Rabbinic Judaism in the Making

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practices. As time progressed, this vast uncoordinated bulk became quite chaotic and threatened to destroy itself. The man who came to the rescue of the law was Akiba, as we shall see later.

**ELEAZAR BEN AZARIAH**

After Gamaliel II was demoted, Eleazar ben Azariah was elected in his place. Whether Gamaliel was stripped of all his power, losing both the presidency of the Sanhedrin and his office as Nasi, is a controversial issue. Proponents of the opinion that Gamaliel lost merely the presidency of the academy but not his Nasi office point to the fact that neither the account in the Babylonian Talmud (*Ber.* 27b–28a) nor the one in the P. Talmud (*P. Ber.* IV,1; 7d) state explicitly that Gamaliel lost his Nasi office or that Eleazar ben Azariah succeeded him in this office. The B. Talmud merely says מִּי נִכְבָּר “Let us depose him” (i.e., Gamaliel); and with reference to Eleazar ben Azariah the term רֵישׁ מַחְבָּאת הַכֹּל “head of the academy” is used. The P. Talmud states that ומיהא זא “They appointed [or: ordained] Eleazar ben Azariah [as member and head] of the academy,” and: ולא הוריהו אִיַּא בֶּן עֹרְיָה בֶּישָׁבָה “They did not demote him from his high office, but appointed him *Av Beth Din*.” In addition they claim that the members of the academy had no right to depose the Nasi since he was endorsed by the Roman authorities. It should also be noted that Eleazar ben Azariah is never called Nasi or referred to as *Rabban*, a title borne by the Princes.

While at first sight these considerations seem to carry decisive weight, a scrutiny of their premises and relevant sources show that they are unacceptable. For example, the assumption that Gamaliel lost merely the presidency of the academy but not the office of the Nasi is based on the premise that these two offices could be separated. However, this conjectural premise is unacceptable since there is no case on record where such was done.
The view that the Nasi could not be deposed because he was endorsed by the Roman authorities is likewise erroneous. The truth is that the Nasi possessed no official status in the eyes of the Roman authorities, who did not endorse, but merely tolerated him.77

Most illuminating in this matter is an incident related in B. Horayoth 13b, in which R. Meir and R. Nathan conspire in order to effect the fall of Simon, son of Gamaliel II.

A further proof of Eleazar ben Azariah’s appointment to nasidom is the talmudic statement (B. Ber. loc. cit.) that one of the reasons for selecting Eleazar ben Azariah to replace Gamaliel was that he was wealthy and able to “serve” (pay) the emperor when needed. There should be no doubt that this was a function of the Nasi and not that of a mere head of the academy.78 Furthermore, after the re-instatement of Gamaliel, Eleazar ben Azariah was appointed Av Beth Din, an office second only to that of the Nasi. This is an indication that hitherto his office was that of the Nasi.79

Eleazar ben Azariah was Nasi for a very short time only. This explains the absence of references to his title “Rabban” or to his office as Nasi. This also explains why he could not accomplish much during his presidency. Another factor in this respect may have been his youth. According to the B. Talmud (loc. cit.) he was sixteen years old when he was appointed Nasi. The accuracy of this given age (as is so often the case with dates in ancient literature) is questionable. They merely mean that he was a young scholar at this time.

While Eleazar ben Azariah may not have accomplished much personally during his presidency, his ascent to nasidom had significant consequences. The very day he accepted his high office (after consulting with his wife who tried to dissuade him), the doorman of the academy was removed and everybody who so desired was free to enter the hitherto restricted Beth Ha-Midrash. This gave many men an opportunity to come and relate their traditions or to bring their own halakhic problems before the members of the academy. Most of the traditions introduced by the words בַּיָּמָּוּבֶּןְִבֶרֶם “on that day” refer to the traditions brought up in the academy on the day Eleazar ben Azariah ascended to the presidency. Particularly important of these
are the "testimonies" related in tractate 'Eduyoth which, according to the Talmud (B. Ber. loc. cit.) were given on this day.80

Probably the most significant decision made under Eleazar ben Azariah's presidency was that the Song of Songs and Qoheleth were to be included in the Canon, as stated in M. Yadayim III,5, "... R. Simon ben Azzai said: I have heard a tradition from the seventy-two elders on the day when they appointed R. Eleazar ben Azariah [member and] head of the academy that the Song of Songs and Ecclesiastes render the hands unclean [i.e., are Holy Books]. . . ." 81

In spite of his demotion, Gamaliel continued to attend the sessions of the academy and soon apologized to R. Joshua. All this resulted in his early reinstatement, terminating Eleazar ben Azariah's presidency shortly after it commenced. However, Eleazar ben Azariah was not completely demoted but, besides being appointed Av Beth Din, he was privileged to lead the academy sessions one Sabbath (week) while Gamaliel was to preside two Sabbaths (or weeks).82 He also accompanied Gamaliel on many of his trips, and excelled throughout his career not merely as a halakhist but also as an aggadist.83

AKIBA

One of the obscurities of the tannaitic period is based on the reasonable assumption that between the death (or retirement) of Gamaliel II and the commencement of the nasidom of his son Simon there was an interim of several years during which period the leadership was in the hands of an acting Nasi. Since the sources do not give the name of this personage, scholars make various conjectures; we feel that probability favors Akiba. However, Akiba's leadership as acting Nasi, even if it were an established fact, still would be of secondary importance in comparison with his accomplishment for the history of Rabbinic Judaism, for in this respect he ranks with the outstanding Patriarchs.