“Eleh Ezkerah”: Re-reading the Asarah Harugei Malkhut

By: NACHMAN LEVINE

The piyut “Eleh Ezkerah” (‘These I Will Remember’) on the Ten Martyrs by the unknown medieval Ashkenazic author “Yehudah” (as signed in its acrostic) appears among the closing selihot penitential poems following (in the Ashkenazic Mahzor) the Yom Kippur Avodah describing the Yom Kippur Temple Service. Of the many medieval Kinot elegies (on the Temple’s destruction, the 1171 Blois martyrdom, the Crusades, etc.) once said after the Avodah and selihot, only “Eleh Ezkerah” remains. Its description of the martyrs’ Sanctification of God’s Name took on central poignancy in Jewish consciousness as a focal point in the Yom Kippur liturgy, and its emotive reading is shared by Sephardim who read this Ashkenazic poem in the Kinot of Tishah b-Av when Ashkenazim say another kinah about the Ten Martyrs, “Arzei ha-Levanon” of the 13th-century R. Meir b. Yehiel.

Eleh Ezkerah is based on versions of the ‘Asarah Harugei Malkhut’ (The Ten Martyrs) account in Midrash Asarah Harugei Malkhut and other later Midrashim. Its author had several versions of Midrash Asarah Harugei Malkhut to work with, perhaps Midrash

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2 Goldshmidt, Mahzor, p. 44.
3 D. Goldshmidt, Seder ha-Kinot l-Tishah b-Av (Mosad HaRav Kook, Jerusalem, 1972) p. 22.

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Shir ha-Shirim or the Ashkenazic Avodah, Amitz Koah or others, and presumably didn’t have access to the ‘Sephardic’ Atah Konanta.

It describes the torture and martyrdom of the ten rabbis in the period after the second Temple’s destruction (Raban Shimon b. Gamliel, R. Yishmael the Kohen Gadol, R. Haninah b. Teradion, R. Hutzpit the Meturgeman (Interpreter, of the words of the heads of the Sanhedrin), R. Elazar b. Shamua, R. Hanina b. Hakainai, R. Yesheivav the Scribe, R. Yehudah b. Dama, R. Yehudah b. Baba). They are executed by the Roman emperor, as ‘punishment’ for Joseph’s sale by his ten brothers (Genesis 37). He justifies it—in Jewish law selling another Jew into slavery carries a death penalty—because ‘there were none like you since then,’ and the generation’s ten greatest sages serve as expiation for it.

Eleh Ezkerah’s literary “historical” problems, like those of Midrash Asarah Harugei Malkhut and others, have been noted (e.g., the actual martyrs were not executed at the same time, nor were all contemporaries or even known to have been executed—or in one case, to exist, etc.).

It may well be, however, that its ahistoricity is in fact Eleh Ezkerah’s core metaphor and literary premise in invoking the totality of Jewish martyrdom as expiation. Describing the martyrs who were executed at different times in the terrible 2nd-century Hadrianic persecutions (and some possibly before or after) as executed collectively creates its meta-historical metaphor. By no means a work of inept credulousness and naiveté or worse—it is unlikely


6 The historicity of the piyut and Midrashei Asarah Harugei Malkhut traditions were questioned since the 12th-century Yihusei Tanaim v-Amoraim (vol. II no. 367b) and the 15th-16th century Sefer Yuhasin and Tzemach David. See also: D. Goldshmidt, Mahzor l-Yamim Noraim, Vol. II p. 44, Seder ha-Kinot l-Tishah b-Av (Mosad HaRav Kook, Jerusalem, 1972) p. 12; A. Velner, Aseret Harugei Malkhut (Mosad HaRav Kook) 205, pp. 35–102.
that its author was unaware of commonly known Talmudic texts and fully fluent in the Pirkei Heikhalot literature—it is of supremely brilliant artistry. None of it is historical; all of it is true. It is not about an historical event. What it is about is astonishing. It is about the Yom Kippur Avodah.

It systematically and transparently describes the martyrdom in terms of the Yom Kippur Avodah’s motifs of preparation, priestly purification, lottery, calling out the Name, slaughter, skinning, spilling and sprinkling of blood, burning, etc., as its central theological idea.

Eleh Ezkerah is about the aggregate death of the righteous, which atones for Israel as the sacrifices do (Bavli Mo’ed Katan 28a). “The deaths of Aaron’s sons are written next to the Avodah of Yom Kippur to teach you that the death of the righteous atones for Israel as Yom Kippur atones for Israel” (Yerushalmi Yoma 1:1, 38b). In fact, “The death of the righteous is equal to the burning of the Temple” (Bavli Rosh Ha-Shanah 18b). From the beginning, Eleh Ezkerah equates the Ten as sacrifices: "מלא ינחור ורמי ימינו," “They were filled with mitzvot like a pomegranate and like the corners [of the altar with the blood of sacrifices, from Zekhariah 9:15: וּמָלְאוּו הַמְּצוּיָּהוּ כְּזָוִיָּהוּ מִזְבֵּחַ" [full as . . . the corners of the altar”], and at the end with the request for God to see their spilled blood on His heavenly curtain.

The acrostic selihot read after the Avodah express our sadness on the Avodah’s loss ("אשֶר יֶשֶׁר עַל הַמִּשְׂכָּב כְּזָוִיָּהוּ אֶפְרָת מַצְוָיָהוּ") and our responsibility for its prolonged absence ("החריבו אבותנו עונות קצו האריכו והטאתנו נוה") (Rabbi J.B. Soloveitchik writes that reciting the Avodah is “to feel the reality of the Beit ha-Mikdash which is no longer... The mourning which takes place on Yom Kippur is our recognition of sin. The destruction of the Beit ha-Mikdash is itself our sin.”) Eleh Ezkerah combines the themes of loss and responsibil-

7 And Lev. Rabah 20:10; Pesikta de-Rav Kahana 26:1 Tanhuma (Buber) Aharei Mot 11; Tanhuma, Aharei Mot 7.
8 Goldshmidt, Mabzor, p. 571. See also Ps 144:12-13.
ity in the *Avodah*’s acrostic form to describe a tragic anti-*Avodah*
directly caused by the absence of the Temple *Avodah*.

**Yom Kippur and the Sale of Joseph**

R. Akiva is described in *Semahot* 8 (itself post-Talmudic) as executed
at Caesarea, which is certainly plausible since it was the seat of the
Roman procurators of *Provincia Judaea*. In Yerushalmi *Berakhot*
9:5, *Sotah* 5:5 he was executed before the Roman procurator Tornus
Rufus [Quintus Tineius Rufus]. Certainly the Ten Martyrs were
not tried in Rome before Hadrian or anybody else there. Dio Cassius
mentions Hadrian being in Israel in 130 CE, passing through to
Egypt (the visit is depicted on a Roman *sestarius* struck in honor of
the occasion), and he is described in Jewish sources as executing
thousands of Jews in Israel and having dialogues with the Jewish
sages and others in Israel.\(^\text{10}\) He visited Beit Shean and was received
by Tiunus Rufus, as indicated by a number of inscriptions found in
the temple compound of the Beit Shean agora. But if the martyrs
were tried before him in Israel, that would certainly have appeared
in Jewish sources. In the larger metaphor, the officer in *Eleh Ezkerah*
simply stands for Rome and the Emperor,\(^\text{12}\) just as a Roman
*Aelia* coin’s iconography depicts Hadrian plowing Jerusalem in
the Roman *circumdactio* city-dedication ceremony,\(^\text{13}\) though actually
Tornus Rufus plowed it on the emperor’s behalf.\(^\text{14}\)

\(^{10}\) *Yerushalmi Ta’anit* 4:5, etc.

\(^{11}\) *Gen. Rabah* 10:3; 28:3; *Esther Rabah* 10:11; *Lam. Rabah* 3:21, etc., as well
as a Jewish farmer he meets in Israel before and after the war (*Lev. Rabah*

\(^{12}\) If any of the Martyrs were tried in Israel in Hadrian’s time, they would
be presumably tried before Tornus Rufus and not Hadrian. Ironically, in
all manuscript texts of *Eleh Ezkerah* the events happen: "בימי הקיסר,"
"In the days of the Caesar," who tries them (see Goldshmidt, *Mahzor*, p. 447).
This somehow got corrupted in sound in most traditional *Mahzorim* to-
day to: "בימי המשורר,"
"in the days of the officer." So reading the *correct* manu-
script text will describe something that likely never happened, while re-
citing the *corrupted* traditional *Mahzor* text describes something that plau-
sibly could have happened.


\(^{14}\) *Ovid, Fasti*, IV; *Dio Cassius, Hist. Rom.* 73.

*Oid*; *Dio Cassius, History Romana*, 69.12.1–2.
And there is no record in the Babylonian or Jerusalem Talmuds or earlier Midrashim of the Martyrs being executed on Yom Kippur. In the later *Ma’aseh Asarah Harugei Malkhut* (ver. 2) Elijah buries R. Akiva on Yom Kippur and R. Elazar b. Shamua is executed then; in *Midrash Eleh Ezkerah* Elijah tells R. Akiva’s students of his execution on Yom Kippur Eve.

The pretext for their execution is the sale of Joseph by his brothers. The motif of their martyrdom for Joseph’s sale doesn’t appear in the Talmuds or earlier Midrashim. But the sale of Joseph does have associations with Yom Kippur. *Tanhuma Ki Tissa* 10 connects the half-Shekel after Yom Kippur with atonement for Joseph’s sale. (*Jubilees* 34:12, a non-Rabbinic sectarian work, describes the sale as being on Yom Kippur and thus the reason for the day’s affliction, forgiveness and scapegoat.)

*Sifra Shemini* 1 connects Joseph’s sale and the worship of the Golden Calf as archetypal sins at the heart of the Yom Kippur *Avodah*:15

> בידכם היו בידכם בכנפה. יש בידכם בכנפה יישחטו שעיר, יישחטו שעיר ומבעלה. "עזים מעשה עגלה לעם, עגלה מעשה עזים לעם.
> בידכם היו בידכם בכנפה. יש בידכם בכנפה יישחטו שעיר, יישחטו שעיר ומבעלה. "עזים מעשה עגלה לעם, עגלה מעשה עזים לעם.

You have in your hands a sin from the beginning and you have in your hands in the beginning: “They [Joseph’s brothers] slaughtered a goat and dipped the coat in blood” (Gen. 37:31), and you have in your hands in the end: “They have made themselves a molten calf” (Ex. 32:8): Let a goat come and atone for an action with a goat; let a calf come and atone for an action with a calf.

(Maimonides, *Moreh Nevukhim* 3:46 sees this source as the definitive rationale for the Yom Kippur *Seir l-Azazel* scapegoat, adding: “Let this reason not be insignificant in your eyes.”)

The *Sifra Shemini* source echoes *Sifra, Aharei* 5:1-2’s legal discussion about the Yom Kippur goat sacrifices’ expiation:16

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15 The Golden Calf as archetypal sin requiring atonement in every generation: Bavli *Sanhedrin* 102a.

16 *Sifra, Aharei* 5:1-2’s legal discussion about the Yom Kippur goat sacrifices’ expiation.
Whenever there is awareness [of being impure] at the beginning [before entering the Temple or eating sacred food] and in the end [after entering the Temple or eating sacred food] and unawareness in between [=forgetting], one is obligated in a sin-offering. If there is awareness in the beginning and not in the end, the goat whose action is inside [sacrificed inside the Holy of Holies on Yom Kippur] and Yom Kippur [itself] atone, until he is aware and brings his sacrifice. If there is no awareness in the beginning but there is awareness in the end, the goat whose action is outside [sacrificed outside the Holy of Holies on Yom Kippur] and Yom Kippur atone, as it says, “besides the sin [offering] of the Kippurim (Num. 29:11).”

In Eleh Ezkerah’s literary premise, in the Avodah’s absence the Ten Martyrs executed together on Yom Kippur serve as expiation on Yom Kippur for a sin of Yom Kippur.

The Ketonet: The High Priest’s Coat and Joseph’s

The High Priest’s linen Ketonet, cloak, atoned, at all times, for murder (Bavli Zevahim 88a; Yerushalmi Yoma 7:3) as it says, “They [Joseph’s brothers] killed a goat and dipped the coat ["כתונת"] in blood (Gen. 37:31).” There appears to be a reference similar to this in Yose b. Yose’s Avodah piyut, “Atah Konanta Olam b-Rav Hesed,” connecting the sale with the Ketonet of the Yom Kippur Service:

ינשה את צאן בumps בצד של מפסים ויקשה את ה الانسان ועב...
ויר אהת מתנת.

And with the doubling18 of the coat of linen [כחתה כב] he [the Kohen] will cover [atone] for his kin/from the edge of his hands19

16 And in Mishnah Shevuot 1:2-3. There: "כל שיש ב المباراة ועב את מפסים..." ורל' ו gameState" התשעלר ויר אהת מפסים.
17 Goldshmidt, Mahzor, p. 465.
18 The Avodah ketonet had to be made of six-fold doubled threads (Baraita in Bavli Yoma 71b).
D. Goldshmidt\textsuperscript{20} sees this as atonement for wearing clothes of mixed linen and wool, citing \textit{Lev. Rabah} 10:6. But the reference to \textit{ketonet pasim} (Joseph’s coat in Gen. 37:3) would parallel the Bavli and Yerushalmi sources. Michael D. Swartz and Joseph Yahalom\textsuperscript{21} in fact understand it as a reference to atonement for Joseph’s sale. (Of course, it could allude to both atonements; Yose b. Yose in 4th-5th century Israel presumably had both the \textit{Lev. Rabah} and \textit{Talmud Yerushalmi}.)

But it is explicit in another of Yose b. Yose’s \textit{Avodahs}, “\textit{Azkir Gevarot Eloha}” (“I Shall Recount the Wonders of God”), his “masterpiece, perhaps the most influential \textit{Avodah Piyut}, that was probably the best known of the ancient \textit{Avodah piyutim} and set the pattern for subsequent compositions”\textsuperscript{22}:

\begin{verbatim}
עלמות קדושהיהם בכותנה כפולה ומשבצתangled על פסי יד

Strong of stature/he will fulfill with the coat [\textit{כותנה}] doubled, woven/as far as the sleeves of his hands [על פסי יד].

The sin of the House of Jacob/he will atone for with this/of the sellers of a righteous one/for a coat of many colors [על מכותה על פסי תכונת
\textit{טיסם}].

And the connection is clear in the medieval Ashkenazic \textit{Avodah}, “\textit{Asoheh Niflaotekha}”\textsuperscript{23}:

\begin{verbatim}
ידי מותחי חמת לשבạyים ואת שנבר דמים עציםдолומדמים המקובלים שגרת הנכבותгаз

His fitting coat he [the High Priest] wore/in the image of the man dressed in linen [Gabriel: \textit{Dan. 10:5}]/the bloods of the
\end{verbatim}

\textsuperscript{19} The length of the \textit{ketonet} according to the \textit{baraita} in Bavli \textit{Yoma} 72b.
\textsuperscript{20} Goldshmidt, \textit{Mahzor}, p. 465.
\textsuperscript{21} Swartz and Yahalom, \textit{Avodah}: An Anthology of Ancient Poetry for Yom Kippur, p. 316
\textsuperscript{22} Swartz, Yahalom, \textit{Avodah}, p. 263.
\textsuperscript{23} Goldshmidt, \textit{Mahzor}, p. 447.
dipping of the covered-up murder/the great man washes away
with the garments he wore.

R. Meir Simḥah ha-Kohen, Meshekh Hokhmah (Lev. 16:31), connects the primacy of the Yom Kippur Avodah’s Ketonet (Mishnah Yoma 3:7; Bavli Yoma 35b) with the statement in Midrash Mishlei 1 that Joseph’s sale left an impact for generations. He notes too that the Yom Kippur prayers are the only ones in the liturgy to mention the Tribes, Joseph’s brothers (“You forgive the Tribes of Yeshurun”) and concludes that the Avodah atones for that archetypal sin between Man and Man as it does for that of the Golden Calf, between Man and God.

He notes: 1) The cloth band on the horns of the expiating Yom Kippur scapegoat weighed “two selaim” (Bavli Yoma 41b), parallels Bavli Shabbat 10b’s description of Joseph’s coat: “For two selaim of cloth Jacob gave Joseph, the brothers were jealous.” 2) The Yom Kippur Service in the Holy of Holies was in Benjamin’s portion, not in the Azarab courtyard in the portion of Judah (Bavli Yoma 12a) who sold him. (He cites Sifrei Brakhah: “Benjamin merited [the Holy of Holies] as he wasn’t involved in selling Joseph”; God said, “They will pray before Me, I will be filled with pity, but they didn’t pity their brother.” 3) The Kohen enters there without the Hoshen breastplate with the Tribes’ names on it, just as he doesn’t enter wearing gold that would condemn rather than atone in its association with the Golden Calf (Yerushalmi Yoma 7:3).

R. Yishmael’s Ascent

The evil king orders his palace filled with shoes and commands the Ten to judge the case of Joseph’s sale. (The shoes are an allusion to Pirkei de-Rabbi Eliezer 38 and Targum Jonathan Gen. 37:28, that the brothers all bought shoes with the sale’s proceeds, based on Amos 2:6.) The imagery of the palace filled with shoes, from Midrash Asarah Harugei Malkhut, opposes the Jewish Sanhedrin, source of the Torah in Israel (Bavli Ta’anit 16a) in the Temple, into which it is forbidden to enter with shoes (Mishnah Berakhot 9:5), with the
court in Caesarea/Rome in which Torah is studied to plot against Israel.  

The martyrs ask for three days to prepare, examine their actions and determine guilt. R. Yishmael Kohen Gadol ["Meshevet Dar Maon"] prepares himself just as the Kohen Gadol does before Yom Kippur. The others look to him to consult Heaven, just as the Kohen Gadol consults the Urim v-Tumim when consulted by the Sanhedrin or “for one whom the community needs” (Mishnah Yoma 7:5). They call upon him to call out the Holy Name ("יהוה אלהי ימך" "השם") as the Kohen does on Yom Kippur (Mishnah Yoma 6:2). And so he does ["השם את והשם"] The officer/king says the decreed punishment is done to them “in place of your fathers” ("את יהוה אנוהים... מחלא את ויהוה אביכם" (Mishnah Yoma 7:5)), paralleling the Yom Kippur Reading description of the atonement to be done by Aaron’s descendants, “The Kohen who will serve in place of his father will atone” (16:32). Like him, his descendants atone in his place, but unlike them, they are themselves the atonement.

The living expiate for the dead to carry the sins of the fathers: The Roman king/procurator tells them: “And you will carry the sin of your fathers” ("אתה אותם ואתוницם"), to paraphrase the Yom Kippur Torah Reading’s “The scapegoat will carry upon itself all their sins” (Lev. 16:22). The first and primary martyr, R. Yishmael Kohen Gadol, thus serves as both sacrifice and "Klei Kaparah" (the Kohen Gadol’s description in Atah Konanta): Kohen in place of his father (Aaron) and the scapegoat, for and in place of his fathers (Joseph’s brothers).

R. Yishmael ascends to heaven and descends as in Yoma 45a: “On Yom Kippur the Kohen Gadol ascends and descends on the middle of the altar to show he is a ben bayit, a comfortable resident before God.” R. Yishmael here is a ben bayit in the heavenly realms. He purifies himself ("יהוה אלהי עטמר") as the Kohen does [in

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24 Suggested to me by Rabbi Shmuel Irons, Rosh ha-Kollel of the Detroit Kollel.

25 Rashi ad. loc., s.v. “Mishum Kevodo.”

26 R. Yishmael’s ascensions to heaven: Pirkei Heikhalot Rabati (Batei Midrasbot Vol. I, p. 63), Ma’aseh Merkavah [Mesekhet Heikhalot l-Rabi
Midrash Asarah Harugei Malkhut: "ובקדושין בטבילה" and ascends to heaven, just as the Kohen does on Yom Kippur (Mishnah Yoma 3:3: "חמש טבילים ושؔשׁ תָּעָשׁוּם") and ascends: "טבל ירד, Vânasa tele עָלֶה." "He [the Kohen] goes down, immerses and ascends, and dries himself" (Mishnah Yoma 3:6).

While much here seems based on R. Yishmael’s heavenly ascensions in the Heikhalot literature, no such descriptions about him appear in the Talmud as they do about his contemporary colleague, R. Akiva (Bavli Hagigah 15b). It seems the 2nd-century R. Yishmael, who was a Kohen (Bavli Hullin 49a), is fused here with the Second Temple-period R. Yishmael Kohen Gadol and his mystical entry in the Holy of Holies. (It is argued that he may be the one who was actually executed.27) In Bavli Berakhot 7a that R. Yishmael Kohen Gadol says, “One year I went in [the Kodesh ha-Kodashim on Yom Kippur] to burn the incense and saw Akatriel Who said, ‘Yishmael, my son, bless me’; I said, ‘May it be Your will that Your mercies conquer Your anger,’ and He nodded with His head.”

Midrash Mishlei draws on the Heikhalot literature28 and clearly, Midrash Eileh Ezkerah, Midrash Asarah Harugei Malkhut, etc. draw heavily on their described heavenly ascensions, heavenly Avodah, decree and execution. In Masekhet Heikhalot d-Rabi Yishmael Kohen Gadol (Batei Midrashot 1), R. Yishmael ascends six Heikhalot to the innermost sanctum to stand in prayer at the opening of the seventh, asking to enter as Aaron’s descendant. Fiery angels ask who he is, from which nation (as in Yom Kippur’s Maftir Yonah (1:8)) and


from which tribe; the Sar ha-Penim, officer of the inner sanctum (the Kodesh ha-Kodashim) says he is “chosen by God from the tribe of Levi from the sons of Aharon to serve with the crown of priesthood,” paraphrasing Aaron’s election that begins Amitz Koah (and all primary Avodah poems). He brings him in to see evil decrees on Israel. In Midrash Asarah Harugei Malkhut the angels tell him of a heavenly altar Above on which the souls of the righteous are brought; happy are the Ten Martyrs who merit sacrifice upon it.29

In Pirkei Heikhalot 5 the angels say the Ten Martyrs are given into the hand of Samael, officer of Rome, who will yet be slaughtered with the officers of the kingdoms Above “like the sheep and goats of Yom Kippur.” Pirkei Heikhalot describes the Avodah above as the Martyrs’ below, described in chapter 6. In chapter 28, R. Yishmael sees the angels sing “ha-Aderet v-ha-Emunah l-Hai ha-Olamim”; in the medieval liturgy this Pirkei Heikhalot Piyut was sung only on Yom Kippur. (Maharil, Hilkhot Yom ha-Kipurim: “MaHaRil Segal said a community may not sing it on any day of the year but Yom Kippur.”)

**The Avodah Carried Out—and Executed**

R. Yishmael emerges from the heavenly Kodesh ha-Kodashim not in joy as the Kohen Gadol would on Yom Kippur (Mishnah Yoma 7:4) but in sadness, descending with the verdict. (In Midrash Asarah Harugei Malkhut his colleagues cry, but rejoice to be martyrs and for the prophesied vengeance for Israel. In Pirkei Heikhalot 15 he gathers them, “the Sanhedrin, in the great third hall in the House of God,” reversing Mishnah Yoma 1:5’s description of the Sanhedrin Elders administering an oath to the Kohen Gadol in the Temple’s Beit Avtinos to do the Avodah correctly in the Kodesh ha-Kodashim: “and they and he separate and cry” (because one who wrongly suspects the innocent will be punished (Bavli Yoma 19b): here too they cry because they are punished though innocent.))

R. Yishmael and R. Shimon both ask to die first. A lottery is thrown, paralleling that of the Yom Kippur scapegoat carrying the community’s sins. R. Shimon is slaughtered ("ראשו כרות"), the cruel

29 The motif of martyrs as Divine sacrifices: Tosefta Sanhedrin 13:11.
ruler burries to spill his blood like that of an ox ("לשפוך דם מותר בשור"), just as the High Priest burries to sprinkle the Yom Kippur ox's blood on the Inner Sanctum curtain, in ‘Ata Konanta’: "המרת ונטל דם המותר בשור".

(Arzei ha-Levanon by clear allusion identifies the Martyrs as Yom Kippur sacrifices: " motherboard לקדשי קדשים בשור, מותר בשור," “Pure of heart, holiest of holy ones, Kodshei Kodashim, their slaughtering in a severe death,” paraphrasing Mishnah Zevahim 5:1: איזהו "מקומן של קדשי קדשים בשור, בתoucher של יום הקדרים ושור הצמא, "Kodshei Kodashim, their slaughtering is in the north, the ox and goat of Yom Kippur, their slaughtering is in the north.")

R. Yishmael is left alive, just as in the Avodah the lottery is thrown for the sacrifice and scapegoat before the Kohen Gadol, one slaughtered and one left alive. R. Meshulam b. Kalonymus’ Yom Kippur Avodah poem, Amitz Koah, describes the Avodah lottery this way:

A pair of goats from community funds/paired together equally in appearance and height/to atone for the sin of the wicked daughter (i.e., Israel: Jer. 31:21).

In the piyut’s reversal the king’s daughter, בת המליץ, daughter of the wicked one (or: “wicked daughter”), wishes to reverse the sacrificing and non-sacrificing of the two goats that atone for the sin of the wicked daughter (stone המליץ), i.e., Israel as described in Jer. 31:21. The two goats are described as paired in appearance: שמים איזויים שלין ב雅黑ה. She sees R. Yishmael’s beautiful appearance (in Amitz Koah: בהא יאני בזילתי "בים"), and asks for “his life to stand” ("חייתו"), paraphrasing the Yom Kippur Torah Reading: “The goat on which the lottery arose shall stand alive before God to atone” ("חייתו ילהי עלינו" (Lev. 16:10).

The angels protest the execution done for the "בת המליץ," "daughter of the wicked one," the king’s daughter; a heavenly voice ("daughter of a voice," "בת קול""") responds, threatening to return the world to water and Tohu va-Vohu. (Angels of fire ("שרף מעליה") protest; God threatens a return to water.) Both (Ashkenazic and Sephardic) Avodahs, Amitz Koah and Atah Konanta, Yose b. Yose’s “Atah Konanta Olam b-Rav Hesed,” and other Avodahs (the
Ashkenazic “Ashehab Nišloṭekha”
), all begin with the creation of the world from Ṭobu vā-Vohu and the separation of the upper and lower waters to uncover the earth, leading up to the Avodah. God threatens to return the world to that Ṭobu vā-Vohu and to that water, to reverse the Avodah and the Creation.

R. Yishmael takes R. Shimon’s head (" ESVuRa NSh" and says " ESVµTvN , "because of sins," the tongue ("lashon") that taught beautiful teachings now licks the dust." This parallels the confession of sins the Kohen makes, placing his hands on the scapegoat’s head, after which a red band ("lashon") is placed on its head for atonement (Mishnah Yoma 4:2).

This slaughter is followed by the removal of R. Yishmael’s skin ("šurahu hēfṣīt"), just as the Yom Kippur sacrifice is skinned, here “to the place of the tefillin,” which is the place of the Tzitz, which atones (Bavli Zevahim 19a). R. Yishmael the Kohen Gadol screams ("šēmmah Eṭkēh") (in Arzei ha-Levanon: " ESVkkh Rv") in the Midrash: " ESVkk") as in Amīz Koah the Kohen Gadol screams the Name after the lottery: " ESVk biv " . Eleh Ezkerah stresses R. Yishmael’s beauty at his death as the Ashkenazic Piyutim “Mārēh Kohen” and “Amīz Koah” describe the Kohen’s beauty upon finishing the Avodah. Here it describes the beauty of the Kohen as he is slaughtered.

Then R. Akiva is executed. In Arzei ha-Levanon a heavenly voice declares: “Happy are you, R. Akiva, your body pure in all ways of purity” (" ESVr Rv štrkh bcl mn šmrt") , paraphrasing Bavli Berakhot 60a (" ESVr Rv štrkh bcl mn šmrt") as well as his own description of the Yom Kippur atonement in Mishnah Yoma 7:8: “Happy are you Israel, before Whom do you become pure, Who purifies you, your Father in heaven” (" ESVkšm rv Shlm lv hsfh tsnshmr m") . Then R. Hananiyah b. Tradion is burned, just as the slaughtered Yom Kippur sacrifices are burned.

The death of R. Elazar b. Shamua is reported as:

30 Goldshmidt, Mahzor, p. 447.
Trembling takes hold of all who hear the hearing/ and every eye will drip tearing  [דמעות].
And every delight is turned to mourning/ with the execution of R. Elazar b. Shamua  [שמעות].

Goldshmidt 31 sees "שימוע" [שמוע] as the author’s invented words for the benefit of the rhyme ("חידושי הIEnumerable לשבט הרוח"). But there may be more here in a clear allusion to Bavli Menahot 18a:

אמר שונות: יוסי, כmoth את שומנו שומנותיה על שעה
ולנה עיני דמותיה של רב אלעזר בן שמיעת  

He [R. Elazar b. Shamua] said: “Yosef, it appears we did not until now accurately record our [Mishnaic] traditions (שמעות)... The eyes of R. Elazar b. Shamua dripped tears [דמעות].”

The double sense in the allusion describes crying tears at hearing of the loss of R. Elazar b. Shamua, the meticulous transcriber and repository of traditions, שמעות, itself a play on his name in Bavli Menahot 18a. R Elazar b. Shamua’s tears appear also in Sifrei Devarim 80: “R. Elazar b. Shamua and R. Yohanan HaSandlar were going to Netzivim [in Babylonia]... and reached Sidon and remembered the Land of Israel; they raised their eyes and dripped tears”: "זקפו דמעותיהם וזלגו עיניהם."

Y. Ha-Levi, Dorot ha-Rishonim, vol. IV pp. 689-690, feels they were in fact escaping the Hadrianic decrees.

The Pargod: The Heavenly Curtain, the Earthly Holy of Holies’ Curtain, and Joseph’s Coat

In Eleh Ezkerah, R. Yishmael Kohen Gadol ascends to speak to the “Ish dressed in Badim [white linen clothes]” [=Gabriel, based on Ez. 9:11 and Bavli Shabbat 55a 32].

On Yom Kippur the Kohen Gadol enters the Kodesh ha-Kodashim in clothes of Bad [white linen] (Lev. 16:4). In Yerushalmi Yoma 7:2: “Why does the Kohen serve in white clothes? As the ser-

31  Mahzor, p. 572.
32  See also Tosefta Sotah 13:5, Lev. Rabah 21.
vice Above: ‘And one man [Gabriel] stood dressed in white clothes’ [Daniel 10:5]; as the service below: “He [the High Priest] shall wear clothes of white linen” (Lev. 16:4). Here R. Yishmael meets his supernal counterpart Above, Gabriel. Significantly, Midrash Eleh Ezkerah describes this as: “And Gabriel met him”: "וּנַתְנָה בִּיה יַעֲקֹב" exactly echoing Pirkei d-Rabi Eliezer 38’s description of Gabriel’s meeting Joseph before he was sold: “And Gabriel met him”: "וּנַתְנָה בִּיה יַעֲקֹב" (Pirkei d-Rabi Eliezer 38, Targum Jonathan, Gen. 36:15).

At the place of Bein ha-Badim, “between the curtains” (Mishnah Yoma 5:1), the entrance, Gabriel, the “Ish Lavush ha-Badim,” “the man dressed in Badim [white linen clothes],” tells him he heard from behind the pargod, "מאחורי הפרגוד," from behind the Heavenly curtain: “In this you are trapped.”

What does the pargod mean in Eleh Ezkerah? It means a good many things. The pargod appears at the piyut’s beginning and ending. Both appearances are related, and the pargod at its closing summary has a startling double sense that gives Eleh Ezkerah its meaning.

On one level a pargod is a curtain. Targum Jonathan translates Ex. 26:33 (וְהִבְדִּילָה כֶתֹהַפָּר בֵּין קֹלָכֶם וּבֵין הַקֳּדָשִׁיםֹדֶשׁ), “The curtain will divide for you between the holy and the holy of holies,” as "וְתַפְרֵישׁ הפרגוד לְכוֹן," the way he always translates this dividing curtain (פרבודא) as רְפָרִים in an almost identical shared Semitic etymology (to divide: related to רֹפָר or רְפָר). (Onkelos always translates it as פרוכתא in an almost identical shared Semitic etymology (to divide: related to רֹפָר or רְפָר))

From this dividing curtain the Kohen enters the Kodesh ha-Kodashim on Yom Kippur, just as now R. Yishmael Kohen Gadol enters the heavenly Kodesh ha-Kodashim Above. At the place where below, the Kohen enters from “between the curtains,” Bein Shnei ha-Badim, R. Yishmael meets the Ish Lavush ha-Badim, Gabriel.

The decree Gabriel has heard from behind the pargod: “With this (‘bi-Zot,’ אתֹבְּז) you are trapped,” darkly echoes the Kohen’s entry there in the Yom Kippur Torah Reading’s opening verses: “With this (‘biZot,’ אתֹבְּז) [the Avodah] Aaron will enter the Kodesh ha-Kodashim (Lev. 16:2-33):
“Speak to Aaron your brother that he shall not come at all times to the Kodesh from outside the curtain...
With this shall Aaron come to the Kodesh, with a calf as a sin offering and a ram for an Olah.”

Now in R. Yishmael’s entry here, “bi-Zot” describes the decree of martyrdom as if it were a prelude to the Avodah.

But the pargod’s primary sense here is, as in many sources, of hearing decrees "from behind the curtain,” the space, between the living and the dead, from where decrees upon the living are announced (Bavli Berakhot 18b), the space between the Shekhinah and the heavens (Rashi, ad. loc.), the place of God’s Throne in Heaven (Targ. Job 26:9: "משר יזרעאל על עון יקרתי").

Thus in Bavli Haggigah 15a it is heard “from behind the curtain” that Aher’s repentance will not be accepted, or in Bavli Sanhedrin 89b that Isaac is himself the sacrifice. In Devarim Rabbah (Leiberman ed., va-Ethanan) the Sar ha-Penim, officer of the inner sanctum, tells Moshe he heard from behind the curtain that his prayers to enter Israel will not be accepted (combining the themes of information from behind the curtain and the pargod as the curtain of the Holy of Holies). Significantly, in Bavli Yoma 77a Gabriel defends Israel from behind the curtain.

But there’s more. In Targum Jonathan to Gen 37:17 (“And the man [ish] said, “They traveled from here for I heard them say [כי שמעתי אמרים], ‘Let us go to Dothan,’” where Joseph goes to be sold), Gabriel [“the ish Gabriel” (Dan. 9:21), here the “Ish Lavush ha-Badim”], tells Joseph: "אמר שמעתי מדבר פרגודא "For I heard from behind the curtain," that they went there. In dual equation, Eleh Ezkerah equates R. Yishmael’s entry, and its parallel danger and punishment and martyrdom for Joseph’s sale, with the Yom Kippur Avodah that atones for it.

The pargod is invoked again in the piyut’s closing request that God see “the spilled blood of the righteous and their sprinkled blood on Your pargod (“בפרגודך”)."
Merciful One, look down from the heights/the spilled blood of the righteous and the sprinkling of their blood. You should see on your paragod and remove stains/God, king who sits on the throne of mercies.

What is "תראה בפרגודך," “See [the spilt and sprinkled blood of the righteous...] on Your paragod”?

At its simplest level it has a double meaning. On one level a paragod is a curtain, here the curtain of God’s heavenly Holy of Holies, which parallels the earthly one that no longer exists. The request that God see “the spilled blood of the righteous and their sprinkled blood (וַתִּמְצָּח דָּמוֹ) on His paragod references “its blood shall be sprinkled on the altar” (Lev. 1:15), here to remove other (blood) stains of impurity, Israel’s sins, which are expiated by the blood sprinkled on the Kodesh ha-Kodashim’s curtain on Yom Kippur (Lev. 16:14-15), here the blood of the righteous.

But a paragod is also a coat or tunic. In Gen. Rabbah 84:16: “And they [the brothers] removed from Joseph the Ketonet Pasim”: “This is the paragod,” "הפר gode פסים"; “coat” [Greek, παραγώδης, parangauda, of the same Semitic origin]. Targum Jonathan in fact describes both Joseph’s colored coat in Gen. 37:3, and the heavenly curtain in Gabriel’s statement to him in Gen. 37:17 as פַּרְגֹּדוֹא, “paragoda.”

Bavli Zevahim 88a and Yerushalmi Yoma 7:3, Yose b. Yose’s “Atah Konanta Olam b-Rav Hesed,” etc., equate Joseph’s ketonet with the ketonet of the Avodah. But here, “[See] the blood on Your paragod” means both the goat’s blood sprinkled on the Holy of Holies curtain on Yom Kippur (Lev. 16:14-15) and the goat’s blood on Joseph’s coat.

The blood on Joseph’s coat becomes the expiating blood of the righteous on the curtain in God’s Kodesh ha-Kodashim, like the

34 Mishnah Keilim 29:1.
35 The imagery of menstrual blood stains on a garment as impurity is from Mishnah Niddah 7:5.
36 Yerushalmi Shekalim 3:2; Bavli Shabbat 120a; Yerushalmi Shabbat 16:15
blood sprinkled on the curtain of the earthly Kodesh ha-Kodashim on Yom Kippur. In its transacted double imagery, the sin becomes the requested atonement. We implore God to see “the spilled blood of the righteous” (“ה الدم תשפוכת המצדיקים”) “on Your pargod” (“בפרגודך”) and mercifully remove the stains of Israel’s sins.

Pargod/Porphyrian?

But now with additional meaning and argument, “Your pargod” also means asking God to see the spilled blood—on His coat.

This is explicit in Midrash Tehillim (Buber) 9:13: God demands the spilled blood of the Asarah Harugei Malkhut and all Israel, and inscribes in blood on His porporya, His purple-dyed royal cloak, the name of every martyred righteous person. In Yalkut Shimoni Ps. 869, cited from Midrash Yelamdenu, God takes the blood of every soul killed by Esau/Rome and dips His porporin in it ( "וניסב את שצלוך דם" in the imagery of Joseph’s coat: "וַיִּטְבְּלוּ אֶת בַּדָּםֹהַכֻּתּ נֶט" "They dipped the coat in blood"). The motif of the blood on God’s porphyrian appears in several Franco-German piyutim39 in the Medieval Ashkenazic liturgical literature invoking God’s vengeance for Jewish martyrdom.40 While its source is from


the third-century Palestinian Midrash tradition, it became “one of the strongest symbols of Jewish martyrdom in Germany.” It appears, mostly after 1096, in the context of vengeance for martyrdom in the Crusades (and Christian persecution before then). Its recurrent motif in liturgical texts is of God’s coat, stained with the blood of martyrs, invoked in a demand for divine vengeance. In particular the Yom Kippur selihot are marked by this demand. [Particularly interesting is a Yom Kippur selihah by R. Ephraim b. Yitzhak of Regensburg (witness to the 1137 Regensburg pogroms and the Second Crusade), “Ani, Ani, ha-Medaber,” whose explicit idea is how the expiating Yom Kippur’s sacrifices’ bloods have been replaced by the spilt blood of contemporary Jewish martyrs on God’s porphyrian, which should be avenged.] The motif has been read in the context of the Crusades martyrology, which has had extensive historical/literary analysis.


41 Yuval, ibid, and Goldschmidt Mahzor, p. 44.

42 E.E. Urbach, Ba’alei ha-Tosafot, p. 170–177.

43 D. Goldshmidt, Mahzor, p. 555.

Should this element in Eleh Ezkerah be read in light of the Ashkenazic vengeance liturgy? I don’t know. The motif here is the same, yet there is simply no conclusive dating for Eleh Ezkerah’s provenance. While the Ashkenazic Crusades-period paytanim drew on the motifs of the Classical Eretz-Yisrael Piyut and Midrash, the Eleh Ezkerah imagery may be actually more connected with the earlier period than with the latter and it may stand outside that genre. And in all the other sources it’s always a “porphyrion,” while here it is a “pargod.” And the Eleh Ezkerah idea of the pargod’s blood uniquely refers to the Yom Kippur Avodah, and only by subtle allusion to the pargod as a porphyrion. And Eleh Ezkerah asks not for vengeance but for forgiveness, for God to mercifully see the spilt blood on His pargod as expiation for (blood) stains, Israel’s sins.

The Selihah as a Read Text

The summary "This happened to us and we told it in recital," with an undertone of “This we read and told,” paralleling the Yom Kippur Torah Reading about the Avodah. Reading the Torah Reading Avodah narrative is a required component of the Temple Avodah itself (Mishnah Yoma 7:1) and not merely our replicating it in recitation. In the absence of that Torah Reading (there is no Temple and the Sefer Torah was burnt with R. Hananiah b. Tradion), this function is fulfilled by the readers of the piyut.

The counter-Avodah we read is more than a Kinah or Selihah. In the Temple Avodah’s absence, Eleh Ezkerah functions as the Avodah itself. (Rabbi Soloveitchik sees Yerushalmi Yoma 1:1, “Any generation in which the Temple was not rebuilt is as if they destroyed it,” as the theological context for the Selihah and Eleh Ezkerah after the Avodah.) This Avodah is because of our sins and is our atonement.

46 In the Kalliric (or Kalliric period) Hoshanah Rabbah Piyut, “Az ke-Einei Avadim,” there’s: "זאת קראתנו וספרנו בשנון".
47 The Lord is Righteous, pp. 622-623; 638-639, from the 1979 Teshuvah Derashah.
R. Yishmael the Kohen Gadol’s Viduy, “Because of sins [this tongue] licks the dust,” clearly does not describe the martyrs’ sins. The king said their innocence was unquestioned; they serve as atonement because of their righteousness. Certainly they are innocent of the sin for which their deaths atone. It is that righteous innocence the king wishes to destroy, perversely using the institution of justice, the trial. The angels protest the absurdity and blatant injustice of the decree for their fathers’ sins.

The Piyut’s refrain and subtext, a Viduy (“Hatantu Tzvereinu Selah Lanu Yotzreinu”), suggests that the absurdity of the suffering of the righteous fathers should atone for sins of their sons—the readers of the piyut. In it the king says of the martyrs that if their fathers were alive he would have them judged before them, their innocent sons. Reading this as a Selihah on Yom Kippur creates the sense that those sons—our innocent fathers—are judged in it before us their guilty sons. The implication is that the first atonement, absurd because of the sons’ innocence, should justly balance and be redressed in the absurdity of the second, in which the sons are guilty. In the transfer of guiltless sons atoning for culpable fathers to innocent fathers atoning for guilty sons—we the readers—we take responsibility and say (the alliterative rhyming) “Hatantu Tzvereinu/Selah Lanu Yotzreinu”: “We have sinned, our Rock//Forgive us, our Creator,” a refrain that appears as early as Yose b. Yose’s “Ein Lanu Kohen Gadol.”

In reading Eleh Ezkerah as both Selihah and Avodah we declare how we greatly desire and prefer the actual and authentic Avodah. In this declaration and expiation there is hope.

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