the death of the first two names listed as part of the Ten Martyrs, Rabban Shimon ben Gamliel and R Yishmael. This identification, however, presents even more challenges. As Professor Solomon Zeitlin notes, “Samuel ha-Koten lived in the time of Rabban Gamaliel II and could not have prophesied the death of Simon who died long before Samuel and who most likely was assassinated the Sicarii during the civil war in Jerusalem before the destruction of the Temple. Nor could Samuel have prophesied that Simon, the son of Gamaliel II, would meet a violent death. Simon lived after the time of the persecutions and his death was due to natural causes. The Simon referred to by Samuel ha-Koten was not Simon the Prince nor was Ishmael, Ishmael, the high priest. Simon and Ishmael, who Samuel ha-Koten foretold would be put to the sword, most likely were among the leaders of the Bar Kokba revolt. It is possible that this Simon may refer to Bar Kokba himself, whose proper name was Simon. Zeitlin, S. (1945). “The Legend of the Ten Martyrs and Its Apocalyptic Origins.” *Jewish Quarterly Review*, 36(1), 1–16.

building upon. Targum Yonatan, for instance, going beyond a simple translation of the verse, adds that the brothers used the proceeds of the sale to buy shoes.

*And the Midianite men, masters of business, passed by.  
And they raised Yosef out of the pit. And they sold Yosef  
to Arabs for twenty pieces of silver and they bought  
shoes with them and brought Yosef down to Egypt.*

**Targum Yonatan, Bereishit 37:28**

ועברו גברי מדינאי מרי פרקמטיא ונגידו  
ואסיקו ית יוסף מן גובא וזבינו ית יוסף  
לערבאין בעשרין מעין דכסף וזבנו מנהון  
סנדלין ואייתו ית יוסף למצרים.  
**תרגום יונתן בראשית לז:כח**

What is the basis for this interpretation?<sup>5</sup> The *Midrash Eleh Ezkerah*, notes that the source for the sale of shoes is Amos (2:6):

*For three transgressions of Israel, and for one I will not retract (the  
decision to punish them), for the selling of a righteous man (tzaddik)  
in exchange for silver, and an impoverished one for shoes.*

**Amos 2:10**

פה, אָמַר ה', עַל-שְׁלֹשָׁה פְּשָׁעֵי  
יִשְׂרָאֵל, וְעַל-אַרְבַּעָה לֹא אֲשִׁיבֵנו:  
עַל-מִכְרָם בְּכֶסֶף צְדִיק, וְאֶבְיוֹן  
בְּעִבּוֹר נַעֲלִים.  
**עמוס ב:ו**

Yosef is often referred to by the Rabbis as a “tzaddik,”<sup>6</sup> and he was certainly sold for silver. Since the second half of a verse in the Nevi'im will commonly paraphrase the idea in the first half, the impoverished one would be another reference to Yosef with the shoes shedding some light on what was purchased with the silver that the sale brought them. By lining his palace with shoes, the emperor was setting up a symbol of the brothers' ill-gotten gains, which the Sages were going to be punished for.

What of our theological objection? How can Jewish Law be used to punish these ten men for the crime committed by ten other men generations earlier? Are these midrashim in fact teaching us that notwithstanding the principle of sons not dying for the sins of their fathers, great scholars or saints do in fact suffer for the sins of others? Hillel Rosensweig has suggested that the Ten Martyrs were punished not for a sin committed by their ancestors, but for a sin that was committed by the people of their own generation. What lay behind the sale of Yosef, notes Rosensweig, was *sinat chinam*, baseless hatred. When a group of men can, in cold blood, plot, first to kill and later to sell, their brother into slavery, after which they spread a picnic blanket and have lunch—or when they go to the mall to pick up the latest in foot fashion with the money they realized from selling a brother into slavery—we are seeing a tear in the fabric of the family. Members of such a family will never be able to trust one another or work with one another toward a common goal. Such a family will never be able to grow into a society. The Second Temple was destroyed because of *sinat chinam*. In the words of the Netziv, *Ha'amek Davar*, in his introduction to Sefer Bereishit, the people “acted crookedly and claimed that it was for the sake of Heaven. This causes the destruction of creation and the annihilation of the world's

<sup>5</sup> The idea is similarly found in *Pirkei deRabbi Eliezer*, 38, and in the *Testament of Zebulon* 3:1-2, quoted by James Kugel in *The Bible as it Was* (Belknap Press, Harvard, 1991). In the *Testament of Zebulon*, Zebulon asserts that while he had no share in Yosef's price, Simeon and Gad and six other brothers used the money to buy sandals for themselves and their wives and their children.

<sup>6</sup> See *Zohar*, Part 1, 45:1, Yosef the Tzaddik is a pillar of the world.

זוהר חלק א מה:א-יוסף הצדיק הוא עמוד העולם

population.” The death of the rabbinic martyrs in effect was a warning that the type of baseless hatred evidenced by the ten brothers had become prevalent in Second Temple Jewish society (and beyond), and that it had serious consequences. The Ten Martyrs “are not being punished for a sin that occurred in the past, but for the fact that it has continued, unchecked, until their time.”<sup>7</sup>

In short, sons are not punished for the sins of their fathers, so long as they do not perpetuate the same iniquity. If the sons continue to behave in the improper way of their fathers they will be punished. In this manner, the Sages, then, are responsible for the members of their generation who had not mended their ways and had continued to display the same baseless hatred as the ten brothers of Yosef. The harshness of the midrash forces us to confront an honest truth about our behavior in the hope that we may learn to rectify it.

Additional interpretations of the midrash can be sought in the *petikhtah*, the opening, or proem, to the midrash. (There are two different proems to examine, one for each of two versions.)<sup>8</sup>

*When God created the trees, they were very proud of their stature and would stand tall. However, when God created metal, the trees would lower/deflate themselves and say “Woe is to us for God has created that which can cut us down.” Similarly, after the Destruction of the Second Temple, the mockers of the generation were preening and saying “What have we really lost with the Destruction of the Temple?” ...*

**Otzar HaMidrashim, Asarah Harugei Malkhut  
Midrash Eleh Ezekerah Version 1**

כשברא הקב"ה את האילנות היו מתגאים בקומתן ומגביהים עצמן למעלה למעלה, וכיון שברא הקב"ה את הברזל היו משפילין עצמן ואמרו אוי לנו שכבר ברא הקב"ה דבר שיכרות אותנו. כך אחר חרבן הבית היו פריצי הדור מתגאים ואמרו מה הפסדנו בזה שנחרב הבית ...  
**אוצר  
המדרשים (אייזנשטיין) עשרה  
הרוגי מלכות מדרש אלה  
אזכרה נוסח א**

The midrash then continues as we have seen earlier.

In the *mashal*, the trees are haughty and proud of their height and glory. They feel empowered and superior to everything around them and invincible. This feeling changes immediately when they learn about the existence of metal. They cringe in fear as they realize that they are all too vulnerable. Shimon Tudar understands the phrase *peritzei hador*, the mockers of the generation, as a reference to the Hellenized Jews or to the Messianic Jews who later converted to Christianity. Both of these groups wished for greater interaction between the Jews and the other nations. Both of these groups saw the Temple as a barrier that prevented integration and were glad to see that it was destroyed.<sup>9</sup>

<sup>7</sup>הלל רוזנצווייג, "עשרה הרוגי מלכות," אב תשס"ו, מאמר באתר כיפה:

[http://www.kipa.co.il/jew/holidays/The\\_Three\\_Weeks/13846.html](http://www.kipa.co.il/jew/holidays/The_Three_Weeks/13846.html)

<sup>8</sup> The third version does not have a proem. See Wilner, *ibid*, p. 133 for a discussion of the different versions.

<sup>9</sup>ראו בעין רעה את היבדלותו של עם ישראל משאר העמים, שביית המקדש הוא שסימל והדגים את המחיצה הזאת שבין ישראל לעמים. מכאן שביית המקדש היה כקוץ בעיניהם של אלה אשר שאפו לתבוללות בין העמים ובתרבות האיזור. שתי הכיתות שהזכרנו אף היו מעוניינות בגילוי תורת ישראל בין העמים, כל אחת וטעמה עמה. המתיוונים התכוונו להראות לגויים את יפיפותו של יפת באהלי שם, לגלות את המאור שבתורת ישראל כדי להוכיח שהיא אינה סותרת ח"ו את תרבות האיזור וראוי עם ישראל להיכלל בין הנאורים שבאומות... ולעומתם היהודים-הנוצרים, שכל זכות קיומם מקורה ב'ברית ישנה' המעידה על ה'ברית

What these groups didn't understand was that the Bet HaMikdash also symbolized autonomy for the Jews, and that its destruction augured the end of an era where the Jews had political freedom. They misunderstood the power inherent in the Bet HaMikdash and its symbolic value and thought that Judaism—at least their idea of Judaism—could be spread with their universal approach. In their desire to break down the separations and to be like everyone else, in their desire to show the intrinsic worth of their Torah to others, they celebrated the destruction of that which should have protected them, and thus began the downward spiral that led to the Hadrianic decrees. The midrash, according to Tudar, is insinuating that the decrees were part of the effects of their desire to assimilate. Whether or not we accept Tudar's identification of the "mockers," (and Jewish history does not lack those who have downplayed the significance of the Temple), the punishment for this fundamental sin by the mockers is suffered by the Sages.

The alternative *petikhtah* has a different message.

*Rav Tanchuma taught: "There is gold, and a multitude of rubies: but the lips of knowledge are a precious jewel" (Mishlay 20:15, JPS translation). A man who has (plenty of) silver but is lacking in knowledge—what pleasure will he take (from the silver)? As the parable has it, "Short on knowledge? What, then, have you acquired?" Rav Yudin said: This refers to those who presented a false front of friendliness. One such person approaches a housewife. "Have you an onion to give to me?" Once the onion is given he asks, "who ever heard of an onion without accompanying bread?" Once she gives him the bread, he asks, "Does one eat without drink?" In the end he succeeded in eating and drinking. (Similarly), when God created the trees, they were big and strong and were very happy. When God created metal, the trees got sad and lamented, "Woe is to us that*

רבי תנחומא פתח 'יש זהב ורב פנינים וכלי יקר שפתי דעת' (משלי כ:טו). בנוהג שבעולם, אדם שיש לו כסף וזהב ואבנים טובות ומרגליות וכל החמודות שבעולם- ודעת אין בו, מה הנאה יש לו? דמתלא אמרי דעה חסרת מה קנית. אמר ר' יודן "אילין כותאי חכימין למיחסדא חד מנהון אזיל לגבי אתתא. אמר לה אית לך חד בצל, תיתנון לי. מן דיהבה ליה א"ל אית בצל בלא פיתא? מן דיהבה ליה א"ל אית מיכל בלא משתי. מתוך כך אכיל ושתי". כשברא הקב"ה את האילנות גברו וגבהו עד למאוד ושמחו שמחה גדולה. כיון שברא הקב"ה את הברזל, נעצבו ואמרו: אוי לנו שברא

החדשה'. דעותיהם של 'פריצי הדור', שהסתמכו על 'תלמידי חכמים', הן שסבבו את העניינים להפצת תורה בין העמים, וכך הגיע הקיסר ללמוד את תורת ישראל.

The two looked negatively on the separation of the Jews from the other nations. The Bet HaMikdash served as a physical representation of this divide. The Bet HaMikdash was like a thorn in the eyes of those who wished to further assimilate into the surrounding culture.

The two groups had a vested interest in revealing/exposing the Torah to the other nations, each one for its own reason. The Hellenized Jews wished to show the nations the beauty of the Torah, the beauty of Yafet dwelling in the tents of Shem, and then wished to show the light within the Torah to prove that it does not contradict the surrounding culture and to demonstrate that the Jews should be included amongst the visionaries and illuminators of the nations ... in contrast, the Judeo-Christians, whose existence is based on the "Old Testament" that testifies to the "New Testament." The opinions of the mockers of the generation who relied solely on the Talmidei Hakhamim and their desire to promulgate the Torah amongst the nations, this is what brought the Emperor to learn Torat Yisrael.

שמעון תודר, 'עשרה הרוגי מלכות- הסיפור ורקעו'- בטאון 'האומה', תשל"ב, עמוד 199-206. מצוטט ב"עשרה הרוגי מלכות במדרש ובפיוט" של אלתר ולנר, הוצאת מוסד הרב קוק, תשס"ה, עמוד 120.

*God created the metal that can cut us down.” They then said, “If not for the wooden handle that is placed on the metal, they could not cut us down.” Similarly, had Israel not taught Torah to the Roman emperor, they would not have brought about the (disastrous events that followed).*

**Otzar HaMidrashim, Asarah Harugei Malkhut  
Midrash Eleh Ezekerah Version 2**

הקב"ה ברזל הקוצץ אותנו. חזרו  
ואמרו אם לא ניתן לברזל עץ בית יד  
לא יוכל לקצץ בנו. וכן  
ישראל, אלמלא שלימדו לקיסר תורה  
לא היו באים לידי כך.  
**אוצר המדרשים (אייזנשטיין)**  
**עשרה הרוגי מלכות מדרש אלה**  
**אזכרה נוסח ב**

If the first *mashal* expounds on the premeditated motives of the Jews in teaching the emperor Torah and the dire ramifications of their actions, the second *mashal* highlights the opposite—a lack of insight, a lack of knowledge, a lack of vision, a foolish act with drastic consequences. The trees feel threatened by the metal, but do not realize that the only way the metal can become an axe is by receiving a wooden handle that will hold the metal in place. The trees (the Jews) did not realize that by providing the wooden handle for the metal (by teaching the emperor the Torah), they were enabling the situation they most feared—the cutting down of the trees, (the destruction of the Jews.)

What the two proems have in common is the cause-effect nature of the midrash. In both cases, the Jews taught the emperor Torah. In each case, their action comes back to haunt them when the emperor uses his new found knowledge to justify the killing of the Sages. The first proem implies that the Jews were being punished for disrespecting the significance of the Temple and perhaps for trying to impress the others with the beauty of a watered-down Torah. The second proem implies the Jews were acting foolishly. Either way, the message is clear. We need to consider the consequences of our actions.

The third question looked into the historicity of the midrash. Who were the men listed as martyrs? When did they live? How does the historical backdrop add to our understanding of the midrash and our understanding of martyrdom?

The term *harugei malkhut* originally referred to those that were put to death at the behest of a Jewish king and were executed by the Sanhedrin.<sup>10</sup> The first use of the term *harugei malkhut* is used (along with the number ten) to refer to those killed by the Romans and thus died *al kiddush HaShem*, for the Sanctification of God, is by Rabbi Yehoshua ben Levi, a Palestinian amora who lived in the first half of the third century. In Midrash Mishlay he is quoted as follows:

*Rabbi Yehoshua ben Levi said: the Ten Martyrs were not dragged down for anything other than the sin of selling Yosef (by his brothers).*

**Midrash Mishlei 1:13**

אמר ר' יהושע בן לוי לא נמשכו עשרה  
הרוגי מלכות אלא בחטא מכירתו של יוסף.  
**מדרש משלי פרשה א סימן יג**

Here then is our first mention of a group of martyrs killed by the Emperor. The amora is praising the martyrs, positing that they were blameless and died only for the sin of Yosef's brothers.

<sup>10</sup> C.f. BT Bava Batra 10b; BT Bava Metziah 107b; BT Sotah 48b; BT Sanhedrin 11a.

There is no hint of criticism of the Sages for not attempting to save themselves. He does not indicate, for instance, that there were steps they might have taken to forestall the decree.

The concept of martyrdom, death *al kiddush HaShem*, is not always looked upon favorably in Jewish sources. An earlier reference to those who die *al kiddush HaShem* is referred to in *TB Bava Kama*, with a statement attributed to Shmuel haNavi:

*This I have learned from the Beth Din (court) of Shmuel haNavi of the Ramah: anyone who sacrifices his life for the sake of Torah, we do not record halakhah in his name.*  
**Bava Kama 61a**

כך מקובלני מבית דינו של שמואל הרמתי: כל המוסרע  
צמו למות על דברי תורה – אין אומרים דבר הלכה  
משמו  
תלמוד בבלי בבא קמא דף סא עמוד א

One might also cite to the famous derasha on “והי בהם, and you shall live in them” (Lev 18:5)—you shall live through them and not die through them (*Sanhedrin* 74a).

The censure is apparent. A person who chooses death, even if the reason for his death is to show the importance of Torah, will forfeit the right of having his name associated with a halakhic ruling.

How did the rabbinic opinion about martyrdom change? According to M.D. Herr, it was R Haninah ben Teradion who helped to shift the pendulum of rabbinic opinion. R Haninah ben Teradion was a third generation Tanna who lived in the second part of the first century CE and the beginning of the second century CE. Of the rabbis whose death is listed in the Talmud, he is the only rabbi “who consistently followed the same course from beginning to end,” who publicly flaunted the Hadrianic decrees and was arrested for their violation. While other rabbis were arrested for their participation in the Bar Kokhba rebellion (like Rabbi Akiva), and others denied their actions upon arrest and were acquitted (like Rabbi Elazar ben Perata who was in prison with R Haninah), R Haninah ben Teradion openly studied the Torah, gathering groups in public (*TB Avodah Zarah* 17b-18a). R Hanniah ben Teradion advocated taking a drastic stance because he, according to Herr, perceived a truth that others would only realize later. The truth had to do with the new threat to Judaism despite the waning of traditional idolatry—the worship of the persona of the emperor.

A conversation recorded between Rabbi Akiva and Zonin in *TB Avodah Zarah* highlights the new consensus of public opinion about idolatry (circa 96ce).

*Zonin said to Rabbi Akiva: We both know in our hearts that idolatry has no substance.*  
**BT Avodah Zarah 55a**

א"ל זונין לר"ע: לבי ולבך ידע דעבודת כוכבים לית  
בה משוא  
תלמוד בבלי מסכת עבודה זרה דף נה עמוד א

In place of idols, Roman citizens began venerating the emperor. They saw a good emperor as embodying and representing the empire both politically and spiritually. The good emperor, notes Herr,

*... was portrayed as uniting in himself the virtues of the wise statesman ... the brilliant general ... the man of war ... and the man of peace ... as if he were divine rather than human.*<sup>11</sup>

<sup>11</sup> Herr, *ibid*

Compounding the issue was the general perception of the failure of the Jewish rebellion. Not only was the emperor seen as a good and brilliant man, he and his forces overcame the Jewish God for clearly, the destruction of their Temple meant that the God of the Jews was weak and had failed. Acquiescing to the emperor, then, in the eyes of some of the Jews, was tantamount to declaring that the emperor was more powerful. It was in this environment that Hadrian prohibited the performance of certain positive commandments such as reading Shema, observing Shabbat, and wearing tefilin and tzitzit.<sup>12</sup> Not only were these commandments among the most central positive commandments in the Torah such that failing to perform them would rob Judaism of most of its essence, but any indication that a Jew was obeying the decree would be seen as a concession to the emperor, to the ruler, to this godlike figure, and such a concession could ultimately prove a threat to Judaism. It was clear to the Sages that, “The kingdom of the god-emperor and the Kingdom of Heaven could not co-exist. It was forbidden to avow the sovereignty of the emperor when such avowal entailed such far-reaching significance.”<sup>13</sup>

The approach to martyrdom, dying *al kiddush HaShem*, took on a new significance and the shift from the position seen in *Bava Kama* to the new norm as seen in the Tosefta. Dying *al kiddush HaShem* is no longer condemned, it is now condoned and even has redemptive qualities to it,<sup>14</sup> for the death of a righteous person brings atonement on Bnai Yisrael just like Yom Kippur.<sup>15</sup> The shift in attitude was not a shift in principles—Judaism always did and always will encourage choosing life over observance of mitzvot. However, when applying these principles to their times, the Sages, led by R Haninah ben Teradion, felt that dying *al kiddush HaShem* was the more appropriate response to the Hadrianic decrees.

In reflecting on the changes towards the concept of martyrdom, Shira Lander, in “Martyrdom in Jewish Traditions,” notes that there is a

*... general development of ideas about martyrdom from second temple to tannaitic to amoraic sources, both Palestinian and Babylonian ... The traditions move from notions of vicariously redemptive suffering and triumph over death through individual resurrection; to joyful death and end-time harbingers; to tzidduk ha-din and exegesis of love; to the miraculous power of the martyr-rabbis and exegesis beit-midrash style as the fulfillment of Scripture. Martyrs have been*

<sup>12</sup> Herr, *ibid*, lists 21 positive commandments that were prohibited. Other commandments that were prohibited include: appointment of Sages; maintenance of Jewish courts; gatherings in synagogues; public reading of the Torah; public reading of the Book of Esther; affixing a mezuzah; distribution of gifts to the Kohanim and Leviim; eating matzah; sukkah; lulav; lighting Hanukkah lights; ritual immersion in a mikvah; observing shemittah; blowing the shofar; and freeing slaves. In general, he notes that the “Romans, for various psychological and tactical reasons, only enacted prohibitions against the observance of positive precepts.”

<sup>13</sup> Herr, *ibid*

<sup>14</sup> While there are various stories of martyrdom during the times of the decrees of Antiochus, Herr posits that this view was promulgated by the Hellenized Jews who were influenced by the Greek culture. There are many tales of martyrdom in the Greek annals; in Jewish sources there is nothing mentioned in the years between Antiochus and Hadrian.

<sup>15</sup> תלמוד ירושלמי (וילנא) מסכת יומא פרק א הלכה א: א"ר חייה בר בא בני אהרון באחד בניסן מתו ולמה הוא מזכיר מיתתן ביום הכיפורים ללמדך שכשם שיום הכיפורים מכפר על ישראל כך מיתתן של צדיקים מכפרת על ישראל.  
*R Hiyya b. Ba said: The sons of Aaron died on the first of Nissan. Why does it mention their deaths on Yom Kippur? To teach you that just as Yom Kippur atones for the Jewish people, so too, the death of the righteous atones for the Jewish people.*

*transformed from models of courage to objects of veneration to guardians of heaven. As the era of rabbinic literature concludes, the martyrs' function on this earth, in this world, has been deferred to the next world.*

Thus, in the era of the Hadrianic decrees, in attempting to underscore the importance of not giving in to the emperor a new attitude toward martyrdom arose. Gradually, over centuries, we find that the previously unconnected stories of horrific deaths that were found in different sources were assembled as one collective, the midrash of *Asarah Harugei Malkhut*.