

Great Debates in Jewish History: The Legal, Philosophical & Ideological Debates of Jewish History's Most Celebrated Figures יום א' לפרשת ויקהל Young Israel of Jamaica Estates – February 28, 2016



Part 2: A Debate from the Chazal Of the People or For the People: Admissions Standards & the Tannaitic Dispute over the Ivory Tower

I) THE BACKGROUND & THE PLAYERS IN THE DEBATE



Periods of Zugot and Early Tannaim

- (170BCE-140BCE): Period of the leadership of **Yossi b. Yoezer of Tzereida** as Prince (*Nassi*) and **Yossi b. Yohanan of Jerusalem** as Head of Court (*Av Beit Din*).
- (140BCE-100BCE). Period of leadership of **Yehoshua b. Pe'rachya** (*Nassi*) and **Nittai Ha'Arbeli** (*Av Beit Din*).
- (100BCE-60BCE) Period of leadership of **Yehuda b. Tavai** (*Nassi*) and **Shimon b. Shetach** (*Av Beit Din*).
- (60BCE-30BCE) Period of leadership of **Shemaya** (*Nassi*) and **Avtalyon** (*Av Beit Din*).
- (30BCE-10CE) Period of leadership of **Hillel** (*Nassi*) and **Shamai** (*Av Beit Din*).
[(37BCE-4BCE) Period of the reign of **Herod the Great**, a Roman Client King of Judea.]
- (10CE-30CE) Period of leadership of **Shimon b. Hillel** (*Nassi*).
- (30CE-50CE) Period of leadership of **Gamliel the Elder** (*Nassi*).
- (50CE-70CE) Period of leadership of **R. Shimon b. Gamliel** (*Nassi*).
[(66CE-73CE) **The Great Revolt**. Also known as the First Jewish-Roman War]
[(70CE) **Destruction of 2nd Temple**]
- (70CE-102CE) Leadership as *Nassi* of **R. Gamliel II of Yavneh**. Succeeded by **R. Elazar b. Azarya** whose end is not known.

(1) תלמוד בבלי – מסכת מגילה (יז):

The Amidah prayer: From where is this derived? — As it has been taught: Simeon the Pakulite formulated eighteen blessings in the presence of Rabban Gamliel in the proper order in Jabneh.

תפלה מנא לן? דתנינא: שמעון הפקולי הפקולי הסדיר שמונה עשרה ברכות לפני רבן גמליאל על הסדר בביבנה.

(2) משנה – מסכת ברכות (כח):

Rabban Gamliel said: Every day a person should pray the eighteen blessings. Rabbi Joshua said: An abridgement of the eighteen blessings. Rabbi Akiva said: If his prayer is fluent in his mouth, he prays all eighteen; but if not, he prays an abridgement of the eighteen. Rabbi Eliezer says: One who makes his prayer fixed, his prayer is not a genuine supplication.

רבן גמליאל אומר: בכל יום ויום מתפלל אדם שמונה עשרה. רבי יהושע אומר: מעין שמונה עשרה. רבי עקיבא אומר: אם שגורה תפלתו בפיו - מתפלל שמונה עשרה, ואם לאו - מעין שמונה עשרה. רבי אליעזר אומר, העושה תפלתו קבוע - אין תפלתו תחנונים.

It says in a Beraita: a *Komi* styl haircut is considered of the ways of the Emorites; Abtolus b. Reuben was permitted to have a *Komi* style haircut, because he dealt closely with the governing power. The house of R. Gamliel was permitted to study the wisdom of the Greeks, because he dealt closely with the governing power.

R. Gamliel would say: any who does not discuss three topics on Passover, does not fulfill his obligation [to recite the story of the Exodus]; and they are: the paschal offering, matzah and bitter herbs.

When Tevi [R. Gamliel's servant] died, R. Gamliel accepted comfort for him. His students said to him: our master has taught us that one does not accept comfort on behalf of a servant! He responded: My servant Tevi is not like other servants, for he was righteous.

II) THE DISPUTE

The R.s taught: There was an incident involving a certain disciple who came before R. Joshua. The disciple said to him: Is the evening prayer voluntary or compulsory? He replied: it is voluntary. The same disciple then came before R. Gamliel. He said to him: Is the evening prayer voluntary or compulsory? R. Gamliel replied: It is compulsory. The disciple said to him: But R. Joshua told me it is voluntary! R. Gamliel said to him: Wait until the shield-bearers enter the beit midrash.

When the shield-bearers entered, the questioner arose and asked: Is the evening prayer voluntary or compulsory? R. Gamliel replied: It is compulsory. R. Gamliel then said to the sages: Is there anyone who disputes this ruling? R. Joshua said to him: No. R. Gamliel said to R. Joshua: But in your name it was reported to me that the evening prayer is voluntary! R. Gamliel said: Joshua, rise to your feet and let them testify against you. R. Joshua rose to his feet and said: Would that I were alive and he were dead – for the living are able to contradict the dead. Now, however, that I am alive and he is alive, how can the living contradict the living? R. Gamliel continued sitting and expounding, and R. Joshua remained standing on his feet, until all the people murmured in indignation and said to Chutzpit the announcer: Stop! And he stopped.

They said: How long will R. Gamliel go on distressing R. Joshua? On Rosh Hashana last year, he distressed him; in the matter of the firstborn in the incident with R. Tzadok he distressed him; here too, he distresses him! Come, let us depose him! But whom shall we appoint in his stead? Shall we appoint R. Joshua? But he is personally involved in the incident. Shall we appoint R. Akiva? But perhaps R. Gamliel will cause punishment to befall him and he will die, because he does not have the merit of righteous forefathers to protect him. Rather, let us appoint R. Elazar b. Azarya, for he is wise, and he is wealthy, and he is the tenth generation from Ezra. He is wise, so that if he is asked something, he will be able to answer. He is wealthy, so that if one is needed to deal with the emperor, he too would be able to go and deal with him. And he is the tenth generation from Ezra, so he possesses the merit of righteous forefathers and R. Gamliel will be unable to cause him punishment.

On that day the doorkeeper was removed and permission was given to the disciples to enter. For R. Gamaliel had issued a proclamation [saying]. No disciple whose character does not correspond to his exterior may enter the beit midrash. On that day many stools⁴ were added. R. Johanan said: There is a difference of opinion on this matter between Abba Joseph b. Dosethai and the Rabbis: one [authority] says that 400 stools were added, and the other says 700. R. Gamaliel became alarmed and said: Perhaps, God forbid, I withheld Torah from Israel!...

דתינא: מספר קומי הרי זה מדרכי האמורי, אבטולוס בן ראובן התירו לספר קומי, שהוא קרוב למלכות; של בית רבן גמליאל התירו להן חכמת יוונית, מפני שקרובין למלכות.

רבן גמליאל היה אומר: כל שלא אמר שלשה דברים אלו בפסח לא יצא ידי חובתו. ואלו הן: פסח, מצה, ומרור.

...וכשמת טבי עבדו [של רבן גמליאל] קבל עליו תנחומין; אמרו לו תלמידיו: למדתנו רבינו שאין מקבלין תנחומין על העבדים! אמר להם: אין טבי עבדי כשאר כל העבדים, כשר היה.

תנו רבנן: מעשה בתלמיד אחד שפא לפני רבי יהושע, אמר לו: תפלת ערבית רשות או חובה? אמר לו: רשות. בא לפני רבן גמליאל, אמר לו: תפלת ערבית רשות או חובה? אמר לו: חובה. אמר לו: והלא רבי יהושע אמר לי רשות. אמר לו: המתן עד שיקנסו בעלי תריסין לבית המדרש.

כשנקנסו בעלי תריסין, עמד השואל ושאל: תפלת ערבית רשות או חובה? אמר לו רבן גמליאל: חובה. אמר להם רבן גמליאל לחכמים: כלום יש אדם שחולק בדבר זה? אמר לו רבי יהושע: לאו. אמר לו: והלא משמך אמרו לי רשות! אמר לו: יהושע, עמוד על רגליך ויעידו בך! עמד רבי יהושע על רגליו ואמר: אלמלא אני חי והוא מת, יכול החי להכחיש את המת. ועכשיו שאני חי והוא חי, היאך יכול החי להכחיש את החי? היה רבן גמליאל יושב ודורש, ורבי יהושע עומד על רגליו. עד שרננו כל העם ואמרו לחוצפית התורגמן: עמוד! ועמד.

אמרי: עד כמה נצטריה וניזיל! בראש השנה אשקד צצריה, בבכורות במעשה דרבי צדוק צצריה, הכא נמי צצריה! תא ונעצריה! מאן נוקים ליה? נוקמיה לרבי יהושע! בעל מעשה הוא; נוקמיה לרבי עקיבא! דלמא עניש ליה, דלית ליה זכות אבות; אלא נוקמיה לרבי אלעזר בן עזריה, דהוא חכם, והוא עשיר, והוא עשירי לעזרא. הוא חכם, דאי מקשי ליה מפרק ליה; והוא עשיר, דאי אית ליה לפלוחי לבי קיסר, אף הוא אזל ופלח; והוא עשירי לעזרא, דאית ליה זכות אבות, ולא מצוי עניש ליה... תנא: אותו היום סלקוהו לשומר הפתח, ונתנה להם רשות לתלמידים לקנס. שהיה רבן גמליאל מכריז ואומר: כל תלמיד שאין תוכו כבוד, לא יקנס לבית המדרש. ההוא יומא אתוספו כמה ספסלי. אמר רבי יוחנן: פליגי בה אבא יוסף בן דוסתאי ורבנן; חד אמר אתוספו ארבע מאה ספסלי, וחד אמר שבע מאה ספסלי.

הנה קא חלשא דעתיה דרבן גמליאל, אמר דלמא חס ושלום מנעתי תורה מישראל!...

תנא: עדיות בו ביום נשנית. וכל היכא דאמרין בו ביום, ההוא יומא הנה. ולא היתה הלכה

A Tanna taught: Eduyyoth was formulated on that day — and wherever the expression 'on that day' is used, it refers to that day — and there was no halachah about which any doubt existed in the beit midrash which was not fully elucidated. R. Gamaliel also did not absent himself from the beit midrash a single hour

שְׁהִיְתָה תְלוּיָה בְּבֵית הַמִּדְרָשׁ שְׁלֹא פִירְשׁוּהָ. וְאִם
רַבֵּן גַּמְלִיאֵל לֹא מָנַע עֲצָמוֹ מִבֵּית הַמִּדְרָשׁ אֶפְלוּ
שָׁעָה אַחַת....

Your neck, like a tower of ivory; your eyes, pools in Heshbon, by the gate of that lordly city. Your profile is like the tower of Lebanon, looking out toward Damascus.

(7) שיר השירים (ז:ה)
צֹאֲרֵךְ כְּמִגְדַּל הַשֵּׁן עֵינֶיךָ בְּרִכּוֹת בְּחֶשְׁבּוֹן עַל שַׁעַר
בֵּת רַבִּים אַפֶּךָ כְּמִגְדַּל הַלְבָנוֹן צוֹפֶה פָּנֶי דְּמָשְׁקִי :

Your neck is like a tower of ivory. This refers to the Sanhedrin.
Your eyes are like pools in Heshbon. This refers to the sages when they dispense advice and no man understands what they are advising, but it is known to the public.

(8) מדרש שיר השירים זוטא (שם)
צוֹאֲרֵךְ כְּמִגְדַּל הַשֵּׁן. אֵלּוּ הַסַּנְהֶדְרִין.
עֵינֶיךָ בְּרִכּוֹת בַּחֲשׁוֹבִין. אֵלּוּ הַחֲכָמִים כְּשֶׁהֵם
מֵתְכַנְסִים לַעֲצָה וְאִין אָדָם יוֹדֵעַ מֵהֶם יוֹעֲצִים
וְהַדְּבָר נִוָּדַע לְרַבִּים.

My Education and Aspirations: Autobiographical Reflections of R. Aharon Lichtenstein (etzion.co.il) (9)

It was clear to me, from a very early age, that I wanted to be able to make some difference, to leave the world a little bit better than I found it. It was clear to me that for me as a Jew, as a ben Torah, this meant trying to work within the ambience of the Jewish people, and the Torah-oriented part in particular. What form that would take subsequently, I didn't know at the age of twelve. At the age of twelve, I knew that I wanted to make a difference, that I wanted to be a teacher of Torah, but that still left a question as to whether I would be able to do it. At the age of twelve I do not expect that I considered that question as such; I was too young to perceive that. I do recall a conversation while I was a student at Yeshiva College, when several of us discussed our plans for the future, and I said, "I want to give a shiur; I want to spread Torah." One of them asked, "Will you be able to do it?" I said, without arrogance and without vanity, that I thought I could do a good job. However, until you actually take the plunge, you cannot know for certain whether you will succeed. You can predict that certain people are going to succeed, and maybe you want to include yourself among those; but, at some point, the plunge has to be taken.

The aspiration, the yearning, the valuing of making the world a better place — that could have taken on a number of forms. This aspiration appeared in much of the Victorian literature that I like, in musar literature, and in the words of my rebbe'im and others who influenced me. Rav Hutner started Chaim Berlin with four students in 1936 in a basement in Brooklyn, and it grew into a major yeshiva. The Mirrer Yeshiva, with thousands of students now, started with only ten. I do not say that I have that measure of success, but I have the desire to spread Torah, out of a love for Torah, out of a love for my fellow Jew, out of a conviction that Torah is the lifeline, the lifeblood, of the Jewish people. In order to help the Jewish people, then, I wanted to help in a manner connected to Torah.

At the same time, I didn't want to lead a cloistered, Ivy League, ivory-tower life. I knew all about the debate about the ivory tower, and it is a debate which, to some extent, I live with, trying to avoid making a move or making a decision too far in one direction or the other; I try to encompass both elements. I give a shiur in Menachot; that is the "ivory tower" part of me — a wonderful part, which I appreciate and love. Still, there is also a need to try to impact upon communal life as well. There are two ways of doing that. One is to become engaged and involved in communal life directly, and the other is to help build up an institution which will indirectly impact in some way. I do not tell you that at some point I sat down and made the calculation one way or the other. At the very outset, when HaRav Amital invited me to join him here, his letter was clear. He wrote me, "You know for yourself what the relationship between the yeshiva world and the non-yeshiva world is like, and what attitudes they have towards each other; let's go change it."

This decision is something that grows upon you; it is not as if you sit down one morning, make a list of the pros and cons, and simply decide. It is one of the most important decisions of your life; it takes time, and then one morning you wake up and you know that this is it: this is what you want; this is where you are headed; this is what you can see yourself doing.

III) PERSPECTIVE OF R. GAMLIEL

R. Gamliel was traveling on a boat and a wave threatened to sink the boat. He said: "It seems to me that this is only because of R. Eliezer ben Hyrcanus." He stood up and said: "Master of the universe! It is revealed and known before You that I did not do this for my own honor or for the honor of my father's house, but for Your honor, so that disputes will not proliferate in Israel!" The sea calmed from its anger.

(10) תלמוד בבלי – מסכת בבא מציעא (נט:)
וְאִם רַבֵּן גַּמְלִיאֵל הָיָה בָּא בַּסְפִּינָה, עָמַד עָלָיו
נַחֲשׁוּל לַטְבֵּעוֹ. אָמַר : כַּמְדוּמָה לִי שְׁאִין זֶה אֵלָּא
בְּשִׁבְלִי רַבִּי אֱלִיעֶזֶר בֶּן הוֹרְקָנוֹס. עָמַד עַל רִגְלָיו
וְאָמַר : רַבּוֹנוֹ שֶׁל עוֹלָם, גְּלוּי וְיָדוּעַ לִפְנֵיךְ שֶׁלֹּא
לְכַבּוּדִי עֲשִׂיתִי, וְלֹא לְכַבּוּד בֵּית אָבִא עֲשִׂיתִי,
אֲלֹא לְכַבּוּדְךָ, שֶׁלֹּא יִרְבוּ מַחְלּוֹקוֹת בְּיִשְׂרָאֵל. נָח
הַיָּם מִזְעַפּוֹ.

It was taught: from the days of Moses until the days of R. Gamliel, people did not study torah except while standing. Once R. Gamliel died, a sickness descended on the earth and people studied torah while sitting. And this is what we have learned in a Mishnah: Upon the death of R. Gamliel, the Torah'

(11) תלמוד בבלי – מסכת מגילה (כא.)
תָּנוּ רַבָּנִן : מִיָּמֵינוּ מִשֶּׁהָ וְעַד רַבֵּן גַּמְלִיאֵל לֹא הָיוּ
לְמַדְרֵי תוֹרָה אֲלֵא מַעֲוֹמָד, מִשְׁמַת רַבֵּן גַּמְלִיאֵל
יָרַד חוּלִי לְעוֹלָם וְהָיוּ לְמַדְרֵי תוֹרָה מְיוֹשָׁבִים. וְהָיוּ
דֹּתָן : מִשְׁמַת רַבֵּן גַּמְלִיאֵל בָּטַל כְּבוֹד תוֹרָה.