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The Bar Kokhba Revolt and Circumcision: Historical Evidence and Modern Apologetics

The question of the causes for the Bar Kokhba revolt, which seems to have erupted all of a sudden after a more or less peaceful period (at least in Palestine), is hotly disputed. One of the three reasons discussed – along with the retraction of the alleged permission to rebuild the Temple¹ and the new foundation of Jerusalem as the Roman colony Aelia Capitolina² – is Hadrian's prohibition of circumcision³. We don't have unequivocal proof of this prohibition: it is not explicitly mentioned in Roman legislation (Hadrian tightened only the prohibition of castration⁴, and scholars assume that this included, or might have been understood as including, circumcision) but may be deduced from the privilege of 138 C.E. granted by Hadrian's successor, Antoninus Pius, permitting the Jews to circumcise only their sons (*filios suos tantum*), i.e. no proselytes⁵. The only positive evidence is the rather dubious sentence by Pseudo-Spartianus in the *Historia Augusta*: *Moverunt ea tempestate et Iudaei bellum, quod vetabantur mutilare genitalia* ("At that time the Jews, too, began war because they were forbidden to mutilate their sexual organs")⁶. In their desperate search for further evidence of this prohibition some scholars⁷ resort to the following passage in the Tosefta (Shabbat 15 [16]:9):

A. A *mashukh* (lit. "stretched", a circumcised person who has his foreskin drawn forward, i.e. someone who has undergone the procedure of *epispasmos*⁸ in order to reverse circumcision) needs to be (re)circumcised.

¹ Bereshit Rabba 64,10.

² Cassius Dio, *Historia Romana*, LXIX, 12.

³ On all three reasons see Peter Schäfer, *Der Bar Kokhba-Aufstand. Studien zum zweiten jüdischen Krieg gegen Rom (Texte und Studien zum Antiken Judentum 1, Tübingen 1981) 29 ff.*

⁴ Ulpianus, *Digesta*, XLVIII, 8,4,2.

⁵ Modestinus, *Digesta*, XLVIII, 8,11,1.

⁶ *Scriptores Historiae Augustae*, Vita Hadriani, 14,2.

⁷ Most notably E. Mary Smallwood, *The Legislation of Hadrian and Antoninus Pius against Circumcision*, in: *Latomus* 18 (1959) 334–347, and especially *eadem*, *Addendum*, in: *Latomus* 20 (1961) 94; but see already Bondi, *Der jüdische Krieg gegen Hadrian nach dem Dorot Harischoanim*, in: *JJLG* 13 (1920) 260.

⁸ From *epispōmai*, to draw the foreskin forward, i.e. to become as if uncircumcised.

B. R. Yehuda says: he should not be (re)circumcised, if he has performed the *epispasmos* (*himshikh*), because this is dangerous.

C. They said to him: Many (*meshukhim*) were (re)circumcised in the days of Ben Koziba, and they had children and did not die, for it is said: Circumcising, he shall be circumcised (Gen. 17:13) – even a hundred times. And it says: He has broken my covenant (Gen. 17:14: Any uncircumcised male shall be cut off from his people: he has broken my covenant) – to include the one who has his foreskin drawn forward (*mashukh*).

This Tosefta (I will return to the structure of the whole passage) is understood to refer to circumcised Jews who concealed their circumcision by the operation of *epispasmos* out of fear of being caught transgressing Hadrian's prohibition of circumcision and who later, during the Bar Kokhba revolt, restored their circumcision because of their renewed national and religious confidence. Moreover, it is taken as evidence that the prohibition preceded the revolt and therefore has to be regarded as its immediate cause⁹.

I do not want to reenter the discussion of the causes of the Bar Kokhba revolt (as a matter of fact I believe that it is not of much help to focus on the three possible causes as isolated items and that it is more important to analyze the pre-war period and, above all, to illuminate the cultural background of the Jews of Palestine during that period). Instead, I would like to use the question of the *epispasmos* as a test case for some of the ideological premisses underlying the modern discussion. In my book on the revolt and in some articles I have argued, against the prevailing trend of research, that the Tosefta text cannot be used as proof of Hadrian's prohibition of circumcision either before or during or after the Bar Kokhba revolt. Rather it should be understood as evidence of a custom not at all connected with Hadrian's decree and the revolt but ought to be seen in the broader context of assimilation and Hellenization within the Jewish society of Palestine long before the Bar Kokhba war. As such it also throws a different light on the revolt itself and its causes¹⁰.

This thesis (which is supported by other evidence that is not of our concern here) has come under fierce attack, mainly in a series of articles by the Jerusalem law historian Alfredo M. Rabello¹¹. Although he concedes the possibility that the Tosefta may be referring to Jewish assimilationists, i.e. adult Jews who themselves arranged the operation of *epispasmos* in order to become or literally to look like Gentiles, he insists that it is much more likely that the text deals with fathers who performed the *epispasmos* upon their just recently circumcised sons, fearing Hadrian's prohibition of circumcision. "There was good reason", he argues, "for such a fear in the period before the revolt, for it is difficult to imagine that the Romans who enforced the ban went from village to village with precise lists of who

⁹ *Smallwood*, Legislation.

¹⁰ Schäfer, Bar Kokhba-Aufstand 45 ff.

¹¹ Il problema della 'circumcisio' in diritto Romano fino ad Antonino Pio, in: Studi in onore di Arnaldo Biscardi, vol. 2 (Milan 1982) 206 ff. = The Edicts on Circumcision as a factor in the Bar-Kokhva Revolt (in Hebrew), in: The Bar-Kokhva Revolt. A New Approach, ed. by Aharon Oppenheimer, Uriel Rappaport (Jerusalem 1984) 27–46; The Ban on Circumcision as a Cause of Bar Kokhba's Rebellion, in: Israel Law Review 29 (1995) 176–214.

was circumcised before the ban and who after. Given the tense political situation, there was probably a tendency towards stringency.” “Contrary to Schäfer’s logic”, he concludes, “it is sensible to assume that this very fear may have changed a parent’s mind, after he had performed the circumcision, to wish to conceal his deed and to hide its signs by the *epispasmos*. During the Bar Kokhba revolt the fear of the Romans was temporarily removed, and the *mashukh* could – or perhaps was forced to – be recircumcised, as is stated in the Tosefta Shabbath.”¹² And finally, the danger of which the Tosefta speaks does not refer, according to Rabbello, to the health risks resulting from two circumcisions performed within a short space of time but to the danger which would result from the transgression of Hadrian’s prohibition¹³.

In order to clarify the argument let us first take a brief look at the Tosefta text. It is clearly composed of three parts:

A. is an anonymous statement defining the halakhic status of a “stretched” who wants to return to Judaism: he has to be recircumcised in order to enter again the covenant of Abraham. This implies also that, according to the author of this anonymous Halakha, the “stretched” is regarded as not belonging any more to the covenant. There is nothing in this statement which indicates that the issue of the “stretched” is connected with the Bar Kokhba period.

In B., R. Yehuda, obviously R. Yehuda bar Ilai of the post-Bar Kokhba period, the student of R. Aqiva, contradicts the anonymous author and argues for a more lenient position: the renewed circumcision of someone who has stretched his foreskin is a dangerous procedure and therefore not necessary for reentering the covenant of Abraham. Here, too, nothing indicates a connection with the Bar Kokhba war; it is only the halakhic status of the “stretched” in general which is at stake.

Only the anonymous author in C. links the issue with the Bar Kokhba period: we know of the fact, he argues, that many men were recircumcised during the Bar Kokhba war and that they survived the procedure and didn’t become sterile. Hence, the argument of physical danger facing the recircumcised “stretched” (mortal danger and the risk of becoming sterile) does not apply. And what is more important, he includes the “stretched” in the category of the uncircumcised male of Gen. 17:14 who refuses, after God’s covenant with Abraham the sign of which is circumcision, to circumcise himself. Such a person breaks the covenant and does not belong to the Jewish people. Hence it is only consistent that he has to be recircumcised if he wishes to enter the covenant again.

Altogether, it follows clearly from the structure of the threefold argument – recircumcision necessary, objection, recircumcision necessary (and this is no doubt the valid Halakha according to the Tosefta) – that the whole passage deals with the general question of the “stretched”, and that the recircumcised men during the Bar

¹² Ban on Circumcision 198 f.

¹³ In his last article in the Israel Law Review he partly retracts this, but nevertheless insists that “the danger threatened the person who performed the act, e.g. the fathers, etc., and not only the circumcised new-born son” (Ban on Circumcision 198).

Kokhba period just serve as an example to refute R. Yehuda's objection to the physical danger threatening the recircumcised "stretched". The danger is clearly the health risk of the recircumcised and not the danger posed by Hadrian's prohibition of circumcision¹⁴.

The Tosefta text shows that the issue of *epispasmos* is a halakhic problem discussed already in the early Rabbinic literature, i.e. probably around the middle of the second century C.E. (and it definitely has its later amoraic ramifications which are not our concern here)¹⁵. To get a clearer picture of the cultural background I will briefly review now the evidence available in the Jewish and non-Jewish literature until the redaction of the Mishna. I begin with Graeco-Roman authors who describe the procedure in some detail¹⁶. Closest to the Bar Kokhba period comes the physician Soranus who practiced in Rome during the reign of Trajan¹⁷. He recommends the following procedure for an infant born with a short foreskin, i.e. for someone with a natural defect, and he explicitly distinguishes this from one who is circumcised (in this case it would probably not work)¹⁸:

If the infant is male and it looks as though it has no foreskin, (the nurse) should gently draw the tip of the foreskin forward (*epispastô tēn akropostian*) or even hold it together with a strand of wool to fasten it. For if gradually stretched and continuously drawn forward, it easily stretches and assumes its normal length and covers the glans and becomes accustomed to keep the natural good shape.

The most detailed description of the appropriate surgical procedure is given by Celsus, who lived during the reign of Tiberius¹⁹, in his extensive medical tractate *De Medicina*. He also distinguishes between the procedure for those in whom the defect is natural and for those who are circumcised, and again the procedure for the latter is more complicated²⁰:

From the above we pass to operations on the penis itself. And, if the glans is bare and the man wishes for the look of the thing to have it covered, that can be done; but more easily in a boy than in a man; in one in whom the defect is natural, than in one who after the custom of certain people has been circumcised (*in eo, cui id naturale est, quam in eo, qui quarundam gentium more circumcisis est*).

The procedure for the circumcised is as follows²¹:

But in one who has been circumcised the prepuce is to be raised from the underlying penis around the circumference of the glans by means of a scalpel. This is not so very painful, for

¹⁴ I have discussed this in more detail in my article, *Hadrian's Policy in Judaea and the Bar Kokhba Revolt: A Reassessment*, in: *A Tribute to Geza Vermes. Essays on Jewish and Christian Literature and History*, ed. by Philip R. Davies, Richard T. White (Sheffield 1990) 294 f.

¹⁵ See Palestinian Talmud Yevamot 8:1, fol. 8d; Babylonian Talmud Yevamot 72a.

¹⁶ Cf. the helpful summary by Robert G. Hall, *Epispasm and the Dating of Ancient Jewish Writings*, in: JSP 2 (1988) 71–86.

¹⁷ Fridolf Kutlien, Soranos, in: *Der Kleine Pauly*, vol. 5 (München 1979) 283.

¹⁸ Soranus, *Gynaikeia*, I, 103, translated in Soranus, *Gynecology*, II, 34, trans. by Owsei Temkin (Baltimore 1956) 107.

¹⁹ Fridolf Kutlien, Celsus, in: *Der Kleine Pauly*, vol. 1 (München 1979) 1102.

²⁰ Celsus, *De Medicina*, VII, 25,1 (translation W. G. Spencer, LCL).

²¹ Ibid.

once the margin has been freed, it can be stripped up by hand as far back as the pubes, nor in so doing is there any bleeding. The prepuce thus freed is again stretched forwards beyond the glans (*resoluta autem cutis rursus extenditur ultra glandem*); next cold water affusions are freely used, and a plaster is applied round to repress severe inflammation. And for the following days the patient is to fast until nearly overcome by hunger lest satiety excite that part. When the inflammation has ceased, the penis should be bandaged from the pubes to the corona; over the glans the plaster is applied with the other end of the probe. This is done in order that the lower part (between the pubes and the corona) may agglutinate, whilst the upper part (covering the glans) heals without adhering.

This surgical operation aiming at the complete restoration of the foreskin is to be distinguished from the procedure which is called in Latin *infibulatio*, derived from *fibula*, a pin or metal ring attached to the pierced foreskin to make erection impossible. According to Martial²² and also to Celsus (who again describes the procedure in detail)²³, it was used by singers because it was believed that their voices were impaired by sexual activity. But the custom is much older. It is attested already in ancient Athens, where young athletes tied the foreskin down over the glans with a leather string, probably in order to prevent the foreskin from being damaged during their athletic exercises. There is ample evidence for this “knotted” penis, called *kynodesmê*, literally the “dog tie”, in vase paintings²⁴.

The Jews started to practice *epispasmos* at exactly the time when Judaism permeated Greek culture and society or rather when Greek culture permeated Judaism. The Greeks abhorred circumcision as a mutilation of the perfect shape and completeness of the penis (for which the foreskin was regarded to be essential). K. J. Dover has amply demonstrated that Greek artists, most notably vase-painters, were almost obsessed with the representation of the foreskin, and that they regarded the retraction of the foreskin and the exposure of the glans as ugly and crude, reserved for satyrs, ugly old men, comic burlesque, and barbarians: “even when the penis is shown erect there is not, as a rule, any retraction of the foreskin”²⁵. Jews who wanted to become part of Greek culture which, to be sure, set about to encompass the entire civilized world, couldn’t help but adapt themselves to the prevailing norms, including the ideals of beauty and bodily perfection. Hence, it is not surprising that circumcision became more and more discredited

²² Epigrammata, VII, 82 (see below).

²³ De Medicina, VII, 25,2: “Some have been accustomed to pin up the prepuce in adolescents either for the sake of the voice, or for health’s sake. This is the method: the foreskin covering the glans is stretched forwards and the point for perforation marked on each side with ink. Then the foreskin is let go. If the marks are drawn back over the glans too much has been included, and the marks should be placed further forward. If the glans is clear of them, their position is suitable for the pinning. Then the foreskin is transfixed at the marks by a threaded needle, and the ends of this thread are knotted together. Each day the thread is moved until the edges of the perforations have cicatrized. When this is assured the thread is withdrawn and a fibula inserted, and the lighter this is the better.”

²⁴ Eva C. Keuls, *The Reign of the Phallus. Sexual Politics in Ancient Athens* (Berkeley, Los Angeles, London 1985) 68ff.; Paul Zanker, *Die Maske des Sokrates. Das Bild des Intellektuellen in der antiken Kunst* (München 1995) 34 ff.

²⁵ Greek Homosexuality (Cambridge, Mass. 1978) 127.

among those Jews who regarded themselves as “enlightened” and Hellenized, and that Antiochus IV Epiphanes forbade it, together with keeping the Sabbath and abstaining from pork, when he issued his notorious decrees against the Jewish religion²⁶ (which apparently were inspired by the “enlightened” Jewish Hellenists in Jerusalem).

The place where the fundamental difference between Jewish and Greek culture became immediately visible (in the literal sense of the word) was the gymnasium, the most important part of the Greek *polis*. Since the athletic competitions were held in the nude, it was only natural that Jews participating in these competitions strove to conform to the aesthetic canon of Greek culture and didn't want to appear like ugly and despised barbarians²⁷. Therefore, it is precisely here that we encounter the first Jewish evidence of the *epispasmos*. The first book of the Maccabees relates the revolution introduced by the Hellenists in Jerusalem as follows (1 Macc. 1:11–15)²⁸:

(11) At that time (i.e. at the time of Antiochus IV Epiphanes) there appeared in Israel a group of renegade Jews (*hyioi paranomoi*) who incited the people. ‘Let us enter into a covenant with the Gentiles (*diathêkên meta tôn ethnôn*) round about’, they said, ‘because disaster upon disaster has overtaken us since we segregated ourselves from them’. (12) The people thought this a good argument, (13) and some of them in their enthusiasm went to the king and received authority to introduce non-Jewish laws and customs. (14) They built a sports-stadium in the gentile style in Jerusalem (*gymnasion... kata ta nomima tôn ethnôn*). (15) They removed their marks of circumcision (*epoiêsan beautois akrobystias*: lit. they made themselves uncircumcised, having a foreskin) and repudiated the holy covenant (*apestêsan apo diathêkês hagian*). They intermarried with Gentiles, and abandoned themselves to evil ways.

The pious author of the first book of the Maccabees describes very clearly what was at stake: the *diathêkê hagia* as opposed to the *diathêkê meta tôn ethnôn*, the covenant of God with Abraham and Israel which is marked by circumcision, and the covenant with the Gentiles which, as its *entrébillet*, requires having a foreskin. Josephus mentions the same event and connects it with Menelaus, the first non-Zadokide High Priest²⁹:

Menelaus and the Tobiads... went to Antiochus and informed him that they wished to abandon their country's laws (*tous patrious nomous*) and the way of life prescribed by these (*kai tèn kat' autous politeian*), and to follow the king's laws and adopt the Greek way of life (*tèn Hellênikên politeian*). Accordingly, they petitioned him to permit them to build a gymnasium in Jerusalem. And when he had granted this, they also concealed the circumcision of their private parts (*tên tôn aidoiôn peritomên epekalypsan*) in order to be Greeks even when

²⁶ 1 Macc. 1:41–51.

²⁷ See now the interesting interpretation of P. Schub. 37 by Allen Kerkeslager, *Maintaining Jewish Identity in the Greek Gymnasium: A “Jewish Load”* in *CPJ* 3.519 (= P. Schub. 37 = P. Berol. 13406, in: *Journal for the Study of Judaism* 28 (1997) 12–33. Kerkeslager argues convincingly that the papyrus refers to a mime in which the appearance of a circumcised Jewish athlete provokes laughter. He dates the papyrus in the period from 20 B.C.E. to 41 C.E. and locates it in Alexandria.

²⁸ Translation New English Bible.

²⁹ Ant., XII, 240f. (translation *Ralph Marcus*, LCL).

unclothed, and giving up whatever other national customs they had, they imitated the practices of foreign nations.

This is most probably Josephus' paraphrase of 1 Maccabees, with the typical characteristics one would expect from him: instead of the *diathêkê hagia* as opposed to the *diathêkê meta tôn ethnôn* we have here the *patrioi nomoi* and the *politeia* of the Jews as opposed to the *Hellênikê politeia*, i.e. Josephus' political terminology in contrast to the theological terminology of the first book of the Maccabees. The emphasis is more on the political and cultural effect of the Hellenistic reform in Jerusalem, but the condition for joining the Greek way of life is the same: giving up all customs identifying the Jews as Jews, above all circumcision. The procedure leading to this goal is described slightly differently in Josephus. Instead of the rather blunt "they made themselves foreskins" of 1 Maccabees, which clearly refers to the *epispasmos*, he has the more vague or probably even ambiguous "they concealed their circumcision", which doesn't explain how they did it. It has been argued that this peculiar use of language may hint at the practice of *infibulatio* rather than of *epispasmos*³⁰. This is possible, but one need not infer that Josephus thereby wants to address the Jews of his own day, who knew that becoming a Greek "even when unclothed" could be attained both ways³¹: the practice of *infibulatio* is much older than the first century C.E. and there is no reason to assume that Jews didn't use it earlier.

How widespread the desire for the *Hellênikê politeia* was can be inferred also from the description of the events in the second book of Maccabees. After the king had agreed to build in Jerusalem a gymnasium and an *ephebeion*, the nucleus of the new *polis*, Jason, the new High Priest, "made the Jews conform to the Greek way of life (*pros ton Hellênikon charaktêra*)"³²:

(11) He abolished the lawful way of life and introduced practices which were against the law. (12) He lost no time in establishing a sports-stadium at the foot of the citadel itself, and he made the most outstanding of the young men assume the Greek athlete's hat. (13) So Hellenism reached a high point (*ên d' boutôs akmê tis Hellênismou*) with the introduction of foreign customs through the boundless wickedness of the impious Jason, no true high priest. (14) As a result, the priests no longer had any enthusiasm for their duties at the altar, but despised the temple and neglected the sacrifices; and in defiance of the law they eagerly participated in the oil supply (*chorêgia*)³³ whenever the opening gong called them. (15) They placed no value on their hereditary dignities, but cared above everything for Hellenic honours.

No doubt the enthusiasm of the priests for participating in the oil supply doesn't just mean that they "contributed to the expenses of the wrestling school", as the New English Bible translation has it, but that even the priests couldn't wait until the "opening gong" called them to the games and exercises in the gym-

³⁰ Hall, Epispasm 73.

³¹ Hall, Epispasm 83, n. 10.

³² 2 Macc. 4, 10–15 (the translation follows the New English Bible, except for v. 14).

³³ For this translation see Christian Habicht, in: Jüdische Schriften aus hellenistisch-römischer Zeit, vol. 1.3, Historische und legendarische Erzählungen: 2. Makkabäerbuch (Gütersloh 1979) 218 with n. 14a.

nasium. And no doubt either, their participation in the exercises included exactly what the author of 1 Maccabees and Josephus so graphically describe: nudity and, as a consequence of this, *epispasmos* (or *infibulatio*).

Further evidence of the practice of *epispasmos* can be found in the *Testament of Moses* or *Assumptio Mosis*, but with a very different twist. It is not the deliberate restoration of the foreskin, which is at stake here, but on the contrary the forced operation ordered by a cruel ruler to compel the Jews to give up their Judaism and to become like the Gentiles³⁴:

(1) And there will come upon them [...] punishment and wrath such as has never happened to them from the creation till that time when he stirs up against them a king of the kings of the earth who, having supreme authority, will crucify those who confess their circumcision.
 (2) Even those who deny it, he will torture and hand them over to be led to prison in chains.
 (3) And their wives will be given to the gods of the nations and their young sons will be cut by physicians to bring forward their foreskins.

The reading of this passage is very uncertain, as is its dating. Scholars have opted for three different dates, namely (1) the religious persecution under Antiochus IV Epiphanes around 167 B.C.E., (2) the first half of the first century C.E., and (3) the period immediately following the Bar Kokhba revolt, i.e. after 135 C.E.³⁵ Those scholars who argue in favor of a connection with either the Antiochan³⁶ or the Hadrianic³⁷ persecutions do so mainly because of the measures against circumcision; as a matter of fact they take these measures as strong proof that the *Testament of Moses* must belong to either of these two periods. Against this the objection has been raised that, because of the clear allusions to Herod and his successors in chapter 6, the dating in the first half of the first century C.E. is much more probable (the advocates of the early dating during the persecution of Antiochus IV must declare chapter 6 as an interpolation into a document that originated in the Maccabean period). Moreover, and pertinent to our subject, it has correctly been pointed out that the *Testament of Moses* does not necessarily attest particular acts of *epispasmos*, but describes a future persecution “to go beyond that of Antiochus IV: Antiochus forbade circumcision; the coming program will obliterate circumcision even in those already circumcised”³⁸. In any case, the procedure of “bringing forward the foreskin” by physicians comes very close to the surgical operation described by Celsus probably at precisely the same time.

³⁴ Test. Mos. 8:1–3 (translation J. Priest, *Testament of Moses*, in: *The Old Testament Pseudepigrapha*, vol. 1, ed. by James H. Charlesworth (London 1983) 930f.

³⁵ See Priest, *ibid.* 920.

³⁶ George Nickelsburg, *Resurrection, Immortality and Eternal Life in Inter-Testamental Judaism* (Cambridge, Mass., 1972) 28 ff.; 43 ff.; 97; *idem*, *An Antiochan Date for the Testament of Moses*, in: *Studies on the Testament of Moses*, ed. by George Nickelsburg (Cambridge, Mass. 1973) 33–37.

³⁷ Solomon Zeitlin, *The Assumption of Moses and the Bar Kokhba Revolt*, in: *JQR* 38 (1947/48) 1–45.

³⁸ Hall, *Epispasm* 73.

The only example for *infibulatio* to be associated with Jews in the Graeco-Roman literature is the epigram by Martial, published in 92 C.E.³⁹, on the comic actor or singer Menophilus who wore a *fibula*, obviously to protect his voice⁴⁰:

So large a *fibula* covers Menophilus' penis
that it would be enough by itself for all our comic actors.
I had supposed (we often bathe together)
that he was anxious to spare his voice, Flaccus.
But while he was in a game in the middle of the sportsground with everybody watching,
the *fibula* slipped off the poor soul – he was circumcised (*verpus erat*).

It is not entirely clear whether this translation and interpretation of Menophilus as being exposed as a circumcised Jew is correct. *Verpa* (= Greek *psôlê*) means erection, especially in connection with homosexual acts⁴¹. Hence it has been argued that the epigram could be alternatively understood as follows: “I had thought that Menophilus wore a fibula in order to spare his voice, but now that his fibula fell out in public I realize that he wore it to restrain his aggressive and unseemly homosexual lust’ (that is, his fibula fell out when he had an enormous erection)”⁴². This is possible, but I would suggest that both is intended and that this is the pun of the epigram: the use of *verpus* for circumcised, which is attested only by Martial and Juvenal⁴³, equates the retraction of the foreskin with the excessive lustfulness associated with the Jews (e.g. by Tacitus)⁴⁴ and their constant readiness, so to speak, to perform the sexual act⁴⁵. Another epigram by Martial, in which the poet accuses a colleague not only of plagiarizing his poems but also of bugging his boy⁴⁶, makes this very clear: here the opponent is explicitly identified as “born in Jerusalem” and called three times *verpe poeta*, no doubt “circumcised poet” (at the end he is only called *verpe*, “circumcised one”, because Martial has unmasked his opponent as being circumcised only and no poet)⁴⁷.

The further objection, also raised by Cohen, that “if Menophilus was circumcised and had no foreskin, how did he affix a fibula?”⁴⁸, sounds logical but isn’t decisive⁴⁹. The Rabbis took great care in making sure that the circumcision was

³⁹ Peter L. Schmidt, *Martialis*, in: *Der Kleine Pauly*, vol. 3 (München 1979) 1053.

⁴⁰ *Martial*, *Epigrammata*, VII, 82 (translation D. R. Shackleton Bailey, LCL).

⁴¹ James N. Adams, *The Latin Sexual Vocabulary* (Baltimore 1982) 13; Nigel M. Kay, *Martial Book XI: A Commentary* (London 1985) 169; 258.

⁴² Shaye J. D. Cohen, “Those Who Say They Are Jews and Are Not’: How Do You Know a Jew in Antiquity When You See One?”, in: *Diasporas in Antiquity*, ed. by Shaye J. D. Cohen, Ernest S. Frerichs (Atlanta, Georgia 1993) 42.

⁴³ *Saturae*, XIV, 104.

⁴⁴ *Historiae*, V, 5:2.

⁴⁵ See my *Judeophobia. Attitudes toward the Jews in the Ancient World* (Cambridge, Mass., London 1997) 101; Cohen, *ibid.*, grants this possibility.

⁴⁶ *Epigrammata*, XI, 94 (translation N. M. Kay).

⁴⁷ See Schäfer, *Judeophobia* 102.

⁴⁸ *Those Who Say They Are Jews and Are Not* 42 f.

⁴⁹ As Cohen also concedes: “If Menophilus was circumcised and still managed to affix a fibula, it is easy to see how it might have fallen off” (*ibid.*).

complete, i.e. bared the corona completely. E.g. Mishna Shabbat (19:6) stipulates⁵⁰:

These are the shreds [of the foreskin, if they remain] which render the circumcision invalid: flesh which covers the greater part of the corona. ...

And if he [the boy] was fat [so the corona appears to be covered up], one has to fix it up for appearance's sake.

[If] one circumcised but did not tear the inner lining [the cut did not uncover the corona], it is as if he did not perform the act of circumcision.

That the redactors of the Mishna find this clarification necessary implies that they had every reason to do so. It obviously happened that a circumcision was not performed properly, and one might suspect that this was the case not only because of some sloppy work on the part of the *mohel* but also because the parents wanted the circumcision to be as little visible as possible. In such a case the child would have been legally circumcised, but it would have been much easier to affix a *fibula* and to look like a Gentile athlete or an actor, like Menophilus in Martial's poem. And of course, the more of the foreskin was left the easier it became to perform the operation of the *epispasmos*⁵¹. That some people indeed wanted their circumcision to appear as little as possible can also be inferred from a statement following the Sugya in Tosefta Shabbat discussed above (15 [16]:9)⁵²: "Rabban Simeon b. Gamaliel says: 'If he was overgrown with flesh, they examine it when it is erect. If it appears to be uncircumcised, they circumcise him, and if not, they do not circumcise him'". With other words: according to Rabban Simeon b. Gamaliel, a nonerect penis covered with foreskin is halakhically tolerable, only an erect penis has to appear circumcised.

From this, one further and final step is possible. If some Jews were careless in performing circumcision in order to look like Gentiles, others might have considered circumcision altogether unnecessary. The book of Jubilees, in retelling at length the biblical account of God's covenant with Abraham, makes every effort to emphasize the importance of circumcision (Jub. 15:9–34); at the end of this long passage it strongly condemns those Jews who neglect circumcision, despite the divine commandment (15:33 f.)⁵³:

(33) And now I shall announce to you that the sons of Israel will deny this ordinance and they will not circumcise their sons according to all of this law because some of the flesh of their circumcision they will leave in the circumcision of their sons. And all of the sons of Beliar will leave their sons without circumcising just as they were born. (34) And great wrath from the Lord will be upon the sons of Israel because they have left his covenant and have turned aside from his words. And they have provoked and blasphemed inasmuch as they have not done the ordinance of this law because they have made themselves like the gentiles

⁵⁰ Translation *Jacob Neusner*, *The Talmud of Babylonia: An American Translation*, vol. IIE: Shabbat, Chapters 18–24 (Atlanta, Georgia 1993) 59.

⁵¹ See also *Hall*, *Epispasm* 74.

⁵² It is restated in the Babylonian Talmud (Shabbat 137b).

⁵³ Translation O. S. *Wintermute*, *Jubilees*, in: *The Old Testament Pseudepigrapha*, vol. 2, ed. by *James H. Charlesworth* (London 1985) 87.

to be removed and be uprooted from the land. And there is therefore for them no forgiveness or pardon so that they might be pardoned and forgiven from all of the sins of this eternal error.

This is usually interpreted as referring to the Hellenized Jews in Jerusalem who, because of the decrees of Antiochus IV (or even voluntarily), gave up circumcision in order to become like Greeks. If, as many scholars now assume, the book of Jubilees is to be dated between 161 and 140 B.C.E., this is a very realistic assumption. It would mean, however, that even after the defeat of the extreme Hellenists there must have been enough Hellenized Jews to justify the vigorous rage the author vents against his fellow-Jews who didn't circumcise their sons⁵⁴. As a matter of fact, there is no reason to believe that all Hellenized and assimilated Jews completely disappeared after the success of the Maccabees⁵⁵. On the contrary, for the time being they were certainly forced onto the defensive but, as we all know, it wouldn't take long for the Maccabean leaders to transform themselves into Hellenistic kings⁵⁶.

In the first half of the first century C.E. Philo, the most Jewish among the philosophers and the most philosophical among the Jews, finds it necessary to warn against an over-allegorical interpretation of the Tora (his own favorable tool) which, in its zeal for a symbolic meaning, in the end explains away the literal sense. The customs which he explicitly says fall prey to this misguided exegesis are the Sabbath, the festivals, and circumcision⁵⁷:

It is true that receiving circumcision does indeed portray the excision of pleasure and all passions, and the putting away of the impious conceit, under which the mind supposed that it was capable of begetting by its own power: but let us not on this account repeal the law laid down for circumcising. Why, we shall be ignoring the sanctity of the Temple and a thousand other things, if we are going to pay heed to nothing except what is shown us by the inner meaning of things.

It must have been a common phenomenon for Philo that some of his fellow-Jews regarded the Sabbath, the festivals, the Temple, and indeed circumcision unnecessary to maintain their Jewishness within an overwhelming, and overwhelmingly attractive, Gentile world (it is conspicuous that he doesn't mention the dietary laws)⁵⁸. The most instructive example for such an attitude is no less a

⁵⁴ Is the strange phrase "because some of the flesh of their circumcision they will leave in the circumcision of their sons" to be taken literally and does it refer to an "incomplete" circumcision in order to facilitate *infibulatio*?

⁵⁵ Hall, *Epispasm* 85, n. 40 (with reference to Hengel).

⁵⁶ Still at the end of the first century C.E. the author of the Syriac Apocalypse of Baruch praises King Josiah of Judah for being "zealous with the zeal of the Mighty One with his whole soul, and he alone was strong in the Law at that time so that he left no one un-circumcised or anyone who acted wickedly in the whole country all the days of his life" (2 Baruch 66:5; translation *Albertus F. J. Klijn*, 2 (Syriac Apocalypse of) Baruch, in: *The Old Testament Pseudepigrapha*, vol. 1, ed. by *James H. Charlesworth* (London 1983) 644.

⁵⁷ *De Migratione Abrahami* 92 (translation *F. H. Colson*, *G. H. Whitaker*, LCL).

⁵⁸ See also *John J. Collins*, *A Symbol of Otherness: Circumcision and Salvation in the First Century*, in: "To See Ourselves as Others See Us". Christians, Jews, and "Others" in Late

person than the Jew Paul who propagates “circumcision of the heart, in the spirit, not in the letter” (*peritomê kardias en pneumatî ou grammatî*)⁵⁹. Accordingly, he writes around 55 C.E. to the community of Corinth (1 Cor. 7:17–19):

(17) But as God hath distributed to every man, as the Lord hath called every one, so let him walk. And so ordain I in all churches. (18) Is any man called being circumcised, let him not become uncircumcised (*mê epispasthō*). Is any called in uncircumcision, let him not be circumcised. (19) Circumcision is nothing, and uncircumcision is nothing, but the keeping of the commandments of God.

Paul is the only author, in addition to the physician Soranus, who uses the technical term *epispaomai*⁶⁰, which corresponds to the rabbinic *mashakh*. The Gentile who follows the new Jewish sect is not to be circumcised; and equally, the Jew who follows Paul’s message shall not undergo the operation of *epispasmos*. Whether or not this reflects a problem relevant for the Corinthian Jews, it is evident from this quotation and related passages that the custom of *epispasmos* was familiar to Paul and, moreover, that the option of being uncircumcised wasn’t invented by Paul but had its roots in pre-Paulinian Judaism⁶¹.

Closing the circle and coming back now to the Bar Kokhba revolt, it is obvious, against the background of the analyzed evidence, that those (many) Jews who re-circumcised themselves during the revolt (either voluntarily or forcefully) were assimilated Jews who responded to the national and religious reawakening during the Bar Kokhba period, who regretted their conformity with the Gentiles and who, so to speak, returned to their Judaism (*hazeru bi-teshuva*) by restoring their circumcision. They were not isolated cases and they did not perform the *epispasmos* for fear of the Romans but were following a tradition within Judaism which is as early as the Hellenistic reform under Antiochus IV Epiphanes, if not earlier. Why then does Rabello insist so obstinately and eloquently on the *epispasmos* as an accident of history, as a unique phenomenon and an aberration motivated exclusively by the anti-Jewish policy of Hadrian? And this to such an extent that he resorts to the bizarre construction of fathers who circumcise their children properly, change their mind because of the decrees of Hadrian, perform on them the *epispasmos*, and then change their mind again and have their poor children circumcised again? He even goes so far and tries to support his position by the famous dictum attributed to R. Eleazar of Modiin in Pirke Avot (3:12 [16])⁶²:

Antiquity, ed. by Jacob Neusner, Ernest S. Frerichs (Chico, Cal. 1985) 163–186, especially 171–174; Jonathan Z. Smith, *Fences and Neighbors: Some Contours of Early Judaism*, in: *idem*, *Imagining Religion. From Babylon to Jonestown* (Chicago 1982) 14. On the related question whether circumcision is necessary for converts, see Collins, *Symbol of Otherness* 173 ff., and Hall, *Epispasmos* 79.

⁵⁹ Rom. 2:29.

⁶⁰ See Liddell-Scott, *A Greek-English Lexicon* 658; Bauer, *Griechisch-Deutsches Wörterbuch zu den Schriften des Neuen Testaments und der übrigen urchristlichen Literatur* 593.

⁶¹ On Paul and Philo see also Daniel Boyarin, “This We Know to Be the Carnal Israel”: Circumcision and the Erotic Life of God and Israel, in: *Critical Inquiry* 18 (1992) 485 ff., who however doesn’t deal with the question of neglecting circumcision or restoring the foreskin.

⁶² Translation Herbert Danby, *The Mishnah* (Oxford 1950) 451.

R. Eleazar of Modiim said: If a man profanes the hallowed things and despises the set feasts and puts his fellow to shame publicly and makes void the covenant of Abraham our father (*ba-mefer berito shel Avraham avinu*), and discloses meanings in the Law which are not according to the Halakhah, even though a knowledge of the Law and good works are his, he has no share in the world to come.

To make void or to annul the covenant of Abraham is usually understood, and correctly so, as reversing circumcision by the *epispasmos*. Those who did so (in addition to profaning the sacred things, despising the festivals, and disclosing meanings in the Tora which are against the established Halakha) are regarded as having left the boundaries of Judaism, i.e. as heretics. There is no reason to associate this fundamental statement, which obviously responds to a well-known and general problem (and which comes very close to the worry expressed by Philo)⁶³, precisely and only with Hadrian's decrees. Rabello employs the shaky argument that Eleazar of Modiim "lived in the era of Bar Kokhba and died tragically on the eve of the fall of Bethar"⁶⁴ and, more than shaky, that "this person, who makes void the covenant, was not necessarily an assimilated Jew, for he is described as knowledgeable in the Torah and a pious man"⁶⁵. Here Rabello reveals the apologetical underpinning, which guides all his efforts to view the phenomenon of the "stretched" solely in the light of the Bar Kokhba revolt and not to concede any pre-Bar Kokhba history. In his search for a uniform, "orthodox" Judaism he is stricter than the Rabbis themselves who allow, as we have seen, a much more lenient interpretation of the Halakha regarding circumcision. According to him, assimilated Jews are not only heretics but also not knowledgeable in the Torah and, of course, impious (I wonder what he thinks of Philo, let alone Paul).

One final remark, since we are talking about a century of scholarship from Schürer to Schürer: in his fundamentally apologetical philosophy Rabello, unintentionally and starting from very different presuppositions, joins forces with the non-revised German Schürer according to which the Bar Kokhba war sealed the triumph of uniform, legalistic Rabbinic Judaism which began to emerge after the first Jewish war: "Without a political home and unified only by the ideal of the Torah, the Jews from then on held all the more tenaciously to this common treasure and cherished it. In the process, the division between them and the rest of the world became more pronounced. Whereas in the heyday of Hellenistic Judaism the boundaries between the Jewish and Graeco-Roman philosophy of life had threatened to vanish, Jews and gentiles now joined forces to ensure that the gulf between them remained deep."⁶⁶ This has been retained in the English Schürer

⁶³ See above, and *Hall*, *Epispasm* 80f.: "Philo, Pirke Aboth, and the Talmud probably describe Jews of whatever stripe who employed a free interpretation of the law to remove what scandalized the Greeks – and themselves."

⁶⁴ *Ban on Circumcision* 199.

⁶⁵ *Ibid.*

⁶⁶ *Emil Schürer*, *The History of the Jewish People in the Age of Jesus Christ (175 B.C.-A.D. 135)*. A New English Version, rev. and ed. by *Geza Vermes* and *Fergus Millar*, vol. 1 (Edinburgh 1973) 555f.

(with slight but important changes if compared with the German version); the following sentence luckily has been completely left out: “Der zur Menschheitsverbrüderung geneigte jüdische Hellenismus ist verschwunden; das echte, alle Gemeinschaft mit heidnischem Wesen verabscheuende pharisäische Judentum hat die Alleinherrschaft gewonnen.”⁶⁷

⁶⁷ *Emil Schürer*, *Geschichte des Jüdischen Volkes im Zeitalter Jesu Christi*, vol. 1 (Leipzig 1901, repr. Hildesheim 1964) 703.