

THE SCROLL OF FASTS: THE NINTH OF TEBETH

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I. Introduction

THE HEBREW *Scroll of Fasts*, מגילת תענית,¹ under discussion here is not to be confused with the Aramaic מגילת תענית² and its Hebrew scholion.³ While both scrolls were called מגילת תענית in antiquity,⁴ they are not related to each other. Whereas the

¹ The text has come down to us in a variety of forms, including Genizah fragments, complete medieval manuscripts, and printed codes. In the medieval manuscripts it sometimes appears alone with the title מגילת תענית; it is sometimes appended to the Aramaic מגילת תענית, and it often appears as part of a larger collection of liturgical, calendrical, or halakic materials. Its content has also been preserved in the works of several Palestinian liturgical poets and in the works of medieval Arabic chronographers, for which see below. A critical edition of the text in its various recensions remains a scholarly desideratum.

² The edition most often cited is H. Lichtenstein, "Die Fastenrolle," *HUCA*, 8–9 (1931–32), 318–51. Lichtenstein's eclectic text, however, reflects an imaginary version of מגילת תענית and should be used only with great discretion. Lichtenstein's questionable methodology, the identification of numerous Genizah fragments of מגילת תענית unknown to Lichtenstein, the availability of medieval citations from מגילת תענית to which Lichtenstein did not have access (e.g. Judah ben Kalonymus, *יחוסי תנאים ואמוראים*, Jerusalem, 1963; Lichtenstein had access only to R. Rabbinovicz' Lyck, 1874 edition, which lacked the key references to מגילת תענית), plus scholarly advance in a wide variety of areas—such as archaeology and philology—since 1932, more than justify the need for an updated critical edition of, and commentary on, the Aramaic מגילת תענית and its Hebrew scholion. See, provisionally, I. Hempel, *מגילת תענית*, (Tel Aviv University doctoral dissertation), 1976.

³ Such confusion is commonplace. For a 17th century sample, see A. Gombiner, *מגן אברהם*, שלחן ערוך אורח חיים to מגן אברהם, §580, who assumed that our text stems from the Talmudic period because in some editions it was appended to the Aramaic מגילת תענית. R. Jacob Emden, *סדר עולם רבה רוטא ומגילת תענית*, (Hamburg, 1757), p. 30b, was quick to criticize Gombiner. More recently, see *ספר המקורות* (Jerusalem, 1970), I, 67, where our text (listing the fasts) and manuscripts of the Aramaic מגילת תענית (listing the holidays) are listed together indiscriminately, as if they represented one and the same text.

⁴ The Aramaic scroll (listing the holidays) is referred to as מגילת תענית in Ta'an. 2:8 (see marginal gloss to Codex Kaufmann A50 [reissued Jerusalem, 1968], I.

Aramaic מגילת תענית lists a series of holidays, that is days upon which fasting is prohibited, the Hebrew מגילת תענית (henceforth MTB [Megillat Ta^canit Batra]⁵) lists a series of fast days. Moreover, often the claims of the two scrolls are mutually exclusive. Thus, the Aramaic scroll proscribes fasting from 8 through 21 Nisan,⁶ whereas MTB requires that Jews fast on 8 and 10 Nisan.⁷ Approximately 10 such discrepancies between the two scrolls, when viewed in the light of the fact that MTB lists 26 dates⁸ all told, yields the ineluctable conclusion that they stem from different hands, and in all likelihood reflect two different eras. Some obvious questions that need to be put to our text are:

1. When was MTB authored?
2. By whom was it authored?
3. What is its provenance?
4. What is its *Sitz im Leben*?
5. Were the fasts listed by it observed?
6. Are the dates of the commemorative fasts historically accurate? If not, how were they derived?

155; cf. H. Malter, ed., מסכת תענית [New York, 1930], p. 55, note to I. 17) and Tos. Ta^can. 2:4 (Erfurt manuscript, ed. Zuckerman, p. 217). Other Mishnah and Tosefta manuscripts refer to it as מגילת תענית. Even if the full title מגילת תענית is a later interpolation into the Tannaitic sources, it was probably commonplace in the Amoraic period, and certainly so at the time of the redaction of the two Talmuds. See, e.g., P.Ta^can. 66a and cf. B.RH. 18b.

The Hebrew scroll (listing the fasts) was entitled מגילת תענית in the medieval manuscripts (e.g., Vatican MS Hebrew 299, fol. 23) and the printed editions (e.g. Abraham Ibn Daud, ספר הקבלה, ed. G. D. Cohen (Philadelphia, 1967), Hebrew section, p. 57; כל בו, ed. W. Leiter (New York, 1946), p. 27a, §63). It is likely that the title of the Hebrew scroll was borrowed from its Aramaic predecessor; indeed, given the content of the Hebrew scroll, the title is more appropriate for it.

⁵ The first to entitle our text מגילת תענית בחרתא was A. E. Bornstein, ed., מגילת תענית (Jerusalem, 1908), pp. 127ff. Other suggestions include: מאמר אחרון (מגילת תענית) with the commentary of R. Abraham ben Joseph ha-Levi [Amsterdam, 1659], p. 24a; פרק ימי הצומות (S. S. Feigensohn, ed., מגילת תענית [Vilna, 1925], pp. iv, 42 ff.); and פרק הצומות (M. Zulay, "שבתי צלילים," סיני, 28 [1950–51], 164; cf. M. Margalioth's posthumous הגניזה מן ישראל מן הלכות ארץ ישראל, ed. by Y. Ta Shma [Jerusalem, 1973], p. 127).

⁶ Ed. Lichtenstein, p. 324.

⁷ See text on p. 176, I. 2. Many versions of MTB read 1, rather than 8, Nisan. Both readings can be justified on the basis of the Biblical and Rabbinic evidence.

⁸The precise number varies in the manuscripts and the editions.

אילו ימים שמתענין בהם מן התורה וכל מי שמתענה בהן לא יאכל ולא ישתה עד הערב כשמיני בניסן מתו שני בני אהרן כעשרה בו מתה מרים הנביאה ונסתלקה הכאר בעשרים וששה בו מת יהושע בן נון כעשרה באייר מת עלי הכהן ושני בניו ונשבה ארון הברית כעשרים ושמנה בו מת שמואל הנביא וספרו עליו כל ישראל כעשרים ושלושה בסיון בטלו הביכורים מלעלות לירושלם כימי ירבעם בן נבט כעשרים וחמשה בו נהרג רבן שמעון בן גמליאל ור' ישמעאל בן אלישע ור' חנניה סגן הכהנים כעשרים ושבעה בו נשרף ר' חנניה בן תרדיון וספר תורה עמו בשבעה עשר בתמוז נשתברו הלוחות ובטל התמיד והובקעה העיר ושרף אפוסטומוס הרשע את התורה והעמיד צלם בהיכל כאחד כאב מת אהרן הכהן כתשעה בו נגזר על אבותינו שלא יכנסו לארץ וחרב הבית כראשונה ובשנייה ונלכדה ביתר ונחרשה העיר בשמונה עשר בו ככה נר מערכי כימי אחז בשבעה באלול מתו מוציאי דבת הארץ כמגפה כשלשה כתשרי נהרג גדליה בן אחיקם הוא והיהודים אשר היו עמו במצפה כחמשה בו מתו עשרים אנשים מישראל ונחשב ר' עקיבה בבית האסורין ומת בשבעה בו נגזר על אבותינו שימותו בחרב וברעב ובדבר כעשרה בו מפני מעשה העגל כששה במרחשון עיוורו את עיני צדקיהו ושחטו בניו לעיניו בשמנה ככסליו שרף יהויקים את המגילה אשר כתב ברוך מפי ירמיה כשמונה בטבת נכתבה תורה כימי תלמי על מה הוא וכו כיום מת עזרא הכהן ונחמיה בן חכליה כעשרה בו סמך מלך בבל על ירושלים להחריבה כחמשה בשבט מתו הצדיקים שהיו כימי יהושע בן נון בשלושה ועשרים בו נתקצו כל ישראל אל שבט בנימין על פילגש בגבעה ועל צלם מיכה בשבעה כאדר מת משה רבינו כתשעה בו גזרו תענית על שנחלקו בית שמאי ובית הלל זה עם זה אלו ימי התענית שקבלו ישראל מן התורה ועוד גזרו רבותינו שיהו מתענין בשני ובחמישי מפני שלשה דברים על חורבן הבית ועל התורה שנשרפה ועל חרפת השם. לעתיד לבוא עתיד הקב"ה להופכו לששון ולשמחה שנא' (ירמיה לא) והפכתי אבלם לששון.

ספר הלכות גדולות, ed. E. Hildesheimer
(Jerusalem, 1971) I, 396–98.

7. Why were these anniversaries of days of death selected for commemoration, and not others? Why was Nadab and Abihu's day of death commemorated, and not the days of death of Isaiah, Jeremiah, and Ezekiel? Why was the martyrdom of R. Hanina segan ha-Kohanim commemorated, and not that of R. Judah ben Baba?⁹

Aside from the aforementioned historical and literary problems, the text is replete with halakic problems as well. Its opening line is problematic: אילו ימים שמתענין בהם מן התורה. The Torah does not require fasts on these days, nor does it contain a general obligation to commemorate annually the day of death of a Biblical hero by fasting. No less problematic is the fact that several of the fasts, such as 1 Nisan¹⁰ and 28 Kislev, fall on the New Moon or Hanukkah, days upon which fasting was banned by Mishnaic teaching.¹¹

Typical of the enigmatic status of our text is the following comment by R. Joseph Karo:¹²

לא ראיתי מעולם ולא שמעתי מי שנהג להתענות בהם ובאמת שיש לתמוה על מי שתקנם היאך תיקן קצתם להתענות בראש חודש.

Despite his keen awareness that no one in the 16th century seemed to take these facts seriously, Karo codified the entire list in his שלחן ערוך!¹³

II. The Ninth of Tebeth: Exegetical Survey

Of all the enigmas surrounding our text, none is more enigmatic than its formulation of the fast required on the 9th of Tebeth. The text in its earliest formulation reads:

⁹ B. Sanh. 14a.

¹⁰ See above, note 7.

¹¹ Ta^can. 2:10.

¹² In his כל הימים, §580, טור אורח חיים to בית יוסף.

¹³ In his שלחן ערוך אורח חיים §580. This may be a reflection in part of Karo's ascetic-kabbalistic tendencies, for which see in general R. J. Z. Werblowsky, *Joseph Karo: Lawyer and Mystic* (reissued Philadelphia, 1980). Note that Karo's younger contemporary in Safed, the kabbalist R. Elijah de Vidas, urged those who could not fast daily throughout the year to observe at the very least the fasts listed in MTB. See his שער התשובה, ראשית חכמה, chapter 4 (ed. H. Y. Waldman [Jerusalem, 1984], I, 760–61).

כתשעה בו לא כתבו רכותינו על מה הוא.

On the 9th day [of Tebeth fasting is required]. The rabbis did not record why.¹⁴

Later formulations vary, but do not differ in any substantive way from the original.¹⁵ This is the only instance where the text itself provides no explanation for the commemorative fast. Precisely because the text proffers no explanation, the commentaries

¹⁴ The passage appears first in most manuscripts and in all editions of הלכות גדולות. Its terminus ad quem, then, is the date of הלכות גדולות, a matter much disputed. In general, see הלכות גדולות, ed. E. Hildesheimer (Jerusalem, 1971), I, introduction, pp. 28–45. A dating toward the end of the 9th century appears likely; see the recent discussion in N. Danzig, הלכות פסוקות (Bernard Revel Graduate School [Yeshiva University] dissertation, New York, 1984), pp. 27–32. In fact, an 8th century dating of our text (MTB) is neither unreasonable nor unlikely (even for those who date הלכות גדולות as late as the 10th century), given the growing evidence that MTB was an independent Palestinian text before its incorporation into הלכות גדולות. See M. Margalioth, "מועדים וצומות בארץ", ארשת, 1 (1943–44), 215–16.

That the fast of 9 Tebeth was in fact observed, and that already at an early date the Jews were ignorant of its origin, is attested by the Muslim chronographer al-Bīrūnī (973–1048). See his *Chronology of Ancient Nations*, ed. E. Sachau (London, 1879), p. 272. Ignorance of the fast's origin is also attested in an elegy by Yīnon ben Ṣemaḥ (11th century) which reads in part:

נכונים גזרו כתשעה בו חענית ותחנה ולא נודע על מה הוא.

See M. Zulay (above, note 5), p. 169.

¹⁵ For the texts of the MTB versions in the published codes (aside from הלכות גדולות) and related Rabbinic literature, see סדר ר' עמרם גאון, ed. D. Goldschmidt (Jerusalem, 1971), pp. 91–92; מחזור ויטרי, ed. S. Hurwitz (reissued Jerusalem, 1963), pp. 229–30; סדר ר' ש"י, ed. S. Buber and J. Freimann (Berlin, 1911), pp. 269–70; ספר ראבי"ה, ed. A. Aptowitzer (reissued Jerusalem, 1964), III, 671–72; ספר מנהגים דבי מהר"ם ב"ר ברוך מרוטנובורג, ed. I. Effenbein (New York, 1930), pp. xxxii–xxxiii, 31–32; ארחות חיים, ed. Stützberg (Jerusalem, 1956), I, 214; כל בו, ed. W. Leiter (New York, 1946), §63 (p. 27a); טור אורח חיים, any edition, §580; צדה לדרך, ed. N. H. Herzog (Warsaw, 1880), pp. 142a–b; מנורת המאור, (by Alnakawa), ed. H. G. Enelow (New York, 1930), II, 321–22; ערוך אורח חיים, any edition §580; לבוש החור, any edition, §580; ערוך השלחן אורח חיים, any edition §580. The list in Hempel (above, note 2), p. 59 is erroneous and incomplete.

Needless to say, the manuscript versions of the various published codes and related Rabbinic literature need to be examined for significant variant readings. MTB is also embedded in a variety of unpublished codes, such as the 14th century Italian code ספר החדיר.

attempted to fill the void. The more reputable suggestions will be surveyed here,¹⁶ although we shall argue that none is persuasive. No new dramatic solution will be offered, although we will offer several methodological suggestions which may aid modern scholarship in extricating itself from the present morass. Meanwhile we must rest satisfied with raising the question anew when others thought it resolved. This too, hopefully, will advance scholarship.

The first Rabbinic scholar to address the issue was Abraham Ibn Daud (d. 1180), in his *ספר הקבלה*.¹⁷ After a vivid portrayal of the court intrigue that led to the death of R. Joseph ha-Levi ha-Nagid, vizier of Granada (d. 9 Tebeth, 1066), Ibn Daud noted that it was no accident that the Rabbis of yore had ordained a fast on 9 Tebeth. They had anticipated—by divine inspiration—the very day of R. Joseph's untimely death.

Now Ibn Daud's suggestion has much merit. After all, MTB is in part a martyrology. R. Joseph, who was murdered by an Arab enemy, could easily have been considered a martyr. Thus his day of death was an appropriate one for our list. Moreover, Ibn Daud's suggestion provides an obvious solution as to why the Rabbis did not record the reason for the fast. Imagine the consternation and anxiety R. Joseph would have experienced each year as 9 Tebeth drew near, if the Rabbis had recorded why 9 Tebeth was to be commemorated as a fast! Nonetheless, even if we concede the gift of prophecy to the author of MTB, subsequent history reveals a major flaw in Ibn Daud's suggestion. Our list is much too short. Greater Rabbinic scholars than R. Joseph were martyred through the ages, yet their names find no place on our list. Clearly, we must look elsewhere for an explanation of the fast of 9 Tebeth.¹⁸

¹⁶ Suggestions that are entirely speculative have been excluded from consideration. Typical of these is the suggestion that 9 Tebeth commemorates the day of death of Simeon bar Kokhba, for which see M. ha-Kohen, *אישים ותקופות* (Jerusalem, 1977), p. 102. While it is certain that Bar Kokhba died on a particular day, there is simply no evidence whatever that he died on 9 Tebeth.

¹⁷ See above, note 4.

¹⁸ Despite its artificiality, Ibn Daud's suggestion was incorporated into some manuscripts of MTB, first as a marginal gloss (see, e.g., A. Neubauer, *Mediaeval Jewish Chronicles* (Oxford, 1895), II, 24), and ultimately as part of the text (see, e.g., R. Ḥayyim Palache, *רוח חיים* (Smyrna, 1877–81), I, 89b, where *על בן שמואל* should be corrected to *על בן שמואל הגניד*).

R. Moses Isserles (d. 1572), in his commentary on the Book of Esther,¹⁹ noted that Esther 2:16 states that Esther was taken to King Ahasuerus in the month of Tebeth. Surely the month when Esther was taken to Ahasuerus is irrelevant for the reader. If Scripture insisted on naming the month, it could only be—explained Isserles—because Scripture was suggesting that a fast should be instituted on 9 Tebeth in order to commemorate Esther's plight. The weaknesses of this suggestion are legion. Nothing at Esther 2:16 suggests that a fast was (or would be) called for. The verse, moreover, makes no mention of the day of the month when Esther was taken to King Ahasuerus, an unforgivable omission if in fact the text was anticipating a specific fast day. More importantly: why the secret?²⁰ The author of MTB could easily have said:

On the ninth day [of Tebeth fasting is required], for Esther was taken to the royal palace.

In the 17th century R. David ben Samuel ha-Levi,²¹—a classic commentator on Karo's שלחן ערוך—expressed wonderment at the mystery surrounding our enigmatic passage, for in his view there was no mystery at all. Together with his rival commentator—R. Abraham Gombiner²²—he pointed to a medieval liturgical poem which laments the untimely death of Ezra on 9 Tebeth.²³

¹⁹ מחיר יין (Cremona, 1559), on Esther 2:16.

²⁰ Assuming that לא כתבו רבותינו על מה הוא refers to a deliberate omission on the part of the Rabbis. If, however, the sense is that the Rabbis did not record the reason for it because they no longer recalled the reason, this last argument falls away. Instead, one would need to explain why, alone among the fasts, the Rabbis could not recall the reason for instituting this particular fast.

²¹ שלחן ערוך אורח חיים to מגן דוד §580.

²² שלחן ערוך אורח חיים to מגן אברהם §580.

²³ See, e.g., אזכרה מצוק (I. Davidson, אוצר השירה והפיוט [reissued New York, 1970], I, 108, א, 2287; printed in אוצר התפלות [reissued New York, 1966], II, 108, which includes the stanza:

ועמתי בתשעה בו בכלמה וחפר
 חשך מעלי מעיל הוד וצפר
 טרף טרף בו הנותן אמרי שפר
 הוא עזרא הסופר

Since the two 17th century commentators adduced only the liturgical evidence, and mention Ezra but not Nehemiah, it is quite obvious that their texts of MTB

The weakness of this solution rests largely upon the fact that many manuscripts of MTB read²⁴

בַּחֲשֵׁעָה בּוֹ לֹא כָּתְבוּ רַבּוּתֵינוּ עַל מֵה הוּא וּבּוֹ בְּיוֹם מֵת עֲזָרָא הַכֹּהֵן
וְנַחֲמִיָּה בֶן חַכְלִיָּה.

As already noted by H. Y. D. Azulai (d. 1806),²⁵ the clear implication of the gloss beginning *וּבּוֹ בְּיוֹם* is that it supplements, rather than accounts for, the preceding line. Moreover, the previously mentioned objection to Isserles' solution applies here as well. If the fast of 9 Tebeth commemorates the day of the death of Ezra, the text of MTB should have read simply *בַּחֲשֵׁעָה בּוֹ מֵת עֲזָרָא*.²⁶

did not include the gloss *וּבּוֹ בְּיוֹם מֵת עֲזָרָא הַכֹּהֵן וְנַחֲמִיָּה בֶן חַכְלִיָּה*, for which see discussion below.

²⁴ Cf. the *הלכות גדולות* version printed here. An examination of the various *הלכות גדולות* manuscripts yields evidence for all the stages of the insertion of the gloss beginning *וּבּוֹ בְּיוֹם* into our text. Thus Vatican MS Hebrew 304 reads *וּבּוֹ בְּיוֹם מֵת עֲזָרָא הַכֹּהֵן וְנַחֲמִיָּה בֶן חַכְלִיָּה* without the gloss. A Genizah fragment of *הלכות גדולות* in Cambridge University (T-S NS 329.432) reads *בַּחֲשֵׁעָה] בּוֹ לֹא כָּתְבוּ רַבּוּתֵינוּ עַל מֵה הוּא*. A gloss in the right margin adds: *וּבּוֹ בְּיוֹם מֵת עֲזָרָא הַכֹּהֵן וְנַחֲמִיָּה בֶן חַכְלִיָּה*. (Strangely, Hildesheimer omits mention of this fragment in the notes on his edition of *הלכות גדולות*). Finally, Milan manuscript c 116 Sup. incorporates the marginal gloss into the text, as printed by Hildesheimer and reproduced here.

²⁵ *שלחן ערוך אורח חיים* (reissued Jerusalem, 1969), I, 112b (to §580). See R. Joseph David Filosof, *בית דוד* (Salonica, 1740), *הלכות ט' באב ושאר*, תענית, §316; and cf. the related discussions of A. M. Israel, M. Schick, and A. N. Z. Roth in *המאור*, 30(1978), #2, pp. 7–8, and #4, pp. 16, 36, and 37.

²⁶ Cf. above, note 20. Not surprisingly, such a reading actually occurs in a 17th century Yemenite version of MTB (based upon *הלכות גדולות*) at the Jewish Theological Seminary (EMC 175 L896/3):

בַּט' בּוֹ מֵת עֲזָרָא הַכֹּהֵן וְנַחֲמִיָּה בֶן חַכְלִיָּה.

Precisely because this reading ignores the medieval textual evidence and its history of difficult readings, its reading is as artificial as it is attractive.

L. Ginzberg's reading "second of Tebeth" for the day of death of Ezra and Nehemiah (*Legends of the Jews* [reissued Philadelphia, 1959], VI, 447, note 51) has no support in the earlier sources. This seems to be a misreading of A. Neubauer, loc. cit. (above, note 18), which lists 10 (rather than 9) Tebeth, an erroneous reading common to many manuscripts. Apparently Ginzberg (or a copyist) mistook a "י" for a "ב."

A variation on the theme of an "Ezra" solution to our passage was put forward in the 18th century by R. Jonathan Eibeschuetz.²⁷ Like the 17th century commentators, Eibeschuetz assumed that Ezra's day of death was intended by our text. Eibeschuetz added that the Rabbinic reticence in spelling this out was due to the fact that in the view of the Rabbis Ezra was a second Moses. Just as it is said concerning Moses, "No one knows his burial place to this day,"²⁸ so too the publication of the day of the death of Ezra was withheld by the Rabbis. Eibeschuetz' explanation is less than convincing. In fact, the day of the death of Moses is included explicitly in all the lists of MTB; by analogy, Ezra's day of death should have been listed explicitly. Also, and once again, the clear implication of the gloss *מת עזרא הכהן הכהן* *וכו ביום* is that it supplements, rather than accounts for, the preceding line.

III. Christological Interpretations

When the traditional avenues of interpretation were exhausted, yielding little or no results, Jewish scholars perforce had to turn to the non-Jewish sources for illumination, for ultimately interpret we must. This resulted in one of the more curious turns of events in Jewish intellectual history, namely, the christological interpretation of a Jewish text by Jews. Leopold Zunz,²⁹ Solomon Judah Rapoport,³⁰ and Nehemiah Brüll³¹ all pointed to the Spanish philosopher and astronomer, Abraham bar Ḥiyya (d. circa 1136), who wrote³² in 1122 that Jesus was born on

²⁷ *יערות דבש* (Jerusalem, 1984), II, 192–93 (sermon delivered in Hamburg on 9 Tebeth, 1751).

²⁸ Deut. 34:6.

²⁹ L. Zunz, *Der Ritus des synagogalen Gottesdienstes* (Berlin, 1859), pp. 125–26. Zunz claimed that the Karaite scholar Judah Hadassi (12th century) was the first to connect Jesus' birth with the fast of 9 Tebeth. I could not locate such a statement in the published writings of Hadassi.

³⁰ *אגרות שי"ר* (Przemysl, 1885), p. 202. The letter, addressed to S. D. Luzzatto, is undated, but its content suggests that it was written circa 1852.

³¹ N. Brüll, "Der Fasttag des 9 Tebet," *Forschungen des Wissenschaftlich-Talmudischen Vereins*, 4 (1866), 58–61 (*Beilage zu Ben Chananja*, November 17, 1866).

³² *ספר העבור*, ed. by H. Filipowski (London, 1851), p. 109. The passage reads:

והוא נולד לדבריהם בשנת ג' אלפים תשס"א לבריאת עולם בעשרים וחמשה ימים
מחדש דייגבר, והוא יום שבת יום תשעה בטבת שנת י"ח למחזור קצ"ח לחשבוננו,

December 25, which in the year of his birth fell on 9 Tebeth. In the light of Abraham bar Ḥiyya's calculation, the aforementioned 19th century scholars concluded that the fast of 9 Tebeth commemorated the Hebrew birthday of Jesus!³³ That the Rabbis chose not to reveal the reason for the fast was a matter of prudence.

Owing to their influence, the suggestion of Zunz, Rapoport, and Brüll in the 19th century became the conventional wisdom of the 20th century.³⁴ But too many questions remain unanswered. Did the author of MTB know that Jesus was born on December 25? Did he know that in the year of Jesus' birth December 25 fell on 9 Tebeth? Would the author of MTB have taken seriously the Christian claim that Jesus was born on December 25? Would the

וראוי היה היום הזה להולד בו הרשע הזה אם דבריהם אמת, אבל אין אדם מאמין לדבריהם האומרים על לידת התלוי שהם ידעו יומה שהיה כ"ה בדיוקבר כי הדבר הזה אינו כתוב להם באון גליון, ולא בכתבי תלמידי המכעים אשר הם מאמינים בהם, אבל היום הזה שהוא כ"ה מן דיוקבר היה יום קלון לאומות הקדמונים עובדי האלילים והיה קדמני כשדים קוראין לו מולד השנה, ואחרים היו קוראין להם מולד החמה מפני שהחמה באה בימים האלה אל ראש מזל גדי ביום הזה. . . וכשבאו תלמידי המכעים להתעות את האומות האלה ולהכניסם בטעות הזה אמצו את דעתם לכבד היום הזה אשר היה מכובד בעיניהם, ואמרו לא היו עושין בו קלון גדול אלא מפני שהפסול הזה היה ראוי להולד בו, והחזירו היום אשר היה קלון לעובדי האלילים קלון לעובדי הפסילים ופסולים וגלגלו אותו מטומאה לטומאה ומפשע לפשע.

³³ Actually Zunz, Rapoport, and Brüll were anticipated in print by R. Judah Loeb ben Menahem of Krotoschin, who in his commentary on MTB, appended to his edition of מגילת תענית (Dyhernfurth, 1810), p. 17b, says:

ושמעתי בשם גדול אחד דאז נולד אותו האיש ודוק.

cannot refer to either Zunz, Rapoport, or Brüll. The last named was not yet born in 1810; Zunz was 16 years old in 1810 and would hardly be referred to as a גדול; and Rapoport clearly indicates that what led him to his discovery was the appearance in print of Filipowski's edition of Abraham bar Ḥiyya's ספר העבור in 1851. Could R. Judah Loeb ben Menahem's informant have been someone who read a manuscript version of Abraham bar Ḥiyya's ספר העבור thus referring to Abraham bar Ḥiyya himself?

³⁴ See A. L. Gordon, in his commentary *עיון תפילה* (Vilna, 1915), II, 108; S. S. Feigensohn, ed., *מגילת תענית* (Vilna, 1925), p. 44, note (ascribed to Raphael Gordon); cf. Feigensohn's *עלבונו של חורה* (Berlin, 1929), pp. 16–17; H. J. Zimmels, *Ashkenazim and Sephardim* (London, 1958), p. 160; S. Lieberman, *שקיעין* (reissued Jerusalem, 1970), p. 10; and the garbled account in Y. T. Levinsky, ed., *ספר המועדים* (reissued Tel-Aviv, 1975), VII, 94.

birth of Jesus, or of any other alleged or real nemesis of the Jews, be an occasion for fasting? What can be said with certainty is that Abraham bar Hiyya made a calendrical calculation in the 12th century, based upon the Christian claim that Jesus was born on December 25. While he concluded that the Hebrew counterpart for December 25 was 9 Tebeth, he nowhere suggests that this day should be commemorated as a fast day. More importantly, it is clear from his formulation³⁵ that he did not take the Christian claim seriously. We have no evidence that any Jew prior to Abraham bar Hiyya attempted to calculate the precise Hebrew birthdate of Jesus.³⁶ Thus we have no reason to believe that the

³⁵ See above, note 32.

³⁶ Brüll (see above, note 31) investigated the early evidence regarding the birthday of Jesus, and claimed that the Church Fathers listed Tebeth as the month of Jesus' birth, although they were not certain about the day. Some suggested 11, others 13, and still others 15 Tebeth. Brüll erred. The earliest and most important source is Clement of Alexandria (d. circa 215). In his *Stromata*, 1:21, Clement preserves traditions that Jesus was born on the 25th day of Pachon, or on the 11th or 15th day of Tybi. Brüll identified Tybi with Tebeth. In fact, like Pachon, Tybi is an Egyptian month name, more or less equivalent to December 27–January 25 of the Julian calendar (see the convenient table in J. Finegan, *Handbook of Biblical Chronology* [Princeton, 1964], p. 72). Thus no extant early Christian or Jewish source lists Tebeth as the month of Jesus' birth; and the evidence for 9 Tebeth as Jesus' birthday is simply nonexistent.

The earliest reference to December 25 as the birthday of Jesus appears in a 4th century Roman list, the Liberian Catalogue (or Philocalian Calendar), which was edited by the Chronographer of 354. The Western Church continues to celebrate Christmas on this day. The *Breviarium Syriacum* of 411 lists Jesus' birthday as January 6; the Armenian Church celebrates Christmas on that day. In general, see D. B. Botte, *Les Origines de la Noël et de l'épiphanie* (Louvain, 1932); and J. Gunstone, *Christmas and Epiphany* (London), 1967.

While other traditions existed prior to the 5th century, any Christian living and writing between the 5th and 10th centuries would have had at his disposal, at best, two living traditions regarding the birthday of Jesus: December 25 and January 6. These would fall each year on a variety of days in Kislev or Tebeth, with no special emphasis on 9 Tebeth. What remains is the remote possibility that the author of MTB (or his source), somewhere between the 5th and 10th centuries, calculated, as did Abraham bar Hiyya, that the original birthday, December 25, fell on 9 Tebeth. As indicated, no early evidence for such a calculation exists. Indeed, to the best of my knowledge, the commemoration by the entire Jewish community of a birthday as either fast or feast is unknown to normative Jewish teaching and practice. *Nittel*, for which see H. J. Zimmels, *op. cit.* (above, note 34), pp. 158–60, was neither commemorative, nor fast, nor feast. Related directly to the Christian celebration of the birthday of Jesus, its Jewish customs were protective rather than commemorative.

author of MTB knew about December 25, or about its equivalent, 9 Tebeth.³⁷ We must look elsewhere for a solution of our enigmatic passage.³⁸

IV. The Jewish-Christian Evidence

Two 19th century witnesses suggested yet another approach, and their testimony demands investigation.

In a gloss to Karo's *שלחן ערוך*, R. Baruch Fraenkel-Teomim (d. 1828), reported, on the basis of a manuscript account, that Simon ha-Qalpos, who delivered the Jewish people from a great misfortune during the period of the "lawless ones (הפריצים)," died on 9 Tebeth. It was ordained at Jerusalem that the day of Simon's death be commemorated for all generations as a fast day.³⁹ Fraenkel-Teomim offered no further information regarding either Simon ha-Qalpos or the nature of the manuscript from which he drew his information.

Doubtless some will be inclined to dismiss Fraenkel-Teomim as a lone voice, whose account is based perhaps on a spurious

³⁷ S. Lieberman, *op. cit.* (above, note 34), pp. 9–10, cites a 6th century Latin passage in which a Christian pilgrim describes how Jews offered incense at the tombs of Jacob and David in Hebron on the day after *dies natalis domini*. It may well be, as Lieberman suggests, that in that particular year Christmas fell on 9 Tebeth, and the Jews made their incense offerings the next day on בטבת עשרה. But the passages tells us nothing about whether the Jews recognized any connection between 9 Tebeth and the birthday of Jesus, and more importantly, about whether Jews fasted on 9 Tebeth. For a Hebrew rendering of the Latin passage, see S. Klein, ed., *ספר הישוב*, (reissued Jerusalem, 1978), I, 41; and cf. M. Ish-Shalom, *מסעי נוצרים לארץ ישראל* (Tel-Aviv, 1965), pp. 219–20.

³⁸ Having examined Abraham Ibn Daud's suggestion that 9 Tebeth commemorates R. Joseph ha-Levi ha-Nagid's untimely death, as well as the christological explanation of 9 Tebeth proffered by the 19th century scholars, we take note here of a Jewish historiographical quirk. Two 19th century Rabbinic scholars telescoped these two explanations into one, claiming that it was Abraham Ibn Daud, in his *ספר הקבלה*, who first suggested that the birthday of Jesus fell on 9 Tebeth! See M. D. Hoffmann, *תודלות אלישע בן אבויה* (Vienna, 1880), p. 13; cf. S. Z. Schück, *תקנות ותפלות* (Munkacs, 1890), p. 72a. Apparently these Rabbinic scholars have confused Abraham bar Ḥiyya with Abraham Ibn Daud.

³⁹ §580, *שלחן ערוך* אורח חיים to הגהות מהגאון מוהר"ר ברוך פרענקיל, printed in the back of the standard editions of Karo's *שלחן ערוך*. The passage reads: מצאתי בכ"י שבטי"ח טבת נפטר שמעון הקלפוס שהושיע את ישראל בצרה גדולה בומן הפריצים נקבע יום מיתתו לתענית עולם בירושלים.

manuscript. A second witness, however, corroborates Fraenkel-Teomim's testimony. Aaron Worms, Rabbi of Metz from 1831 until his death in 1836, says that he found recorded in a ספר זכרונות that 9 Tebeth commemorates the death of Simon ha-Qalponi.⁴⁰ Like Fraenkel-Teomim, Worms provides almost no detail concerning Simon ha-Qalponi, and no information about the manuscript from which he drew his information, other than its title (or genre).

That the name of our hero appears in two different forms, Simon ha-Qalpos and Simon ha-Qalponi, suggests that we are indeed dealing with two sources, i.e., two different manuscripts (and not two witnesses to the same manuscript). The forms of the name, as cited by Fraenkel-Teomim and Worms, occur nowhere else in Talmudic and Midrashic literature. Nonetheless, the person intended is easily identified. The reference is clearly to the hero of the *Toldot Yeshu* literature, a composite of Paul, Simon Peter, and Simeon Stylites.⁴¹ Called Simon Kepha in most versions of the *Toldot Yeshu* legend, he is described as a Tanna directed by the Rabbis to infiltrate Jewish-Christian circles, become Bishop of Rome, and preach Gentile Christianity (i.e., abrogation of the Law) so that Jewish-Christianity would cease to exist.⁴² Thus the

⁴⁰ Aaron Worms, עוד למועד (= מאורי אור, part 5) (Metz, 1822), p. 110b. The passage reads:

תענית ט' טבת בס' תק"פ לא נודע . . . ובספר זכרונות ראיתי על פטירת שמעון הקלפוני שהשלים ליהודים והעלימו מפניהם, ובמגילת תענית נקט הלשון לא כתבו רבותינו על מה, משמע הכי.

⁴¹ J. H. Greenstone, "Jewish Legends about Simon-Peter," *Historia Judaica*, 12 (1950), 89–104, provides a convenient point of departure for further research on this topic. The Simeon Stylites aspect is especially pronounced in M. Higger, "מעשה ישר," חורב, 3 (1936), 143–52.

⁴² The ever expanding *Toldot Yeshu* literature (due to the identification of previously discovered Genizah fragments) remains an uncharted sea of Genizah fragments, manuscripts, and editions, despite the efforts of modern scholarship. For a brief English summary, see M. Goldstein, *Jesus in the Jewish Tradition* (New York, 1950), pp. 147–66 and notes. For scholarly discussions, see S. Krauss, *Das Leben Jesu nach jüdischen Quellen* (Berlin, 1902; reissued Hildesheim, 1977); H. J. Schonfield, *According to the Hebrews* (London, 1937); E. Bammel, "Christian Origins in Jewish Tradition," *New Testament Studies*, 13 (1966–67), 317–35; W. Horbury, "The Trial of Jesus in Jewish Tradition," in E. Bammel, ed., *The Trial of Jesus: Cambridge Studies in Honour of C. F. D. Moule* (London,

epithet “lawless ones” in Fraenkel-Teomim’s account is a terminus technicus referring to Jewish-Christians.⁴³ The great misfortune from which Jewry was delivered refers to the confusion and tension between Jews and Jewish-Christians. When Gentile Christianity superseded Jewish-Christianity, the confusion and tension dissipated. So, at least, from the perspective of the *Toldot Yeshu* literature.

One manuscript of the *Toldot Yeshu*, no longer extant, was published in 1705 by Johann Jacob Huldricus.⁴⁴ In it the hero is

1970), pp. 103–21; idem, *A Critical Examination of the Toledoth Yeshu* (Cambridge University doctoral dissertation, 1970–71, not available to me). Recent studies include Z. Falk, “קטע חדש מחולדות ישראל,” *תרכיץ*, 46 (1976–77), 319–22 (English version: “A New Fragment of the Jewish Life of Jesus,” *Immanuel*, 8 [1978], 72–79); D. Boyarin, “קריאה מתוקנת של הקטע החדש של חולדות ישראל,” *תרכיץ*, 47 (1968), 249–52; and G. Schlichting, *Ein jüdische Leben Jesu* (Tübingen, 1982). Regarding the recent discovery of a Judeo-Arabic fragment of *Toldot Yeshu*, see “Toledoth Yeshu Updated Through New Discovery,” *Genizah Fragments*, 6 (1983), 3 (kindly brought to my attention by Dr. Moshe Bernstein).

⁴³ See Dan. 11:14 and Rashi’s comment ad loc.; Judah Hadassi’s comment in the name of the Rabbis, published by W. Bacher, *JQR*, 8 (1896), 436 טרענים ד”ה; R. Eliezer of Beaugency’s commentary to Ezek. 5:4; and the references cited by D. Flusser, *ספר יוסיפון* (Jerusalem, 1980) II, 252, n. 680. פריצים refers to Jewish-Christians throughout the *Toldot Yeshu* literature; see, e.g., S. Krauss, *op. cit.* (above, note 42), pp. 46–47.

⁴⁴ J. J. Huldricus, ed., *Historia Jeschuae Nazareni: ספר חולדות ישוע הנוצרי* (Leiden, 1705). The Huldricus text was reissued (with minor variations) by M. E. Mahler, *ספורי מחוקקי דתי הנוצרים* (Cracow [despite the title-page, which lists Brooklyn, New York, as the place of publication; and despite J. D. Eisenstein, *אוצר מדרשים* (New York, 1915), p. 214, who lists London as the place of publication], 1907, first edition, pp. 47–56; second edition, pp. 40–49. Schlichting, *op. cit.* (above, note 42), pp. 17–19, assumes that Mahler’s work was published by the Hebrew Publishing Co. in Brooklyn (as stated on the title-page); but the type-face, design, wording, and punctuation on the title-page indicate otherwise. As is well known to bibliographers, Jewish publishers sometimes deliberately falsified the place of publication of books in order to circumvent censors and customs officials. Precisely because of the sensitive nature of its content, Mahler’s work appeared anonymously and with a falsified place of publication. In fact, it was published by the well known Cracow publisher, Josef Fischer (address: Grodgasse 62), who also published Mahler’s *מדרש חכמים* (Cracow, 1906). Fischer published two editions of *ספורי מחוקקי דתי הנוצרים* (first edition: 75 pages; second edition: 68 pages), both undated and both listing Brooklyn, N.Y., as the place of publication. The type was reset entirely (using the font of the first edition) for the second edition, but there are no substantive differences between the two editions. It is difficult to date the second edition with precision; it appeared somewhere

called throughout רבי שמעון הקלפוס, i.e., Simon ha-Qalpos, precisely as indicated by Fraenkel-Teomim. More importantly, in a remarkable passage toward the end of the *Toldot Yeshu* narrative the reader is informed that Simon died after having accomplished his mission, and that “the Israelites mourned the death of Simon and established the day of his death—the 9th day of Tebeth—as an annual fast.”⁴⁵ Clearly we have identified the source, whether direct or indirect, for Fraenkel-Teomim’s and Worm’s solution to our enigmatic passage in MTB.⁴⁶

Of the two Christian related interpretations of the fast of 9 Tebeth (i.e., that it commemorates either the birthday of Jesus or the day of the death of Simon ha-Qalpos), the latter is more attractive. It commemorates a day of death which is precisely what the bulk of MTB treats. It commemorates, if only indirectly, a peculiar form of Jewish triumphalism—i.e., that Christianity succeeded because of a Jewish plot to redirect its efforts toward Gentiles rather than Jews—a matter best kept secret, hence לא כתבו רבותינו על מה הוא. At this point, however, the historian needs to address the following issues:

between 1907 and 1913 (the date on which a copy was acquired by a private collector in New York).

Schlichting’s suggestion (p. 19) that M. Goldstein’s reference to a New York edition of *Toldot Yeshu* was to the (alleged) Brooklyn edition, is unlikely. The reference is almost certainly to M. Shliomsky, מעשה תלוי (New York, 1896), which, of the various editions of *Toldot Yeshu* published in New York, is the only one that fits precisely the description given by Goldstein.

⁴⁵ Op. cit., p. 126. The passage reads:

ימות שמעון ויחאבלו בני ישראל את שמעון, וקבעו יום מיחתו להתענות בכל שנה ושנה והוא ט' ימים בירח טבת.

⁴⁶ The first to relate MTB to the *Toldot Yeshu* passage was J. J. Huldricus himself, in the Latin commentary to his edition of *Toldot Yeshu*, pp. 127–28. Interestingly, R. Moses Sofer owned a manuscript of *Toldot Yeshu* copied from the Huldricus version and annotated it, so he too knew about this solution. See S. Z. Schück, op. cit. (above, note 38), p. 97b; and cf. S. Krauss, op. cit., pp. 34–35 (and p. 245, where he refers to MTB but seems to have missed its significance). Later sources aware of Huldricus’ solution include M. E. Mahler, op. cit. (above, note 44), first edition, p. 56, n. 1, and second edition, p. 49, n. 1; H. Kneller, רבר יום ביומו (Przemysl, 1907–10), II, 77a; and Y. T. Levinsky, loc. cit. (above, note 34).

1. Our present texts of MTB date back to the 9th century or earlier. Huldricus' recension of *Toldot Yeshu* was published in 1705. Can we close the gap between these two disparate sources? Which amounts to asking: Is the Huldricus recension pre-MTB or post-MTB in origin?
2. Did the Huldricus recension of *Toldot Yeshu* serve as a source for MTB, or is it in fact a late "Midrashic" exposition based upon MTB and no more trustworthy historically than the "Midrashic" explanation proposed by Abraham Ibn Daud? It could be argued that whereas Abraham Ibn Daud has MTB projecting into the future, the Huldricus *Toldot Yeshu* has MTB looking backward into the past. Assuming that the Huldricus *Toldot Yeshu* can be dated early, can a text so clearly tendentious and legendary be taken seriously, so as to provide an accurate day of the death of a historical personage? In other words, was MTB simply misled by the imaginative account in *Toldot Yeshu*?

There appear to be no simple answers to these questions. Much will depend upon the results of future scholarly research on the various *Toldot Yeshu* recensions. Methodologically, however, the following situation obtains: until we can muster independent evidence from pre-הלכות גרולות times that 9 Tebeth was indeed considered to be the day of the death of Simon ha-Qalpos, the existence of the Huldricus recension alone (as published in 1705) provides at best a possible rather than a definitive solution to הלכות גרולות's enigmatic הוא על מה הוא כתבו רבותינו. While one can marshal evidence that some *Toldot Yeshu* recensions are pre-הלכות גרולות, no such case has been made for the antiquity of the Huldricus recension.⁴⁷ Indeed, in its present form it sometimes has been assumed that the Huldricus recension—which abounds with anachronisms and reads much like a late medieval romance—

⁴⁷ See especially Huldricus, op. cit., p. 80, where the city of Worms is incorporated into the *Toldot Yeshu* narrative. See S. Krauss, op. cit., pp. 18–19; and the more learned discussions in N. Brüll, "Stammen die Juden in den südlichen Rheinlanden von den Vangionen ab?", *Jahrbücher für jüdische Geschichte und Literatur*, 4 (1978), 34–40, and S. Eidelberg, "קדמות הישוב היהודי בגרמניה," *יריעון*, 17–18 (1981), 19–25. Cf. the brief survey of the early history of the Jewish settlement in Germany in A. Grossman, *הראשונים* (Jerusalem, 1981), pp. 1–9.

dates to the Reformation period or later.⁴⁸ Nonetheless, closer investigation indicates that the Huldricus recension preserves traditions whose antiquity and general accuracy seem to be supported by early Jewish and Christian sources.⁴⁹ More impor-

⁴⁸ See J. Basnage, *History of the Jews* (London, 1708), IV:27–28, pp. 375–81; S. Baring-Gould, *Lost and Hostile Gospels* (London, 1874), p. 115; and W. H. Burr, *Revelations of Antichrist Concerning Christ and Christianity* (New York, 1879), pp. 394–407. Krauss, too, (op. cit., pp. 16–17, 19), assumed that it was late, but then came to realize that it preserved ancient traditions, and that even its present form may date back as early as the 12th century (p. 247). Krauss' equivocating is best shown by his remark (p. 16) that the Huldricus recension "gibt uns schwere Probleme auf."

⁴⁹ Thus, according to Huldricus' *Toldot Yeshu*, Simon ha-Qalpos was an uncle of Jesus. It is perhaps intriguing to note that the name may take its origin from Simon son of Cleophas, a cousin of Jesus who served as leader of the Nazarenes (i.e., Jewish-Christians) at Jerusalem, after the martyrdom of James the Just. Simon son of Cleophas died a martyr under Trajan (circa 110). So Eusebius, *Ecclesiastical History*, III:11:1 and III:32:1. Cf. S. Krauss, op. cit., pp. 270–71, n. 17.

In a suggestion that is perhaps more brilliant than persuasive N. Brüll (*Jahrbücher für jüdische Geschichte und Literatur*, 5 [1883], 200) identified Simon ha-Qalpos with the otherwise elusive and unknown Simon ha-Paqli of B.Ber. 28b. Brüll seems to be suggesting that after R. Gamaliel heard Simon ha-Paqli—a confirmed Jewish-Christian—recite the שמונה עשרה, he sought to prevent such recitals by having the ברכת המינים inserted in it. See, however, B.Meg. 17b and 18a which suggests otherwise; cf. שיטה מקובצת to B.Ber. 28b (and marginal gloss ad loc.). For פקוליי as a place-name, see Josephus, *Antiquities*, XII:160–61; cf. S. Klein, "Zur Ortsnamenkunde Palästinas," *MGWJ*, 64 (1920), 195.

Suggestive of an early date for some of the traditions preserved in the Huldricus recension is the following: only in the Huldricus recension of *Toldot Yeshu* (pp. 20, 24, 26) is the epithet "Egyptian" applied to Jesus' father. That Jesus and his family fled to Egypt is well known to early Christian and Jewish sources (Matt. 2:13–15; B.Sanh. 107b); but the epithet "Egyptian" is applied neither to Joseph nor to Jesus by these sources. Amulo, the ninth century bishop of Lyons, in reporting Jewish traditions about Jesus, notes that the Jews refer to Jesus as the "Egyptian destroyer." Only Amulo and the Huldricus recension of *Toldot Yeshu* know about the Jewish appellation "Egyptian" for Jesus and his father. Cf. G. R. S. Mead, *Did Jesus Live 100 B.C.?* (London, 1903; reissued New Hyde Park, N.Y., 1968), p. 293. For the Amulo passage see *Amulonis Epistola seu Liber contra Judaeos ad Carolum Regem*, chap. 39, in J. P. Migne, ed., *Patrologia Latina* (Paris, 1879), CXVI, 168. Cf. S. Krauss, op. cit., p. 13 (where the passage is mistakenly ascribed to Rabanus Maurus, 9th century Archbishop of Mainz); A. Lukyn Williams, *Adversus Judaeos* (Cambridge [Eng.], 1935), p. 362; H. Schonfield, op. cit. (above, note 42), pp. 128–29; and H. Merchavia, *התלמוד בראי הנצרות* (Jerusalem, 1970), p. 90 (the last mentioned kindly called to my attention by Professor David Berger).

tantly, it appears that Rashi (d. 1105), who resided in Worms,⁵⁰ had access to a Huldricus-type *Toldot Yeshu*. According to the Huldricus recension, Simon ha-Qalpos invented the Latin alphabet and introduced it to the Romans:⁵¹

Simon resided in the tower of Rome, where he ordained and codified the [Christian] laws and customs, as he was commanded to do by the King [of Judea] and the Sages. He transformed the alphabet, giving the letters new names, thereby intimating [to those in on the secret] that what he ordained was false. This was the alphabet: A, B, C, D, E, F, . . . He also composed for them books of lies which he called *Avonkilayon*, but they thought he said *Evangelium* . . . Simon also authored books in the name of Jesus' disciples, including John, claiming that Jesus had provided him with all the material.

The notion that a Rabbinic Sage, at the behest of the Rabbis, invented the Latin alphabet in order to lead Jewish-Christianity astray and enable Rome to become the center of Gentile Christianity, is unique to the Huldricus recension of *Toldot Yeshu*. It finds its only parallel in Jewish literature in Rashi's comment on B.A.Z. 10a.⁵²

The script and language of the Romans were borrowed from another nation. Others wrote their books for them, namely John, Paul, and [Simon] Peter, all of them Jews. Language

⁵⁰ For the significance of this fact, see above, note 47.

⁵¹ Pages 107–15. The passage reads:

וישב שמעון במגדל עי ויכתב שמעון את החוקים כאשר צוהו המלך והחכמים. וישנה את האלף בית לקרוא בשם אחר ע"פ רמז שהכל מה שהוא מצוה הוא שקר. וזהו האלף בית א ב צ ד ע יף . . . ועוד כתב להם ספרי כזבים וקרא אותם עו"ן כליו"ן והם סברו שהוא אומר אב"ן גליו"ן . . . ועשה להם שמעון ספרים מתלמידי יו"ש ומיהנו"ס ואמר שיו"ש מסר לו כל הדברים.

⁵² Owing to censorship the passage has been expunged from the printed editions of the Talmud. Rashi's unexpurgated comment was preserved in Profiat Duran's (d. circa 1414) *Chilmat ha-Goyim*, ed. Poznanski, *Levush ha-Mishneh*, 3(1913), 180; and reprinted (incorrectly) in J. D. Eisenstein, *Avot ha-Rishonim* (New York, 1928), p. 278. It does not appear in F. Talmage's *Levush ha-Mishneh* (Jerusalem, 1981), which, however, is based on a select group of *Chilmat ha-Goyim* manuscripts. The unexpurgated Rashi passage also appeared in print (with minor variations) in the first edition of Jacob ibn Ḥabib's (d. circa 1516) *Levush ha-Mishneh* (Salonica, 1516–22),

refers to *grammatica*, i.e. the Latin spoken by priests. They [the Jews] transformed their [the Romans'] language into an obscure one, in order to separate them from Israel. They [the Jews] were not apostates; rather, they acted from the best of intentions in order to benefit the Jews. When they saw that the Jews were oppressed by the deceitful acts of the followers of Jesus, they impersonated priests and ordained all [the Christian laws, customs, and books], as is stated explicitly in the *Teliyat Yeshu* narrative.

Note especially that Rashi identified the *Toldot Yeshu* literature as the source of his comment. Clearly he derived his information from a Huldricus-type text and not vice versa. If we have succeeded in bridging the gap between the Huldricus recension published in 1705 and the 11th century, we have yet to prove its existence in pre-הלכות גדולות times. Nonetheless, even if the Huldricus-type text is post-הלכות גדולות in origin, it is certainly possible that among its ancient traditions is the one that accounts for MTB's fast of 9 Tebeth.⁵³

V. Recent Developments

In 1943–44 the late M. Margalioth published the only critical analysis of MTB to appear in print.⁵⁴ He suggested that MTB reflected Palestinian practice in the Gaonic period. Subsequent Genizah discoveries have borne out Margalioth's suggestion. If he erred at all, it was in not dating MTB as early as he should have.

דקדוקי סופרים: עבודה, by R. Rabbinovicz, and was reprinted by R. פירושי הכותב על אחר זרה (Munich, 1879), p. 23, n. 9. The translation presented here is based upon these citations.

Rashi's comment and the fact that it was cited by Duran and by Ibn Habib suffice to put to rest M. Goldstein's claim, *op. cit.* (above, note 42), p. 166, that "none of the eminent Jewish scholars of the [medieval] centuries refer to *Toldot Yeshu*."

⁵³ In sum, Horbury's apt description of the Huldricus recension as a "medley of old and new traditions" ("The Trial of Jesus" [above, note 42], p. 112) is borne out by the observations noted here, assuming "new" is confined to medieval traditions.

⁵⁴ M. Margalioth, "מועדים וצומות בארץ ישראל ובכבל בתקופת הגאונים," ארשת, 1 (1943–44), 204–16.

The publication of numerous פיוטים dealing with the fasts⁵⁵ makes it virtually certain that official lists of fasts circulated in Palestine as early as the 6th century. Through the centuries these lists were modified by local Jewish communities so that today one can speak confidently of several Palestinian recensions of MTB. Some scholars have posited a Babylonian recension of MTB as well,⁵⁶ but the evidence for such a recension has been less than persuasive.⁵⁷ For our purposes, it must be noted that no pre-הלכות גדולות list of fasts includes 9 Tebeth. Thus we have no evidence that 9 Tebeth was commemorated as a fast day in any Jewish community prior to the 9th century. Any claim to historical accuracy with regard to the day of the death of Ezra, Nehemiah, or Simon ha-Qalpos (or the birthday of Jesus) seems to dissipate, even if it could be proven that the author of MTB intended to commemorate any of these events. For as the gap widens between the alleged historical event and the first attestation of its date, the historicity of the date becomes increasingly suspect. At best, then, one can claim that MTB took seriously popular traditions, however inaccurate or imaginary, that 9 Tebeth commemorated the day of death or birth of one of the aforementioned persons.

⁵⁵ See, among others, A. Marmorstein, "קידוש ירחים דרבי פנחס," הצופה לחכמת, "קידוש ירחים דרבי פנחס," *ישראל*, 5 (1921), 225–55; *idem*, "נספחים למאמרי קידוש ירחים דרבי פנחס," *Ibid.*, 6 (1922), 46–59; S. H. Kook, "לקדוש ירחים דרבי פנחס," *יגוני קדם*, 1 (1922), 87–92; M. Zulay, "מכתב המכתב לחקר השירה העברית," פיוטים לזכר מאורעות שונים, 3 (1963), 153–62; M. Margalioth, "לקביעת זמנו של רעש שביעי[ת]," *החברה העברית לחקירת א"י ועתיקותיה*, 8, (1941), 97–104; M. Zulay, "שברי צלילים," *תרכיץ*, "תעודה חדשה על צום הרעש," *תרכיץ*, 28 (1950–51), 162–69; M. Margalioth, "שירים חדשים מהתקופה הביזאנטית," *HUCA*, 39 (1968), Hebrew section, pp. 1–62; E. Fleischer, "בירורים בבעיית ייעודם," *תרכיץ*, 42 (1973), 337–63; *idem*, "קומפוזיציות," *HUCA*, 45 (1974), Hebrew section, pp. 1–40; *idem*, "שברי צלילים," *תרכיץ*, "הדוהה — הדוהה — הדוהה — פולמוס ושבר," *תרכיץ*, 53 (1984), 71–96.

⁵⁶ E. Fleischer, "קומפוזיציות קליריות לחשעה באב," *HUCA*, 45 (1974), Hebrew section, pp. 16–17.

⁵⁷ A "local-texts" theory (in our case, a Babylonian recension of MTB) can be posited only if a group of texts reflect readings unique to the group, which are colored by local historical, geographical, or linguistic traditions. No MTB text, including the הלכות גדולות version, displays any features that can be identified as uniquely Babylonian.

It is interesting to note that the list of fasts finds no mention in Talmud and Midrash, not even in late Palestinian Midrash.⁵⁸ One suspects that its origin, Palestinian to be sure, may be non-Rabbinic.⁵⁹ That it struck deep roots among the people is clear from the *paytanim* and the Arabic sources. Ultimately the halakah acknowledged, somewhat grudgingly,⁶⁰ the piety that popular religion had sanctioned. Perhaps when we learn more about the forms of piety in Palestine in late antiquity,⁶¹ it will become possible to unravel the many threads woven into the matrix of MTB. Perhaps, too, the secret of the origin of 9 Tebeth will then

⁵⁸ A citation from MTB (23 Shebat), although not identified as such, may appear in Esther Rabbah 7:11. Note that the same Midrashic passage informs us that the matriarch Sarah died in the month of Heshvan, a fact not recorded in any of the MTB recensions.

⁵⁹ The following Gaonic response to a query concerning the list of fasts is noteworthy: "I do not know who ordained them, whether one of the earlier Rabbinic scholars or anyone else." See B. M. Lewin, *תענית הגאונים: תענית* (Jerusalem, 1933), p. 17.

⁶⁰ See above, notes 12 and 13.

⁶¹ The various studies of early Christian asceticism by A. Vööbus (e.g., *History of Asceticism in the Syrian Orient*, 2 vols. [Louvain, 1958–60] [see especially regarding commemorative fasts, II, 322, n. 27, and 401, n. 78]; *Syriac and Arabic Documents Regarding Legislation Relative to Syrian Asceticism* [Stockholm, 1960]) are models for what remains to be done regarding Judaism in Palestine in late antiquity. Meanwhile useful information can be gleaned from A. Schwarz, "Taanith Esther," *David Simonsen Festschrift* (Copenhagen, 1923), pp. 188–205; H. J. Zimmels, "Nachtalmudische Fasttage," in S. Baron and A. Marx, eds., *Jewish Studies in Memory of G. A. Kohut*, (New York, 1935), pp. 599–614; A. W. Greenup, "Fasts and Fasting," in I. Epstein, E. Levine, and C. Roth, eds., *Essays in Honour of J. H. Hertz*, (London, 1942), pp. 203–14; M. Auerbach, *ספר זכרון על*, "יום ניקנור — תענית אסתר," in Y. Y. Weinberg and P. Biberfeld, eds., "שם הרב דר. שאול ווינגרט לישובה של," (Tel Aviv, 1953), pp. 100–03; G. Alon, "ברייחת אחת תענית," in his *מחקרים בתולדות ישראל* (Tel Aviv, 1958), II, 120–27 (תענית ב); S. Lowy, "The Motivation of Fasting in Talmudic Literature," *JJS*, 9(1958), 19–38; E. E. Urbach, "אסקיזים ויסורים בתורת חז"ל," in S. Baron and others, eds., *Yitzhak F. Baer Jubilee Volume* (Jerusalem, 1960), pp. 48–68; J. Rosenthal, "The Four Commemorative Fast Days," in A. A. Neuman and S. Zeitlin, eds., *The Seventy-Fifth Anniversary Volume of the JQR* (Philadelphia, 1967), pp. 446–59; A. Hilvitz, *חקרי זמנים*, (Jerusalem, 1976), I, 115–37 (צום גרליה), 349–76 (תענית אסתר); and H. A. Brongers, "Fasting in Israel in Biblical and Post-Biblical Times," *Oudtestamentische Studien*, 20(1977), 1–21.

For Jewish ascetics in Palestine after the Arab conquest, see J. Mann, *The Jews in Egypt and in Palestine under the Fatimid Caliphs*, (reissued New York, 1970), I, 47ff.

be divulged. As to why 9 Tebeth was commemorated as a fast, all that can be said now with certainty, despite the many suggestions by medieval and modern scholars, is: לא כתבו רבותינו על מה הוא.⁶²

⁶² This paper has benefited from a careful reading and the usual sound advice of my colleague Professor David Berger. I am deeply grateful to him.