

## Rabbi and His Lineage.

Historians have been puzzled by the change of style of leadership of Rabbi Judah ha-Nasi in regard with the leadership of his predecessors.

In many aspects his leadership is indeed very different from that of his predecessors.

-Contrary to them, Rabbi is rich, even very rich according to some Talmudic records.<sup>1</sup> He has the means to support people during crisis periods.<sup>2</sup> This situation contrasts strongly with that of his predecessors. Rabban Gamliel II traveled through Palestine on a donkey accompanied by his disciple Rabbi Ilayi who walked. This proves the simplicity of Rabban Gamliel II and gives an idea of his style of life and probably of his financial means.<sup>3</sup>

-Rabbi seems to enjoy recognition by the Roman authorities.<sup>4</sup> On the contrary, Rabban Simeon ben Gamliel II and the whole institution of the Academy were suspected of plotting in the eyes of the Romans.

-His leadership is marked by a lordly manner and a regal ceremonial.

-He has guards (eunuchs קצוצי)<sup>5</sup> and they punish recalcitrant who don't accept his judicial decisions.<sup>6</sup>

- Existence of a patriarch's court constituted by the sages close to him; they eat at his table.<sup>7</sup> They dispute his favor and fight to get precedence.<sup>8</sup>

-Use of the title of nasi instead of Rabban used by his predecessors.<sup>9</sup>

-Increased authoritarianism

1. Monopole of the ordinations.<sup>10</sup>
2. Monopole of the nominations.<sup>11</sup>
3. Nomination for short terms.<sup>12</sup>
4. Rigid authority on the students<sup>13</sup> and the Rabbis.<sup>14</sup>
5. Supervision of the communities and nominations of their Rabbis.<sup>15</sup>
6. Rabbi doesn't hesitate to punish close Sages, even the greatest among them, Bar Kapara Rabbi Hiya<sup>16</sup> and Rabbi Hanina bar Hama.<sup>17</sup>
7. Rabbi shows great susceptibility and he has his terrible revenge on the guilty, those he considers as recalcitrant.<sup>18</sup>

-Rabbi favors the cultured and the Sages, but he favored also the riches.<sup>19</sup>

-Rabbi claims a Davidic lineage.<sup>20</sup> This claim must sustain his spiritual and political leadership. It is probably also connected to messianic hopes.<sup>21</sup> He is indeed associated to messianic hopes to the extent of applying to him the verse of Lam IV; 20, "The breath of our nostrils, the anointed of the Lord".<sup>22</sup>

-The increased opposition among Jewish Sages against Rabbi's methods of leadership seems to be a consequence of this authoritarian centralization.<sup>23</sup>

-Opposition against some of Rabbi's rulings.<sup>24</sup>

In order to explain this difference of style of leadership and solve the difficulties raised, it has been suggested that Rabbi could not be the son of Rabban Simeon ben Gamliel II, but the son of a rich Gallilean, member of a Gallilean landowning aristocratic family which developed interest in rabbinic Judaism. Paraphrasing Rav Sherira Gaon,<sup>25</sup> we could say that Rabbi was issued of a family of merchants and not of a rabbinic family. In a resounding paper, Stern<sup>26</sup> has given substance to this assumption from the analysis of different passages belonging to the Talmudic literature.

**I.** Stern defends lengthily the theory that the predecessors of Rabbi did not use the title of nasi but the title of Rabban; Rabbi was the first to use the title of nasi. Stern takes advantage with the contradictions between the account of the plot of Rabbi Meir and Rabbi Nathan against Rabban Simeon ben Gamliel II in the Babylonian Talmud<sup>27</sup> and the narrative of the events in the Palestinian Talmud.<sup>28</sup> Stern, following Rubenstein<sup>29</sup> and Goodblatt,<sup>30</sup> thinks that the narrative in B. Horayot is a late<sup>31</sup> literary creation of the Babylonian Talmud and not an historical account. It would then be cautious to keep to the more temperate narrative of Y. Bikkurim and to consider the story of the plot of Rabbi Meir and Rabbi Nathan against Rabban Simeon ben Gamliel II as well as the dialogue between Rabbi and his son Rabbi Simeon III in B. Horayot as a pure literary fiction. He argues also that the tripartite structure nasi, hakham and av beit-din, considered in B. Horayot, was distinctly Babylonian, as the office of hakham was not attested in Palestinian sources. Similarly he argues that Rabban Simeon ben Gamliel II was not a nasi or a leading figure.

Let us examine these different assertions. The text of B. Horayot begins with a Braita<sup>32</sup> about the regulations of the honors between the three levels of clerics: nasi, av beit-din and hakham. An assertion of Rabbi Johanan follows then according which this Braita was taught in the time of Rabban Simeon ben Gamliel II. The Talmud brings then the story of the introduction of these new regulations, the reaction of Rabbi Nathan and Rabbi Meir, their exclusion and the reinsertion of Rabbi Nathan. We have finally the episode of Rabbi explaining to his son the reason why the name of Rabbi Meir is hidden.

This Braita, about the regulation of the honors of the three different leaders, finds its origin in Tossefta Sanhedrin and it is also mentioned in Y. Bikourim. The titles nasi, av beit-din and hakham are thus present in Palestinian sources, but, according to Goodblatt, the meaning seems different: the hakham in these Palestinian sources represents an ordinary ordained Rabbi and not a high function, more precisely the third function in the Palestinian rabbinical society.

Goodblatt had mentioned the possibility that the Babylonian narration could be based on a Palestinian tradition, even if some concept were reinterpreted according to new Babylonian standards while the text of the narrative in the Palestinian Talmud was simplified or even censured.

Even if Goodblatt<sup>33</sup> leaves finally this opinion, it seems to me that this opinion is strengthened by different elements.

1. In Y. Bikourim, the Braitā deals with the regulations of the honors of the different levels of clerics, the nasi, the av beit-din and a hakham. It is followed by an account of the reduction of the honors granted to Rabbi Meir and the consecutive anger of Rabbi Meir, when they decided to apply the regulations of this Braitā. It can be assumed that Rabbi Meir corresponded to the lower level, hakham, for which the marks of honor are the most restricted and the reduction of honor is the most apparent.
2. This passage of Y. Bikourim is less detailed than B. Horayot, but it is in full accordance with the assertion of Rabbi Johanan in B. Horayot: the Braitā relates to the time of Rabban Simeon ben Gamliel II; he has implicitly the title of nasi and Rabbi Meir has probably the title of hakham, both titles being now extant in Palestinian sources, the first, nasi, the highest function, applying to Rabban Simeon ben Gamliel II while the second, hakham applies to Rabbi Meir.
3. There is no mention in the Palestinian sources of the alternative punishment imposed on Rabbi Meir to replace his name by Aherim in the quotation of his dictums. I have nevertheless noted the following passage:<sup>34</sup>

אחרים אומרים משום רבי נתן

Aherim seems, without any doubt, to refer to Rabbi Meir.

4. It appears from the Palestinian source, that Rabbi Meir was profoundly upset and vexed by the new rules and he left the academy by slamming the door. He would then not have been pushed out of the academy with Rabbi Nathan as explained in B. Horayot and there was no plot at all. But if things were so simple, why did the Sages want to excommunicate Rabbi Meir? It is even likely that this excommunication was finally not implemented because of a decision taken in Usha (maybe at this occasion) not to excommunicate Sages. The cause of the excommunication is not detailed but I don't see a better one than the conspiracy described in B. Horayot. An excommunication for similar reasons as Rabbi Eliezer doesn't seem likely.
5. According to the Babylonian narration, Rabbi beheld an obstinate hatred against Rabbi Meir because of the plot he had organized against his father. Now if this narration was a pure Babylonian literary fiction, Rabbi not being Rabban Simeon ben Gamliel's son and the whole plot not having even taken place, how can we explain the Palestinian evidence<sup>35</sup> about the profound hostility between Rabbi and Rabbi Meir? Apparently the dislike between Rabbi and Rabbi Meir must have been mutual. Indeed, Rabbi Meir's devoted pupil, Rabbi Simeon ben Eleazar, although in friendly terms with Rabbi, expressed harsh criticism against the Patriarchate.<sup>36</sup>
5. In the Babylonian references the title hakham in the tripartite structure nasi, av beit-din and hakham, refers to an important function, namely the third function in importance. On the other hand the title hakham in the same tripartite structure in the Palestinian Talmud refers to an ordinary ordained Rabbi. It appears that the tripartite structure nasi, av beit-din and hakham, as the three main dignitaries of

the Tannaic Palestinian society is a literary creation of the Babylonian Talmud, reflecting the reality of the late Amoraic Babylonian institutions. The hakham mentioned in the Palestinian sources would not represent the third dignitary of the society but an ordinary ordained Rabbi.

This shift of contents of this title between the earlier Palestinian references and the later Babylonian narration is one of the arguments used to prove that the account of the plot of Rabbi Meir against Rabban Simeon ben Gamliel II has no historical value. In fact there is a third meaning for the title hakham that was not considered.

I would like to mention a passage in Avot de Rabbi Nathan XVIII, 4:

איסי בן יהודה היה מונה שבחן של חכמים. רבי מאיר חכם וסופר, רבי יהודה חכם לכשירצה, רבי טרפון ...

Issi ben Judah was counting the distinctive merits of the Sages: Rabbi Meir is a sage and a scribe; Rabbi Judah is a sage when he desires to be such.

The colleagues of Rabbi Meir were ordained Rabbis like him and it is certainly not the message of Issi ben Judah to tell us that Rabbi Meir was an ordained Rabbi.

If we have in mind the following passages:

B. Eruvin 13b,

גלוי וידוע לפני מי שאמר והיה העולם שאין בדורו של רבי מאיר כמותו.

B. Sanhedrin 24a,

אמרו, כל הרואה רבי מאיר בבית המדרש כאילו עוקר הרי הרים וטחנן זה בזה.

We must understand that hakham means here necessary more than an ordinary ordained Rabbi. It must have a specific meaning of a unique quality like the greatest of the generation, the unique of the generation or simply the sage of the generation.

6. In conclusion Rabbi Meir is not an ordinary hakham but he is the hakham and Rabbi Judah, another very important personality in the Palestinian Tanaitic society after the destruction of Betar and the period of terror<sup>37</sup>, because of his own rabbinic merits and because of the Roman support,<sup>38</sup> can sometimes equalize him.<sup>39</sup> The hakham of the academy is probably a quality more than a function, Rabbi Meir is none the less the scholar of the academy and in general the third personage of the rabbinic society. Therefore when we read in B. Horayot חכם, it means "I am the sage" and it of no importance whether it is a matter of quality or of function of Rabbi Meir, the greatest scholar of the academy. It is even no more certain at all whether the exact exegesis of the term hakham, in connection with Rabbi Meir relates to the quality of the greatest scholar of the academy or to the institutionalized function of hakham.<sup>40</sup> The difference is indeed very tinny. In other words the whole anachronism, revealed by Goodblatt in the narrative of the Babylonian Talmud, has disappeared.<sup>41</sup>
7. We have seen in Y. Bikourim that the nasi considered in the Braitā is, implicitly, Rabban Simeon ben Gamliel II. Otherwise there was no reason to reduce the honors of Rabbi Meir. Even if Rabban Simeon ben Gamliel II did not play an important political role, he played a central role on religious level and has the title

of nasi. Furthermore, in the account of the first service of Rosh Hashanah in Usha<sup>42</sup> after the years of terror, it appears that Rabban Simeon ben Gamliel II is the central figure. He is mentioned 105 times in the Mishna, 261 times in Tossefta, 589 times in the Babylonian Talmud and 267 times in the Jerusalem Talmud.<sup>43</sup>

We find the following dictum of Rabbi:<sup>44</sup>

כל מקום ששנה רבי שמעון בן גמליאל המשנתינו הלכה כמותו חוץ מערב וצידון וראיה אחרונה

In other words, in the Mishna, the law is generally according to his opinion.

Despite the brilliant paper of Goodblatt, I would remain very cautious with its conclusions. The text of B. Horayot is perhaps a later literary arrangement but it is none the less based on traditions and objective facts and it would be presumptuous to consider the plot against Rabbi Simeon ben Gamliel II definitively buried and forgotten. Furthermore, we have seen that the Palestinian text implies also that Rabbi Simeon ben Gamliel II was a nasi.

**II.** Stern defends lengthily and demonstrates that Rabbi wasn't the son of Rabban Simeon ben Gamliel II from two passages of the Palestinian Talmud. The first passage<sup>45</sup> is related to Rabbi Eleazar and Rabbi.

כשהיה רבי אלעזר ברבי שמעון נכנס לבית הווד היו פניו של רבי מקדירות. אמר ליה אבוי, ויאות, זה ארי בן ארי, אבל אתה ארי בן שועל.

When Rabbi Eleazar the son of Rabbi Simeon was entering into the academy, rabbi had a gloomy face. Said to him his father, but this is normal, he is a lion son of a lion but you are only a lion son of a fox.

This passage is parallel to another passage in B. Baba Metsia 84b.

In both the Talmudim, the text depicts the rivalry between Rabbi Eleazar be Rabbi Simeon (bar Yohay) and Rabbi. Rabbi Eleazar was the oldest, he had more knowledge and had a better comprehension than Rabbi and apparently he gave himself airs in face of Rabbi.

It ends with Rabbi's father telling his son that he is less than Eleazar because he is merely "the son of a fox". The Babylonian Talmud assumes that the father of Rabbi was Rabban Simeon ben Gamliel II and interprets his statement to Rabbi as an expression of his great humility.<sup>46</sup> Stern observes that in the Palestinian Talmud there is no indication of Rabban Simeon ben Gamliel II being Rabbi's father. Rabbi's father would then be an anonymous figure; he would be no particular authority. His answer was not an expression of humility but the true and sad reality.

A second passage considered by Stern is related to a disagreement between Rabbi and Rabban Simeon ben Gamliel II. This discussion is mentioned in Babylonian<sup>47</sup> and Palestinian<sup>48</sup> sources. In the Babylonian Talmud, Rabbi refers to Rabban Simeon ben Gamliel as "abba" but in both other references there is no mention of "abba"<sup>49</sup> and the end of the text is the following:

אמר רבי, רואה אני את דבריי מדברי רבן שמעון בן גמליאל.

Stern concludes that the different version of the Tosefta and the Jerusalem Talmud, probably authentic, is resolved if one accepts that Rabbi was not the son of Rabban Simeon ben Gamliel II. The assumption of Stern presents advantages but also difficulties. Among the advantages, this solution allows explaining the different difficulties put in evidence about Rabbi. If Rabbi doesn't belong to the family of Rabban Simeon ben Gamliel II but to a rich family of Gallilean landowners, we can understand different specificities of his leadership:

1. The wealth of Rabbi
2. Rabbi introduces a new style of direction, much different from the past, more attached to the material and ceremonial aspects. This can be easily understood under this new assumption.
3. Rabbi uses the title of רבי associated with his name, which was not used on this manner by his predecessors. It was nevertheless used by Simeon bar Kosiva during the revolt of 133-135 C.E.<sup>50</sup>
4. Rabbi seems to claim an ascendance originating from David.<sup>51</sup> This was not the case of his predecessors.<sup>52</sup>
5. The important number of divergences between Rabbi and his father Rabbi Simeon ben Gamliel II which is exceptional between son and father.<sup>53</sup>

Among the disadvantages of this assumption,

1. If Rabbi was not the son of Rabban Simeon ben Gamliel II, then it is difficult to understand that his accession to power happened without any opposition, without any remembrance or even any later allusion in the rabbinic literature, especially in the case of a new leader issued from another family, after the succession of many consecutive filiations.<sup>54</sup>
2. If Rabbi was not the son of Rabban Simeon ben Gamliel II, how had he the opportunity to study under all the authorities of his time, included under Rabban Simeon ben Gamliel II.<sup>55</sup> He is indeed the only one to have such a curriculum. It gives the impression to correspond to an initiation program, especially conceived for the forthcoming leader.
3. The contacts between the Jewry of Babylonia and the Jewry of Palestine were intense at this period<sup>56</sup> and there is no reason to believe that things known in Palestine would have remained unknown in Babylonia. It is therefore unlikely that in the Babylonian Talmud they would have ignored facts known in the Palestinian Talmud about Rabbi's lineage i.e. that Rabbi was not the son of Rabban Simeon ben Gamliel II.
4. According to the assumption of Stern, we are obliged to challenge details<sup>57</sup> or at least to interpret some words in a broad and even symbolic sense, in different passages in the Babylonian Talmud,<sup>58</sup> referring to Rabban Simeon ben Gamliel II being Rabbi's father.
5. The sons of Rabbi bear the names Simeon and Gamliel. This seems to be an argument in favor of the accepted thesis of the continuity, Rabbi being Rabbi Simeon ben Gamliel's son. Explaining these names by the will to identification with the former patriarchal family, as explained by Stern, seems farfetched. If Rabban Simeon ben Gamliel II was not a nasi or a leading

figure, but the last insignificant representative of a decadent family, why would Rabbi have chosen this name for his son?

6. The claim of Davidic ascendance seems always expressed by the claim of Hillel's Davidic ascendance and never by an independent claim. Therefore Rabbi must at least be a descendant of Hillel; this is not likely if he isn't the son of Rabban Simeon ben Gamliel II.

Let us come back to the two passages of the Palestinian Talmud considered by Stern, from which he wants to demonstrate that Rabbi was not the son of Rabban Simeon ben Gamliel II. The question is whether this interpretation is really probing?

The conclusion of Stern is based on the absence of paternal reference associated to the name of Rabban Simeon ben Gamliel II; it is certainly founded on the following Talmudic ruling<sup>59</sup>:

חכם משנה שם אביו ושם רבו, מתורגמן אינו משנה לא שם אביו ולא שם רבו.

A Sage, when reporting a Rabbinical or legal statement of his father, changes<sup>60</sup> the name of his father or of his teacher but the interpreter<sup>61</sup> doesn't. Therefore when Rabbi mentions his father, he should change his name and use the words "abba" in order not to designate him by his name.<sup>62</sup> Nevertheless, one needs also to refer to another passage in Sanhedrin 100a and to the commentary ad locum of Rashi to have a complete view of the subject. The plain understanding of the passage in B. Kidushin, which Maimonides seems to have followed, doesn't agree with many Talmudic references.<sup>63</sup> One is apparently allowed to enunciate the name of the father or the teacher under the condition that the name is preceded by a title of honor<sup>64</sup> like אבא or רבי. But אבא is not only "my father"; it is also a title of honor similar, although perhaps weaker, to רבי.<sup>65</sup> It is in accordance with this explanation that one must understand אבא in the names אבא גוריון, אבא יודן, אבא שאול, אבא ר' יודן.<sup>66</sup> Therefore it seems plausible that one is allowed to use the title רבי even quoting one's father.<sup>67</sup> We find evidence of that in the Tossefta, Rabbi Jose quoting his father Halafta under the title רבי הלפתא.<sup>68</sup> Now complementary to the former elements, it should also be noted that when you quote your father Rabban Simeon ben Gamliel, "our Rabbi" (of all of us), it seems to be a form of humility not to mention that you are his son. If you say: my father, Rabban Simeon ben Gamliel, our Rabbi (of all of us) it can be understood that you try giving yourself importance more than honoring your father. It is then possible that, even for Maimonides, the strict rule of B. Kidushin, does not apply for the son of a leader whose title is Rabban;<sup>69</sup> one should quote his father under the title Rabban, without mentioning the paternity. Now even if one doesn't accept this point of view, the rule mentioned in B. Kidushin and strictly adopted by Maimonides, applies only to the scholar himself but not to his interpreter. Therefore in the report of his declaration, the paternal reference must not obligatory be mentioned; indeed this report can be compared with the statement of the interpreter. In our case mentioning the paternity would not be required. There is finally the possibility that the word "abba" was simply omitted by the editor of the Tossefta and of the Palestinian Talmud without any good reason. We meet a similar case in Tossefta Niddah VII: 3,

אמר רבן שמעון בן גמליאל אני אומר דבר אחד והם אמרו דבר אחד לדברי אין סוף ולדבריהם אין סוף. לדברי אין סוף אלא אשה טהורה אין לך מטה שאין עליה מאכולת. לדבריהם אין סוף אין לך אשה שהיא טמאה ואין לך סדין שאין עליה טיפי דמים. אבל רואה אני את דברי ר' חנינא בן גמליאל

מדברי ומדבריהם שהיה אומר תולה במאכולת עד כגריס של פול אע"פ שלא הרגה >תולה בבנה ובבעלה< וכדבריהם אנו מורים.

Now it is likely that Rabban Simeon ben Gamliel II had really said אהי, רבי הנינה and that he didn't mention the name of his brother as if he was a stranger.

But the editor of the Tosefta has suppressed this word.<sup>70</sup> It is then likely that the same situation could have occurred in the above quotation of Rabban Simeon ben Gamliel II.<sup>71</sup>

Therefore, after all these arguments and notably two irrefutable proofs based on Talmudic evidence,<sup>72</sup> the conclusion of Stern consecutive to the absence of the paternal reference in the account of the statement of Rabbi, must be considered with caution and reservations. There is apparently no formal proof at all that Rabban Simeon ben Gamliel II wasn't the father of Rabbi.

Now, let us come back to the first evidence considered by Stern in Y. Sabbath<sup>73</sup>:

אמר ליה אבוי, ויאות, זה ארי בן ארי, אבל אתה ארי בן שועל.

The text of the Palestinian Talmud, according to Stern, would not concern Rabban Simeon ben Gamliel II but his anonymous father. I would like to consider another interesting passage, bearing some resemblance, by the intervention of Rabbi's father, in Y. Ketubot<sup>74</sup>:

רבי יסא בשם ר' יוחנן מעשה היה והורה רבי כר' יוחנן בן ברוקה

דף ל, ב פרק ד הלכה יא גמרא ורבי זעירא <ר' יסא> בשם רבי יוחנן רבי שאל את נתן הבבלי מה טעמא אמרו הלכה כרבי יוחנן בן ברוקה רבי בא רבי חייא בשם רבי יוחנן מה טעם שאל את נתן הבבלי מה ראו חכמים לומר הלכה כרבי יוחנן בן ברוקה לא אתה הוא ששניתה לנו כן ירתון אמר ליה יטלון תנית אתה לגביה אמר ליה לית כאן ירתון אלא יטלון אתה לגבי אבוי אמר ליה קפחתה את נתן הבבלי לית כאן יטלון אלא ירתון אמר רבי יוסי בי רבי בון אכין אמר ליה טעית טעות ששניתה לכם לית כאן יטלון אלא ירתון

Rabbi Jose tells in the name of Rabbi Johanan that it happened that Rabbi fixed the halakha according to Rabbi Johanan ben Beroka.<sup>75</sup> Rabbi Zeira in the name of Rabbi Johanan: Rabbi asked Rabbi Nathan the Babylonian why did the Sages decide that the halakha is according to rabbi Johanan ben Beroka. Rabbi Abba in the name of Rabbi Johanan: Rabbi had asked to Rabbi Nathan the Babylonian what was the motivation of Rabbi Johanan ben Beroka. Why did indeed the Sages fix the halakha according to Rabbi Johanan ben Beroka? Rabbi Nathan answered: didn't you (Rabbi)<sup>76</sup> read in the Mishna (in Ketubot), according to the Palestinian reading: ירתון (they will inherit)?<sup>77</sup> He (Rabbi) answered him: no I read יטלון (they will take)<sup>78</sup>.

Rabbi went to his father (and told him this story). His father answered him: you have hit (insulted, hurt) Rabbi Nathan the Babylonian. The correct reading is not יטלון but ירתון. Rabbi Jose bar Abba said: his father had said: « I was mistaken, what I tough you,<sup>79</sup> was a mistake, the correct reading is not (as I tough) יטלון but ירתון.

This translation is in accordance with the commentary of Korban ha Eda.<sup>80</sup> It is also in concordance with the conclusion of a parallel passage in Babylonian Talmud.<sup>81</sup>

תא שמע דאמר לו רבי נתן לרבי שניתם משנתכם<sup>82</sup> כר' יוחנן בן ברוקה דתנן לא כתב לה בנין דיכרין דיהוין ליד מינאי אינון ירתון כסף כתובתיך יותר על חולקיהון דעם אחוהון חייב שתנאי ב"ד הוא



ואמר לו רבי יסבון תנן ואמר רבי ילדות היתה בי והעזתי פני בנתן הבבלי

We see from these two texts that in the youth of Rabbi, the Mishna Ketubot IV: 10 was already fixed in the academies of Rabban Simeon ben Gamliel and Rabbi Nathan and the young Rabbi, who had learned it with his father was able to recite it before Rabbi Nathan. As he didn't lack self-assurance he didn't hesitate to stand up to Rabbi Nathan.<sup>83</sup> There was indeed still a doubt about one word, because a doubt subsisted whether the decision is according to Rabbi Johanan ben Beroka or according to the Sages. It appears that this clarification and finalizing of the Mishna, mainly on the basis of the tradition of Rabbi Meir, was the important achievement of the academy under the leadership of Rabban Simeon ben Gamliel II and Rabbi Nathan, before the definitive finalization under the leadership of Rabbi.<sup>84</sup> We see further that Rabbi's father appears now as one of his advanced teachers whose readings of the Mishna he allows himself to oppose to Rabbi Nathan, the second in the hierarchy. Finally Rabbi's father accepts the reading of Rabbi Nathan and he admits that he was mistaken. Rabbi's father is obviously an important scholar, conducting a Talmudic academy and lecturing before students<sup>85</sup> with his son among them and familiar with Rabbi Nathan. Rabbi was sufficiently confident in the teaching of his father to allow himself arguing with Rabbi Nathan. It seems now difficult to find him another father than Rabban Simeon ben Gamliel II. The generally accepted tradition of Rabbi's father being Rabban Simeon ben Gamliel II is then strengthened and finds here in this passage a serious support.

We are then back at the starting point, how to explain the specificities of Rabbi's leadership? What was the origin of Rabbi's wealth?

Without offering a bright solution, I think we must consider the following elements:

1. A drastic improvement of the security prevailing in Palestine under the leadership of Rabbi, during the period 170-220 C.E,<sup>86</sup> with regard to the situation prevailing during the war of Bar-Kokhba and during the leadership of Rabban Simeon ben Gamliel II.
2. An improvement of the political and economical situation with regard of the precedent periods. Even during the period 193-197 C.E. when a civil war broke out between Septimus Severus, the future emperor, and his rival Pescennius Niger the inconveniences for the Jewish population, which was not part of the conflict, were limited and in any case without any comparison with the situation before Rabbi.
3. After all the misfortunes i.e. the destruction of the temple and later of Betar (135 C.E.) the Jewish population remaining in Palestine is more homogenous and it accepts unconditionally the leadership of the Sages and of the Patriarch. There is apparently no more question of Sadducees. This can explain the greater authority of Rabbi Judah the patriarch.
4. Some differences between Rabban Simeon ben Gamliel II and Rabbi are connected to the difference of the appreciation of the surrounding situation and of the Roman leadership. Mutatis mutandis, Rabban Simeon ben Gamliel can be compared to someone born in about 1900 and Rabbi to someone born in about 1960; their attitude against Gentiles and their perception of anti-Semitism are very

- different.<sup>87</sup> This allows us understanding the diametrically positions between Rabban Simeon ben Gamliel II<sup>88</sup> and Rabbi<sup>89</sup> about the fasts.
5. Rabbi has now support of the Roman administration and his prerogatives are extended to the administration of the religious affairs. He has the monopole of the official nominations. He has the power to settle disputes about the repartition of taxes.<sup>90</sup> He is even enough influential to intercede in matter of taxes<sup>91</sup> but he has, apparently, no tax prerogative. This will appear probably with his successors.<sup>92</sup>
  6. While the sages were scattered during the life of Rabban Simeon ben Gamliel II, and had each of them, their own little academy and ordained their own pupils,<sup>93</sup> now all the sages are gathered around Rabbi in one single academy.<sup>94</sup> Furthermore, Rabbi holds the plurality of the offices of the academy, Patriarch, Hakham,<sup>95</sup> Av bet din,<sup>96</sup> and Moreina debei Nessiah.<sup>97</sup> Rabbi is now also the only one to give rabbinical ordination and even Rabbi Hiya must intercede with Rabbi in favor of his nephews Rav<sup>98</sup> and Rabbah bar Hana.<sup>99</sup>

More specifically the wealth of Rabbi is, in all the cases, difficult to explain, especially if we accept that Rabbi, as he claimed it, didn't take any advantage from his position,<sup>100</sup> as did his successors.<sup>101</sup>

Instead of him being the heir of a rich Galilean family of landowners, as proposed by Stern, we could imagine that he married the (unique) daughter of such a family. This would better explain the conjunction of Rabbi's education in a society far from wealth followed by Rabbi being at the head of a fortune.

## Conclusion.

We have shown that the two formal proofs that Stern had found in Jerusalem Talmud in favor of the revisionist theory according to which Rabbi is not the son of the Rabban Simeon ben Gamliel II, are not grounded.

Rabbi's father is a scholar, leading a Talmudic academy and belonging to the little world of the Pharisees. It seems difficult to find him another father than Rabban Simeon ben Gamliel II.

Furthermore we have proved that one finds in Palestinian sources a Braitā referring to the tripartite structure of titles: nasi, av beit-din and hakham in which the title of nasi seems to refer to Rabban Simeon ben Gamliel II while the title of hakham, the scholar of the academy, seems to refer to Rabbi Meir.

We find also in the Palestinian Talmud other elements sustaining the story of B. Horayot 13b-14a about the relations between Rabban Simeon ben Gamliel II, Rabbi Nathan and Rabbi Meir.

<sup>1</sup> See B. Ketubot 10b; Y. Yevamot IV: 12, 6b; Y. Sheviit VI: 1, 36d; B. Ketubot 104a and Genesis Rabbah 85:7.

<sup>2</sup> See B. Baba Batra 8a.

<sup>3</sup> See Leviticus Rabbah 37; B. Erubin 64b; Y. Aboda Zara I: 9; Tossefta Pesahim II: 9.

<sup>4</sup> See all the passages relative to the friendship with the emperor Antoninus.

<sup>5</sup> B. Berakhot 16b.

<sup>6</sup> See Kohelet Rabbah 10: 2.

<sup>7</sup> See B. Erubin 73a.

<sup>8</sup> See Y. Taanit IV: 2, 68a and Kohelet Rabbah VII: 7.

<sup>9</sup> About the origin of the title of Nasi, see Stern (2003). Anyhow he is the first to be granted this title attached to his name. In B. Gittin 14b 15a there is mention of Rabbi Simeon ha-nasi (see Tossafot and the novellae of R' Jacob Emden and Tsvi Hirsh Hayot ad locum).

<sup>10</sup> Rabbi Hiya, the second in rank after Rabbi, must ask him to ordain his two nephews before they left for Babylonia, see B. Sanhedrin 5a. See also an indirect allusion to this situation in Y. Sanhedrin I: 3, 19a, where it writes: "previously (in the generations of Rabban Johanan ben Zakai, Rabbi Joshua and Rabbi Akiba) each important Rabbi was ordaining his pupils.....alluding to the new situation under Rabbi, where Rabbi had the monopole of the ordination.

<sup>11</sup> See Kohelet Rabbah VII: 7 and Y. Taanit IV: 2, 68a.

<sup>12</sup> See the two former references.

<sup>13</sup> See B. Ketubot 103a and b.

<sup>14</sup> Even Rabbi Hiya as we can see in B. Moed Kattan 16a.

<sup>15</sup> See Genesis Rabbah 81: 2 and Y. Yevamot XII: 7, 13a about the designation of Levi for a rabbinic function.

<sup>16</sup> See B. Moed Kattan 16a (Bar Kapara and Rabbi Hiya).

Genesis Rabbah 33: 3 (Rabbi Hiya).

Y. Moed Kattan III: 1, 81c (Bar Kapara).

<sup>17</sup> See Y. Taanit IV: 2, 68a.

<sup>18</sup> See Y. Moed Kattan III: 1, 81c. (Bar Kapara).

Kohelet Rabba I: 11 (Juda and Hiskiyya, the sons of Rabbi Hiya).

Y. Taanit IV: 2, 68a and Kohelet Rabbah VII: 7 (Rabbi Hanina bar Hama).

<sup>19</sup> See Erubin 86a.

<sup>20</sup> This results implicitly from the following passages:

B. Rosh Hashanah 25a: שלח לי סימנא דוד מלך ישראל חי וקים

B. Sanhedrin 12a: ועמוסי יריכי נחשון בקשו לקבוע נציב אחד

Genesis Rabbah 98.8 and Y. Taanot IV: 2, 68a..... מדוד

B. Sabbath 56a : אמר רב, רבי דאתי מדוד מהפך ודריש.....

See also Y. Kilayim IX: 4, 32b; Y. Ketubot XII: 3, 34d and Genesis Rabbah 33.3.

<sup>21</sup> See B; Sanhedrin 98b.

<sup>22</sup> See Y. Sabbath XVI: 1, 15c.

<sup>23</sup> While his two predecessors had each of them an important dispute with some Rabbis because of their concern to affirm their leadership, the opposition against Rabbi is less spectacular, it is nearly underground because of the power of Rabbi. See nevertheless the declaration of Judah and Hezkiyya, the sons of Rabbi Hiya in B. Sanhedrin 38a.

<sup>24</sup> See B. Megilah 5b and Y. Megilah I: 6, 70c: the sages didn't accept and blocked the attempt of Rabbi to abolish the fast of the 9<sup>th</sup> of Av. See further the opposition of Rabbi Pinkhas ben Yair in B. Hulin 7b and Y. Demai I: 3, 22a.

<sup>25</sup> Epistle of Rav Sherira Gaon, Part III, chap. 5 (Heyman, London 1910. p. 103):

ולאו מבני רבנן הוה אלא מן תגרי.....

<sup>26</sup> Rabbi and the Origins of the Patriarchate. Sacha Stern, Journal of Jewish Studies LIV, n° 2, 193-215.

In this paper the author reproduces a chronological list of patriarchs running from Hillel the Elder, drawn from L.H.Shiffman; From Text to Tradition: A History of second Temple and Rabbinic Judaism, Hoboken N.J: Ktav 1991, p 205. As noted by Stern, the dates in the list are mostly round figures and they are intended as only approximation. I wish nevertheless to note that in my book: Hilkhot Kiddush ha-Hodesh al pi ha-Rambam pp 367-370 I have demonstrated on the basis of Mishnah Rosh Hashanah II: 8, that Rabban Gamliel the Elder 20-50C.E. was still in function in 51C.E. Similarly Rabban Gamliel of Yavneh 96-115 C.E. was already in function in 88 C.E.

<sup>27</sup> B. Horayot 13b-14a.

<sup>28</sup> Y. Bikkurim III: 3, 65c.

<sup>29</sup> Rubenstein, Jeffrey L. Talmudic Stories: narrative art, composition and culture. Chapter 6.

<sup>30</sup> Goodblatt, D. על סיפור הקשר נגד רבן שמעון בן גמליאל השני. Zion 49, 1984 pp. 349-374.

<sup>31</sup> We have two historical references.

a) Rabbi Johanan who said that this Braitā was taught in the time of Rabban Simeon ben Gamliel II. He could then be the author of the following passage.

b) Rava, who commented the passage represent the latest limit of composition of this passage.

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The extant elements don't allow to precise whether the whole story of the plot is from Rabbi Johanan or is a later composition, which could not be later than Rava, and Rabbi Johanan would only make allusion to the connection between the Braitā and the retrogress of Rabbi Meir in regard of Rabban Simeon ben Gamliel II. Rabbi Johanan would then refer to Y. Bikurim without giving any support to the story of the plot. According to another reading Ravina would be concerned and this would repel the limit of the composition's date to about 500 C.E.

<sup>32</sup> Tosefta Sanhedrin VII, 5 and Y. Bikurim III, 3, 65c.

<sup>33</sup> p. 358.

<sup>34</sup> Tosefta Maaserot II, 23.

<sup>35</sup> See following evidence: Y. Beza V, 2, 63a about the relations with Rabbi

Y. Bikurim III, 3, 65c and Y. Moed Kattan III, 1, 81c about the relations with Rabban Simeon ben Gamliel II.

<sup>36</sup> Rabbi Judah I and his Opponents by Albert I. Baumgartner, *Journal for the Study of Judaism*, Vol. XII, N° 2, mentions two references: 1: Midrash Tanhuma on Deut. I, 13 (edited by D. Hoffman): "there is no assembly of appointed scholars of which some members do not deserve damnation, but all the members of the most recent assembly deserve damnation".

2: Dictum of Rabbi Simeon ben Eleazar in Mishna Sotah IX, 13, which, according to Baumgartner is a direct protest against the new regulations of Rabbi about the tithes.

<sup>37</sup> סכנה See B. Ketubot 89a.

<sup>38</sup> According to B. Sabbath 33b, Rabbi Judah was supported by the Romans.

He was qualified: ראש המדברים בכל מקום B. Berakhot 63b, B. Sabbath 33b, B. Menahot 103b.

<sup>39</sup> This seems the genuine explanation of this dictum, it follows Rashi in B. Gittin 67a.. For other explanations see Arukh (entry: Hakham), Tossafot on B. Gittin 67a and Heyman p 536b.

<sup>40</sup> I nevertheless think that in the case of Rabbi Meir we speak about the quality of the hakham but under Rabbi, the function of hakham is already institutionalized. Rabbi Simeon III is nominated to this function. Rabbi Efes and Rabbi Hanina were also nominated to a similar function but the exact connection between these functions remains unclear.

<sup>41</sup> Finally at this stage I am led to question Goodblatt's exegesis of the Palestinian sources in which he wanted to understand hakham = ordinary hakham = ordained Rabbi. I think that even in the Tosefta Sanhedrin and in Y. Bikurim the expression hakham refers to the hakham, the head of the academy, the hakham of the generation. Let us remember that parallel to Rabbi Johanan in B. Horayot, it is also accepted in Y. Bikurim, that that the Braitā of Tosefta Sanhedrin was used by Rabban Simeon ben Gamliel II to regulate the honors between the dignitaries. As reported in the text of Y. Bikurim, the custom had become established in about 138 CE, after the years of terror and before the coming back of Rabban Simeon ben Gamliel II from his hiding place and probably also of Rabbi Nathan from Babylonia where he had escaped, to express the greatest marks of respect to Rabbi Meir, the hakham, the leader and the head of the academy. The purpose of the Braitā was then to regulate these honors i.e. to diminish the honors expressed to Rabbi Meir with regard to those expressed to Rabban Simeon ben Gamliel II in order to mark the difference between the nasi and Rabbi Meir. The Braitā was certainly not intended to increase the honors given to all the ordained Rabbis and to retrogress Rabbi Meir to this lower level. Therefore I think that not only in Avot de Rabbi Nathan but also in Y. Bikurim and even in Y. Moed Kattan the term hakham doesn't refer to an ordinary hakham but only to the hakham, the head of the academy, the scholar of the generation like Rabbi Meir in the generation of Rabban Simeon ben Gamliel II or Rabbi Simeon III and Rabbi Efes in the time of Rabbi.

It should also be observed that the quality of hakham of Rabbi Meir was apparently a recognized fact apparently not sanctioned by an official nomination. On the contrary during the next generation, under Rabbi, the title of hakham was the result of a formal nomination by Rabbi. See for example the nomination of Rabbi Simeon III by his father (B. Ketubot 103b) and the recommendation of nomination of Rabbi Hanina bar Hama (Y. Taanit 4, 2, 68a).

See also the passage in Y. Taanit 4, 2 68a where Rabbi says to Rabbi Hanina: go to your Babylonian teacher, he will nominate you as hakham. Note also that at the occasion of the ordination of Rav and Rabba bar Hana by Rabbi at the request of Rabbi Hiya, the title of hakham is not used (B. Sanhedrin 5a).

Apparently, already in the time of Rabbi, the title of hakham represents a title or a function at the head of the academy which could be conferred only by Rabbi. The ordination i.e. the authorization to judge civil cases, penal cases or even animal defaults was not equivalent to a nomination as hakham.

Finally, Rabbi Hiya, who was nearly equal to Rabbi and could have claimed the status of hakham in the same way as Rabbi Meir, was never nominated for any official function.

<sup>42</sup> See Y. Nedarim VI, 8, 40a.

<sup>43</sup> It is true that these figures include Rabban Simeon ben Gamliel I and II, but in fact they concern mainly the second one.

<sup>44</sup> B. Ketubot 77a; B. Bekhorot 20a; B. Sanhedrin 31b; B. Baba Kama 69a; B. Baba Metsia 38b; B. Baba Batra 174a; B. Gittin 38a and 75a. In Y. Baba Batra X: 14; 17d, the same ruling is ascribed to the Babylonians.

<sup>45</sup> Y. Sabbath X, 5.

<sup>46</sup> This passage is a such common evidence of Rabbi Simeon's humility that this passage seems to be the reference of another passage in B. Sanhedrin 11a mentioning the great humility of Rabban Simeon ben Gamliel II. There is another passage in B. Nedarim 66b confirming his humility.

<sup>47</sup> B. Erubin 32a.

<sup>48</sup> Tossefta Maasserot II, 5 and Y. Maasserot II, 1, 49a.

<sup>49</sup> Compare with a similar quotation from Y. Sotah II, 4. 18a:

תני ר' אלעזר בן שמעון אומר, רואה אני את דברי אלעזר בן שמעון מדברי אבא

We see that in the case of a paternal filiation he would have used "abba".

<sup>50</sup> The use of the term nasi for the patriarchs preceding Rabbi would then be an a posteriori use. See for example the following references: M. Hagigah II: 2; Tosefta Hagigah II: 4. and B. Moed Kattan 16a.

<sup>51</sup> This results implicitly from the following passages:

B. Rosh Hashanah 25a: שלח לי סימנא דוד מלך ישראל חי וקים

B. Sanhedrin 12a: ועמוסי יריכי נחשון בקשו לקבוע נציב אחד

Genesis Rabbah 98.8: אמר רבי לוי מגילת יוחסים מצאו בירושלים וכתוב בה הלל מדוד

B. Sabbath 56a : אמר רב, רבי דאתי מדוד מהפך ודריש

See also Y. Kilayim IX: 4, 32b, Y. Ketubot XII: 3, 34d and Genesis Rabbah 33.3.

<sup>52</sup> At the climax of the dispute between Rabban Simeon ben Gamliel II and Rabbi Meir and Rabbi Nathan, the first never used such an argument. See his discussion with Rabbi Nathan B. Horayot 13b. Similarly Rabban Gamliel II did not use such an argument when he was deposed.

<sup>53</sup> For a list of these divergences see Heyman p. 578.

<sup>54</sup> For example we have historical or anecdotic elements connected to the appointment of some leaders like Rabbah and Rav Joseph, Abbaye and Rava.

<sup>55</sup> Rabbi was the pupil of all the noted authorities of his time, namely Rabbi Eleazar ben Shamua (B. Erubin 53a), Rabbi Jacob ben Korsai (B. Horayot 13b, Y. Sabbath X: 5; 12c), Rabbi Simeon ben Yohai (B. Sabbath 147b), Rabbi Jose (B. Niddah 68b, B. Menakhot 14a), Rabbi Joshua ben Korha (B. Baba Batra 113a) Rabbi Nathan (B. Baba Batra 131a, Y. Ketubot VI: 16, 28c) and Rabbi Simeon ben Gamliel II (B. Baba Metsia 84b-85a).

<sup>56</sup> Many Rabbis coming from Babylonia were part of the close circle of Rabbi, like Rabbi Hiya, Rabbi Nathan, the two nephews of Rabbi Hiya, Rav and Samuel. At this period there existed in Sephoris a synagogue of the Babylonians, see Genesis Rabbah 33:3.

<sup>57</sup> B. Moed Katan 22b, about Rabbi at the funerals of Rabban Simeon ben Gamliel II, his father.

B. Baba Metsia: 84b-85a. This is the passage, which, according to Stern, is contradicted by the corresponding passage in Y. Maaserot II: 1, 49a. It is important to note that the conclusion of this passage of B. Baba Metsia 85a, according which Rabban Simeon ben Gamliel II was very humble is so evident that it is the basis of another passage of Talmud B. Sanhedrin 11a and 11b about his humility

תא חזי מאי איכא בין תקיפאי קדמאי לעינוותני בתראי.

<sup>58</sup> B. Horayot 13b-14a: דף יד, אגמרא לא היה קרב אמר לו מי הם הללו שמימיהם אנו שותים ושמותם אין אנו מזכירים אמר ליה בני אדם שבקשו לעקור כבודך וכבוד בית אביך אמר ליה (קוהלת ט) גם אהבתם גם שנאתם גם קנאתם כבר אבדה אמר ליה (תהילים ט) האויב תמו חרבות לנצח אמר ליה הני מלי היכא דאהנו מעשייהו רבנן לא אהנו מעשייהו הדר אתני ליה אמרו משום רבי מאיר אילו היה תמורה לא היה קרב

This passage relates the obstinate hatred of Rabbi for Rabbi Meir. If Rabbi was not the son of Rabban Simeon ben Gamliel II, why would he be so spiteful?



B. Sanhedrin 80a: ..... אמר רבי יוסי: אפילו אבא חלפתא.

B. Bekhorot 26a: ..... אמר רבי יוסי: מודה אבא חלפתא בזה.

B. Meilah 17b: ..... אמר להם רבי יוסי: ואילו היה אבא חלפתא קיים.

We must conclude that Abba is a title of honor similar to Rabbi but probably less important than Rabbi. It is likely that Rabbi Halafta was known for a long time as Abba Halafta and only later, in his old age he received the title of Rabbi. Apparently there is never a paternal signification in the use of Abba. Another possibility is that both titles were used indistinctly. Finally we must observe that the use of Abba in the Babylonian Talmud in the quotation of Rav Ashi by his son in B. Kiddushin 31b and of Rabbi's father in B. Erubin 32a, refer to the paternal meaning because abba is used alone without the father's name.

<sup>69</sup> Rabban is indeed the greatest title of honor. The greatest scholars, to whom it was difficult to measure a title were nevertheless mentioned by their little name without any title according to the expression (which is not to be found in reference texts, גדול מרבן שמו. See justification and reference in Tosefta Eduyot III: 4; Sefer ha-Arukh: entry Abayé and Maimonides' introduction to Zerayim (end, chapter 7).

<sup>70</sup> Heyman p. 1171a proposes the same explanation of the absence of any fraternal reference in the Tossefta Niddah VII: 3. It must be nevertheless mentioned that a text very similar to this Tossefta is mentioned in B. Niddah 58b, but here there is no mention of Rabbi Hanina ben Gamliel, but well of Rabbi Hanina ben Antigonus (one generation before) with the same statement. This discrepancy was not remarked by any traditional commentator.

<sup>71</sup> Tossefta Maasserot II, 5.

<sup>72</sup> See remarks 67 and 68.

<sup>73</sup> Y. Sabbath X, 5, 12c.

<sup>74</sup> Y. Ketubot IV, 11, 29a.

<sup>75</sup> According to Rabbi Johanan ben Beroka, a man can bequeath something to some of his children. Namely he can bequeath to the children of wife n° 2 the amount of the ketubah of their mother. If the amount of this ketubah is important or if this wife will have only few children, these children will be advantaged.

<sup>76</sup> Rabbi was much younger than Rabbi Nathan, he was his pupil. Therefore there is no reference here to the text of the Mishna finalized by Rabbi. Probably, Rabbi, as a pupil had recited the Mishna before Rabbi Nathan began to comment it. Another possibility is that we must understand, as in the version of B. Baba Batra: don't you the Palestinians read this Mishna according to the version ירתון?

<sup>77</sup> This text is in accordance with the opinion of Rabbi Johanan ben Beroka.

<sup>78</sup> According to the Sages; it is not a legacy, which cannot be collected from mortgaged estates but a donation, a contract which has now priority from now on.

<sup>79</sup> "You" is here in a plural form. Rabbi's father had tough this passage to several students, therefore we cannot say merely that Rabbi's father was rabbinical educated; he was certainly the head of an academy distinct from the central academy lead by Rabbi Nathan.

<sup>80</sup> The divergent commentary of the Pene Moshe is untenable.

<sup>81</sup> B. Baba Batra 132b.

<sup>82</sup> Rabbi Nathan the Babylonian knew the Babylonian and the Palestinian traditions. When he says "your Mishna" he refers to the Palestinian tradition. From the other side we find the following passage in B.

Ketubot 93a: משנת רבי נתן referring to the Babylonian tradition. We read in the Epistle of Rav Sherira Gaon

וביומי דרבי ובתריה הנהו מתנייתא דבבלאי הוו מקרין משנת רבי נתן בארץ ישראל :

<sup>83</sup> As it appears from Rabbi's answer to Rabbi Nathan the Babylonian.

<sup>84</sup> This is the signification of the passage: סוף משנה: רבי ורבי נתן, in B. Baba Metsia 68b.

<sup>85</sup> See remark 79.

<sup>86</sup> According to the epistle of Rav Sherira Gaon, Rabbi dies in 225 C.E.

<sup>87</sup> Rabbi Simeon ben Gamliel II was marked by the persecutions:

B. Sabbath 13b : אף אנו מחבבין את הצרות אלא שאם באנו לכתוב אין אנו מספיקין :

B. Ketubot 89a : ארשב"ג מן הסכנה ואילך אשה גובה כתובתה שלא בגט :

<sup>88</sup> Rabbi Simeon ben Gamaliel II :

B. Taanit 30b : ארשב"ג, כל האוכל ושותה בתשעה באב כאילו אוכל ושותה ביום הכיפורים :

<sup>89</sup> Rabbi had a very different position about the different minor fasts and even about Tisha Beav. In B. Megilah 5b we read the following passage:

אמר רבי חנינה, רבי נטע נטיעה בפורים ורחץ בקרונה של ציפורי בשבעה עשר בתמוז וביקש לעקור תשעה בעב ולא הודו לו

<sup>90</sup> See B. Baba Batra 143a.

<sup>91</sup> See B. Baba Batra 8a.

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<sup>92</sup> See the sharp criticism of Jose from Maon (Palestinian Amora and scholar recognized by Rabbi Johanan and Resh Lakish) against the Patriarch Rabbi Judah Nesiah in Genesis Rabbah 80: 1 and Y. Sanhedrin II: 6, 20d. Note that the relations between Resh Lakish and Rabbi Judah Nesiah were also tumultuous: B. Sanhedrin 7b and Y. Sanhedrin II: 1, 19d.

<sup>93</sup> At least when the situation made it possible.

<sup>94</sup> B. Gittin 59a :

מימות משה ועד רבי לא מצינו תורה וגדולה במקום אחד

<sup>95</sup> Title of Rabbi Meir one generation before: B. Horayot 13b, Avot de Rabbi Nathan XVIII, 4 and B. Gittin 67a. We have discussed above the exact meaning of this title. It is likely, following the argumentation of Goodblatt, that it was a quality and not a function.

<sup>96</sup> Function of Rabbi Nathan: B. Horayot 13b.

<sup>97</sup> Function of Rabbi Judah bar Ilayi: B. Menahot 104a and Y. Sabbath VIII, 1. 11b.

The exact signification of this function seems difficult to perceive. It is not impossible that this function was imposed by the Roman Government. Rabbi Judah was the man whom the Romans trusted and he could have been something like a government commissary. By chance the Roman commissary was also a faithful Pharisee and one of the leading Rabbis of the period. According to Tossafot in Menahot 104a, Moreina, and Y. Sabbath VIII, 1, 81b (see commentaries Korban ha-Eida and Pene Moshe) Rabbi Judah still fulfilled this function during the Patriarchate of Rabbi for a long time.

<sup>98</sup> “The son of his sister”. See B. Sanhedrin 5a. His father איבו was a half brother of Rabbi Hiya (the same father) and his mother אימא was the half sister of Rabbi Hiya (the same mother).

<sup>99</sup> “The son of his brother”. See B. Sanhedrin 5a. His father Hana was the brother of Rabbi Hiya.

<sup>100</sup> See B. Ketubot 104a and Genesis Rabbah 100: 2.

<sup>101</sup> See The Patriarchs and the Diaspora, Seth Schwartz, Journal of Jewish Studies, Vol. L, n°2, autumn 1999.