

## THE RISE OF THE BABYLONIAN RABBINIC ACADEMY: A REEXAMINATION OF THE TALMUDIC EVIDENCE

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This paper offers a fresh examination of the talmudic evidence for the rise of the rabbinic academy in Babylonia, the subject of a debate between David Goodblatt and Yeshayahu Gafni. In brief, I suggest that their debate can be resolved by taking into account the theories of David Weiss Halivni and Shamma Friedman concerning the post-amoraic or “stammaitic” provenance of the anonymous stratum of the Bavli, as well as some recent work on the post-amoraic origins of many Bavli narratives. Most, if not all, references to a *yeshiva* or *metivta* in the Bavli derive from this post-amoraic stratum. These references therefore do not prove that academies existed in Babylonia in amoraic times. Goodblatt’s dating of the rise of the academy to post-talmudic times can be accepted, though several of his interpretations of talmudic sources need not be endorsed. In other words, both Goodblatt and Gafni were correct. Goodblatt was correct to date the rise of the academy to post-amoraic times. Gafni was correct to claim that there are indeed references to academies in the Bavli. However, these references belong to the post-amoraic stratum, and therefore support Goodblatt’s, rather than Gafni’s, conclusion. That is the general argument, which I will now present in detail together with the sources.

In his book *Rabbinic Instruction in Sasanian Babylonia*, published in 1975,<sup>1</sup> David Goodblatt offered a comprehensive study of references to rabbinic institutions in the Bavli. He concluded that rabbinic academies, the large-scale institutions of rabbinic learning known from geonic sources, did not exist in the talmudic period. By “academy,” Goodblatt meant an institution with a corporate identity that transcended the existence of the rabbis who constituted it at any given time.<sup>2</sup> The Bavli typically associates Babylonian amoraim with the *be rav* or *be rav ploni*, which Goodblatt argued was a small disciple circle that gathered around an individual rabbi, presumably meeting at that rabbi’s house (hence the term *be rav*). When that rabbi

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<sup>1</sup> David Goodblatt, *Rabbinic Instruction in Sasanian Babylonia* (Leiden: Brill, 1975).

<sup>2</sup> *Rabbinic Instruction*, 267: “an institution which transcends its principles. It has a staff, a curriculum, and, most important, a life of its own, a corporate identity. Students come and go, teachers leave and are replaced, the head of the school dies and a new one is appointed — the institution goes on.”

died, or when the students decided that they had learned enough, they departed to another master or to gather students of their own.

The Bavli generally uses *bet midrash* / *be midrasha* (which probably simply means “school”) in connection with tannaim and Palestinian amoraim, but not in connection with Babylonian amoraim.<sup>3</sup> The terms *yeshiva* and *metivta*, Goodblatt argued, appear infrequently in the Bavli. The term *yeshiva* is known from tannaitic sources, where it means “court” or Sanhedrin. In the Yerushalmi *yeshiva* retains this meaning, and never means “academy.” In the Bavli too *yeshiva* and its Aramaic equivalent *metivta* usually refer to the court or Sanhedrin, following the Palestinian usage. In a few cases, Goodblatt conceded, *yeshiva* / *metivta* in the Bavli is found in the context of legal study or master-disciple relationships, which seems to point to a meaning closer to an academy than a court. He nevertheless argued that in these cases the term means “session,” a “learning session,” which does not tell us anything about the institutional setting of the session.<sup>4</sup> Such “sessions” could have taken place in the “disciple circles” or in the court, since rabbis served as judges in court and their students were present too. Thus we find, for example, a statement of Rava in Ta 24b: “We study [Tractate] Uqtsin in thirteen *metivata*,” which Goodblatt interprets as they studied for thirteen sessions or in thirteen sessions, not “in thirteen academies.” That study of Tractate Uqtsin could have taken place in the court or disciple circle, not necessarily in the academy. Goodblatt thus concluded that the institutionalized *yeshiva* and its accompanying infrastructure—buildings, hierarchies, curricula, means of financial support—were a later development in Babylonia. In his own words:

[T]he organization of rabbinic instruction in Sasanian Babylonia was rather different from the way it has been described in medieval and modern accounts. The large Talmudic academies (*yeshivot* or *metivata*) known from the Islamic era did not exist in amoraic times. Instead disciple circles and apprenticeships appear to have dominated academic activity.<sup>5</sup>

Goodblatt’s claims were based to some extent on quantity and proportion. For example, there are some Bavli passages that place Babylonian amoraim in the *bet midrash* / *be midrasha*, not the *be rav*. But there are 7.5 times as many passages that place Palestinian amoraim in the *bet midrash* / *be midrasha*. Conversely, there is only one statement placing a Palestinian amora or tanna in the *be rav*, but 80 about Babylonians. Hence “the preferred term” is *be rav*.<sup>6</sup> Goodblatt naturally tried to interpret marginal or ambiguous cases in line with the major trends he noticed, which

<sup>3</sup> *Rabbinic Instruction*, 93-107.

<sup>4</sup> *Rabbinic Instruction*, 64-91.

<sup>5</sup> *Rabbinic Instruction*, 7.

<sup>6</sup> Similarly, there are 11 instances of *metivta* that could possibly mean “school,” but 159 instances of *bet midrash*, 69 of *be Rav* and 157 of *be Rav ploni*. See *Rabbinic Instruction*, 74-75, 89-90, 94-95.

sometimes produced forced interpretations.<sup>7</sup> And he did his best to minimize counterexamples with an assortment of arguments: some references to *yeshiva* seemingly meaning academy, or to *bet midrash* with a Babylonian amora, could be later glosses retrojecting the geonic situation, or scribal errors, or passages from the *She'iltot* that entered the text of the Talmud.<sup>8</sup> Here my intention is not to cast aspersions on Goodblatt's scholarship, because it is a first-rate book, and I suggest that he was ultimately correct. Still, his arguments were based, to a certain extent, on statistics and proportion, and there remained a number of problematic passages that ostensibly contradicted his position. Goodblatt's conclusions were persuasive, in general, but there were a few sources that did not fit.

Yeshayahu Gafni challenged Goodblatt's conclusion in an article published in the journal *Zion* in 1978 entitled "Yeshiva and Metivta," based on his dissertation, which he had obviously been working on at the same time Goodblatt was conducting his study.<sup>9</sup> Gafni agreed that *yeshiva / metivta* in tannaitic sources and in the Yerushalmi meant a court or Sanhedrin, not an academy. However, he argued that some Bavli traditions—about 35 in total—do indeed use the term *yeshiva* to mean "academy," and that some descriptive passages reflect the existence of such an institution in talmudic times. Gafni questioned some of Goodblatt's interpretations of passages where Goodblatt argued that *yeshiva* means "session" or "court" and not academy. Gafni concluded that *yeshivot* originated in late amoraic times in Babylonia, not in post-talmudic times.

Goodblatt penned a rejoinder to Gafni's article that was published in 1981 defending his claims.<sup>10</sup> This rejoinder did not add too much substance, although it responded to specific charges which Gafni had made about Goodblatt misinterpreting certain passages. Goodblatt basically reiterated his conclusions and his arguments based on proportion. Gafni responded to Goodblatt's rejoinder in that same journal issue, again basically repeating his positions.<sup>11</sup> The debate seems to have stalled at that.

Goodblatt and Gafni did their research and conducted their debate before David Weiss Halivni and Shamma Friedman published their theories that the *setam hatalmud*, the unattributed stratum of the Talmud, derives from post-amoraic times. Halivni first articulated his theory in the second volume of *Meqorot umesorot*,

<sup>7</sup> See e.g. *Rabbinic Instruction*, 68: "It is true that some of the BT instances of *yeshivah shel ma'alah* suggest that it was an academic institution...But the activities of the *sanhedrin* included some we would consider academic. In other words 'heavenly court' is as likely a translation as 'heavenly academy.'" If the activities "suggest that it was an academic institution" then the translation "heavenly court" is much less likely! See too Goodblatt, "New Developments," 27 (below, n. 10), and the suggestion that the term *rosh yeshiva* could be limited to the Palestinian patriarch.

<sup>8</sup> See e.g. *Rabbinic Instruction*, 70-71, 79-81, 102.

<sup>9</sup> Yeshayahu Gafni, "'Yeshiva' and 'Metivta,'" *Zion* 43 (1978), 12-37 (Hebrew).

<sup>10</sup> David Goodblatt, "New Developments in the Study of the Babylonian *Yeshivot*," *Zion* 46 (1981), 14-38 (Hebrew).

<sup>11</sup> Yeshayahu Gafni, "Concerning D. Goodblatt's Article," *Zion* 46 (1981), 52-56 (Hebrew).

published in 1975.<sup>12</sup> Friedman published his method in his introduction to “Pereq ha’isha rabba bavavli” in 1977.<sup>13</sup> Goodblatt refers briefly to Shamma Friedman’s work in his rejoinder, but only to make a point regarding text-criticism, namely that later redactors may have changed the terminology to that which was common in their own times. In any case, the rejoinders were written before the work of Halivni and Friedman gained wide acceptance.

Clearly the theories of Halivni and Friedman may have a significant impact on Goodblatt and Gafni’s findings. If references to *yeshiva / metivta* in the Bavli appear exclusively in the stammaitic layer, then Gafni’s objections to Goodblatt fall away, whatever we say the word *yeshiva* means. Goodblatt need not explain away all these apparent counterexamples to his theory. Indeed, they would support his theory, at least insofar as he is willing to say that the academies arose in the stammaitic or saboraic period, rather than the geonic period.

A second consideration that should be taken into account is some of the recent scholarship on the longer Bavli narratives, the extended stories that appear mostly in Aramaic. In the years since Goodblatt and Gafni published their studies, it has increasingly become the scholarly consensus that talmudic stories are didactic fictions, not accurate historical reports. Consequently the stories inform us of the ideas, values and cultural situation of the storytellers, not the characters.<sup>14</sup> In many cases, those storytellers were the stammaim, not the amoraim. Shamma Friedman, in his study “La’aggada hahistorit betalmud bavli,” showed that the long narrative complex in BM 83b-86a is a revision of earlier Palestinian sources by the Babylonian redactors.<sup>15</sup> Daniel Sperber argued that the long narrative in BQ 117a-b with its detailed description of a rabbinic assembly should be dated to saboraic times.<sup>16</sup> In my recent work, *Talmudic Stories: Narrative Art, Composition, and Culture*, I argue that the same is true in other cases.<sup>17</sup> Many of the longer Bavli stories about tannaim such as

<sup>12</sup> David Halivni, *Meqorot umesorot*, vol. 2 (*Yoma-Hagiga*; Jerusalem: Jewish Theological Seminary, 1975), 1-12. The theory is more fully developed in vol. 3 (*Shabbat*, 1982) and vol. 5 (*Bava Qama*, 1994), and in his English book, *Midrash, Mishnah, and Gemara: The Jewish Predilection for Justified Law* (Cambridge: Harvard University Press, 1986), 76-104.

<sup>13</sup> Shamma Friedman, “Al derekh heqer hasugya” (“On the Method of Critical Research of the Sugya”) in his “Pereq ha’isha rabba bavavli,” *Mehqarim umeqorot*, ed. H. Dimitrovsky (New York: Jewish Theological Seminary, 1977), 283-321.

<sup>14</sup> For a review of the literature, see Jeffrey L. Rubenstein, *Talmudic Stories: Narrative Art, Composition, and Culture* (Baltimore: Johns Hopkins University Press, 1999), 1-10.

<sup>15</sup> Shamma Friedman, “La’aggada hahistorit betalmud bavli,” *Saul Lieberman Memorial Volume*, ed. Shamma Friedman (New York: The Jewish Theological Seminary, 1993), 119-63. An abbreviated English translation appears as “Development and Historicity in the Aggadic Narrative of the Babylonian Talmud — A Study based upon B.M. 83b-86a,” *Community and Culture: Essays in Jewish Studies in Honor of the Ninetieth Anniversary of the founding of Gratz College*, ed. N.M. Waldman (Philadelphia: Gratz College, 1987), 67-80.

<sup>16</sup> Daniel Sperber, “On the Unfortunate Adventures of Rav Kahana: A Passage of Saboraic Polemic from Sasanian Persia,” *Irano-Judaica*, ed. S. Shaked (Jerusalem, 1982), 83-100.

<sup>17</sup> Rubenstein, *Talmudic Stories*, 255-67.

Elisha ben Abuya, R. Shimon bar Yohai in the cave, and R. Yohanan b. Zakkai and his escape from Jerusalem, should be attributed to the stammaim. They are reworkings of Palestinian sources in much the same way that Bavli halakhic *sugyot* are often reworkings of earlier Palestinian *sugyot*.<sup>18</sup>

If these theories are accepted, then we must reevaluate some of the evidence that figures in the debate between Gafni and Goodblatt. Many of the references to *yeshiva* / *metivta*, as well as the richest descriptions of the academy, appear in these long narratives. And if they should be attributed to the stammaim, clearly they do not tell us anything about the amoraic period.

Let us now turn to the attestations of *yeshiva* / *metivta* in the Bavli. There are about 35 examples of *yeshiva* / *metivta* which refer to academies according to Gafni and which Goodblatt dismisses. Almost all of these attestations fall into one of four categories that complicate their use as evidence: (1) they appear in the stammaitic stratum of the *sugya*; (2) they appear in long Bavli narratives that bear signs of stammaitic reworking; (3) textual variants make the attestation suspect; (4) while the attestation does point to a situation of masters and disciples, it does not necessarily indicate an academy. The term may refer to the “session” of a small school or a disciple circle, as Goodblatt suggests.<sup>19</sup> Some attestations fall into two of these categories, such as a late story with textual variants.

*Category 1: The stammaitic layer of sugyot:*

(a) Git 6a:

איתמר בבל. רב אמר כא"י לגיטין ושמואל אמר כחו"ל.

לימא בהא קא מיפלגי...אלא... רב סבר כיון דאיכא מתיבתא מישכח שכיח, ושמואל סבר מתיבתא בגירסייהו טרידי.

In this case the term *metivata* clearly appears in a stammaitic gloss which explains the dispute between Rav and Shmuel over the status of Babylonia with respect to divorces. Whether we understand *metivata* here as “academy,” which seems most likely, or “session,” the term only provides evidence of the post-amoraic situation, not the circumstances in the time of Rav and Shmuel. The Yerushalmi preserves a very similar version of the disagreement between Rav and Shmuel, but lacks any parallel to the gloss (yGit 1:2, 43c).<sup>20</sup>

<sup>18</sup> In other words, while these stories originated in Palestine, their current forms in the Bavli are a product of the Bavli redactors, who substantially reworked their Palestinian sources.

<sup>19</sup> See Goodblatt, “New Developments,” 18.

<sup>20</sup> Gafni, “Yeshiva,” 36 n. 124 notes that the attestation is in the Bavli’s explanation of Rav and Shmuel (as does Goodblatt, *Rabbinic Instruction*, 84). He does not attribute the mention of *metivta* to these amoraim. But since Gafni wrote before the notion that the stammaitic stratum post-dated the amoraic period gained acceptance, he still claimed that this passage provided evidence of the situation in amoraic times.

## (b) Shab 114a:

ואמר ר' יוחנן. איזהו ת"ח. כל ששואלין אותו הלכה בכל מקום ואומרה.

למאי נפקא מינה. למנוייה פרנס על הציבור אי בחדא מסכתא—באתריה. אי בכליה תלמודיה—ברי' ש מתיבתא.

Again, the reference to the *resh metivta* appears in the stammaitic gloss to R. Yohanan's statement. The stammaim explain the significance of being able to answer halakhic questions in terms of eligibility to serve as *resh metivta*. Here too it seems to me most likely that the meaning is indeed "head of the academy" rather than "head of a session"; many sages could be expected to lead study-sessions, even those not able to answer a wide range of halakhic questions. Be that as it may, the *metivta* cannot be located in the amoraic period based on this source.<sup>21</sup>

## (c) Eruv 21a:

אמר רב ירמיה בר אבא אמר רב. אין בורגנין בבבל ולא פסי ביראות בחו"ל.  
בורגנין בבבל לא, דשכיחי בידקי. פסי ביראות בחו"ל לא, דלא שכיחי מתיבתא.

Rav simply states that the laws of the well-partitions do not apply outside of the Land of Israel. The stammaitic gloss explains that the reason is due to the absence of *metivata*.

## (d) Mak 11b (=Sot 7b / BQ 92a)

א"ר שמואל אמר רבי יוחנן, מאי דכתיב: 'יחי ראובן ואל ימות...וזאת ליהודה' [דברים לג, ו-ז], כל אותן שנים שהיו ישראל במדבר היו עצמותיו של יהודה מגולגלין בארון עד שעמד משה ובקש עליו רחמים. אמר לפניו: רבונו של עולם. מי גרם לראובן שיודה ליהודה? 'וזאת ליהודה שמע ה' קול יהודה'.

על איבריה לשפא, ולא הוה קא מעיילין ליה למתיבתא דרקיעא—ואל עמו תביאנו'.

ולא הוה קא ידע משקל ומטרה בהדי רבנן—ידיו רב לו'.

לא הוה ידע לפרוקי קושיא—ועזר מצריו תהיה'.

Here we have a stammaitic gloss to an amoraic exegetical tradition. The stam extends the midrash by detailing Moses's prayers to grant Judah a place within the heavenly *metivta*. Since heavenly institutions generally are patterned after earthly counterparts, the midrash implies the existence of a *metivta* in stammaitic times. It is clear that the tradition cannot be linked with Shmuel or R. Yohanan; they only speak

<sup>21</sup> For the discussion of this source, see Goodblatt, *Rabbinic Instruction*, 61 and n. 75; Gafni, "Yeshiva," 32 and n. 100, and the response, Goodblatt, "New Developments," 27-28 and n. 57.

of Judah and his bones. Incidentally, this is one of the clearest examples, in my opinion, where *metivta* refers to the academy, not a session. For the activity portrayed is quintessentially academic: dialectical debate involving questions and solutions and give-and-take.<sup>22</sup>

(e) Other examples of Gafni's references that appear in the stammaitic layer are: Ber 57a,<sup>23</sup> Eruv 26a,<sup>24</sup> MQ 16b,<sup>25</sup> Nid 14b.<sup>26</sup>

### *Category 2: Lengthy narrative traditions*

#### (a) Ket 103a-b

אמר להם [ר' יהודה הנשיא]: לחכמי ישראל אני צריך. נכנסו אצלו חכמי ישראל. אמר להן: אל תספדוני בעיירות והושיבו ישיבה לאחר שלוש יום. שמעון בני חכם. גמליאל בני נשיא. חנינא בר חמא יושב בראש...  
הושיבו ישיבה לאחר שלוש יום—דלא עדיפנא ממשה רבינו... תלתין יומין ספדין ביממא ולייליא, ומכאן ואילך ספדו ביממא וגרסי בלייליא, או ספדו בלייליא וגרסי ביממא, עד דספדי תריסר ירחי שתא.

Goodblatt suggests that *yeshiva* here refers to a study-session in honor of R. Yehuda HaNasi.<sup>27</sup> Gafni counters that since the session is for study (*garsei*), the *yeshiva* must be a place for study, hence an academy rather than a court.<sup>28</sup> Be that as it may, the Yerushalmi version does not mention a *yeshiva* at all (yKil 9:4, 32a):

ר' ציוה שלשה דברים בשעת פטירתו מן העולם: אל תזוז אלמנתי מביתי. ואל תספדוני בעיירות. ומי שטפל בי בחיי יטפל בי במותי.

<sup>22</sup> See Gafni, "Yeshiva," 31. Goodblatt's argument that the term means "session" here is forced (*Rabbinic Instruction*, 85).

<sup>23</sup> The first attestation on this folio, discussed below, category 3 (b).

<sup>24</sup> The second attestation of *yeshiva* on this folio, in the stammaitic gloss to R. Yohanan's dictum. The attestation in R. Yohanan's dictum probably means "session"; see below.

<sup>25</sup> See Gafni, "Yeshiva," 23-24. Actually in this case the term *yeshiva* appears in a Hebrew exegesis attributed to R. Abbahu. However, the exegesis is accompanied by an Aramaic gloss that mentions King David teaching the rabbis, which creates the impression of an academic context, and which Gafni adduces as the key proof. In R. Abbahu's statement *yeshiva* could well mean "court" or "session."

<sup>26</sup> Gafni, "Yeshiva," 32, notes that the attestation is not attributed to an amora.

<sup>27</sup> Goodblatt, *Rabbinic Instruction*, 70-71.

<sup>28</sup> Gafni, "Yeshiva," 23. See too 36 n. 124.

The Hebrew in the Bavli notwithstanding, we are probably dealing with a stammatitic expansion of the Yerushalmi narrative. Gafni indeed observes in a note that the passage about the *yeshiva* does not appear in the Palestinian parallels and concedes that “perhaps a Babylonian addition is before us.”<sup>29</sup> However we translate *yeshiva*, it does not necessarily provide information about amoraic Babylonia.

(b) Yev 105b

אדהכי אתא רבי למתיבתא. אינהו דהוו קלילי יתיבו בדוכתייהו. רבי ישמעאל ברבי יוסי אגב יוקריה הוה מפסע ואזיל. אמר ליה אבדן, מי הוא זה שמפסע על ראשי עם קדוש? אמר ליה... אדהכי אתיא יבמה לקמיה דרבי, אמר ליה רבי לאבדן פוק בדקה. לבתר דנפק, אמר ליה רבי ישמעאל: כך אמר אבא, 'איש' כתוב בפרשה [דברים כה, ז, ט], אבל אשה בין גדולה בין קטנה...

Again Goodblatt insists that *metivta* tolerates the meaning of session, whereas Gafni points out that the fact that the students have set places points to a permanent location for study. However, as Israel Ben-Shalom has argued, although the narrative is set in the *metivta* of R. Yehuda HaNasi, it is a Babylonian fiction that portrays the characters in a much different fashion than they appear in Palestinian sources.<sup>30</sup> Ben-Shalom also notes that the hostile and mean-spirited interchange depicted in the story is a motif found exclusively in the Bavli. There is no Palestinian version of this story except for a brief tradition in yYev 12:4, 13d:

רבי ישמעאל בי רבי יוסה בעא קומי רבי: מה בין קטן ומה בין קטנה. אמר ליה: 'איש' כתוב בפרשה [דברים כה, ז, ט]. ברם הכא 'ונגשה יבמתו אליו' [דברים כה, ט] – בכל מקום.

There is no absolute proof here that the story is a stammatitic construction. But the lack of a Palestinian parallel, the idiosyncratic portrayal of characters and the uniquely Babylonian motifs suggest a fictional narrative of the stammim. At least the story cannot be taken as evidence of academies in tannaitic or amoraic times.

(c) BM 86a

וקא מיפלגי במתיבתא דרקיעא אם בהרת קודמת... הקב"ה אומר טהור וכולה מתיבתא דרקיעא אמרי טמא... נפל פיתקא מרקיעא בפומבדיתא רבה בר נחמני נתבקש בישיבה של מעלה.

Gafni claims that the *metivta* cannot refer to a court or a judicial session; the sages debate a matter of theoretical law with God.<sup>31</sup> Were God to be acting as judge, he would certainly know the “true” decision. On this point Gafni may be correct. Even

<sup>29</sup> *Yeshiva*, 23 n. 52. See too Goodblatt, “New Developments,” 18.

<sup>30</sup> Israel Ben-Shalom, “‘And I Took unto Me Two Staves: the One I Called Beauty and the Other I called Bands’ (*Zach. 11:7*),” *Dor-Le-Dor: From the End of Biblical Times up to the Redaction of the Talmud. Studies in Honor of Joshua Efron*, eds. A. Oppenheimer and A. Kasher (Jerusalem: Bialik, 1995), 242-44 (Hebrew).

<sup>31</sup> Gafni, “Yeshiva,” 25 and 29; see his n. 64 for textual variants.

if *metivta* means “session,” as Goodblatt suggests, it is an academic session that is described. But this source appears in the very lengthy aggadic compilation spanning from BM 83b-86a that Shamma Friedman has shown to be of late, post-amoraic provenance.<sup>32</sup> This particular tradition does not appear in either of the Palestinian aggadic compilations that Friedman identifies as the base sources of the Bavli. Again, we cannot take this tradition as evidence of an academy during the time of Rabbah bar Nahmani or during amoraic times, since the story is not an amoraic source.

(d) Other attestations that appear in late-Bavli narratives: Ber 18b, Ber 27b,<sup>33</sup> Ber 56a, Ber 57a,<sup>34</sup> MQ 16b,<sup>35</sup> Yev 105b,<sup>36</sup> Ket 106a,<sup>37</sup> Ned 81a,<sup>38</sup> BM 85b, BB 12b.<sup>39</sup>

### *Category 3: Textual problems*

#### (a) Ta 21b

אבא אומנא הוה אתי ליה שלמא ממתבתא דרקינא כל יומא. ולאביי כל יומא דשבתא, לרבא כל מעלי יומא דכפורי.

This is the version of the printings. As Gafni points out, mss Oxford 366, Munich 140 and Adler 84, as well as other text witnesses, omit the word *ממתבתא* (although it is present in Munich 95).<sup>40</sup>

#### (b) Ber 57a

הרואה אווז בחלום יצפה לחכמה, שנאמר 'חכמות בחוץ תרנה' [משלי א, כ]. והבא עליה הוי ראש ישיבה. אמר רב אשי. אני ראיתיה ובאתי עליה וסלקית לגדולה.

Goodblatt points out that ms Munich 95 reads *הבא עליה יצפה לגדולה*, which matches Rav Ashi's statement.<sup>41</sup> Gafni, to his great credit, brings considerably more

<sup>32</sup> Friedman, “La’aggada hahistorit.” See especially 139 n. 106.

<sup>33</sup> The second attestation, in the story of the deposition of Rabban Gamaliel.

<sup>34</sup> There are two attestations on both Ber 56a and 57a; all appear within the lengthy narrative about the dream-interpreter Bar Hedaya. See below, category 3 (b) and (c).

<sup>35</sup> See n. 25.

<sup>36</sup> The second attestation on this folio, in addition to that mentioned above, which appears in the story of R. Eleazar b. R. Shimon.

<sup>37</sup> See Goodblatt, *Rabbinic Instruction*, 79-81.

<sup>38</sup> See below, category 4 (a).

<sup>39</sup> See Gafni, “Yeshiva,” 32 and nn. 95, 97. The attestation here appears in a story about Mar bar Rav Ashi, one of the latest amoraim, so it must be post-amoraic.

<sup>40</sup> Gafni, “Yeshiva,” 30 n. 85.

<sup>41</sup> Goodblatt, *Rabbinic Instruction*, 71.

textual evidence.<sup>42</sup> While one Geniza fragment preserves the word *yeshiva*, another one has a completely different reading, promising the world to come to this fortunate dreamer. Such variants render it difficult to base historical conclusions with any degree of confidence.

In any case, this passage appears in the lengthy story of Rava and Abaye and their encounters with the dream-interpreter Bar-Hedaya, itself a component of the “dream book,” spanning Ber 54a-57b.<sup>43</sup> That story is very strange and obviously fictional. It presumably post-dates Rava and Abaye by several generations, long enough for highly legendary traditions to develop about them. The version in yMS 4:9, 55b is much briefer and contains none of those references. In light of the research on stammatitic reworking of narratives, I think we are dealing with an extremely late and highly developed stammatitic composition. Two other texts that Gafni adduces come from the “dream book,” including the following:

(c) Ber 57a

הנכנס לאגם בחלום נעשה ראש ישיבה, ליער נעשה ראש לבני כלה...

As Gafni points out, “there are a great many textual variants to this passage.”<sup>44</sup> Its place in the *sugya* varies considerably in the different manuscripts, a sign that it may well have originated as a gloss. While the variants generally preserve the term *rosh yeshiva*, the differences in order of clauses and wording do not inspire confidence.

(d) Other attestations with textual variants include: Ber 27b,<sup>45</sup> Ber 27b,<sup>46</sup> Ber 56a,<sup>47</sup> Ned 81a,<sup>48</sup> BM 85b.<sup>49</sup>

*Category 4: School, session or disciple circle:*

(a) Ned 81a

איסי בר יהודה לא אתא למתיבתא דר' יוסי תלתא יומי. אשכחיה ורדימוס בר' יוסי א"ל מ"ט לא אתי מר לבי מדרשא דאבא הא תלתא יומין...

<sup>42</sup> Gafni, “Yeshiva,” 26 and n. 70.

<sup>43</sup> See Avraham Weiss, *‘Al hayetsira hasifrutit shel ha’amoraim* (New York: Horeb, 1962), 264-70.

<sup>44</sup> Gafni, “Yeshiva,” 27 n. 71.

<sup>45</sup> The first attestation, החולק על ישיבתו של רבו. See Goodblatt, “New Developments,” 20 n. 29. The parallel in Sanh 110a lacks the attestation.

<sup>46</sup> The second attestation; see Gafni, “Yeshiva,” 32.

<sup>47</sup> See Gafni, “Yeshiva,” 32-33.

<sup>48</sup> See Gafni, “Yeshiva,” 35 n. 114; Goodblatt, “New Developments,” 25.

<sup>49</sup> See Gafni, “Yeshiva,” 36 and n. 121.

Gafni correctly argues that the *metivta* here is in parallel with *be midrasha* and points to a place where sages study Torah, clearly not to the session of a court. Yet there is no evidence that the place is an academy. It could be a small school, essentially a disciple circle, as Goodblatt argues.<sup>50</sup> All we know is that in the view of this Bavli story, Isi bar Yehuda regularly studied with R. Yose and Vardimos once noticed his absence. Nothing informs us as to how many other sages were present.

The version of this story in the Yerushalmi mentions neither *metivta* nor *be midrasha*: Yehuda of Huzi (not Isi) retreats to a cave for three days, and Yose bar Halafta asks him where he has been.<sup>51</sup> Once again the Bavli has reworked a Palestinian source in light of Babylonian reality, placing the sages in a more institutional context. And again it is difficult to determine whether it is an amoraic reworking or a stammaitic reworking. Goodblatt also points out that the version of the story in the *She'iltot* reads *pirqa* in place of both *metivta* and *be midrasha*.<sup>52</sup>

(b) Ket 17a = Sanh 14a

ר' אבהו כי הוה אתי ממתבתא לבי קיסר נפקן אמהתא מבי קיסר לאפיה ומשרין ליה הכי.

Granted Gafni does not place much weight on this source, he nevertheless observes that “this appears to be a description of a journey between two places.”<sup>53</sup> Even so, we have no idea what type of place a *metivta* is. It could be a small-scale school or the place where a disciple circle gathered as much as an academy.

(c) BQ 16b-17a:

'וכבוד עשו לו במותו' [דה"ב, לב לג]—מלמד שהושיבו ישיבה על קברו. פליגי בה ר' נתן ורבנן: חד אמר שלשה, וחד אמר שבעה ואמרי לה שלושים.

This example is instructive. Gafni suggests that based on the Palestinian parallel, which reads *bet vaad*, “it is clear that the meaning is a place of Torah study.”<sup>54</sup> That is, *yeshiva* should not be translated as “session,” meaning a temporary gathering to study Torah, but refers to a permanent place. However, it is highly questionable whether one should decide on the meaning of a Bavli term based on its Palestinian parallel in cases such as this. The Bavli routinely reworks traditions for its own purposes and in light of Babylonian reality.<sup>55</sup> But even if we grant Gafni this point, it does not help his case, and may actually weaken it. For there is no evidence that a *bet vaad* resembled a rabbinic academy in any respect. The consensus of scholars is now that rabbinic academies did not exist in Palestine during the amoraic

<sup>50</sup> Goodblatt, *Rabbinic Instruction*, 32-33; Gafni, “Yeshiva,” 35 n. 113, senses this issue.

<sup>51</sup> yShev 8:5, 38b.

<sup>52</sup> Goodblatt, *Rabbinic Instruction*, 82-83; see too Gafni, “Yeshiva,” 35 n. 114.

<sup>53</sup> Gafni, “Yeshiva,” 35 n. 114. Cf. Goodblatt, *Rabbinic Instruction*, 84.

<sup>54</sup> Gafni, “Yeshiva,” 24.

<sup>55</sup> See Goodblatt, “New Developments,” 19.

period.<sup>56</sup> At all events, if we simply take this passage on its own terms, we learn nothing about the nature of this *yeshiva*, other than that Torah was studied there. The meaning could well be “session,” as Goodblatt suggests.<sup>57</sup> Even if a permanent place is intended, it could be a small school, not an academy. Moreover, the midrash is unattributed in the Bavli, and therefore could be the work of the stammaim. (That is, the stammaim, not the amoraim, reworked the Yerushalmi tradition.)

(d) Mak 10a

אמר ר' יוחנן. הרב שגלה—מגלין ישיבתו עמו.

This is perhaps the strongest evidence for Gafni, as the term *yeshiva* appears in an amoraic dictum.<sup>58</sup> The reference to a master and disciples points to a place of study, not a court, although here too the lack of description makes it difficult to determine whether an academy is intended. If we accept the attribution, then we cannot bring the statement as evidence that academies existed in amoraic times in Babylonia, as R. Yohanan was a Palestinian. If we reject the attribution or assume that R. Yohanan's original dictum was reworked by the Bavli, then the attestation is not necessarily amoraic, as the stammaim may be responsible for the reworking. There is an inexact parallel in the Yerushalmi that reads *bet vaad* in place of *yeshiva*.<sup>59</sup>

(e) Other attestations that fall into this category: Ber 20a (=Ta 24b / Sanh 106a), Ber 27b,<sup>60</sup> Ber 27b,<sup>61</sup> Eruv 26a,<sup>62</sup> Pes 53b, Ta 21b, Ned 81, BQ 16b-17a, BQ 117a, BM 85a, BB 120a.

Conclusion: Thus far we have focussed exclusively on terminological evidence, since that was the subject of the articles by Goodblatt and Gafni. But if we are searching for literary indications of rabbinic academies in the Bavli, there is no reason to limit our focus to philology. The Bavli in fact contains several descriptions of rabbinic gatherings that resemble academies, even though the term itself is not necessarily used. For example, the long narrative at BQ 117a-b, a fictional Babylonian depiction of R. Yohanan and his disciples, describes seven rows of rabbis

<sup>56</sup> See Catherine Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine* (Tübingen: J.C.B. Mohr, 1997), 214; Shaye Cohen, “The Place of the Rabbi in Jewish Society,” *The Galilee in Late Antiquity*, ed. Lee Levine (Jerusalem and New York: Jewish Theological Seminary, 1992), 167.

<sup>57</sup> Goodblatt, *Rabbinic Instruction*, 70.

<sup>58</sup> This is recognized by Goodblatt, *Rabbinic Instruction*, 72. And see Gafni, “Yeshiva,” 24 and n. 61.

<sup>59</sup> yMak 2:6, 31b.

<sup>60</sup> The first attestation on the page: החולק על ישיבתו של רבו.

<sup>61</sup> The second attestation, in the story of the deposition of Rabban Gamaliel.

<sup>62</sup> The first attestation on the folio, found in R. Yohanan's dictum. See Goodblatt, *Rabbinic Instruction*, 70.

arranged in a hierarchical order, the best students in the first rows, the inferior students towards the rear.<sup>63</sup> The story of the attempted deposition of Rabban Shimon b. Gamaliel refers to different ranks, again suggesting a hierarchical organization (Hor 13b-14a). When the leaders enter, the assembled rabbis rise before them. While no numbers are given, one receives the impression that a considerable body of students is present, enough to create a significant show of honor. Later R. Meir and R. Natan are “thrown out” by Rabban Shimon b. Gamaliel, but R. Yose and some anonymous others protest, and they are brought back in. The description is not as detailed as we would like, but the framework certainly appears to be much more than a disciple circle or small school. Although these narratives are set in Palestine, they are late-Babylonian creations or reworkings of Palestinian sources, hence they point to the situation in Babylonia, not Palestine.<sup>64</sup>

Such is the literary evidence. The hypothesis that best accounts for all of the evidence in light of the accepted theories concerning the literary strata of the Bavli is that rabbinic academies arose in Babylonia during the stammaitic period, between 450-600 CE. This explains Goodblatt’s observations that the Bavli usually describes Babylonian amoraim assembled in small disciple circles. It explains Gafni’s observation that the Bavli nevertheless does refer to *yeshiva / metivta* in some passages: these passages are of stammaitic provenance. It explains why some Bavli narratives describe rabbinic gatherings with features that resemble academies and generally project these onto tannaitic Palestine: these are stammaitic Babylonian reworkings of earlier stories in light of the later Babylonian reality. It accounts for the types of passage in which we do find *yeshiva / metivta* attested: stammaitic glosses, late narratives and passages exhibiting textual variants characteristic of scribal mistakes or tampering.

There is one final argument for an amoraic dating for the rise of the academy hinted at by Gafni that should be addressed. Gafni suggests that the term *malakh*, which refers to the Head of the Academy, is only used of amoraim from the third-fourth centuries onward.<sup>65</sup> Might this “stratification” suggest that there was no complete homogenization by the stammaim, no comprehensive retrojection of their situation upon earlier times? For otherwise we would expect the term to have been used of all amoraim. That it is only used of latter amoraim perhaps implies that it was applied accurately to those sages who really were Heads of Academies. This argument is not persuasive. First, according to Gafni, the term is used only ten times in total, applied to eight different amoraim: Rav Huna, Rav Hisda, Rabbah, Rav Yosef, Rava, Rav Ashi, Mar bar Rav Ashi, and Rav Aha of Difti. Ten instances is not a large enough sample to see strong evidence of stratification. Second, that the term *malakh* is also used of Rav Huna, who died in 296 CE (according to Shrira Gaon) vitiates the argument. And Rav Hisda too was essentially a late-second or early-third-generation

<sup>63</sup> See Gafni, “Response to D. Goodblatt’s Article,” 54.

<sup>64</sup> See Sperber, “Unfortunate Adventures”; Gafni, “The Babylonian *Yeshiva* as Reflected in Bava Qama 117a,” *Tarbiz* 49 (1980), 192-201 (Hebrew); Rubenstein, *Talmudic Stories*, 270-72. Gafni, “Yeshiva,” 36-37, makes a similar point.

<sup>65</sup> Gafni, “Yeshiva,” 33 and 36 n. 124.

amora. Hence the term is in fact applied to sages of the third century. Third, the term or its functional equivalent *resh metivta* is also applied by the Bavli to tannaim such as R. Yehuda HaNasi and Rabban Gamaliel, so there was really no compunction about retrojecting later reality upon earlier times, nor any stratification.<sup>66</sup> Fourth, the other terminological evidence is not stratified.<sup>67</sup>

To locate the rise of the rabbinic academy in the stammaitic period may also help to account for one of the puzzles of talmudic history. What explains the shift from the amoraic to stammaitic periods? Why did the sages stop functioning as amoraim and attaching their (or their masters') names to sayings? What accounts for the "end of *hora'ah* (instruction)," the cessation of authoritative dicta, that the Bavli associates with the final amoraim (BM 86a)? Shifts in periodization are notoriously difficult to explain, and few are as clean and neat as books of history suggest. Yet in this case the Talmud itself recognizes the end of one era and the beginning of another: at issue is the self-perception of the Bavli itself, not simply the conventions of modern scholars. This change can perhaps be attributed to the rise of a new form of social organization, i.e., the rabbinic academy. In other words, I am suggesting that the shift in styles from the short, apodictic utterances of the amoraim to the expansive comments of the stammaim, as well as the sense of the closing of a previous era (the end of *hora'ah*), are related to a shift in the institutional framework in which the rabbis operated.<sup>68</sup> All of these changes can be dated to c. 450-600 CE.

<sup>66</sup> Nid 14b, Ber 27b. Gafni, "Yeshiva," 32, refers to the title *resh metivta* ascribed to R. Yehuda HaNasi as an "anonymous usage of the expression" (*shimush stami*). Similarly, on p. 36 n. 124 Gafni takes pains to point out that the term *metivta* is not used by Rav and Shmuel themselves, but appears in "the unattributed words of the Bavli" (*divrei habavli hastamiim*; Git 6a; see above, category 1, example a), which explain their opinion. Apparently Gafni wishes to distinguish such usages from direct applications of the term by or to the amoraim. One can see here that he sensed the difference between the amoraic and stammaitic strata. (Cf. n. 20 above.) But since he lacked a theory such as that of Halivni that the stammaitic layer is late, he had to conclude that such instances were amoraic — if not the amoraim of the time of Rav and Shmuel, then late amoraic. In any case, even the application of the term to the later amoraim such as Mar bar Rav Ashi (BB 12b) is the point at issue. In my opinion, they should be considered "anonymous usages of the expression" in that the stammaim tell a story about later sages, just as they use the expressions in explaining Rav and Shmuel's opinions.

<sup>67</sup> Might we nonetheless argue that the rise of the academy should be dated to amoraic times because important cultural changes take many years to complete? I see no reason to do so. Social and cultural changes sometimes do occur rapidly. And even if we claim that the growth of rabbinic academies would have required several generations, the evidence suggests that we date its rise to the post-amoraic period, say from 450 CE-550 CE, not from 300-400 CE.

<sup>68</sup> See Rubenstein, *Talmudic Stories*, 21-22. And see Jack N. Lightstone, *The Rhetoric of the Babylonian Talmud, Its Social Meaning and Context* (Waterloo, Ontario: Wilfred Laurier University Press, 1994), especially 264-81. Lightstone argues that the rhetorical traits of the Bavli shed light on the institutional and social setting of the editors, and also legitimate the newly emerged academies of the fifth-sixth century.