

Bitul ha-Tamid and Edgar Allan Poe*

The *Mishna* in *Tannit* records that 5 bad events occurred on the 17th of Tamuz, one being the cessation of the daily sacrifice, the *tamid*. The Talmud Bavli offers the background to the other four events. When it comes to the cessation of the Tamid, all the Bavli does is state "Gemara." It is left to the Yerushalmi to fully explain the story.

The Yerushalmi, (*Tannit*, 4:5), records that the Jews to maintain the tamid worked out a deal with the Romans who were besieging the city. Everyday the Jews would lower down a basket full of coins, and in its stead, the Romans would return the necessary animals. One day, the 17th of Tamuz, however, after the Jews gave the requisite money, instead of the correct animals the Romans replaced them with pigs. Thus, the Jews were unable to bring the *tamid* and the sacrifice stopped from that time on.

As mentioned, this story only appears in the Yerushalmi and not the Bavli. (Although the Bavli records a similar story, it is about the Hashmonaim and not the Roman's, nor does it mention the bitul ha-tamid.) Further, Josephus does not record it either (he briefly mentions that the daily sacrifice stopped on the 17th without giving details - see *Wars of the Jews*, book VI, chapter 2). Although these works do not record it, Edgar Allan Poe does. Specifically, he has a story titled "A Tale of Jerusalem" which, more or less, is this story repackaged. You can read the whole story [here](#). Basically, the story details the two priest whose job it was to lower the baskets of gold. Poe ends with the pigs being raised instead.

Not only does Poe use this somewhat obscure story, he even injects some detail that one would need to be versed in the original story to fully appreciate. The priest in question are who belonged to the sect called "The Dashers (that little knot of saints whose manner of dashing and lacerating the feet against the pavement was long a thorn and a reproach to less zealous devotees—a stumbling-block to less gifted perambulators)." This is a play on the talmudic description of the priests - that they are quick - *kohanim zerizim hem*.

Poe assumes familiarity with the Hebrew alphabet to a degree that one would know the letter *yud* is the smallest. As he says "thou canst not point me out a Philistine—no, not one—from Aleph to Tau—from the wilderness to the battlements—who seemeth any bigger than the letter Jod!"

The question is where in the world did Poe get this. According to some it seems Poe got this from another novel from "1828, *Zillah, a Tale of Jerusalem*, by Horace Smith (1777-1849). Poe incorporated whole phrases and sentences from Smith's story: "Poe's story is more than a parody; it is literally a collage of snatches of the Smith novel, cut out and pasted together in a new order."

That being said, it seems that Poe was still more familiar with this story than *Zillah* and we are left to wonder did Poe study Talmud? He wouldn't be the first famous American author to do so. Thomas Jefferson had a copy of a volume or two of the Bavli. Although, here, it would appear Poe one upped Jefferson by being a *baki* in Yerushalmi as well.

Bitul ha-Tamid in Later History

Although the actual tamid stopped on the 17th of Tamuz, the phrase "bitul ha-tamid" continues to be used. According to some, Rabbenu Gershom, amongst the many takanot he was involved in, instituted bitul ha-tamid. Bitul ha-tamid as used in this sense means to stop

the daily prayers. That is, if a person had a grievance, they could stop the prayers or public torah reading, until the community dealt with the issue. Some rishonim trace bitul ha-tamid to a Yerushalmi that records R. Yochanon telling someone to stop the prayers to have his way. (See *Teshuvot ha-Rashba*, vol. 4, no. 56).

Bitul ha-tamid was a serious and well-recognized device. For example, the *Or Zarua* records that "on the week of parshat Emor, someone stopped the services, and there was no torah reading. Thus, they had to read both Emor and Behar the next week." (*Or Zarua*, Laws of Shabbat no. 45). Note that there was no question about the legality of forcing the entire community, in this case Cologne Germany, skipping the torah reading. The only issue was how to make it up.

The *Sefer Hassidim* records the process:

The one wishing to stop the prayers goes up either before barachu (or seder kedusha) to where the Hazan is standing. This person then closes the prayer book of the Hazan and announces "I am the one who stopped - [the word *kalu* or *kalman* possibly from clamour] and the hazan immediately stops the prayers. If he wants to stop the torah reading, he goes up to the steps before the ark and announces 'I will not allow the torah to be removed.' Some do this on the torah's return - they stop the return. *Sefer Hassidim* no. 463.

Obviously, this device could not be used for any minor grievance, the question some deal with is exactly when this can be used. One of the teshuvot ha-Geonim records that in Bavel, they only allowed this to be used when a person refused to show up for bet din. That is, if someone sues someone and the party refuses to come to bet din, one can go to the recalcitrant person's synagogue and make this announcement. In this same responsum, however, it records a different opinion that allows for one to collect on an outstanding debt - but, in the case of a debt collection to only do bitul ha-tamid once. The *Sefer Hassidim*, however, allows for bitul ha-tamid to collect necessary funds for the poor.

As one would expect, it appears that this process became abused. The *Sefer Hassidim*, the source for much material on this topic also includes a warning to anyone who misuses this that they will have to pay for abuse of the process. Similarly, R. Efrahim Lunschintz in his *Amudei Shesh* explains that abuse of this process only harms god as he misses out on prayers he otherwise would have received.

At base, it is understood that this is a powerful tool to get one's grievances heard, but what is the rationale behind this custom? According to Goiten, and based on genizah materials, he explains that bringing one's grievance before all - is demonstrative of the notion that bet din "were but representatives of the community, which, in principle, was the supreme judge. The biblical concept 'the people shall judge' (Numbers 35:24) was still very much alive." Goiten notes that this process was not limited to men, and instead, the geniza preserves some "eloquently styled and beautifully written appeals to the community by women." Goiten posits that the women did not actually enter the men's section but had someone reads these on their behalf. See Goiten, *A Mediterranean Society*, vol. II, pp. 324-26.

A very different purpose for this procedure is espoused by a Lithuanian memoir. Basically, by this account, as "the Jewish townlets of Lithuania and Poland did not" have a well-developed press, "what weapon did the poor widow have at hand for calling public attention to the iniquities of, say, the money lender?" The answer, of course, "They delayed the reading of the weekly Portion on the Sabbath!" A story of a poor widow is provided to illustrate this point.

She comes Shabbat morning, and is brought in to the main sanctuary on a cot where she moans

My child! My child! You are murderers! Take pity and give me back my child! . . . We children knew this woman quite well. . . All of us knew that this good old woman was now confined to her bed and quite helpless. And we also knew that the cause of her illness was due to the forcible drafting of her only son, Borukke the Tinsmith, into the army. We had also heard frequent comments at our homes on this heartless deed of the Town Elder in taking away this poor widow's only son in exchange for the few hundred rubles he received from David Refoel's for letting his own son - his fourth son- escape his duty, by finding a substitute for him in the son of the widow . . . The entire townlet knew of this iniquity and in the privacy of their homes had denounced it as a great outrage; but publicly they were afraid to speak of it. They were afraid to start a rumpus with the Elder who enjoyed the friendship of the town's Chief of Police.

Everyone in the Congregation immediately put aside his Pentateuch and paid the closest attention to the bed-ridden widow's supplication. The only one in the assembly who pretended to be unconcerned in the matter and began to read aloud to himself the weekly Portion, was David Refoel's. This painful scene lasted but a few brief minutes when from behind the Bimah there emerged Honeh the Shoemaker who, with his fists doubled, rushed over to the Elder and yelled out in a voice choking with anger: "If Borukke Tamar's is not freed from military service you will all be sent in chains to Siberia! Do you think we don't know that you have bought substitutes? Take care!"

An informer usually was hated by the town folk. But in this case they all gave their approval to Honeh the Shoemaker . . . It took just about one week before Borukke's claim to exemption on account of being an only son was properly recorded and he returned to his mother's home, a free man. Saks, *Worlds that Passed*, pp. 79-85.

Although I haven't seen this in print, I was told that when R. Solovetchik came to Boston there was no mikveah in Boston (there was one outside). R. Solovetchik instructed the women to stop the torah reading until sufficient funds were pledged for a mikveah.

*A portion of this post appeared in a slightly different format a few years back. I have updated that portion and added about bitul ha-tamid generally. Additionally, much material on bitul ha-tamid appears in Simcha Assaf's work, *Battei ha-Din ve-Sidreihem* (1924), pp. 25-29.