THE HISTORY OF THE DEFEATED: ROME AND RABBINICAL WRITING

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History, we know, is written by the victors. The arch of Titus is but one monumentalizing expression of the Roman account of Judaea Capta, and Seth Schwartz and Martin Goodman have both offered compelling explanations of why and how the new regime of Vespasian and Titus needed the victory in the East to bolster its authority and public status, and, what's more, how this policy may have contributed to the regime's surprisingly continuous refusal of plans to reconstruct the Temple of Jerusalem[1]. With Josephus, as many scholars have analyzed, we have the most extraordinary figure in such a dynamic of triumphant memorialization[2]. A former leader of the Jewish resistance, whose very survival needs all the skills of an established rhetorician to put himself into a decent light, who constructs and rejects the extreme wing of rebellious activity as self-destructive violence, but who also comes over to the Romans and, from the position of imperial patronage, writes the history of his own country's desperate defeat. And yet does so as an insider to the Jewish world – he knows who his "us" are, what his first language is – and as an outsider to the Roman system from which he so benefits. Josephus' account straddles the fences of self-definition and repeatedly and strategically repositions its authorial voice. It is a unique and uniquely fascinating document not just from the ancient world but from later eras also: imperial history written by the suborned victim, conscious both of the perspective of the victor and the defeated, and constantly negotiating his space within such a self-implicating discursive arena. Writers on later Empires would greatly value such a text in thinking about imperial rhetorical strategies!

But there is a third body of material which gives a quite different set of

[1] S. SCHWARTZ, *Imperialism and Jewish Society 200 B.C.E. to 640 C.E.*, Princeton 2001; M. GOODMAN, *Rome and Jerusalem: the Clash of Ancient Civilizations*, London 2007.

[2] See, for example, S. MASON, *Understanding Josephus: Seven Perspectives*, Sheffield 1998; S. SCHWARTZ, *Josephus and Judaean Politics*, Leiden 1990; S. COHEN, *Josephus in Galilee and Rome*, Leiden 1979; T. RAJAK, *Josephus: the Historian and his Society*, London 2002; J. MCLAREN, *Turbulent Times? Josephus and Scholarship on Judaea in the First Century CE*, Sheffield 1998; J. EDMONDSON - S. MASON - J. RIVES (edd.), *Flavius Josephus and Flavian Rome*, Oxford 2005; S. GOLDHILL - H. MORALES (edd.), *Dying for Josephus*, "Ramus" 36 (2007), each with further bibliography.

perspectives on Judaea Capta, different both from the Roman representation of the Jews and the Jewish War, and from Josephus' Greek and Jewish negotiations of self-representation[3]. This material is embedded in the Jewish texts of the Talmud and the midrashic collection *Eikhah Rabbah*. The Babylonian Talmud, which I will be discussing in the main, is made up of the texts of the Mishnah, roughly speaking legal, religious regulations collected together about 200 CE, with the commentary on them known as the Gemara, collected and edited in the 6th century CE. Both the Mishnah and the Gemara contain materials which are explicitly claimed within the texts themselves to come from much earlier times, and are attributed to named figures from earlier eras; some of this material does seem to have a long tradition; the edited collections of the 2nd and 6th century suppose selection from a wider range of earlier sources; there is also the Palestinian Talmud, of an earlier date, which has some similar and some different material. The more extensive Babylonian Talmud is the text most studied in later tradition, however. I shall also be talking about *Eikhah Rabbah*, a midrashic collection of homiletic stories and expositions on the book of Lamentations, which is hard to date but is one of the earliest of such collections, probably late 5th / early 6th century, again including perhaps some earlier material, and almost certainly put together in Palestine. The book of Lamentations is traditionally attributed by Jews and Christians to the prophet Jeremiah, and is a lament for the destruction of the first Temple by Nebuchadnezzar in the 6th century BCE, but since the first Temple was destroyed on exactly the same day as the sack by Titus (a historical image we will return to), the homiletic texts interweave stories of the Roman campaign as well as the Assyrian assault on Jerusalem, and indeed the Bar Kokbha revolt under Hadrian as well as Titus' destruction of the Temple.

Now it is extremely hard to disentangle the precise chronological layering of these texts, and it is precisely part of the rhetorical, historical and theological strategy of the compilations to resist such an anatomy of influence or located commentary – this is a religious world with very different historiographical and biographical commitments, as we will see. Nor is it the case that any specific passage can be specifically rooted in the immediate aftermath of the destruction of 70 or, despite words put in the mouth of the figure of Rabbi Akiva, to the second revolt of Bar Kokhba[4]. These texts cannot be used to

[3] In general see also E. GRUEN, *Diaspora: Jews amid Greeks and Romans*, Cambridge (Mass.) 2002; ID., *Heritage and Hellenism: The Re-invention of Jewish Tradition*, Berkeley 2002, T. RAJAK, *Jewish Dialogue with Greece and Rome: Studies in Cultural and Social Interaction*, Boston 2002.

[4] For a polemical attempt to disentangle the historical layers of rabbinical writing see J. NEUSNER *The Emergence of Judaism: Jewish Religion in Response to the Criitcal Issues of the First Six Centuries*, Lanham 2000; ID., *The Mishnah Before 70*, Atlanta 1987. Neusner here is not interested in the relations between the rabbinical writing and contemporary Greco-Roman culture, however.

locate the shocked misery of the slaves and survivors, the sort of stories that the twentieth century has so regularly cherished and circulated. Yet what I want to argue here is that these texts give us a remarkable opportunity to see how the defeated get to write history. We will see a series of starkly varied rhetorical strategies, which will open a network of historiographical, theological and political manoeuvres that go to the heart of the reconstructive process of Judaea Capta.

Before I turn to the texts themselves, we will need three elements of crucial background in place. The first concerns the modern historiography of defeat. Wolfgang Schivelbusch in *The Culture of Defeat* is one of several modern historians to take the obvious examples of the last couple of centuries to look at how communities have dealt with crushing military loss[5]. With his examples of the American South after the Civil War, France after the Franco-Prussian war and Germany after the Second World War, he has explored the psychological patterns of communities responding to violent humiliation and physical, material loss; and, secondly, the political re-organizations at an institutional and collective, discursive level that follow defeat. It is within such a scholarly project that I first locate this paper. The destruction of the Jewish community was, of course, brutal and extensive. The reconstruction took many years, and different levels of reconstruction work to different time scales. The integration of this process within Greek culture, and the impact of such diffusion on the subsequent development of Jewish institutions, practices and attitudes have been wonderfully analyzed by Seth Schwartz in his *Imperialism and Jewish Society*[6]. But for my purposes here I need to emphasize that the Temple of Jerusalem was unique in the ancient world not least because it was the only place where a large, dispersed population of a community, the Jews, could formally and officially offer sacrifice and complete other rituals necessary for religious practice. It was a completely centralized national cult, and the pilgrim festivals required the citizens and worshipers to perform this spatial and ideological centrality by travelling to Jerusalem. The destruction of Jerusalem and its Temple required therefore a complete re-conceptualization of Jewish cult practice. How Judaism could function

[5] W. Schivelbusch, *The Culture of Defeat: on National Trauma, Mourning and Recovery*, engl. tr., London 2003; see also from a different angle J. Scott, *Domination and the Arts of Resistance: Hidden Transcripts*, New Haven 1990.

[6] See fn1. See also S. Lieberman, *Greek in Jewish Palestine: Studies in the Life and Manners of Jewish Palestine in the II-IV Centuries C.E.*, New York 1942; Id., *Hellenism in Jewish Palestine: Studies in the Literary Transmission, Belief and Manners in Palestine in the I Century B.C.E. - IV Century C.E.*, New York 1950; M. Goodman, *State and Society in Roman Galilee A.D. 132-212*, Totowa 1983; Id. (ed.), *Jews in a Graeco-Roman World*, Oxford 1998; L. Levine, *Judaism and Hellenism in Antiquity: Conflict or Congruence*, Seattle - London 1998; on the history of destructions of Jerusalem see E. Cline, *Jerusalem Besieged: from Ancient Canaan to Modern Israel*, Ann Arbor 2004.

without the Temple was the defining question of the community of the defeated for more than three centuries[7]. Although the texts I am discussing were redacted up to 500 years after the destruction of the Temple, responding to the loss of Jerusalem and its religious life remained a defining aspect of Jewish self-representation.

This leads to my second basic background point. One answer to this question of how to reformulate Judaism is the development of so-called Rabbinic Judaism. Religion based on synagogue worship – dispersed rather than centralised, based on prayer and study rather than sacrifice, with authority invested in texts interpreted by rabbis rather than cult performed by priests – is a response to the conditions of Judaea Capta. Here we enter inevitably contentious waters, where I shall be as direct as I can, at the risk of oversimplifying some difficult modern debates. The texts of the Babylonian Talmud and other rabbinic writings construct an image of the world of the Temple which also contains fully functioning rabbinic courts, schools, and debates. It assumes that even the patriarchs, Abraham, Isaac and Jacob – whom one might have thought to be the first, few Jews – went to yeshivot, rabbinic schools, and argued halachic issues – religious regulation. They tell us of the 480 synagogues, each with a primary school and secondary school, in Jerusalem at the time of the Roman attack (something not even the most fundamentalist archaeologist could countenance)[8]. Modern historians have emphasized not only that there were different types of synagogues both in Palestine and in the diaspora, but also that the rabbis had such precarious authority over these organizations that it is possible to talk of the rabbis as counter-authorities to synagogues[9]. None the less, rabbinical writings analyze biblical texts to show with repetitive intensity that the study of Torah in a fully rabbinical way has always been central to Judaism: so when the Torah says of Solomon "I built houses, I planted vineyards, I made gardens and orchards, I planted in them trees of all kinds of fruit", *Eikhah Rabbah* analyzes it to say: buildings, this means synagogues and schoolhouses; vineyards: this means rows of scholars who sit like rows of vines; gardens and orchards: this means the great *mishnayot*, religious regula-

[7] See S. Goldhill, *The Temple of Jerusalem*, London - Cambridge (Mass.) 2005; E. Sanders, *Jewish Law from Jesus to the Mishnah*, Philadelphia 1990, 283-308; L. Levine, *Jerusalem: Portrait of the City in the Second Temple Period (538 B.C.E. - 70 C.E.)*, Philadelphia 2002.

[8] *Midrash Eikhah Rabbah* Proem 12.

[9] L. Levine *The Ancient Synagogue: the First Thousand Years*, New Haven 2002; D. Jaffé, *Le Judaîsme et l'avenement du Christianisme: orthodoxie et hétérodoxie dans la littérature talmudique 1er-2er siecles*, Paris 2005, 379-407; S. Minouri, *Le judéo-christianisme ancien – essais historiques*, Paris 1998; S. Fine (ed.), *Jews, Christians, and Polytheists in the Ancient Synagogue*, London - New York 1999; see also M. Goodman, *The Ruling Class of Judaea: the Origins of the Jewish Revolt Against Rome A.D. 66-70*, Cambridge 1987.

tions of the rabbis; trees of all kinds of fruit: this means the Talmud[10]. Now it is hard to know with what authority such allegorical reading is invested, but the homiletic seems clear enough. The world is to be viewed now and forever through the framework of rabbinic learning and practice. Both the practice enshrined in such exegesis and its content enforce a vision of things. The texts I will be analyzing all come from this labour of construction, this attempt to formulate an all-embracing, exclusively rabbinical perspective on texts, the world and human activity, and need to be analyzed within such a framework.

This leads to my third point. The world which the rabbis depict in these texts assumes that the Jewish world and the rabbinical world are co-extensive. And that there was a rabbinical court in every town, a school on every village, and that Jewish men and women were constantly evaluated and defined themselves according to rabbinical criteria and categories. But from Goodenough to Neusner to Stern to Boyarin to Schwartz, this picture has been not so much nuanced as systematically undermined – though there are plenty of scholars who resist such a revisionist understanding for rather obvious religious reasons of their own[11]. But the interconnections between Jewish and Greek life in particular in what we call the Greek East is pervasive: "even in their non-Hellenism they were Hellenized"[12]. The number of rabbis is likely to have been far smaller and less influential than the Talmud suggests certainly in the first centuries after the destruction of the Temple. Many and perhaps most Jews lived in a very different world from that projected by the Talmud. It should be no surprise to find mosaics of Dionysus in what are possibly Jewish houses in third-century Sepphoris. But it is worth noting that even a text as imbued with rabbinical interpretation as *Mishnah Eikhah Rabbah* has many examples of Greek in it, including bilingual puns[13]. Rabbi Gamliel's school, we are told in the Talmud, had 500 students learning Greek to communicate

[10] I cite *Midrash Eikhah Rabbah* from the Soncino edition, translated by A. Cohen under the general editorship of H. Freedman and M. Simon (London - New York 1983).

[11] E. Goodenough, *Jewish Symbols in the Greco-Roman Period*, New York 1953-1968; Schwartz, *Imperialism…*; S. Stern, *Jewish Identity in Early Rabbinic Writing*, Leiden - New York - Köln 1994; D. Boyarin, *Borderlines: the Partition of Judaeo-Christianity*, Philadelphia 2004; Id., *Dying for God: Martyrdom and the making of Christianity and Judaism*, Stanford 1999; and, from the very many works of J. Neusner see especially *The Emergence…*; *Judaism in Society: the Evidence of the Yerushalmi: towards the Natural History of a religion*, Chicago 1983. For a good example of a modern attempt to link halachic argument to social process and the precarious boundaries of social identity see C. Hayes, *Gentile Impurities and Jewish Identities: Intermarriage and Conversion from the Bible to the Talmud*, Oxford 2002.

[12] S. Cohen, *Hellenism in Unexpected Places*, in T. Collins - G. Sterling (edd.), *Hellenism in the Land of Israel*, Notre Dame 2001, 216-243 *ad* 237; see also D. Boyarin, *Hellenism in Jewish Babylonia*, in C. Fonrobert - M. Jaffee (edd.), *The Cambridge Companion to the Talmud and Rabbinic Literature*, Cambridge 2007.

[13] See G. Hasan-Rokem, *An Almost Invisible Presence: Multilingual Puns in Rabbinic Literature*, in Fonrobert - Jaffee (edd.), *The Cambridge Companion…*, 222-239.

with the authorities[14]. The rabbi Yochanan ben Zakai is quoted, in Latin, speaking the language of Empire to the Emperor[15]. The stringent concern of the rabbis for the boundaries of their own world and judgment is best seen as a reflex of the porous and fragile boundaries of the Jewish community after the destruction, in a frequently hostile social environment, where what the rabbis would call assimilation or idol worship brought evident cultural rewards[16]. The narratives I will be reading are not a historical mirror even of the construction of rabbinic Judaism but a set of projections, hopes, and concerns within a shifting normative and cultural framework.

With this bare but necessary framing, we can now turn to look at some of the texts with which the rabbis and their followers attempted to comprehend Judaea Capta – to write the history of the defeated.

There can be no doubt about the scale and horror of the defeat in the eyes of the rabbis. The immensity of the city is described in terms of its streets and especially its population: "King Agrippa wanted to know how many multitudes there were in Jerusalem. He said to the priests, 'Set aside for me one kidney from each paschal offering'. They set aside for him 600,000 pairs of kidneys, … and there was not a single paschal offering in which less than ten people participated"[17]. Even though as classicists we are used to a certain

[14] The degree of Greek speaking / learning in both Hellenistic and Roman Palestine is a deeply contested subject, though, as Levine notes, "The type of question that might have been appropriate a generation or two ago should now be regarded as settled: contact between Jews and the outside world [of Hellenism] was ongoing, often intensive" (*Judaism…*, 181). There can be little doubt that in the Hellenistic period, especially in the connections between Palestine and Alexandria, there was considerable engagement with the Greek language. So too the prevalence of Greek inscriptions in Palestine across at least six hundred years indicates the continuing use of Greek in authoritative circles. The depth of Greek throughout the region of Judaea, however, is much harder to judge, but is less likely to have been profound, especially in the less elite circles. What's more, there is some evidence that, while there may have been a "not insignificant number of Jews in first-century Israel who combined a passion for both Jewish and Greek learning", as Chaim Milikovsky writes, "This attempt to synthesize two venerable cultural heritages seems to have petered out in the ensuing centuries" (*Justin of Tiberias and the Synchronic Chronology of Israel*, in S. Cohen - D. Schwartz, edd., *Studies in Josephus and the Varieties of Ancient Judaism*, Leiden 2007, 103-126, 105). Nor is it clear how much Greek learning was prevalent in Babylon even in rabbinic circles. See in particular the seminal studies of Lieberman, *Greek…*; *Hellenism in Jewish Palestine: Studies in the Literary Transmission, Belief and Manners in Palestine in the I Century B.C.E. - IV Century C.E.*, New York 1950; also S. Cohen, *The Beginnings of Jewishness*, Berkeley - London 1991; M. Hengel, *Judaism and Hellenism: Studies in Palestine in the early Hellenistic Period*, Philadelphia 1974; S. Schwartz, *Language, Power and Identity in Ancient Palestine*", "P&P" 148 (1995), 3-47.

[15] *Midrash Eikhah Rabbah* 1,5,31.

[16] See Stern, *Jewish Identity…*; J. Costa, *L'identité juive a l'époque tanna'im (40-200 de notre ère)*, in N. Belayche - S.C. Mimouni (edd.), *Entre lignes de partage et territoires de passage. Les identités religieuses dans les mondes grec et roman: «paganismes», «judaïsmes», «christianismes»*, Leuven 2009, 321-364.

[17] *Midrash Eikhah Rabbah* 1,1,2. Josephus (*BJ* 6,423-425) offers 255,600 sacrifices and thus 2,556,000 celebrants. Both exaggerations are, of course, to emphasize the awesomely large festival.

inflation in numbers from ancient sources, 6 million pilgrims is impressively fantastical (the current population of Israel is not even 8 million). But the specificity of the horror of the Roman siege is also vivid. One story that is particularly relevant is that of the wife of Doeg ben Yosef, which is told twice in *Midrash Eikhah Rabbah* and once, with slightly different detail, in the Talmud in Tractate Yoma[18]. The son of this Doeg was brought up by his mother "who used to measure him in handbreadths and give his weight in gold to the Temple every year". That is, who cherished him especially and valued him as a gift from God to be recompensed with a glorious offering of thanks every year. But in the siege, "his mother slaughtered and ate him". This recalls the story of Maria bat Eleazer told by Josephus (*BJ* 6,201ff). In Josephus, the story is given with full rhetorical power, and in fully Greek categories. She is led by fury and by necessity to commit what is called an outrage against nature (*kata phusin*): she gives a suitable speech, informed by generations of reading of Greek tragedy, on the horrors of slavery, on how she will make an *erinus* against the rebels, and become a *muthos* of the Jews for the world. And she does. The rebels are too horrified to share the meal; the story reaches even the Romans, and Titus, pious in this as in so much of Josephus' apologetics, denies his culpability before God, reminding everyone he had offered peace to the Jews. He would "bury this abomination of child-cannibalism beneath the ruins of their country, and would not leave on the face of the earth for the sun to see a city in which mothers such as this were nourished". The mother's action becomes the cause of the general's decision to destroy Jerusalem. But in *Midrash Eikhah Rabbah*, the immediate response is a quotation from Lamentations (2,20a) "Jeremiah lamented before the Omnipresent, saying 'See, O Lord, and consider to whom Thou hast done thus! Shall the women eat their fruit, the children that are dandled in the hands'". In the Hebrew, the word I have translated "dandled" (*tippuhim*) puns on the word "measured" (*tefuhim*) which marked the woman's love[19]. The story fulfils the words of Lamentations linguistically as well as in its grim violence; or, makes the prophetic fear of Lamentations describe an actual event. The passage continues, however, "But the Holy Spirit retorted, 'Shall the Priest and the Prophet be slain in the sanctuary of the Lord?'" (Lamentations 2,20b) referring to Zechariah. First of all, this offers a cause for the horrific cannibalism: God replies that it is because the prophet Zechariah was slaughtered in the Temple by the Jews that such terrible things happen: a sin is being punished. The murder of Zechariah is re-

[18] *Midrash Eikhah Rabbah* 1,16,51; 2,23; Yoma 28b.

[19] Lamentations 4,2 "The precious children of Zion, once valued as gold – alas they are counted as earthen pots", moves via "jackals [that] offer the beast and suckle their young" (2,3) to "with their own hands, tender hearted women have cooked their children" (2,13) – a sequence of thought they seems to lie behind this midrash. Thanks to Diana Lipton for making this connection.

peatedly used as a paradigm of internal violence, sacrilegious violence, which through God's punishment leads to the destruction. The pattern of causality here is quite different from Josephus' rhetorical, political apologetics. Second, however, God's retort is actually the second half of the same verse of Lamentations. The verse in the voice of Jeremiah, a dramatized prophetic fear at the sack of the First Temple, becomes a conversation between the prophet and the Holy Spirit explaining the horrors of the siege of the Second Temple. The single verse is opened into a dialogic explanation of a violent act which fulfils its own theological presage. The horror is fully part of a *divina comedia* of theological causality.

Yet this overwhelming sense of the despair and horror of defeat – *Midrash Eikhah Rabbah* is not the most cheery of reads – is also tempered by a quite different strategy of counter-narrative. Here is one of the most famous of stories, repeated in rabbinical writings in several places including the Talmudic tractate of Gittin[20] (bT Gittin 56b): "A storm arose on the sea and threatened to capsize him. Titus reasoned, 'It seems to me that their god only has power upon water. When Pharaoh came, he drowned him in water. When Sisera came, he drowned him in water. Now he wants to drown me in water! If the god of the Jews really has power, let him make war with me upon dry land!' A voice came forth and said to him, 'Evil one, son of an evil one, offspring of the evil Esau! I have a puny creature in My world named a gnat'. *Why is it called "a puny creature?" For it has a mouth but has no rectum*". [This gloss is typical of talmudic style which is happy to detour repeatedly.] "'Get up on dry land and make war with it!' When Titus arrived at dry land, a gnat flew up his nose and drilled into his brain for seven years. One day when he was passing the gate of a blacksmith's shop he heard the sound of the hammer hitting the anvil and the gnat was silenced. Titus thought, 'There's a solution!' Each day he brought a smith who hammered in his presence. He paid a gentile four *zuz* to hammer, but to a Jewish smith he said, 'It's enough that you have seen your enemy like this.' This worked for thirty days, but then the sound of the hammering no longer availed to silence the gnat. It is taught: Rabbi Pinchas ben Aroba said, 'I was among the great men of Rome; and when Titus died they split open his head and found that the gnat had grown to the size of a swallow weighing a pound'. A scholar taught elsewhere: 'The gnat was like a one year

[20] For a compilation of such stories see M. HADAS-LEBEL, *Jerusalem against Rome*, engl. tr., Leuven 2006. Like many, Hadas-Lebel follows Derenberg in finding little or no historical value in rabbinical writings: "Only Josephus and Justin, who had experienced Hellenic culture, have any sense of history". See *contra* G. HASAN-ROKEM, *Tales of the Neighbourhood: Jewish Narrative Dialogue in Late Antiquity*, Berkeley 2003, 117: "Rabbinic narratives [are] anything but devoid of historical information". Their sense of history, is, of course, different. Cf G. BOWERSOCK, *Fiction as History: Nero to Julian*, Berkeley 1994, 95: "It is the fiction that delivers dreams of real historical significance".

old pigeon weighing two pounds'. Abaye said: 'It's mouth was copper and its nails were iron'". Again this supplementary glossing with different traditions is typical Talmudic style.

This narrative is complex and multilayered. The Emperor at sea taunts the power of the Jewish God, who gets his own back, in the manner of a familiar story pattern of Aesopic fable or folk-tale, which loves to turn the tables on the powerful with inventive wit and incisive humiliating violence[21]. The challenge to make war on land is gleefully accepted by choosing as a champion the very smallest animal possible, which flies into the Emperor's brain and torments him for years. The temporary relief of hammering is another joke – the disturbance was so unpleasant that the din of the smith is a relief – which is witnessed by the Jewish smiths, whose pleasure at the overthrow of an enemy is wages enough. The carnivalesque distortions of body and power find final expression in the post-mortem discovery of a gnat the size of swallow… no, the gnat the size of a pigeon… the gnat with the mouth of copper and nails of iron. It is not hard to see this story as part of a strategy of self-defensive projection: the defeated who – again, as ever, with God's help – live on to see the humiliation of their supremely powerful enemy. The story thematizes the power of smallness as it performs it.

We should read stories of the conversion of powerful Romans to Judaism in this light: we can't beat them but they joined us. Several tales end with a particularly sadistic torturer and murderer of Jews seeing the error of his ways and thus converting. But the most fascinating passage to me of this style of resistance writing comes in *Midrash Eikhah Rabbah* (1,1,4-20). This is a midrashic exposition of the phrase of Lamentations "She that was great among the nations". Why, asks the midrash, does it state that Jerusalem was "great" when in the previous sentence it has said it was "full of people"? It is a fundamental principle of rabbinic interpretation that there is no pleonasm, no needless repetitions in biblical texts. There must be a reason for such an apparent repetition. "The meaning is", concludes the midrash, "That she was great in Intellect" – that is, that Jerusalem is a city of smarty-pants. The next 16 pages contain a series of stories of how smart the Jews of Jerusalem are – an early example of Jewish gallows humour that has been tellingly analyzed by modern scholars from Freud onwards as a cultural response to the prevalent anti-Semitism of modernity. "The humorous anecdote is a most suitable genre for dealing with inadequacy and contradictions", as Galit Hasan-Rokem com-

[21] On Aesop and the circulation of Aesop throughout the Empire and beyond, see L. KURKE, *Aesopic Conversations: Popular Tradition, Cultural Dialogue, and the Invention of Greek Prose*, Princeton 2010. D. BOYARIN (*Socrates and the Fat Rabbis*, Chicago 2009) makes an extended case for the connections between Greek dialogic traditions and the Talmud.

ments[22]. I will give just one of many examples here (*Midrash Eikhah Rabbah* 1,1,7): "An Athenian came to Jerusalem" – many stories start this way. It is obvious within the expectations of cultural prestige why it is an Athenian, from Athens the university capital of the Mediterranean, the home of philosophy, who is the butt of so many of these narratives. "Where he met a child" – and often it is a child who outsmarts the visiting adult, emphasizing even more the dynamics of reversal of power that this humour enforces. "To whom he gave money" – and money or material success is also a repeated theme that looks to the same dynamics of power. "Saying, 'Go and bring me something of which I can eat my fill and have something left over for my journey'. He went and brought him salt. The man said 'Did I tell you to bring me salt?'. He answered 'But did you not tell me to go and bring you something of which you can eat your fill and leave something over to take on your journey?'". And with rather laborious explicitation, the punch line is emphatically repeated: "'By your life, in this you have something of which you can eat your fill and leave something over to take on your journey'". The pattern of this humour, in which the apparently weak – the child, the slave, the woman – humiliates or outsmarts the apparently powerful – the adult, the ruler, the master, the man – by revealing the literal and thus hidden sense of his words is a commonplace of the Aesopic tradition as well as other comic scenarios. These stories are designed to make you smile – and smiling in the ancient world is so often connected with the play of superiority – but here are offered with a certain self-reflexive joy as a gloss on the greatness of Jerusalem. Its greatness is in the intelligence that is revealed in the small overturning the great. This is the laughter of the defeated.

This humour is set in stark contrast to the cruelty of the Romans. A Jew passed in front of Hadrian and greeted him, narrates Midrash Eikhah Rabbah (3,58,9). When Hadrian learnt he was a Jew, he exclaimed, "Dare a Jew pass in front of Hadrian and greet him! Take him out and cut of his head". Another Jew passed, and seeing what had happened to the first man, did not greet the emperor. When Hadrian learnt he was a Jew, he exclaimed, "Dare a Jew pass before Hadrian and not offer a greeting! Take him out and cut off his head!". His senators said "We cannot understand your actions. He who greeted was killed and he who did not greet was killed". The emperor replied to them "Do you seek to advise how I wish to kill those I hate?". The passage exemplifies the verse in Lamentations, "Thou has seen all their vengeance and all their devices against me". The language of Hadrian has the ludic structure of a joke, a device, but is turned to a sadistic jouissance. The senators play straight man to the fearsome power which turns all social interaction from rules of

[22] Hasan-Rokem, *Tales*…, 136.

propriety and exchange into an inescapable demonstration of enmity. The Jews are simply the victims of the rituals of language gone wrong, distorted by uncontrolled power and hatred.

There is no sense of martyrdom in this story, no sense of dying for the glory of God – a problematic category for Jewish texts, as Goldin and Boyarin have explored[23]. But the same cannot be said of the story of Miriam bat Tanchum, a celebrated story, which appears in both Talmud and midrashic compilations, and which re-writes the ur-martyr story of *2 Maccabees* 7[24]. She had seven sons. Each is led in turn before the Emperor and required to prostrate himself in worship before an image. Each rejects such idolatry in turn and each does so with a quotation from the Torah – and each is put to death. The seventh child has the longest debate, particularly in the extended midrashic version, quoting from several verses and upbraiding the Emperor for not knowing that the universe has a God. The emperor even offers him the opportunity of faking it: he will throw his ring on the floor, and the boy can stoop and pick it up so it will look to others as though he is worshipping when in fact he is doing nothing of the sort. The boy remains obdurate, and dies with a promise of divine revenge on his lips. Before he dies, his mother begs leave to suckle him one last time, or to hug him, as the Babylonian Talmud has it, which she does, and begs the emperor to kill her first. He refuses (in midrash with an inapposite quotation of a source from the Torah, which the woman scornfully throws back in his face). The boy was, the sages calculated, precisely 2 years, 6 months and 6 and a half hours old (or six and a half and two hours, depending on the reading): from the mouths of babes comes the refutation of the tyrant. Some days later the woman became demented and fell from a roof and died.

This has the hallmarks of a martyrdom: the deaths are precisely for a theological principle, an article of faith; these are expressed in authoritative, biblical statements; and like so many Christian martyr texts, the defeated are given the best lines, as a memorable verbal put-down trumps the physical punishment meted out by the tyrant. But once again the framework is broader and intimately intertwined with a prophetic reading of the Torah. In the version in bT Gittin (57b), the Talmudic account, the woman demands to be seen in a figural or even typological reading: "Abraham sacrificed on one altar, I sacrificed on seven". She is like the patriarch, only more so. In midrash, the woman's death is said to fulfil the line from Jeremiah "She that hath borne seven languishes". Her death is said to exemplify the line of the Psalms,

[23] Boyarin, *Dying for God*; S. Goldin, *Ways of Jewish Martyrdom*, engl. tr., Turnhout 2008. See also S. Shepkaru, *Jewish Martyrs in the Pagan and Christian Worlds*, Cambridge 2008, 66-106 and especially 70-73.

[24] *Midrash Eikhah Rabbah* 1,16,50; Gittin 57b.

"A joyful mother of children" – that is, that such religious steadfastness should be seen as supremely praiseworthy. And yet the whole story is the proof-text for the line of Lamentations "For these things I weep" (1,16). In the face of the cruel demands of the Emperor, the Jewish sons and their happy mother sacrifice themselves in line with the stringent dictates of the Torah. The religious piety of the weak and the cruelty of the powerful are vividly dramatized. Faith, the promise of future revenge, the consolation of the sorrow of God … what Marx might have called the opium of the defeated.

The consolation that everything that happens, however grim, is the fulfilment of a verse of Torah, if only text and events are rightly read, is a constant refrain of rabbinic interpretation. When, during the starvation of the siege of Jerusalem, the smell of roasted goat aroused the Jews' appetites so that they died, this was, paradigmatically, neither a device nor a happenstance, but "To fulfil what is said in the Torah, 'For these pine away, stricken through, for want of fruits of the field'". You read the verse in the event, the event as the verse. *Midrash Eikhah Rabbah* begins with 34 proems, introductions to homiletic sermons on the theme of Lamentations. The eleventh of these is a long exercise in this type of constructing history as a re-reading of the Torah. "Had you been worthy you would have read in the Torah '*And ye shall eat your* bread *until you have enough*' [*Lev.* 26,5], but now that you are unworthy you read '*All her people sigh, they seek* bread' [*Lam.* 1,11]. Had you been worthy you would have read in the Torah '*Neither shall any man* covet *thy land*' [*Ex.* 34,24], but now that you are unworthy you read '*The adversary has spread out his hand upon all her* coveted *treasures*' [*Lam.* 1,10]". The repeated refrain, "had you been worthy, … but now that you are unworthy", introduces parallel verses, one from Lamentations, one from the Pentateuch, one positive, the other, from Lamentations, negative. It offers a simple moral universe of good rewarded and evil punished, but it is constructed out of a web of intertextual cues, where the use of "bread" or "covet" in one verse cues the memory of "bread" or "covet" in an another, and thus constructs the text of Lamentations as replete with an echoing shadow of other texts, like photographic negatives, a promise denied. As it says in the Torah, "Today I have set before you blessing and curse, life and death: choose life that you may live". This passage of midrash is an incantatory performance memorializing the wrong choice, repeatedly made, as a failed reading of Torah.

The idea that the victims of the destruction of Jerusalem and Judaea were unworthy is fully expounded in the midrash, far more stridently and insistently than in the Talmud. There is a whole range of passages that take Jewish wrongdoing as the explanation and cause of the devastation – and in many cases it is not clear which devastation is being referred to, as all devastations are overlapped as models of each other. So the first proem of *Eikhah Rab-*

bah recalls that Ben Azzai said that Israel did not go into exile until they repudiated Divine Unity, circumcision, which had been given in the twentieth generation – that is, Abraham was twenty generations after Adam – the Ten Commandments and the Pentateuch. "How do we derive this? From the letters of *eikhah*". *Eikhah* means "How" and is the first word of the book we call Lamentations and is thus the ancient title of the book. This is a sermon on the first word and title of the text. Each Hebrew letter has a numerical value: so the four Hebrew letters of the word *eikhah* – *aleph*, *yud*, *kaph*, *hê* – are the equivalent of one (*aleph*) which represents the Divine Unity; ten (*yud*), which indicates the ten commandments; and twenty (*kaph*), that is, the twentieth generation after Adam, when circumcision was instituted; and five (*hê*), which denotes the five books of Moses. Here, then, through this numerological reading, the sin of the Jews is read from a creative understanding the individual letters of the first word of the text: reading to uncover the moral narrative in the bare letters, the form of the word. This even works bilingually: the Hebrew word *mor'ah* "dirty" is read homiletically as *mora*, the Greek word for "foolish girl", linking dirt and stupidity as causes of punishment[25].

The story that is repeated most commonly and at greatest length in talmudic and midrashic contexts is the case of Zechariah ben Jahoida. This story – from the book of Chronicles – concerns the prophet who dared to speak truth to power: he was stoned to death in the Temple on the Sabbath and the Day of Atonement. When Nebuchadnezzar's men came to destroy the Temple, the blood of Zechariah seethed and boiled on the floor. They asked what this was and the current officials said falsely that it was the blood of the sacrifices. So Nebuchadnezzar's men, in order to appease the blood, slaughtered the Sanhedrins, the courts of Israel, then the young priests, then the school children, till the number of the dead counted 940,000. Whereupon Nebuzaradan, the commander of Nebuchadnezzar's guard, exclaimed "Zechariah! Zechariah! for you I have slain their best. Would you have me destroy all of them?". At this, the blood stopped boiling. Nebuzaradan impressed that so much blood was required to expiate the death of one man's murder, wondered how he, who had now killed so many, could ever find expiation, and so converted to Judaism[26]. This story proposes a moral narrative. The murder of the man who spoke truth to power is expiated only by the slaughter of thousands of other Jews. But the moral is potentially complex: the seer should not have been murdered, and it has dire consequences; but the seer's blood requires so terrible an expiation that even the evil slaughterer of the Israelites tires of his killing. But then the killer is not punished for his acts, but converts to Judaism, in

[25] *Midrash Eikhah Rabbah* Proem 31. See Hasan-Rokem, *An Almost Invisible Presence*, 222-239.

[26] *Midrash Eikhah Rabbah* Proem 23; also 2,2,4.

expiation of his own sins. It is a less simply satisfying narrative than it might at first appear, without the direct "eschatological revenge"[27] that we have seen elsewhere.

Many other stories offer a simple version of the causes of destruction. "Since they sinned, they were exiled". Some are general and social: the people failed to prevent an apprentice steal the wife of his master and then enslave him. The danger here, according to the Talmud, is not so much the adultery as the failure of the community to respond to the outrageous story. Some are more closely personal: in bT Gittin 57, the narrative of the destruction under Rome starts because by mistake a servant invited the wrong man to a dinner party, who was ejected by the host, and revenged himself by complaining to the authorities that the Jews were rebelling. As narratives of historical causation for the Jewish war, these individual stories may seem naive at best, though the warning against factionalism at least has a strong political message, which parallels Josephus' account of the war. What links these explanations, however, is the double suggestion that all actions are evaluated according to the values of the Torah and that actions, however apparently small and local, can have major implications for the community. We are entering a society policed by the rabbinical perspective, and anything that had been recognized as serious historiography for a thousand years in the Greek world, is silenced by and subordinated to a view of halachic man, where all significant personhood, action and evaluation is formulated within religion regulation and teleology.

Perhaps this is most obvious in the homiletic sermons. Oenomaus of Gadara, a second century Greek philosopher was asked, "Can we overcome this people of Israel"; he replied "Go round to their Synagogues; if there is a hum of children voices studying Torah, you cannot prevail"[28]. That is, if everyone went properly to a yeshiva, to a rabbinical educational institution, and studied hard, then the country is inviolable to military invasion. So, too, it is explained earnestly that the city was destroyed because the people did not pay the teachers of bible properly (a sermon for any disgruntled academic to make). My favourite is this extraordinary claim (*Midrash Eikhah Rabbah* 2,2,4): "Why were the places destroyed? Was it because of the harlots? But is it not the case that there was only one harlot and they expelled her? Rabbi Hunna said: The reason was because they used to play a game with ball on the sabbath". It is not sexual transgression, but the apparently trivial act of playing ball on the sabbath which results in the destruction of the city. We are about as far here from Thucydidean historiography as we can get, and deliberately so. How seriously are we to take the claim that football on sabbath caused the death

[27] Hadas-Lebel, *Jerusalem…*, 125.
[28] *Midrash Eikhah Rabbah* Proem 2.

of millions? I am not sure… But the argument is setting out to establish and police homiletic and normative parameters – all life is subject to the rules of religious observation and all actions have potentially universal consequences.

Yet even here there is a counter voice. A long midrash imagines Abraham, who pleaded with God not to destroy Sodom and Gomorrah for the sake of the ten good men he might find there, pleading with God again against this moral narrative. Who could testify against Israel is the question – and the likely suspects brought forward are the text of the Torah itself, and then finally the letters of the alphabet which make up the text of the Torah. Here is a short extract (*Midrash Eikhah Rabbah* Proem 24):

> The Holy One, Blessed be he, said to Abraham, "Let the twenty-two letters come and testify against Israel". Forthwith the twenty-two letters appeared. The *aleph* came to testify that Israel had transgressed the Torah. Abraham said to it, "Thou, *aleph*, are the first of all the letters, and you come to testify against Israel on the day of their trouble! Remember the day when the Holy One, Blessed be He, revealed himself on Mount Sinai and opened with you, *I* [*ani*] *am the Lord Your God*, and no nation accepted you but my children, and you come to testify against my children!". The *aleph* immediately stood aside and gave no testimony against them.

The *aleph* is suborned into silence, by the recollection of the fact that it is the first letter of *Ani*, "I", the first word of the first commandment, "I am the Lord your God". Once again, the means and matter of reading itself, the texts and the letters, are the speaking – or silenced – subjects of the tale (some will think of Lucian's *tau* here[29]). The rabbis are determined that all narratives of sin and punishment, historical causality, personal interaction, should be not just part of a theological teleology, but also should be conceived through attentive and partial reading of an intertextual causality, where the subject is formulated within the performance of biblical, rabbinical reading that defines, delimits and declares the physical and conceptual world.

In this picture of things, it is inevitable and right that the different destructions of Judaea and Jerusalem are overlapped as typological models of each other, just as different emperors are overlapped – or misidentified as we would say from within our historiography. Of course, the destruction of the first Temple and the destruction of the Second Temple happened on the same date in the calendar. Of course the letters of the text lamenting the devastation of Jerusalem will also encode the reasons for the devastation, just as the smell of roast meat has to embody and exemplify a verse of the bible, even as it kills you with unsatisfied appetite. This is the slow construction of the rabbinical perspective at work.

[29] For the connections between Lucian and rabbinical writing see Boyarin, *Socrates…*

I have tried to uncover a set of strategies for writing the history of the defeated, and I have tended, as a good Greek scholar, to express them in terms of polarities or oppositions. On the one hand, the Romans are mercilessly cruel; on the other the Jews sinned and deserved punishment. On the one hand, the tales delight in showing the weak outwitting the strong with wit, or the small overturning the large by what one might call carnivalesque narrative; on the other, the enormity and violence of the disaster turns to unbearable horror. On the one hand, personal transgressions of Jews have cosmic consequences; on the other, the very letters of the regulations that are transgressed will not testify to the transgression. But these are not so much competing strategies of the defeated as complementary rhetorics. Together, they testify to the work of reconstructing an identity from the ruins of the Judaea Capta. It is an identity projected by a particular group, with all too strident anxieties about boundaries and control, authority and power. In an embracing self-promoting move, it is declared that Talmud-study itself is the key religious activity now that the Temple has been destroyed, although some raise a voice for prayer. The memorialization of the Temple is performed in a ritual, the ritual of Tisha B'av, where the book of Lamentations, surrounded, as we have seen, by its glosses and poems and sermons, is read: the performance of a now rabbinical perspective on the loss of the Temple. No more sacrifices, just interpretation (and prayer). The case of Judaea Capta, then, is fascinating and very particular restoration of the defeated, where the self is positioned in an enclosed and mutually enforcing world of normative exegesis and moral evaluation, where there is indeed no *d'hors texte* willingly conceded, nothing outside the textual reach of the rabbis. The longevity of the idea of Judaea Capta, whose political impact we are still dealing with, cannot be understood without this fundamental act of textual (re)construction as a response to the fall of Jerusalem: this is the world of these sophists of god.

The history of Judaea Capta in rabbinic writings is not Thucydidean narrative, for sure. It is, at best, anecdotes. Yet it must be recognized that "through anecdotes" rabbinic texts developed "their peculiar mode of articulation of history with multiple potentials of counter-history"[30]. These multiple potentials of counter-history take shape *both* through the triumphant, humorous, despairing, tragic, and above all theological content of the stories *and* in their discontinuous, fragmentary, glossing form. The anecdotes are not collected into a compendium in the style of a Plutarch or Valerius Maximus, but follow the logic of the Talmud's halachic debates and editorial style. There are repeated patterns of causation, one of the demands of historiography as a genre, but these follow theological models of guilt and expiation in the construction

[30] Hasan-Rokem, *Tales*..., 136.

of a picture of a divinely ordained world. Rabbinical writings do memorialize particular events – the destruction of the Temple in 70, say – but layer such events with other images and memories of destruction and with an overdetermined structure of foretold biblical quotation. It is easy to see why from within a Thucydidean or even a Herodotean paradigm, rabbinical writings are discounted as history.

This counter-history is none the less a history of the defeated: perhaps the history of the defeated has to be counter-history. In recent years, there has been much fine work from a post-colonial perspective on how the subaltern voice of protest can be expressed. These studies have focused on how the oppressed or colonized come to speak in contact with the colonizers in a repressive dynamic of power relations – often focused on the "hidden transcript" of the weak[31]. The midrashic collections and to a lesser degree the Talmud itself contribute tellingly to this debate. For they represent the longest and most developed response to (the memory of) a brutal colonization – and its aftermath. It is not the expression of the weak in contact with the powerful, for all the dramatic representations of contact between Jews and the dominant other of Roman authority. Indeed the Babylonian Talmud is composed in Babylon, far from the sites of the destruction and exercise of Roman power that it discusses. Rather – caught between a desire to turn its back on the outside world and its recognition of the necessity and danger of interaction – the narratives I have been discussing, embedded in the Talmud and midrashic collections, embody the projection of a community, a community with its own concerns and authority structures, its own expression of identity and anxieties about boundaries of assimilation and difference. The repeated requirement of study is a demand for a performance that would bring this projection into realization. Like so much history, the view of the past here is a product of the present and a perspective on the future – and the sense of temporality in the rabbinical writings constantly works to close the gaps between past, present and future in an idealized halachic continuity. It is in this performance that the rabbinical writings' history of the defeated imagines a counter-history of triumph[32].

[31] See SCOTT, *Domination…*; G. SPIVAK, *Can the Subaltern Speak?*, in C. NELSON - L. GROSSBERG (edd.), *Marxism and the Interpretation of Culture*, Basingstoke 1988, 271-313 has proved seminal: see, for example, R. MORRIS (ed.), Can the Subaltern Speak? *Reflections on the History of an Idea*, New York 2010; R. YOUNG, *White Mythologies*, London 1990; a huge bibliography could be given here. For the classical world, see S. BARTSCH, *Actors in the Audience: Theatricality and Double Speak from Nero to Hadrian*, Cambridge (Mass.), 1994; T. WHITMARSH, *Greek Literature and the Roman Empire: the Politics of Imitation*, Oxford 2001.

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