

Binyamin Lau

THE SAGES

CHARACTER, CONTEXT & CREATIVITY

VOLUME IV: FROM THE MISHNA TO THE TALMUD

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Part One

The Transitional Generation

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Preface

The third volume of this series closed with the death of Rabbi Yehuda HaNasi (Rebbi), who left behind an organized Jewish society which had made its peace with Roman rule. Rebbi's tenure was a period of political stability in which the institutions of religious leadership in the Land of Israel were strengthened and solidified. Following his death, there were no major political changes. It would be at least another ten years before the Roman Empire would enter its period of anarchy and the Jews would have to confront growing economic and security concerns.¹

At the close of the second century and the beginning of the third, Roman authorities worked to organize the administration of imperial affairs around several major cities. Both the imperial administration and the Jewish people held the patriarchy in considerable esteem. As we saw in the previous volume, Rabbi Yehuda HaNasi was regarded as heir to the Davidic dynasty and was celebrated with the verse, "The breath of our life, the Lord's anointed" (Lam. 4:20).² Rebbi's stature may be

1. M.D. Herr, "The Question of Periodization of the Second Temple and the Period of the Mishna and Talmud in Jewish History," in *Exile After Diaspora: Studies in the History of the Jewish People* [Hebrew], eds. A. Mirsky et al. (Jerusalem: 5748), 64–74.
2. See *Sages* 111, Part Five.

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attributed both to the general economic security at the time and to his close relationship with the imperial authorities. Given the dire situation in which the Jews found themselves after the Hadrianic decrees (138 CE), it is a marvel that less than one hundred years later they enjoyed such prosperity in their land. As the historian and archeologist Michael Avi-Yonah put it, “A nation that had been defeated in battle managed to take hold of its territory, consolidate its forces, create a new organizational system with central and local authorities, safeguard its power, and tailor its laws to the exigencies of the moment.”³

The sages of the Yavneh generation lived in small settlements like Benei Brak and Peki'in, and their successors, the Usha sages, lived in the Galilean towns of Usha and Beit She'arim. But from the end of the second century onward, the sages of Israel made their homes in major cities throughout the Land of Israel. The centers of Jewish learning and society shifted to Tzipori, Lod, Tiberias, and Caesarea, where permanent *batei midrash* were established.⁴ Only in such an environment was it possible to compile the Mishna, a monumental collection of all the legal teachings of the sages of previous generations. Rabbi Yehuda HaNasi, responsible for this achievement, serves as the dividing line between the *Tanna'im* (the sages of the Mishna) and the *Amora'im* (the sages of the Talmud). Those sages who were contemporaneous with Rabbi Yehuda HaNasi and who immediately succeeded him were known as the transitional generation.

When we studied the figure of Rebbi in the previous volume of this series, we also considered his tense confrontations with his colleagues, including Rabbi Ḥiya the Great, Rabbi Pinḥas ben Yair, and Rabbi Elazar HaKappar.⁵ In an effort to gain a fuller sense of the relationship between the mishnaic and talmudic periods, the first part of the present volume is dedicated to other, lesser lights who worked alongside Rabbi Yehuda HaNasi.

3. M. Avi-Yonah, *In the Days of Rome and Byzantium* [Hebrew] (Jerusalem: 5741), 43.
4. Y. Gafni, “Yeshiva and Metivta” [Hebrew], *Zion* 43 (5738): 12–37. Gafni tries to demonstrate that the earliest yeshivot in Babylonia did not predate the second generation of talmudic sages. At this historical moment, the *batei midrash* were still organized around the various local rabbinic authorities.
5. See *Sages* III, Part Five.

Historical Background

The Beginning of the Anarchic Period

Its vast reach proved detrimental to the Roman Empire. The central imperial authority lost its power, and the provinces gained increasing control over Rome. As the historian Yisrael Levine put it:

The third century was primarily a period of crisis. There was an atmosphere of constant warfare, instead of the tranquility that had previously prevailed. Poverty and uncertainty replaced the prosperity and security of the second century, and there were constant rebellions within the imperial ranks as well as threats from abroad. A sense of crisis was also precipitated by rampant inflation, accompanied by a heavy tax burden. The fact that all the Caesars died unnatural deaths and that they reigned for an average of just two years each after the year 235 is symptomatic of this situation and contributed to the instability of the emperor's position. At the same time, the Barbarians gained force along the Rhine and the Danube, and the Sasanians mobilized in the east, resulting in a series of attacks and defeats along the various

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borders. These incursions led to widespread death and destruction, and the land was laid waste.¹

The event that symbolized the beginning of the anarchic period took place along the shores of the Rhine in the year 238 CE. A violent and brutish officer named Maximinus was responsible for the murder of Emperor Alexander Severus by the Roman army, which in turn led to a wave of terror and violence throughout the empire. Many scholars have studied the fall of the Roman Empire, most famously British historian Edward Gibbon, who exhorts, “Instead of inquiring why the Roman Empire was destroyed, we should rather be surprised that it lasted so long.”²

1. Y. L. Levine, “The Land of Israel in the Third Century,” in *The Land of Israel from the Destruction of the Second Temple Until the Muslim Conquest* [Hebrew], ed. T. Bars et al. (Jerusalem: 1982), 120–121.
2. Quoted in M. Avi-Yonah, *Rome and Byzantium*, 76.

Chapter One

Rebbi's Sons

Upon his death, Rabbi Yehuda HaNasi left behind a detailed will in which he divided his responsibilities among various individuals. His will is quoted in the Babylonian Talmud:

My son Shimon is a sage and my son Gamliel is patriarch and Hanina ben Hama shall preside at their head. (Ketubot 103b)

Rabbi Yehuda HaNasi understood that the consolidation of Torah knowledge and political power that he had enjoyed was not sustainable. He served as both a religious leader and an economic and political one, but he recognized that a division of power would be necessary for his successors. And so first he instructed his son Gamliel to succeed him as patriarch, furnishing him with firm instructions: “My son, conduct the patriarchy with men of high standing, and cast bile among the students” (Ketubot 103b).

Rabban Gamliel, son of Rabbi Yehuda, was the third patriarch in a line that could be traced as far back as Hillel the Elder. His grandfather was Rabbi Shimon ben Gamliel of Usha, and his great-grandfather was

Rabban Gamliel of Yavneh. He was awarded the patriarchy by merit of being the firstborn, but his brother Shimon was proclaimed the leader of the sages. The patriarch was responsible for civil matters including taxation, conscription into the army and into the Roman police force, and all public municipal affairs. The sage was responsible for teaching Torah, setting the curriculum in the *beit midrash*, and continuing the task of compiling the Mishna and organizing the system of Jewish law.

Rebbi's will gives rise to various questions: How were the sages ordained? What was the relative status of the sage and the patriarch? Until the time of Rabbi Yehuda HaNasi, the patriarch and the leader of the sages worked side by side without any overlap in their duties. The authority to ordain the next generation of sages was the province of the sage and not the patriarch; each sage would designate and ordain his best students.¹ Rabbi Yehuda HaNasi, who was both patriarch and sage, went on to re-divide these roles and add a third position as well, that of Rabbi Ḥanina bar Ḥama, who would "preside at their head." Rabbi Ḥanina was responsible for public leadership in matters of justice and religious ethics.²

THE PERIOD OF THE PATRIARCHY OF RABBAN GAMLIEL III

We know very little about Rebbi's son Rabban Gamliel, who was known as Rabban Gamliel III. It is generally agreed that he served as patriarch during the decade following Rebbi's death, 225–235 CE. In the final years of his patriarchy, the Roman Empire began its steep decline, beginning with the collapse of the Severan dynasty.

Rabban Gamliel was primarily responsible for political rather than religious leadership, but even so, he implemented several halakhic

1. The Talmud states, "At first everyone would appoint their students" (Y. Sanhedrin 4:2 [19a]). See G. Alon, "Those Who Are Appointed by Money" [Hebrew], *Studies in Jewish History* 2 (Tel Aviv: 5736), 32–44.
2. E.E. Urbach, "Position and Leadership," *The World of the Sages* [Hebrew] (Jerusalem: 5748), 328. Urbach disagrees with H. Albeck, who explained that Rabbi Ḥanina was the "head of the great yeshiva." See Albeck, *Introduction to the Talmuds* [Hebrew] (Tel Aviv: 5729), 155. I agree with Urbach based on the description of Rabbi Ḥanina's role in sources I will cite below.

rulings during his tenure.³ Several of the rabbinic decrees attributed to him attest to his commitment to furthering his father's efforts to lighten the economic burden on the farmers. For instance, he instituted new legislation regarding the sabbatical year. Until his time, it was customary to add an additional period before Rosh HaShana of the sabbatical year in which its laws still held force. The Mishna devotes two chapters of Tractate Shevi'it to the laws that apply during this additional period. But in the Tosefta to this tractate, Rabban Gamliel revokes these stringencies in their entirety:

Rabban Gamliel and his court ordained that the working of the land be permitted until the New Year [of the sabbatical year].
(Tosefta Shevi'it 1:1)

The Tosefta cannot possibly be referring to the second Rabban Gamliel, who was patriarch at Yavneh, because Rebbi makes no mention of any such allowance.⁴ Given that Rebbi does not refer to his grandfather's ruling on the matter, it seems that the decree must date to a period after Rebbi's death, presumably to the tenure of Rabban Gamliel III.⁵

Rabban Gamliel III's relaxing of the sabbatical requirements was not embraced by the other sages of his generation, as we learn from the following talmudic passage:

Rabbi Shimon ben Pazi said in the name of Rabbi Yehoshua ben Levi who reported in the name of Bar Kappara: Rabban Gamliel and his court took a vote concerning these two periods and nullified them [i.e., they ruled that fields may be plowed until the New Year of the sabbatical year]. Rabbi Zeira said to Rabbi Abahu, and some say it was Reish Lakish who said to Rabbi Yoḥanan: How could Rabban Gamliel and his court annul an enactment

3. I am following A. Hyman in *History of the Tanna'im and Amora'im* [Hebrew] (Jerusalem: 5747), 318–320, in contrast to the view espoused by I.H. Weiss, *Each Generation and Its Interpreters* [Hebrew] (New York, Berlin: 1924), 38.
4. This is the understanding of Rabbi Shimon ben Tzemaḥ Duran in his commentary on Tractate Avot, *Magen Avot* (Jerusalem: 5763), 12b.
5. S. Lieberman, *Tosefta Kifshuta Shevi'it* [Hebrew] (New York: 5716), 482–483.

of Beit Shammai and Beit Hillel? We have learned in a mishna: A later court cannot abolish the edicts of another, earlier court, unless it is greater in wisdom and number. He was confounded for a moment. He then said to him: Say that Beit Shammai and Beit Hillel stipulated the following among themselves at the time they promulgated their enactment: Whoever wishes to nullify it in future years may come and nullify it. (Mo'ed Katan 3b)

This passage captures a particular historical moment in which the sages of the generation after Rebbi test the limits of Rebbi's son's authority in matters of halakha by inquiring whether he is in fact greater than those who enacted the original decree. Rabbi Abahu hesitates before responding. Reluctantly, he concedes that Shammai and Hillel left an opening for a later sage to nullify their decree in the future.⁶

Elsewhere we learn of Rabban Gamliel's efforts to impose the tithing requirement on bread from Syria. Rabbi Oshaya, known as Rabbi Hoshaya in the Jerusalem Talmud, prevented him from doing so, a further indication of the limits placed on patriarchal power.⁷

Another legal innovation attributed to Rabban Gamliel relates to religious rather than economic matters. Up until his time, meat slaughtered by a Samaritan was regarded as kosher. For instance, the Tosefta (*Hullin* 1:1) stipulates that meat slaughtered by a Samaritan is kosher. But in the Talmud (*Hullin* 5b), we are told that Rabban Gamliel and his court ruled that such meat is forbidden. As the Talmud relates, Rabban Gamliel's ruling was not fully accepted by the next generation. Decades after Rabban Gamliel, the rabbinic leadership of Rabbi Yoḥanan and his disciples still refused to accept this enactment.

Rabban Gamliel's ruling was part of a more general trend: During the Temple period and its immediate aftermath, it was customary to

6. See the parallel source in Y. Shevi'it 1:1 [33a], which features Rabbi Yoḥanan.
7. "Rabban Gamliel son of Rebbi wished to impose the tithing requirement in Syria, but Rabbi Hoshaya would not permit him to do so" (Y. Halla 4:4 [60a]). The subject of tithes on produce grown just outside the borders of the Land of Israel requires consideration in its own right. See D. Levine, "Rabbi Yehuda HaNasi and the Boundaries of the Cities of the Land of Israel" [Hebrew], *Cathedra* 138 (Winter 5771): 42–47.

trust the Samaritans when it came to all matters in which they practiced like Jews, and to distrust them when it came to all other matters, such as *eiruv*, *nidda*, Temple ritual, and laws of marital status. Beginning in the Yavneh generation, the sages became increasingly suspicious of the Samaritans, until they were ultimately cut off from the Jewish mainstream.⁸

The Tosefta contains an account of Rabban Gamliel's complex and fascinating relationship with members of the populace:

There was an incident in which Rabban Gamliel⁹ was sitting on a bench belonging to non-Jews in Akko. They said to him: It is not customary to sit on a bench belonging to non-Jews on Shabbat. He did not want to say: One is permitted to do so. So he got up and walked off.

There was an incident in which Yehuda and Hillel, sons of Rabban Gamliel, went to take a bath in Kabul. They said to them: It is not customary to have two brothers take a bath together.

They did not want to say: One is permitted to do so.

So they went in and took a bath one after the other.

There was another incident in which Yehuda and Hillel, sons of Rabban Gamliel, went out in golden slippers on the Sabbath in Biri. They said to them: It is not customary to go out in golden slippers on the Sabbath.

They did not want to say to them: One is permitted to do so.

So they sent them along with their servants. (Tosefta Mo'ed Katan 2:15–16)

8. Y. Elizur, "The Samaritans During Tannaitic Times" [Hebrew], *Israel and the Bible* (Ramat Gan: 5760): 393–414. In this article, written in 1940, Professor Elizur presented his thesis regarding the evolution of the sages' relationship with the Samaritans throughout the tannaitic period. For more recent studies, see *The Book of the Samaritans*, ed. A. Stern and H. Eshel (Jerusalem: 5762).
9. The parallel source in the Babylonian Talmud, Pesaḥim 51a (printed edition), identifies this figure as Rabban Shimon ben Gamliel, but see *Dikdukei Sofrim*, note 20, which states that the accurate version reads "Rabban Gamliel." This is true, too, of the parallel in the Jerusalem Talmud (Pesaḥim 4:1 [30d]).

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This source features the third Rabban Gamliel and his sons. The three scenes depicted here offer a sense of the aristocratic airs of the patriarchal family and the reaction of the local Jewish populace. The issue of sitting on a bench belonging to a non-Jew on Shabbat preoccupied commentators for several generations; according to Rashi, it relates to the prohibition on wandering around commercial areas on Shabbat, lest one come to engage in business matters. As this source suggests, the residents of Akko were strict about this prohibition, perhaps because they lived in such a cosmopolitan city. Rabban Gamliel did not observe this stringency himself, but out of respect for the residents of Akko, he simply got up and left when they questioned his behavior. He conceded to them for the sake of peaceful relations, even though they did not treat him with respect. Rabban Gamliel, though he was patriarch, did not have the stature of his predecessors, and so perhaps it is not surprising that he wished to avoid confrontation.

In the second and third scenes, the residents of the Galilee do not hesitate to instruct Rabban Gamliel's sons Hillel and Yehuda in the local customs, even if such customs are stricter than the accepted halakhic norms.¹⁰ The Tosefta and the Jerusalem Talmud do not specify who criticized the sons' behavior, but the Talmud implicates the entire city. This does not mean that the residents of the city did not respect the patriarchal family; elsewhere we learn that the residents of Kabul in fact offered Yehuda and Hillel a royal reception (see Tosefta Shabbat 7:17). But in spite of this display of honor, the sons were not regarded as irreproachable.¹¹

Rabban Gamliel is the last of the patriarchs whose teachings were included in *Pirkei Avot*:

Rabban Gamliel, son of Rabbi Yehuda HaNasi, taught: The study of Torah is commendable when combined with a gainful occupation, for when a person toils in both, sin is driven out of the mind. Study alone without an occupation leads to idleness,

10. See Lieberman's notes in *Tosefta Kifshuta Mo'ed Katan*, 1262–1263.

11. M. Beer, "Honor and Criticism" [Hebrew], *The Sages of the Mishna and the Talmud* (Ramat Gan: 5771), 107–118.

and ultimately to sin. All who serve on behalf of the community should do so for the sake of Heaven. Their work will prosper because the inherited merit of our ancestors endures forever. God will reward them abundantly as though they had achieved it all through their own efforts. (Avot 2:2)

Rabban Gamliel insists that Torah study be combined with a gainful occupation. He opposes those who idealize total devotion to Torah study (referred to as “eternal life”) at the expense of economic pursuits (“temporal life”).¹² Rabban Gamliel believed that single-minded devotion to study would ultimately lead to the forsaking of such study. Presumably his teaching was influenced by the economic reality of his day, a time of struggle and scarcity. In light of this state of affairs, Rabban Gamliel directs the sages to step outside the walls of the beit midrash and devote part of their days to pursuing a livelihood.¹³

We have no accounts of the death of Rabban Gamliel. We know only that he was succeeded by his son, Rabbi Yehuda Nesiya, who assumed the mantle of leadership once the Roman anarchic period had already begun.

MY SON SHIMON IS A SAGE

Shimon, who was designated as “sage,” is far better known than his older brother. When he was still a young boy, his father chose him to succeed him as a scholar of Torah. Shimon studied Mishna with his father, read Torah before him, participated in his lectures in the beit midrash, and seems never to have left his father’s side.¹⁴

12. For the origins of the phenomenon of total devotion to Torah study as a religious ideal, see *Sages 11*, Part Three. For more on the “Torah and *Derekh Eretz*” movement of Rabbi Samson Raphael Hirsch, see M. Breuer, *Torah with Gainful Occupation: The Movement, Its Leaders, and Its Ideas* [Hebrew] (Ramat Gan: 5747).

13. This type of historical reading of Rabban Gamliel’s views on Torah study appears in a book on *Pirkei Avot* written by my uncle, Rabbi Yisrael Meir Lau, entitled *Yahel Yisrael* (Jerusalem: 5765), 26.

14. On the special bond between Rebbi and Rabban Shimon ben Gamliel, see Y.N. Epstein, *Introduction to the Text of the Mishna* [Hebrew] (Jerusalem: 5708), 18–24. The two Talmuds often refer to Rebbi and his son Shimon learning Torah together, and to Shimon’s important role in finalizing the text of the Mishna.

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When we considered the figure of Rabban Shimon ben Gamliel, Rebbi's father, we discussed the two sages who challenged his authority, Rabbi Natan and Rabbi Meir.¹⁵ Decades later, Rabbi Yehuda HaNasi and his son Shimon sat together and learned a mishna that stated Rabbi Meir's opinion anonymously. The child Shimon asked his father about the identity of this anonymously quoted sage, stirring up old grievances:

His son said to him: Who are these others whose waters we drink, but whose names we do not mention? Rebbi said: These are people who sought to eradicate your honor and the honor of your father's house. Rabban Shimon quoted: "Their love, their hate, their jealousy have already perished" [Eccl. 9:6]. Rebbi quoted back: "The lives of the enemy have ended, but their ruins remain forever" [Ps. 9:7]. Rabban Shimon said to Rebbi: Those words apply only where the enemies' deeds were effective, but the deeds of these rabbis were not effective. He then taught the following version to Rabban Shimon: They said in the name of Rabbi Meir: If it were a substitute offering, it would not be offered. (Horayot 14a)

Rabban Gamliel at first responds harshly, informing his son about the struggles over the patriarchy in the previous generation. The son objects, arguing that this is a thing of the past: "Their love, their hate, their jealousy have already perished." But the father insists that their influence has not entirely dissipated; there are still those who wish to undermine the honor of the patriarchy. Nonetheless, the father softens somewhat, and mentions Rabbi Meir by name when he repeats this teaching: "They said in the name of Rabbi Meir."

EDITIONS OF THE MISHNA: BETWEEN REBBI AND HIS SON

Rabbi Shimon studied Mishna with his father until the patriarch's dying days. Occasionally, his father would suggest a new version of the text based on some change in the historical reality, or based on the opinion

15. See *Sages* III, Part Three.

of another sage. But Rabbi Shimon was sensitive to any such emendations and insisted on preserving the original text.¹⁶

To appreciate the significance of these textual changes, we must first understand that the various extant versions of the Mishna can be divided into two major categories depending on their provenance. The first category consists of those mishnayot that originated in the Land of Israel and its environs (including those found in the Jerusalem Talmud and in manuscripts from the Byzantine Empire); the second category consists of those mishnayot that were influenced by the Babylonian Talmud.¹⁷ If we compare the versions of the Mishna that appear in each of the two Talmuds, we can trace the development of its language from the way Rebbi taught it in his youth to the way he taught it in his later years. I will cite two examples:

1. Mishna Avoda Zara 4:4

A non-Jew can nullify his own idol and that of his fellow, but a Jew cannot nullify the idol of a non-Jew. (Mishna Avoda Zara 4:4, as per the printed text)

A non-Jew can nullify his own idol and that of a Jew, but a Jew cannot nullify the idol of a non-Jew. (Mishna Avoda Zara 4:4, as per the Jerusalem Talmud)

The Mishna deals with the question of how an object used in pagan ritual can be “nullified,” that is, cleansed of the stain of its previous use.

16. This section is indebted to the work of one of my earliest teachers in the Talmud department, Professor David Rosenthal. His research on the mishnayot of Avoda Zara first opened my eyes to all that the academic approach has to offer to students of Talmud. The source I discuss in this section is analyzed at length in his doctorate: “Mishna Avoda Zara: A Critical Edition and Introduction” (PhD diss., Hebrew University of Jerusalem, 5741).

17. This is an attempt to simplify the subject of much scholarly discussion and debate. See Y. Zussman, “Manuscripts and Versions of the Mishna” [Hebrew], *Proceedings of the World Congress of Jewish Studies* 5741, 3, 215–250. For a summary of the scholarly debates, see D. Rosenthal, “Mishna Avoda Zara,” 179–187.

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In order to do so, the believer must treat the object with scorn so as to demonstrate that it no longer has religious significance. According to the version of the Mishna that appears in the printed text of the Babylonian Talmud, a non-Jew can nullify an idol belonging to himself or to another non-Jew, but he cannot nullify an object belonging to a Jew. According to the version in the Jerusalem Talmud, a non-Jew can nullify even an idol that is in the possession of a Jew. This is true of all the various extant versions of the Mishna: Those that originated in the Land of Israel and its environs all read, “A non-Jew can nullify his own idol and that of a Jew,” whereas those that originated in Babylonia all read, “A non-Jew can nullify his own idol and that of his fellow.”¹⁸

This distinction is the subject of discussion in the Talmuds as well:

Rebbi was sitting and teaching Rabbi Shimon his son: A non-Jew can nullify his own idol and that of his fellow, but a Jew cannot nullify the idol of a non-Jew.

He said to him: While you were in the height of your powers, I repeated the tradition to you as follows: A non-Jew can nullify his own idol and that of a Jew.

He said to him: No, my son. An idol that a Jew has worshipped can never be nullified. (Y. Avoda Zara 4:4 [44a])¹⁹

Rebbi, now an old man, teaches his son that the Mishna states, “his own idol and that of his fellow.” The son objects: While you were still in your youth, with the fire still in your belly, you taught it to me differently! The father patiently explains to his son that he cannot hold by the version he taught in his youth, because now he understands that once a Jew takes possession of an idol, it can never be cleansed of the taint of idolatry.

The Jerusalem Talmud teaches that one of Rebbi’s leading students, Rabbi Shimon ben Menassia, taught the mishna in the way that Rebbi taught it in his old age, and it is this version that was transmitted to Babylonia:

18. This was documented by Epstein, *Text of the Mishna*, 22–25; and Rosenthal, “Mishna Avoda Zara,” 175–178.

19. This story appears in Avoda Zara 52b, the parallel source in the Babylonian Talmud.

And there is a tannaitic teaching along the same lines. Rabbi Shimon ben Menassia says: An idol that a Jew has worshipped can never be nullified. Rav taught this teaching in the name of this *Tanna*²⁰ who adduced evidence with the following verse: “Cursed be the man who makes a graven or molten image” [Deut. 27:15]. He is cursed forever. (Y. Avoda Zara 4:4 [44a])

Although an aged Rebbi taught his son the authoritative version of the mishna, according to which a non-Jew could never nullify an idol belonging to a Jew, it seems that Rabbi Shimon taught the original version that Rebbi had taught in his youth. Why did Rabbi Shimon refuse to emend the mishna as his father had instructed him?

Saul Lieberman proposes that Rabbi Shimon regarded the Mishna as a closed book, such that even his father could no longer violate its integrity by changing it in any way.²¹ David Rosenthal instead suggests that Rabbi Shimon taught the mishna this way not because he felt it reflected an original version, but because it seemed to him more accurate. In any case, this is the version that Rabbi Shimon taught throughout the Land of Israel after Rebbi's death. It became the authoritative version in the Land of Israel, and it appears in all manuscripts that originated there.²²

2. Mishna Bava Metzia 4:1

Silver acquires gold, but gold does not acquire silver.²³

20. In the Leiden manuscript, there is a blank space and an erasure at this point, suggesting that the name of the sage who taught Rav this teaching was deleted from the text.

21. S. Lieberman, “The Publication of the Mishna.”

22. D. Rosenthal, “Mishna Avoda Zara,” 178. Rosenthal cites the extensive work of Rabbi Shlomo Yehuda Rapoport on this subject, as well as Y.N. Epstein, *Introduction to the Literature of the Tanna'im* [Hebrew] (Jerusalem: 5717), 227, note 166.

23. For an explanation of the Mishna based on the Roman economic system, see A. Kleiman, “Two Currencies in Rebbi's Era: Studies in the Mishna, ‘Gold Acquires Silver’” [Hebrew], *Zion* 38 (5733): 48–61.

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This is the version of the Mishna that appears in the Jerusalem Talmud and in the manuscripts of the Mishna from the Land of Israel. But in the Babylonian Talmud and in the printed texts of the Mishna, we find instead, “Gold acquires silver, but silver does not acquire gold.”

A comparison of the discussions of this mishna in the two Talmuds sheds light on the reason for these variants:

Rebbi taught Rabbi Shimon his son: Gold acquires silver. Rabbi Shimon said to him: My teacher, in your younger years, you taught us the Mishna as follows: Silver acquires gold. Do you now in your old age retract that version and teach us instead: Gold acquires silver?

What did he hold in his youth, and what did he hold in his old age? In his youth, he held that the gold coin, which is more valuable, is considered the currency, whereas the silver coin, which is not as valuable, is considered the commodity, and the silver commodity therefore acquires the gold currency. In his old age, he held that the silver coin, which is more current, is considered the currency, whereas the gold coin, which is not as current, is considered the commodity, and the gold commodity therefore acquires the silver currency. (Bava Metzia 44a)

The parallel source in the Jerusalem Talmud reads as follows:

His father said to him: Retract, and teach as follows: Gold acquires silver. He said to him: I am not willing to retract. For while you were at the height of your powers, you taught it to me as follows: Silver acquires gold.

Rebbi says that gold is considered the commodity. The Mishna says that silver is considered the commodity. (Y. Bava Metzia 4:1 [9c])

When he was younger, Rebbi held that gold is regarded as currency and thus silver acquires gold; in his old age, he held that gold acquires silver. But the son wishes to hold his father to his original teaching. As a result, we are left with two versions of the Mishna. One is the version Rebbi

taught in his old age, holding that gold acquires silver; the other is the version Rabbi Shimon taught, which is that silver acquires gold.²⁴ The former version was transmitted to Babylonia via Rav while Rebbi was still alive,²⁵ and it appears in the Babylonian Talmud; the latter version was taught by Rabbi Shimon in the Land of Israel, and it appears in the Jerusalem Talmud.

These two examples, along with many others, attest that Rabbi Shimon took an active role in compiling the words of the sages and editing the text of the Mishna until it assumed its final form.

RABBI ḤANINA REFUSES HIS APPOINTMENT

Rebbi's third deathbed appointment was conferred on Rabbi Ḥanina bar Ḥama, who was not a member of his family. The Jerusalem Talmud offers an account of this appointment:

Rebbi would make two appointments. If they proved worthy, they were confirmed. If not, they were removed. When he was dying, he instructed his son Gamliel: Do not do it this way. Rather, appoint them one at a time. And appoint Rabbi Ḥama bar Ḥanina [i.e., Rabbi Ḥanina bar Ḥama] at the head. (Y. Taanit 4:2 [68a])²⁶

However, as both Talmuds relate, Rabbi Ḥanina bar Ḥama was not interested in assuming this role:

After he died, his son Gamliel wanted to appoint him a sage, but Ḥanina did not accept the appointment. (Y. Taanit 4:2 [68a])

The Babylonian Talmud puts it somewhat differently:

Rabbi Ḥanina did not accept the appointment, because Rabbi Efes was two and a half years older than him. (Ketubot 103b)

24. Epstein, *Text of the Mishna*, 19–22.

25. See my discussion of Rav's descent to Babylonia in Part Two of this book.

26. In *Sages* 111, I dealt with this source in the section entitled "Rebbi's Kitchen Cabinet."

I am interested now in looking at how Rebbi's instructions were carried out.

Part One: The Transitional Generation

This is an interesting political moment. Rebbi's son, presumably Rabban Gamliel, wishes to execute his father's will and appoint Rabbi Ḥanina. But Rabbi Ḥanina opposes the appointment and proposes conferring the title upon Rabbi Efes, a sage about whom very little is known.²⁷ We do know, however, that Rabbi Ḥanina's suggestion was accepted, and Rabbi Efes assumed the mantle of leadership. He would later be succeeded by Rabbi Ḥanina, as we will see below.

27. Reish Lakish refers to a Rabbi Efes from the south in Eiruvim 65b. And in Genesis Rabba we learn of a Rabbi Efes who served as Rebbi's secretary. Hyman conflates the two in his *Tanna'im and Amora'im*, 241. But Albeck regards them as two distinct individuals in his *Introduction to the Talmuds*, 159.