**“The Lightest Ones of the World and the Greatest Ones of the World” in the Palestinian Traditions of the Mishnaic and Talmudic Periods**

The farewell speech of the prophet Samuel, including his criticism of the premature desire to anoint a king, consciously presents a manifesto embodying Samuel’s perception of leadership. Samuel reviews the leaders of the Israelites from the nation’s earliest days and proves that each one arrived with the necessary skills to lead the people and save it from its enemies.[[1]](#footnote-1) Samuel is not the only leader who makes a historical speech before retiring and making room for his successors. However, while other farewell speeches concentrate on describing God’s mercies by detailing His miracles,[[2]](#footnote-2) Samuel emphasizes God’s mercy through a careful choice of special leaders who met the challenges of each generation. The concept of choice in Samuel’s approach explains his intense anger and sense of offense (personal or religious)[[3]](#footnote-3) at the demand for a king while he was still serving as the leader chosen by God to meet the people’s needs.

The unusual nature of Samuel’s speech, and the illustration of Samuel’s concept of leadership through a detailed examination of diverse leaders with diverse styles of power, made his verses a key foundation in future discussions in the rabbinical literature concerning issues of status and leadership.

In this article we will examine the development of a tradition that draws on verses from Samuel’s speech in order to clarify the status and authority of leaders in each generation. In its earliest manifestations, this tradition is integrated in a story describing one of the confrontations that occurred in the study house in Yavne under the patriarchate of Rabban Gamliel. Several studies have examined the different versions of this story and offered literary and historical analyses.[[4]](#footnote-4) Our discussion will focus on the development of one of the exegeses included in the story. We will trace the changes it undergoes during the transitions between the different literary genres and suggest that these changes were influenced by the character of the social tension that emerged when each genre was redacted regarding the question of the authority of the leadership and the status of its members.

**The Mishna Version**

Mishna Rosh Hashanah presents a discussion on the sanctification of the new month by means of eyewitnesses during the period of the patriarchate of Rabban Gamliel, including an instance when these testimonies were internally inconsistent, and moreover inconsistent with the astronomical calculations. During this discussion, a story is presented describing the consequences of doubting eyewitnesses. The redactor of the Mishna deviates from his usual practice of codification, presenting a well-developed legend describing the sequence of events leading to the total surrender of the skeptics, the patriarch’s edict, and R. Joshua’s journey with staff and sack on what was, by his calculation, Yom Kippur.[[5]](#footnote-5) The exegesis we will examine forms part of the process used to convince those who remained skeptical of the eyewitnesses to submit to Rabban Gamliel’s edict:

He then came to Rabbi Dosa ben Horkinas, who said to him: If we come to debate and question the rulings of the court of Rabban Gamliel, we must debate and question the rulings of every court that has stood from the days of Moses until now. As it is stated: “Then Moses went up, and Aaron, Nadav and Avihu, and seventy of the Elders of Israel” (Exodus 24:9). But why were the names of these seventy Elders not specified? Rather, this comes to teach that every set of three judges that stands as a court over the Jewish people has the same status as the court of Moses (*Rosh Hashanah* 2:49).[[6]](#footnote-6)

The Mishnaic exegesis ostensibly asserts the authority of the rabbinical court to determine religious law, by virtue of the appointment of the head of the court. The identity of the person presenting this exegesis is uncertain,[[7]](#footnote-7) but Rabbi Yehoshua is then described as submitting to the patriarch’s edict. Whatever the identity of the exegete, the passage embodies a recognition of the authority of the patriarch of the court to determine religious law, based on an analogy between his authority and the status of Moses. For our purposes, it is worth noting that the Mishnaic exegesis does not include verses from Samuel’s speech: these appear for the first time in the parallel story in the Tosefta.

**The Tosefta Version**

The core of the above story is not mentioned in the Tosefta, despite the fact that as a general rule the Tosefta includes a larger proportion of traditional legends than the Mishna.[[8]](#footnote-8) While the story itself is omitted, the texts presents an exegesis discussing why the names of the elders are not specified, and discussing the verses in Samuel’s speech. The discussion is expanded, and differs in a significant number of instances from the Mishnaic version. In the Tosefta, this exegesis concludes the section discussing the laws of testimony concerning the moon, and reads as follows:

Why did [Scripture] not tell[[9]](#footnote-9) us the names of the righteous ones? So that each person will not come along and say: I wish to compare Rabbi so-and-so to Eldad and Medad; I wish to compare Rabbi such-and-such to Nadav and Avihu.

Therefore it says: “the Lord, who appointed Moses and Aaron.” And it says: “And the Lord sent Jerubaal and Bedan, and Jephthah and Samuel” [I Samuel 12:6, 11] Jerubaal is Gideon, Bedan is Samson, Jephthah as given.

And it says: “Moses and Aaron were among his priests” [Psalms 99:6]. Scripture compared three[[10]](#footnote-10) of the lightest people in the world to three of the greatest ones of the world, to teach us that the court of Jerubaal was considered as great before the Lord as the court of Moses, and the court of Jephthah was considered as great as the court of Samuel.[[11]](#footnote-11)

This comes to teach you that anyone who is appointed as the ruler of the public, even the lightest of the light, is considered equal to the greatest knight, as it says: “And when you come to the priests, the Levites,[[12]](#footnote-12) and the judge, and so forth, you have only the judge in your generation,” and it says, “Say not thou, and so forth”[[13]](#footnote-13) (Tosefta Rosh Hashanah 1:18, p. 312).

We shall now summarize the additional elements found in the exegesis in the Tosefta:

1. The elaboration of the exegesis concerning the reason for the disappearance of the names of the seven elders.

2. The quotation of the verse from Samuel’s farewell speech, including the naming of the great leaders that arose for the People of Israel (Moses and Aaron) together with the minor leaders from the period of the judges.

3. The inclusion of Samuel in the category of great leaders by means of the quote from Psalms comparing the leadership of Moses and Aaron to that of Samuel.

4. The comparison between two of the great leaders and two of the minor ones.[[14]](#footnote-14) Aaron and Samson are not mentioned in the detailed comparison.

5. The expansion of the message of the exegesis to include the status of any leader and judge.

6. The addition of the moral lesson to include the end section beginning “Say not thou…”

The Mishna mentions a verse describing the gatherings of the elders of Israel at the Covenant of the Basins (Exodus 24:9) in order to support the phenomenon of the exclusion of the names of the elders. The absence of the elders’ names underscores the equal status of the religious court per se, regardless of the specific identity of its judges.

The Tosefta does not quote this verse, but alludes to two places in the Bible in which an entity of seventy elders is mentioned alongside named leaders. The first is the verse also mentioned in the Mishna in which the seventy elders are mentioned together with Nadav and Avihu; the second is the reference to the seventy elders following the sin of the cravers, alongside Eldad and Medad.[[15]](#footnote-15) The expansion in the Tosefta hints at a blurring of the hierarchy and at the equal status of the unidentified elders and the most prominent members of the priestly and ritual leadership, as well as equality between the elders and the most prominent members of the prophetic and spiritual leadership. Thus the argument of equality refers not only to the judicial leadership from different generations, but also to different types of leadership within a single generation.

The verse from Psalms reinforces the comparison between the great priests and those known for their prophetic leadership.[[16]](#footnote-16) The Tosefta does not confine itself to comparing the three great ones of the world to the three light ones, but instead divides the group into two pairs, in order to underscore the equality between the different types of leadership. Later, the exegesis explicitly mentions the role of the leader (*parnas*),[[17]](#footnote-17) as someone included in the principle of the equal status of different leadership functions. The extension of the exegetical message in the Tosefta to include the status of any leader or judge seeks to attribute equal status to the authority of the leaders of the generation in a specific era – patriarch, judge, and leader, eliminating the internal hierarchy between these positions.

We may now summarize the similarities and differences between the Mishna and the Tosefta:

*Similarities:* Both the Mishna and the Tosefta stress the need to accept the ruling of the religious court in every generation, by virtue of the appointment of its members.

*Differences:* 1. The nature of the comparison between the generations. The Mishna asserts an essentialist parity between the past and future judges, whereas the Tosefta acknowledges the large gap between the two categories under comparison, and indeed refers to them by the distinguishing labels “greatest ones of the world” and “lightest ones of the world.”[[18]](#footnote-18)

2. The identity of the leadership regarding which the hierarchical elements are to be blurred: The Mishna seeks to obscure the hierarchy between the generations regarding the judicial leadership alone, whereas the Tosefta aims to extend the blurring of the hierarchy to include the spiritual leadership (prophet – sage) and the administrative leadership (*parnas*), even when they come from the same generation.

Much has been written about the methodological differences between the Mishna and the Tosefta.[[19]](#footnote-19) However, rather than reflecting different methodological tendencies, this difference would seem to be due more to diverging perceptions of the source of authority of the religious court and its head. Henshke analyzes the components of the Mishnaic story and compares them to the version in a Baraita in the Babylonian Talmud (Rosh Hashanah 25a). He reaches the following conclusion:

The different stories produced by the Mishnaic redactor, on the one hand, and the author of the Baraita, on the other, are accordingly not coincidental: Rabbi Yehuda HaNasi, the redactor of the Mishna, preferred the tradition that portrayed his elder Rabban Gamliel and the authority of his court in the most complementary tones; the author of the Baraita, who evidently belonged to the anti-establishment circles among the students of Rabbi Akiva, evaluated the story in his own spirit.[[20]](#footnote-20)

It would seem that we may interpret the difference between the exegesis in the Mishna and the Tosefta in a similar manner. Rabbi Yehuda HaNasi proposes a parity of status between the greatness of his grandfather, Rabban Gamliel, and the great leaders of the past, while confining this parity solely to the head of the Sanhedrin. The author of the exegesis in the Tosefta, by contrast, does not necessarily question the imperative to accept the authority of the rulings of the religious court in each generation, but explains this not in terms of the absolute greatness of its members, but rather by virtue of their being leaders of the current generation. The author of the Tosefta extends the message of equality in order to reinforce the hegemony of each generational stratum of leadership, while blurring internal hierarchies. The choices made by the author of the Tosefta to exclude the framework story regarding the confrontation between Rabbi Gamliel and Rabbi Yehoshua, including the latter’s submission; to refer to the elders by the term “righteous ones;” to expand the comparison to the leaders of the past and to refer to them as the “greatest ones of the world” and to the present leaders as the “lightest ones of the world” (including the position of the *parnas*); and to extend the functional parity to include positions other than that of head of the religious court, all weaken the strength of the song of praise to the status of the latter function, while amplifying the concept of authority by virtue of appointment rather than by virtue of the particular rank in the leadership.[[21]](#footnote-21)

**The Jerusalem Version**

In the Jerusalem Talmud, the story of the confrontation between Rabban Gamliel and Rabbi Yehoshua is presented concisely. Nevertheless, some important differences may be noted between the three versions.

The exegesis in the Jerusalem Talmud is also presented in the context of the story of the entourage of Rabban Gamliel obliging Rabbi Yehoshua to come to the religious court on the day he (Yehoshua) considers to be Yom Kippur and the story of his arrival. However, while in the Mishna we were left uncertain as to the identity of the exegete, in the Jerusalem Talmud the Baraita is not attributed to any speaker and is presented at the beginning of the commentary on the Mishna in order to justify Rabban Gamliel’s demand:

It says: “the Lord, who appointed Moses and Aaron and who raised up,” and so forth; “And the Lord sent Jerubaal and Bedan, and Jephthah and Samuel” Jerubaal is Gideon, Bedan is Samson, Jephthah is Jephthah the Giladite. It compared three of the lightest people in the world to three of the greatest ones of the world, to teach us that the court of Gideon and Jephthah and of Samson are considered as great as Moses and Aaron and Samuel, and that the authorities of the great ones is on either side and of the lesser ones in the middle (JT Rosh Hashanah 2:9 58b; my translation)

We may now summarize the differences and additions in the Jerusalem version:[[22]](#footnote-22)

|  |  |  |  |
| --- | --- | --- | --- |
|  | Mishna | Tosefta | JT |
| Reason for the omission of the elders’ names | Mentioned | Mentioned extensively | Not mentioned  |
| Names of the judges from Samuel’s speech | Samuel’s speech is not mentioned | Explained | Explained |
| Comparison between Samuel and Moses and Aaron based on the verse from Psalms | Not mentioned | Mentioned | Not mentioned  |
| Comparison between the “lightest ones of the world and the greatest ones of the world” | Not mentioned  | Detailed comparison of two of the great leaders to two of the light ones | Generalized comparison  |
| Extension of the message to include the leader (*parnas*) and judge | No | Yes | No |
| Reference to the order of the leaders’ names in Samuel’s speech and their division into lightest and greatest ones | Absent | Absent | Present |
| The “say not thou” injunction comparing the different periods | Absent | Present  | Absent |

In the Jerusalem Talmud, as in the Mishna, the exegesis appears between the edict and the description of its implementation by Rabbi Yehoshua; the difference between the two sources relates to the description of the manner in which Rabbi Yehoshua coped with the edict. In the Mishna, Yehoshua is convinced by the importance of the religious court ruling, and he may even be the speaker who presents the exegesis comparing the status of the leaders of the two generations. In the Jerusalem Talmud, by contrast, Rabbi Yehoshua is portrayed as a tormented figure who is forced to obey the orders of Rabban Gamliel, and whose submission causes him great sorrow.[[23]](#footnote-23) This message also appears to color the wording of the exegesis and the discussion of the issue at hand. A comparison between the Jerusalem Talmud and the Mishna shows that the Jerusalem redactor, like the exegete in the Baraita in the Tosefta, disagrees with the Mishna’s perception of the essentialist parity between the past and present leaders. The exegete in the Baraita recognizes a hierarchy of lighter and greater leaders; indeed, he even acknowledges the possibility that students may be wiser than their rabbis.[[24]](#footnote-24) Yet despite this, the students must obey the head of the religious court. The emphasis on the theoretical gap between the types of leadership appears in the addition that is included only in the Jerusalem Talmud regarding the hierarchy of the list of leaders of the generations in Samuel’s speech: “that the authorities of the great ones is on either side and of the lesser ones in the middle.”

As noted, the abridged version of the exegesis in the Jerusalem Talmud conveys the message – in complete contrast to the Mishna – that all the leaders of the different generations are not equal in the slightest: the parity relates only to the obligation to obey the authority of the heads of the Sanhedrin.[[25]](#footnote-25) This approach is also apparent as the discussion goes on to describe Rabbi Yehoshua’s submission to Rabban Gamliel’s edict, as well as Gamliel’s warm response acknowledging the difference of greatness between them after the wiser of the two men accepts the ruling:

When Rabban Gamliel saw Rabbi Yehoshua, he rose from his chair and kissed him on his head and said to him: Peace be on you, my teacher and my student. My teacher, as you have taught me Torah in public, and my student, as I issue a decree against you and you fulfill it like a student of mine (ibid., ibid.).

The continuation of the discussion in the Jerusalem Talmud may be understood in a similar manner, as the text reports the disagreement between Rabbi Yochanan and Resh Laqish regarding the interpretation of the verse “Whose oxen are well laden:”

It is written: “whose oxen are well laden” and so forth. Rabbi Yochanan and Rabbi Shimon Ben Laqish [were discussing this verse]. Rabbi Yochanan said, “It is not written ‘well laden oxen’ but ‘well laden leaders’ [to teach] that when the heavy ones tolerate the lighter ones[[26]](#footnote-26) there will be “no breach, and no going forth, and no outcry in our broad places.” Rabbi Shimon Ben Laqish corrupts this reading thus: “It does not say ‘well laden oxen’ but ‘well laden leaders,’ meaning that when lighter ones tolerate the elders[[27]](#footnote-27) then there will be “no breach, and no going forth, and no outcry in our broad places” (JT Rosh Hashanah 2:9 58b; my translation)

The exegesis discusses the question of subordination: should (great) scholars Torah scholars tolerate the decision of the lesser ones (the head of the Sanhedrin), or do those great in the Torah take precedence despite the status of the head of the religious court? The redactor prefers the position of Rabbi Yochanan, who explains that only when the greater scholars submit to the lesser ones is it possible to secure the amiable reconciliation between Rabban Gamliel and Rabbi Yehoshua, thereby avoiding the risk of “no breach, and no going forth, and no outcry in our broad places.”

A comparison between the versions of this exegesis in the Jerusalem Talmud and the Tosefta shows that the Jerusalemite tradition seeks to restrict the principle of hierarchical equality in the leadership as a whole, as implied in the Tosefta, to the status of the judges on the Sanhedrin alone. In both traditions, Aaron’s name is subsumed in the category of the greatest ones of the world; this is particularly prominent in the section of the exegesis in the Tosefta in which the greatest ones and lightest ones of the world are divided into pairs, while ignoring Aaron and his partner.[[28]](#footnote-28) However, while the tradition in the Tosefta mentions the status of the priesthood (Aaron, Nadav, and Avihu) as one that is to be placed on a par with the prophetic leaders (Moses, Samuel, Eldad, and Medad) and the sages (the seventy elders), the Jerusalemite tradition does not mention the priesthood as a class in its own right, and omits the attempts to enshrine the status of the *parnas*.

We may hypothesize that the context of the exegesis and the concise manner in which it is presented (by contrast to the longer and older tradition in the Tosefta, and later in Ecclesiastes Rabbah, Midrash Samuel, and the Babylonian Talmud, as we shall see below) clarify that its purpose is to formalize the status of the court in the present, and to reinforce the hegemony of the religious court in Tiberias in the face of criticism, both internal and external (in Babylon), and in the face of the attempts to undermine the status of its members.[[29]](#footnote-29) The exegesis makes no attempt to soften the sense of a discrepancy in the greatness of the types of leaders (as is the case in the Mishna); rather, it seeks to render this discrepancy immaterial in the context of the status and decisions of the religious court.

The addition introduced by the redactor of the discussion in the Jerusalem Talmud, involving the exegesis on “our leaders are well laden,” apparently reflects a preference for the position of Rabbi Yochanan “when the heavy ones tolerate the lighter ones,” thereby accentuating the limited point conveyed by the Tosefta concerning the source of authority of the patriarch of the court. While the author of the Tosefta sought to downplay the greatness of the patriarch relative to the great leaders of the past and present, the exegesis of “our leaders are well laden” goes further, questioning his greatness even by comparison to his own students. According to the Jerusalem Talmud, then, the source of authority does not derive from his status as the greatest one of his generation, but from his function as patriarch and head of the Sanhedrin. We may assume that this addition constitutes a powerful testimony regarding the crisis in the patriarchate of the religious court during the early Talmudic period.[[30]](#footnote-30)

**The Version of Ecclesiastes Rabbah and Midrash Samuel**

An elaborated version of the exegesis appears in two additional Palestinian works: Ecclesiastes Rabbah (1:4) and Midrash Samuel (15). The two versions are very similar and appear to reflect an identical source (it is also possible that Midrash Samuel is based here on Ecclesiastes Rabbah); both appear to be grounded in the version in the Tosefta.[[31]](#footnote-31) Midrash Samuel includes one addition not present in Ecclesiastes Rabbah, as well as some changes in the order of the content (probably due to the opening statement of the verse on which the exegesis is based). The version in Ecclesiastes Rabbah includes several additions not present in Midrash Samuel.

We have chosen to present here the more expansive version from Ecclesiastes Rabbah, while adding notes on the minor differences in Midrash Samuel:[[32]](#footnote-32)

Rabbi Abba bar Kahana, and some say in the name of Rabbi Ada bar Huna: You should look upon the future generation as the previous one, and you ought not say that if [Rabbi Akiva was still alive I would read (scripture) before him, if] Rabbi Zeira and R. Chiya were still alive I would study (Mishna) before them; but rather say that the present generation and a contemporary sage are comparable with the previous generation and its original sages who preceded you.[[33]](#footnote-33)

R. Yochanan said: “It is written: ‘It is the Lord that made Moses and Aaron’ (I Samuel 12:6),” Resh Laqish said: “The Lord sent Jerubaal and Bidan and Jephthah and Samuel, Jerubaal is Gideon, Bidan is Samson, Jephthah is himself” and it is written: “Moses and Aaron among His priests, and Samuel among them that call upon His name” (Psalms 99).[[34]](#footnote-34)

The verse compares three light ones of the world with three great ones of the world[[35]](#footnote-35) in order to teach you that the court of Jerubaal was as great and important before the Holy One blessed be He as the court of Moses; and the court of Samson as the court of Aaron; and the court of Jephthah as the court of Samuel.

This comes to teach that any person who is appointed as a leader of the populace, even if he is extremely light, is considered to be similar to the greatest of the knights of old, as it is said: “And thou shall come unto the priests the Levites, and unto the judge that shall be in those days” (Deuteronomy 17:9), I have but the judge in your generation, (as) a judge not in your generation. From whence do we derive this? We learn “and unto the judge that shall be in those days,” this teaches that the judge in your generation is, in his time, as the judge that was in the olden days.[[36]](#footnote-36)

And thus he says: “Do not say that that which was in the olden days was better than today”

Resh Laqish says: “You only have the judge in your generation to whom to listen, as it is written: ‘And the heads of the fathers’ houses of the family of the children of Gilead, the son of Machir, the son of Manasseh,’” (Numbers 36). R. Juden said: “The fathers are fathers, but these are worthy of being senior whereas these are not worthy so the verse does not describe them as so.”[[37]](#footnote-37)

R. Brachiah has said: it is written: “And Jehoiada was the leader of the house of Aaron” (I Chronicles 12:28) – but how could Jehoiada be a leader of the house of Aaron? Rather this comes to teach that if Aaron had lived at the time of Jehoiada, Jehoiada would have been greater than Aaron in his time.”

R. Simai has said: “‘But Aaron and his sons offered upon the altar of burnt-offering” (ibid. 6:34) – but were Aaron and his sons alive then? Was it not Zadok and his sons who were there? Rather this comes to teach that if Aaron and his sons were alive Zadok would have been considered greater than them in their time.”

R. Hillel the son of Rabbi Samuel the son of Nachman proves this argument from this verse: “And all the congregation that returned from the captivity made booths and they dwelt in the booths, for since the days of Jeshua bin Nun they had not done so” (Nehemiah 8:17) – the verse is (deliberately) emended (Joshua’s name is written Jeshua) to preserve the honor of the late righteous person because of an anonymous person in his time (who may have been greater than Joshua).

But the Sages bring proof from here: “the son of Abishua the son of Phinehas the son of Eleazar the son of Aaron the chief priest” (Ezra 7:5), this is Ezra who came up from Babel, but if Aaron was alive (then) Ezra would have been greater than him in his time. (Eccl. Rabbah 1:4; my translation)[[38]](#footnote-38)

The differences between the versions in Ecclesiastes Rabbah and Midrash Samuel and the earlier versions of the exegesis (mainly the Tosefta) are as follows:

1. The introduction to the Tosefta presents prophets and priests as the great ones of the past, as examples of leaders perceived as great by comparison to others. In the introduction in Ecclesiastes Rabbah, the exegete mentions sages from the recent past.

2. In Ecclesiastes Rabbah, as in the Tosefta, the exegete divides the objects of his comparison (greatest ones of the world against lightest ones of the world). However, while the exegete in the Tosefta does not mention Aharon, and confines himself to Moses and Samuel against Jerubaal and Jephthah, the exegete in Ecclesiastes Rabbah also mentions Aaron against Samson.

3. A lengthy addition in Ecclesiastes Rabbah emphasizes the message that the leaders of the generation are equal in their wisdom, and possibly even superior, to the greatest ones of the previous generations. Four of the five examples given from the verses to prove this principle relate to the status of priests.

4. The addition in Midrash Samuel by comparison to Ecclesiastes Rabbah ostensibly returns to the format in the Mishna. But precisely because of the similarity, the different message is starkly apparent:

|  |  |
| --- | --- |
| Rather, this comes to teach that every set of three judges that stands as a court over the Jewish people has the same status as the court of Moses (Mishna Rosh Hashanah 2:49 | So that you shall not say were these the leaders of Israel at the time,This comes to teach that every set of three judges that stands as a court over the Jewish people shall be in your eyes as the court of Moses and Aharon and Samuel (Midrash Samuel 15) |

It would seem that the objective of the exegetes in Ecclesiastes Rabbah and Midrash Samuel, unlike their colleague in the Tosefta (which apparently serves as the foundation for their elaboration of the exegesis), is to criticize the tendency of the common folk to sanctify the leaders of the past and long for the days of their leadership. The Tosefta focuses mainly on the comparison between the rank of leaders serving simultaneously, whereas Ecclesiastes Rabbah interprets the verse “a generation goes and a generation comes” as implying parity of status between the leaders of different generations, determined not by comparing them to each other, but relative to the generation they lead. The words “do not say that the early days were better than these,” which appear as an undeveloped addition in the Tosefta,[[39]](#footnote-39) provides the primary foundation for the message conveyed by Ecclesiastes Rabbah and Midrash Samuel.

Rabbi Abba Bar Kahana illustrates this principle by claiming that the sages of the preceding generations have no greater merit, while Resh Laqish (who worked alongside the sages of the generation mentioned in the comments of Rabbi Abba Bar Kahana) offers examples from the more distant past – biblical heroes. Resh Laqish chose four biblical figures who inherited the leadership from preceding great leaders. The conventional comparison would conclude that the heirs were inferior to their predecessors, but Resh Laqish proves through a precise analysis of the verses that the status of the present heirs is actually greater than the status of their predecessors would have been, were they serving in the same period.[[40]](#footnote-40) His decision to prove this principle primarily by means of examples from the priestly leadership is no coincidence. Had he wished to highlight this principle in the context of leadership in general, would this not have been more effective had he chosen to mention the leadership of Joshua in contrast to Moses, or Elisha in contrast to Eliahu? We must assume that Resh Laqish is attempting to use his examples to refer to the development of the importance of priestly origin through the generations, and to aggrandize the leadership that acts in accordance with the needs of the hour. The examples he brings underscore the idea that there is no absolute status by virtue of origin. Aaron ostensibly has the highest priestly status in terms of his origin, yet his descendants are greater than him. Ezra’s priestly pedigree was irrelevant to his status: his greatness was shaped by the description in the verses that accompany those describing his origin (quoted at the end of the exegesis): “This Ezra went up from Babylon; and he was a ready scribe in the Law of Moses, which the Lord, the God of Israel, had given; and the king granted him all his request, according to the hand of the Lord his God upon him” (Ezra 7:6).

\*

We may now summarize the comparison of the different versions of this exegesis, and the way these should be understood in light of the period in which the traditions developed. The Mishnaic version strengthens the status of the head of the Sanhedrin by comparing his greatness to that of the greatest leaders of all the generations, since his Sanhedrin has “the same status as the court of Moses.” Rabbi Yehuda HaNasi stakes a claim for the legitimacy of his grandfather’s circle and its demand that Rabbi Yehoshua violate what was, according to his calculation, the holiest day in the year, on the grounds that the court’s ruling was equal to the laws of Moses. The Mishnaic version does not refer to the verses from Samuel. The list of leaders Samuel mentions includes eight names of lesser leaders alongside greater ones, thereby contradicting the perception of absolute equality that forms the basis of the Mishnaic tradition.

The version in the Tosefta highlights two aspects that weaken the unchallengeable status of the head of the Sanhedrin. The first is the positioning of the parity between the past and present leaders as a function of their appointment, without assuming equal wisdom. The list of leaders in Samuel’s speech powerfully proves the differences in terms of intellectual status and levels of holiness, while emphasizing the skills of each leader relative to the needs of his generation. This emphasis in the Tosefta may be intended to challenge the pro-patriarchial setting of the story of the confrontation between Rabban Gamliel and Rabbi Yehoshua in the Mishnaic version.[[41]](#footnote-41)

The second aspect is the idea of parity between the different types of leadership. According to the Tosefta, the priestly leadership has no advantage over the prophetic one, nor does the leadership of the court patriarch over the public leader (*parnas*). In other words, the figures are tested by virtue of their status as leaders, and not according to the type of leadership they bear. It may be assumed that the demand for equality between the different types of leadership reflects the social tension that characterized Jewish life in Palestine in the Mishnaic period and through the early stage of the Talmudic period, between the priests, who continued to claim seniority despite the lack of a temple, and the desire of the scholarly class to gradually inherit their status.[[42]](#footnote-42) The exegete in the Tosefta mentions Aaron in the list of the three greatest ones of the world (since he is mentioned in the verse in Samuel’s speech), but omits him when illustrating the parity between the Toranic, legal, and administrative (*parnas*) leadership.

The Jerusalem version relates solely to the court leadership, and formalizes the concept that their status derives from their appointment. No attempt is made to formalize the status of other leaders. We may assume that when the redactor of the Jerusalem Talmud interprets the fierce confrontation between Rabban Gamliel and Rabbi Yehoshua, his attention is focused on the erosion in the status of the court patriarchate in his own time, and the claims that the patriarch was inferior in his knowledge of Torah and in his leadership. Accordingly, the editor exploits the components of the story, and particularly the exegesis on the verses from Samuel’s speech, in order to bolster the status of the court patriarchate in the face of such claims.

The later version in Ecclesiastes Rabbah integrates the message of the Tosefta, calling for parity between the different types of leadership and emphasizing their suitability for the given generation. However, it emphasizes even more strongly the impropriety of comparisons between generations. The later exegete is concerned to bolster the status of the scholars in each generation, and to emphasize that the leader’s status is determined not by ancestral right or pedigree, but by the character of the position and its necessity in the present. We can assume that the exegesis was shaped in this form during the period of subjugation dominated by longing for past periods. Accordingly, there is a need for a comforting message that belittles the value of leadership rooted in origin and class, while demonstrating the greater merit of the current leadership.

1. S.J. Golani, “Three oppressors and four saviors: the three-four pattern and the list of saviors in 1 Sam 12,9-11,” *Zeitschrift für die Alttestamentliche Wissenschaft* 127,2 (2015) pp. 294–303. [↑](#footnote-ref-1)
2. For example, the speech given by Moses in Deuteronomy and Joshua’s speech before his death. [↑](#footnote-ref-2)
3. On the reasons for Samuel’s anger, see Y. Elitzur, *Israel and the Bible: Geographical, Historical, and Philosophical Studies*, Ramat Gan 5760, pp. 104–112 [in Hebrew]. [↑](#footnote-ref-3)
4. See, for example: D. Henshke, “How did R. Joshua Accept the Authority of R. Gamliel? On Two Stories of a Single Occurrence,” [journal name missing], Vol. 76a/b (Tishrei-Adar 5767), pp. 81–104 [in Hebrew]; D. Schwartz, “From Priests to Their Right to Christians to Their Left? On the Interpretation and Development of a Mishnaic Story (Rosh Hashanah 2:8-9),” *Tarbitz Ad* (5765), pp. 21–41 [in Hebrew]; H. Shapira, “The Deposing of Rabban Gamliel – Between History and Legend,” *Zion* 64(a), 5759, pp. 5–38 [in Hebrew]; M. Ben-Shalom, “The Story of the Deposing of Rabban Gamliel and the Historical Reality,” *Zion* 66(c), 5761, pp. 345-370 [in Hebrew]; M. Simon-Shoshan, *Stories of the Law: Narrative Discourse and the Construction of Authority in the Mishnah*, New York 2012, pp.169–193; A. Walfish, “Halakhic Confrontation Dramatized A Study of Mishnah Rosh Hashanah 2:8–9,” *HUCA* LXXIX (2008), pp.1–41. [↑](#footnote-ref-4)
5. On the integration of legends in the Mishnaic text, including specific reference to this legend, see: Y. Frankel, “The Aggadah in the Mishna,” *Talmud Studies* 3 (5765), p. 679; see also Simon-Shoshan (n. 4) and Walfish (n. 4). [↑](#footnote-ref-5)
6. English translations are taken from the William Davidson Talmud as presented on the Sefaria website (sefaria.org.il), unless otherwise noted; in some instances (such as the word “he” at the beginning of the quote here, replacing “Rabbi Yehoshua” in Davidson, the English translation has been modified for the purposes of our discussion. The differences between the different manuscripts are minor, do not impinge on our discussion here, and accordingly will not be noted. [↑](#footnote-ref-6)
7. It is unclear whether words “He then came to Rabbi Dosa ben Horkinas” refer to Rabbi Akiva, who according to the preceding text was sent by Rabban Gamliel to order Rabbi Yehoshua to come to him with his staff and sack on what according to his calculation was Yom Kippur (as implied in the Midrash on the Thirty-Two Rules, 86, Enelow, p. 122); or whether it is Rabbi Yehoshua, who is convinced by Rabban Gamliel’s remarks and joins Rabbi Akiva to head off and persuade Rabbi Dosa, who is mentioned as doubting the capacity of the eyewitnesses; or indeed whether it is Rabbi Dosa himself, who has reconciled himself to the need to accept Rabban Gamliel’s edict and is now attempting to placate Rabbi Yehoshua (S. Lieberman takes this position: *The Simple Sense of Tosefta*, Rosh Hashanah, p. 1035 [in Hebrew]). Henshke (n. 4) and Schwartz (n. 4) prove that the speaker is Rabbi Yehoshua himself, and explain how this identification is consistent with the prevalent structure of the Mishnaic story; we shall return to this point below. [↑](#footnote-ref-7)
8. The question of the chronological order of the Mishna and the Tosefta has been discussed extensively in the scholarly literature. For a summary of the state of research, see P. Mendel, “Tosefta,” *The Palestinian Rabbinical Literature: Introductions and Studies* 1, Jerusalem 2018, pp. 109–136 [in Hebrew]. [↑](#footnote-ref-8)
9. Most of the textual witnesses read “Why were the names not made explicit.” [↑](#footnote-ref-9)
10. London MS: “two of the lightest people of the world.” This version may be based on a verse in Samuel that mentions only Moses and Aaron, followed by the three light leaders. [↑](#footnote-ref-10)
11. London MS and the first printed edition invert the analogy: Jerubaal is compared to Samuel and Jephthah to Moses. [↑](#footnote-ref-11)
12. Erfurt MS has “when you come to the judge,” omitting the reference to the priests and Levites. [↑](#footnote-ref-12)
13. Berlin and Erfut MSS extend the quote from Ecclesiastes 7:10: “How was it that the former days were better than these?' for it is not out of wisdom that thou inquirest concerning this.” [↑](#footnote-ref-13)
14. This may be the basis for the version in London MS: “between two great ones of the world.” [↑](#footnote-ref-14)
15. Numbers 11:25-26: “And the Lord came down in the cloud, and spoke unto him, and took of the spirit that was upon him, and put it upon the seventy elders […] But there remained two men in the camp, the name of the one was Eldad, and the name of the other Medad; and the spirit rested upon them; and they were of them that were recorded, but had not gone out unto the Tent; and they prophesied in the camp.” [↑](#footnote-ref-15)
16. This equal status is emphasized in the tradition, in Sifra Shemini (1:7): “And Moses said to Aaron, as it is written: ‘Moses and Aaron (the elect of) His priests, and Samuel (among the elect of) the invokers of His name. They called to the Lord and He answered them. (Tehillim 99:7) In a pillar of cloud He spoke to them’ — whereby we are taught that the three were on a par.” The version in the Mishna (Rosh Hashanah 2:49) does not mention Aaron, and the comparison is only to Moses. [↑](#footnote-ref-16)
17. On the role of the *parnas* in the rabbinical literature, see: Y. Levin, *The Status of the Sages in the Land of Israel in the Talmudic Period*, Jerusalem 5746, p. 109 [in Hebrew]; A. Bichler, *Studies in the Mishnaic and Talmudic Period*, Jerusalem 5628, p. 21 [in Hebrew]; E. Friedheim, “Public Leadership in the Mishnaic and Talmudic Period, Some Comments on the Attitudes of the Palestinian Sages,” *Sinai* 111 (5757), pp. 276–387 [in Hebrew]; R. Kimelman, “Rabbi Yohanan and the Status of the Rabbinate,” *Hebrew Law Annual* 9-10 (5742-5743), pp. 329–358; M. Goodman, *State and Society in Roman Galilee, A.D. 132-212*, London 2000, pp. 122–123. See also: A. Sivertsev, *Private Households and Public Politics in 3rd-5th Century Jewish Palestine*, Tübingen c2002, p.44 n.20. Sivertsev argues that it is inaccurate to create a distinction between the different functions mentioned on this issue, and draws on additional sources to prove that there is a tendency to use the titles interchangeably. [↑](#footnote-ref-17)
18. On the meaning of these epithets, see: S.Y. Friedman, *Studies in Language and Terminology in the Talmudic Literature*, Jerusalem 5774, pp. 63–65 [in Hebrew]; idem., “The World of the Greatest Ones,” *Gates of Language* B (eds.: A. Maman, S. Fessberg, and Y. Breuer), Jerusalem 5768, p. 279 [in Hebrew]. The word *olam* (“world”) in the epithet is better understood in its sense of “ever” – these are the greatest ones ever, the greatest ones of all the generations. [↑](#footnote-ref-18)
19. For a comprehensive and recent summary of the literature, see: P. Mandel, “Tosefta,” *The Palestinian Rabbinical Literature: Introductions and Studies* 1, Jerusalem 2018, pp. 109–136 [in Hebrew]. [↑](#footnote-ref-19)
20. Henshke, “On Two Stories of a Single Occurrence,” p. 97 [my translation]. [↑](#footnote-ref-20)
21. Many divergent views can be found regarding the meaning of the differences between the Mishna and the Tosefta and the chronological gap between the two corpuses. S.Y Friedman, “Ancient Addendum: On the Relationship between Parallelisms in the Mishna and the Tosefta [A] – All the Scriptures (Shabbat 15a),” *Tarbitz* 62, C (Nisan-Sivan 5753), pp. 313–338, strengthens the view that the Tosefta is more firmly embedded in the concrete way of life in Palestine, whereas the Mishna shows a less impartial attitude toward the selection and editing of the sources. The significant difference between the tradition that ends the section discussing eyewitnesses in the two corpuses would seem to support the assumption that we are dealing with deliberate distinctions. [↑](#footnote-ref-21)
22. We will not discuss here variants that have philological explanations, but rather additions or omissions typical of most of the textual witnesses of this passage, which we suggest reflect the shaping of the exegesis according to the changing messages of each generation. [↑](#footnote-ref-22)
23. On this aspect, see also Henshke, “On Two Stories of a Single Occurrence,” pp. 94–97.

 [↑](#footnote-ref-23)
24. See the explanation offered by Henshke, “On Two Stories of a Single Occurrence,” p. 96 regarding the differences between the manner in which Rabban Gamliel addressed Rabbi Yehoshua after the latter obeyed his edict; for Henshke, this proves that according to the Baraita in the Jerusalem and Babylon Talmuds, in this instance lighter leaders obeyed greater ones. [↑](#footnote-ref-24)
25. In the Babylonian version, Rabbi Akiva, quoting Rabbi Yehoshua, mentions the concrete possibility that a religious court may issue a mistaken ruling: Rabbi Akiva said to him: My teacher, allow me to say before you one matter that you yourself once taught me. He said to him: Speak. He said to him: It states with respect to the Festivals: “The appointed seasons of the Lord, which you shall proclaim them [otam] to be sacred convocations (Leviticus 23:2). And it is written: “These are the appointed seasons of the Lord, sacred convocations; you shall proclaim them [otam] in their season” (Leviticus 23:4). And it is written: “These are the appointed seasons of the Lord; you shall proclaim them [otam] to be sacred convocations” (Leviticus 23:37). Three times the verses use the term: Them [otam], which can also be read as you [atem], in plural. This comes to teach: You [atem] are authorized to determine the date of the new month, even if you unwittingly establish the New Moon on the wrong day; you, even if you do so intentionally; you, even if you are misled by false witnesses. In all cases, once the court establishes the day as the New Moon, it is sanctified, and God grants His consent. After hearing this, Rabbi Yehoshua said to him in these words: Akiva, you have consoled me; you have consoled me” (BT Rosh Hashanah 25a). [↑](#footnote-ref-25)
26. The intention is that great ones such as Rabbi Yehoshua must tolerate the decisions of their lessers. [↑](#footnote-ref-26)
27. Resh Laqish challenges the obligation to submit to the edicts of the leaders (the lesser ones), arguing that the lesser ones should obey those greater in the Torah. On the reserved attitude of Resh Laqish toward the status of the patriarch of the court, see: R.R. Kimelman, “The Conflict Between R. Yohanan and Resh Laqish on the Supremacy of the Patriarchate,” *Proceedings of the 7th World Congress of Jewish Studies* 3 (1981) pp. 1–20. [↑](#footnote-ref-27)
28. This is true at least of all the textual witnesses in our possession. [↑](#footnote-ref-28)
29. See: E.E. Urbach, “Status and Leadership in the World of the Palestinian Sages,” *The World of Sages*, Jerusalem 5762, pp. 324–325 [in Hebrew]; C. Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine*, 1997; pp.186; 255–306; H. Lapin, *Rabbis as Romans: The Rabbinic Movement in Palestine, 100-400 C.E*, New York 2012, Chapter Three. See also: D. S. Fraade, “Priests, Kings, and Patriarchs: Yerushalmi Sanhedrin in Its Exegetical and Cultural Settings,” *The Talmud Yerushalmi and Graeco-Roman Culture* III (2002) pp. 315–333, which discusses the discrepancy between the Jerusalem Talmud and the Mishna and Babylonian Talmud in terms of the hierarchy of the leadership classes presented in its exegeses. [↑](#footnote-ref-29)
30. For a detailed discussion of this aspect, see: D. Goodblatt, “Towards the Rehabilitation of Talmudic History.” *History of Judaism: The Next Ten Years*, (ed) B. M. Bokser, Chico 1981, pp. 31–44; L. I. Levine, “The Status of the Patriarch in the Third and Forth Centuries: Sources and Methodology,” *JJS* 47 (1996), pp. 1–32; M. Jacobs, *Die Institution des jüdischen Patriarchen*, Tübingen 1995. [↑](#footnote-ref-30)
31. For proposals for the dating of each of the works, and the probability that the later midrash (Midrash Samuel) was familiar with materials from the earlier one, see: A. Reizel, *Introduction to the Midrashim*, 5771, pp. 183–184, 271–273 [in Hebrew]. See also: H. Kadari, “The Amoraitic Legend Midrashim,” *The Palestinian Rabbinical Literature: Introductions and Studies* 1, Jerusalem 2018, p. 332 [in Hebrew]. [↑](#footnote-ref-31)
32. Midrash Samuel, B. Lifschitz Edition, Jerusalem 5769. We shall relate to differences in the content that we consider substantive, and not to minor textual variants. [↑](#footnote-ref-32)
33. The first section, up to here, also appears in Midrash Samuel, though at a later point, after the comparison between the leaders of the past and the judicial leaders. The redactor of the exegesis in Ecclesiastes Rabbah evidently began with this section due to the opening quote from that book – “a generation goes and a generation comes.” [↑](#footnote-ref-33)
34. The verse from Psalms does not appear in the version in Midrash Samuel. [↑](#footnote-ref-34)
35. At this point, a significant addition is included in Midrash Samuel, constituting the only parallel to the Mishnaic version, with minor differences, as follows: “So that you shall not say were these the leaders of Israel at the time. This comes to teach that every set of three judges that stands as a court over the Jewish people shall be in your eyes as the court of Moses and Aharon and Samuel.” We shall discuss this addition further below. [↑](#footnote-ref-35)
36. The entire section beginning “This comes to teach that any person who is appointed as a leader,” and so forth, through to this point does not appear in Midrash Samuel. [↑](#footnote-ref-36)
37. Two leaderships are referred as “heads of fathers’ houses,” but one of them appears in the definite – “heads of the fathers’ houses” – and the other in the indefinite – “heads of fathers’ houses.” The fact that the older group, including Moses and the patriarchs, is indefinite is intended to convey an important message regarding the status of the changing leaderships, as described later in the exegesis. This section does not appear in Midrash Samuel. [↑](#footnote-ref-37)
38. According to the M. Hirschman edition, Jerusalem 2016, pp. 36–40. [↑](#footnote-ref-38)
39. In some textual witnesses of the Tosefta, the sentence is divided in the middle with the phrase “and so forth.” [↑](#footnote-ref-39)
40. It is interesting that Resh Laqish mentions the exegesis in the Babylonian Talmud as a representative of the opposite view regarding the word “in their generations,” which appears alongside the description of the righteousness of Noah: Rabbi Yochanan says “in his generation, and not in other generations,” whereas Resh Laqish says, “in his generation, and all the more so in other generations” (BT Sanhedrin 108a). This disagreement is attributed in its earlier version to Rabbi Judah and Rabbi Nehemiah (Bereshit Rabbah 30:6, p. 275). According to our exegesis, we would expect that Resh Laqish would adhere to the view that the greatness of the leader is attached to his particular period of leadership, and is not relative to other generations. For the historical background of this dispute between Rabbi Yochanan and Resh Laqish, see Kimelman (n. 17), who argues that Resh Laqish’s position is influenced by his attitude toward the patriarch of the court in his generation. Kimelman proves that Resh Laqish established an opposition to the patriarch and opposed his continuing office. The main reason for his opposition was his doubt regarding the patriarch’s greatness in the Torah by comparison to the preceding patriarchs. If we accept this assumption, this reinforces his comments in our exegesis, since they would seem to contradict his own attempts to sanctify the past leaders by comparison to those of the present. [↑](#footnote-ref-40)
41. In the spirit of Rav’s sarcastic criticism of the defense offered by Rabbi Yehuda HaNasi for the sins of King David: “Rav said: Rabbi Yehuda HaNasi, who descends from the house of David, seeks to teach the verse in favor of David” (BT Shabbat 56a). This assumes that the editor of the Tosefta was familiar with the tradition used by the Mishnaic version. [↑](#footnote-ref-41)
42. See: G. Alon, *The History of the Jews in Palestine in the Mishnaic and Talmudic Period*, Tel Aviv 5727, pp. 14 ff. [in Hebrew]; S.W Baron, *A Social and Religious History of the Jews* VII, Philadelphia 1958, p. 259, n.36; A. Büchler, *Die Priester und der Kultus im letzten Jahrzehnt des Jerusalemischen Tempels*, Vienna 1895, pp. 16–23. See also: R. Kimelman, “The Priestly Oligarchy and the Scholars in the Talmudic Period,” *Zion* 48 (5743), pp. 135–147 [in Hebrew]; Y. Gafni, “Tribe and Legislator – On New Patterns of Leadership in the Talmudic Period in Palestine and Babylon,” *Priesthood and Monarchy* (5747), pp. 79–91 [in Hebrew]; O. Irshai, *On the Role of the Priesthood in Jewish Society in Late Ancient Times, Continuity and Transformation*, Jerusalem 5764, pp. 67–106 [in Hebrew]; H. Birenboim, *“A Kingdom of Priests”: Did the Pharisees Try to Live Like Priests?"* [*Was 70 CE a Watershed in Jewish History?*](http://booksandjournals.brillonline.com/content/books/9789004217447) (ed: [D. Schwartz](http://www.brill.com/search?search_author=Daniel%20R.%20Schwartz) & [Z. Weiss](http://www.brill.com/search?search_author=Zeev%20Weiss)), [place of publication missing] 2012, pp. 59–68. [↑](#footnote-ref-42)