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ARTICLE

The Tradition vs. Individual Talent: Narrative Point of View and the Ideological Counter-Voice in the Story of R. Dosa ben Harkinas (*bYevamot* 16a)

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I HAVE DEVOTED a series of recent studies to the stories that belong to a grouping that has become known of late as the "Yavne Cycle."[1] A series of interrelated rabbinic narrative traditions interspersed throughout the corpus of rabbinic literature, the Yavne Cycle stories depict the establishment of Yavne and its "vineyard" as the center of rabbinic scholarship and authority following the destruction of Jerusalem and tell of the subsequent intrarabbinic struggles that occurred there. Building on the work of Daniel Boyarin and Devora Steinmetz,[2] I have argued that these texts

1. Moshe Simon-Shoshan, "Creators of Worlds: The Deposition of R. Gamliel and the Invention of Yavneh," *AJS Review* 41.2 (2017): 287–313; Simon-Shoshan, "The Transmission and Evolution of the Story of the Deposition of R. Gamliel," in *Jews and Christians in the First and Second Centuries: The Interbellum 70–132 CE*, ed. J. J. Schwartz and P. J. Tomson (Leiden, 2017), 196–222; Simon-Shoshan, "The Oven of Akhnai: The Yerushalmi's Accounts of the Banning of R. Eliezer," *Journal of Jewish Studies* 71.1 (2020): 25–52; Simon-Shoshan, "From In-Laws to Intimate Enemies: The Debate Regarding *Tzarat Habat* in Palestinian Sources and the Evolution of Rabbinic Attitudes towards Beit Shammai" (Hebrew), *Sidra*, forthcoming.

2. Daniel Boyarin, "The Yavneh-Cycle of the Stammaim and the Invention of the Rabbis," in *Creation and Composition: The Contribution of the Bavli Redactors (Stammaim) to the Aggada*, ed. J. L. Rubenstein (Tübingen, 2005), 237–92; Boyarin, *Border Lines: The Partition of Judaeo-Christianity* (Philadelphia, 2004), 151–201; Devora Steinmetz, "Agada Unbound: Inter-Agadic Characterization of the Sages in the Bavli and Implications for Reading Agada," in *Creation and Composition*, 309–10; Devora Steinmetz and Beit Rabban, "Must the Patriarch Know 'Ukqtzin? The Nasi as Scholar in Babylonian Aggada," *AJS Review* 23.2 (1998): 163–90. See also Menachem Fisch, *Rational Rabbis: Science and Talmudic Culture* (Bloomington, Ind., 1997), 51–95. The term "Yavne Cycle" was coined by Boyarin. Steinmetz, writing prior to the publication of Boyarin's work on these issues, does not use this term.

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constitute a literary network that presents a foundation myth for its creators' civilization. It establishes the norms on which the society of the bet midrash is founded and the ground rules by which rabbinic study, dispute, and decision-making are to be conducted, forging a collective rabbinic identity rooted in a legendary past while at the same time holding up rabbinic institutions to scrutiny and critique.[3]

In addition to sharing common characters, setting, and plot, these stories are singularly focused on questions of rabbinic authority. They are concerned with the relationship between the various methods of deciding halakhah, such as dialectics, the rule of the majority, and received tradition. According to Boyarin, the Yavne Cycle presents a "genealogy of a particular rabbinic episteme" in which it is "the dialecticians who win the day."[4]

As conceptualized by Steinmetz and Boyarin, at the core of the Yavne Cycle lie three well-known and widely studied narrative traditions: the dispute over the oven of Akhnai, which led to the excommunication of R. Eliezer (yMK 3.1, 81c–d; bBM 59a–b); the dispute over the evening prayer which lead to the deposition of R. Gamliel (yBer 4.1, 7c–d; bBer 27b–28a); and R. Eleazar ben Azariah's homily at Yavne (tSot 7.9–12; bḤag 3a–b).[5] My work has similarly focused on these famous stories, while also calling attention to the tannaitic sources that underlie them. But there is yet another story relating to the sages of Yavne and their disputes that has been neglected not only by scholars of the Yavne Cycle but by the entire body of modern scholarship on talmudic narrative: the story of R. Dosa ben Harkinas and the daughter's co-wife. Like the other major talmudic narratives of the Yavne Cycle, the narrative traditions appear in both the Babylonian Talmud (Bavli) and the Jerusalem Talmud (Yerushalmi), in different versions.[6] The Bavli's Dosa story stands in opposition to the rest of the Yavne Cycle. It challenges the portrayal of Yavne as the paradigmatic bet midrash and its sages as heroes. It further

3. Simon-Shoshan, "Creators," 287–88.

4. Boyarin, "Yavne Cycle," 264, 268.

5. Boyarin also discusses the story of the death of R. Eliezer (bSan 68a), which Steinmetz treated extensively in "'Like Torah Scrolls That Are Rolled Up': The Story of the Death of Rabbi Eliezer in *Sanhedrin* 68a," in *Tiferet Leyiśrael: Jubilee Volume in Honor of Israel Francus*, ed. J. Roth, M. Schmelzer, and Y. Francus (New York, 2010), 153–80.

6. yYev 1.6, 3a–b; bYev 16a. I am only aware of two, relatively brief, treatments of this story in this ever-burgeoning field: Jonah Fraenkel, *Sipur ha-agadah: Aḥdut shel tokhen ve-tsurah* (Tel Aviv, 2001), 348–55; Richard Hidary, *Dispute for the Sake of Heaven: Legal Pluralism in the Talmud* (Providence, R.I., 2010), 217–22. There are certain parallels between Fraenkel's reading and my own; however, Fraenkel does not acknowledge the centrality of point of view to the narrative strategy nor the strong critique of Yavne and its sages, both of which are central to my reading.

rejects several aspects of the dominant ideology of the Bavli's Yavne Cycle and the Babylonian Talmud as a whole. The ultimate intent of the story appears to be to critique the Babylonian rabbinic establishment and its preference for dialectical argumentation over the transmission of tradition.

In this article, I present a close reading of this neglected story, focusing on its sophisticated use of point of view and irony, and then go on to consider its literary and cultural contexts. I seek to establish its status as a high point of talmudic narrative art, an important and highly distinctive element of the Yavne Cycle, and a powerful counter-voice in the Bavli as a whole. I further argue that this story is part of a larger body of texts in the Babylonian Talmud that challenge its own dominant discourse and values. These sources may in turn reflect the work of a group of dissident scholars who were active in the Babylonian academies.

THE PROBLEM OF THE DAUGHTER'S CO-WIFE

The highly technical halakhic issue underlying this story requires a brief explanation: the rabbis assume that while the requirement of levirate marriage (*yibum*) supersedes the prohibition against marrying "thy brother's wife," it does not negate other incest prohibitions.[7] If a man marries his brother's daughter and then dies childless, the widow's father cannot perform *yibum*. The woman is free to remarry without a formal release (*ḥalitsah*). In the case of "the daughter's co-wife," a man dies childless, leaving two widows, his niece and another unrelated woman. Bet Hillel "forbids cowives to the brothers," ruling that the brother cannot, and hence is exempt from, performing *yibum* with either wife.[8] Both women are free to remarry without *ḥalitsah*. Bet Shammai "permits cowives to the brothers."[9] The brother is obligated to perform levirate marriage or a ceremonial release (*yibum* or *ḥalitsah*) with the other widow. Already in tannaitic literature, this debate metonymically represented the wider debate between Bet Hillel and Bet Shammai. It is in this context that the Talmud introduces our story.

THE STORY: POINT OF VIEW, IRONY, AND EMPATHY

Our story breaks up into three "acts," each set in a different location. I have further broken down acts two and three into "scenes," representing different stages of the plot. This plot is built upon a structure of ironic reversal. As Fraenkel demonstrated throughout his work, irony is a consistent

7. Deut 25.5–10; Lev 18.16, 20.21.
8. mYev 1.4.
9. mYev 1.4.

element of rabbinic narrative structure. But the ironic structure of this story is distinguished by the way in which it is rooted in a sophisticated manipulation of point of view. In act one, the narrator presents the world of the story from both the "informational" and "normative" perspective of the rabbis of Yavne.[10] That is to say, the facts of the story are presented as they are known to these characters and implicitly interpreted according to their values. The audience is at first unaware that this presentation is flawed, reflecting neither the informational nor the normative truth of the story.[11] They are encouraged to identify with the rabbinic protagonists and to assume that the rabbis' perspective represents the truth of the story. By the middle of the second act, however, both the protagonists and the audience learn of their errors. It is revealed that the rabbis have operated on false premises from the beginning. This mistake in turn is rooted in the rabbis' arrogance and inflated view of their own authority. By the end of act two, R. Dosa, previously presented as the story's antagonist, emerges as the representative of the truth in all its forms: epistemological, halakhic, and moral. The audience's identification with these rabbis dissolves as its allegiance shifts to R. Dosa and the worldview he represents. In act three, the narrator continues to manipulate the audience's connection to the protagonists, further exposing the rabbis' ignorance and weakness yet also reopening the possibility for a degree of empathy with them.[12]

10. The use of the terms "informational" and "normative" to distinguish between elements of narrative point of view was initiated by Meir Sternberg, *The Poetics of Biblical Narrative* (Bloomington, Ind., 1985).

11. I am using the terms narrator/storyteller to represent both the narrator and the "implied author," who are closely aligned in this case. I have adopted the term "audience" to refer to the "implied reader," in order to emphasize the originally oral nature of talmudic stories. For a survey of the relevant critical terms and their significance, see Seymour Chatman, *Story and Discourse: Narrative Structure in Fiction and Film* (Ithaca, N.Y., 1978), 146–51.

12. The manipulation of point of view to encourage readers' identification with (or alienation from) specific characters and to promote a particular worldview has been a central concern of narrative theorists since the 1960s and 1970s. I have done my best to synthesize the insights of the pioneering work of Wayne Booth, *The Rhetoric of Fiction* (Chicago, 1961); Wolfgang Iser, *The Implied Reader: Patterns of Communication in Prose Fiction from Bunyan to Beckett* (Baltimore, Md., 1974); Sternberg, *Poetics*; and Sternberg, "Proteus in Quotation-Land: Mimesis and the Forms of Reported Discourse," *Poetics Today* 3.2 (1982): 107–56; with more recent work, including, Suzanne Keen, *Empathy and the Novel* (New York, 2007); Angus Fletcher and John Monterosso, "The Science of Free-Indirect Discourse: An Alternate Cognitive Effect," *Narrative* 24.1 (2016): 82–103; Suzanne Keen, "Pivoting towards Empiricism: A Response to Fletcher and Monterosso," *Narrative* 24.1 (2016): 104–11; Erin McGlothlin, "Empathetic Identification and the Mind of the Holo-

ACT 1: IN THE BET MIDRASH

Our story opens with a ruling regarding "the daughter's co-wife":[13]

> In the days of R. Dosa ben Harkinas,
> they permitted[14] the daughter's co-wife[15] to the brothers,

"In the days of R. Dosa ben Harkinas" ostensibly establishes the time period in which the story is set as well as the story's central character. R. Dosa is mentioned only infrequently in the tannaitic sources.[16] These references establish that R. Dosa was active in predestruction Jerusalem as a sometime disputant of R. Yohanan ben Zakkai, and that he survived into the Yavne period.[17] "The days of R. Dosa" apparently refers to the period prior to the destruction of Jerusalem, when R. Dosa would have been at the height of his career.

The subject of this clause, however, is not R. Dosa but an anonymous group that is credited with the ruling about "the daughter's co-wife." Beyond presenting the fact that they are contemporaries, the text leaves ambiguous the relationship between R. Dosa and these other sages. However, since we do not hear of any contemporary opposition to this ruling, it is reasonable at this point to conclude that R. Dosa was the leader of the sages who issued this pro-Shammaite ruling.

The opening line of the story thus leads the reader to expect a story set "in the days of R. Dosa," that is, in the waning days of the Second Temple era, and that R. Dosa, likely to be the authority behind the ruling mentioned, will be a central character. But as we read on, we learn that things are not quite as they seem. It turns out that this statement is only the first in a chain of clauses:

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caust Perpetrator in Fiction: A Proposed Taxonomy of Response," *Narrative* 24.1 (2016): 251–76.

13. Translation based on Soncino, according to the text in the Vilna edition. Relevant textual variants are reported based on the transcriptions found in the Hachi Garsinan database https://fjms.genizah.org/. Witnesses are listed as follows: B = Fr. Ebr. 506 (Bologna); G1= Moscow-Guenzburg 594; G2 = Moscow-Guenzburg 1017; M = Munich Codex 95; O1 = Oxford Heb. d. 20/1–25; O2 = Oxford Opp. 248 (367); P = Pisaro Printing (1508); V = Venice Printing (1519–23); Vat.1 = Vat. Ebr. 110–111; Vat. 2 = Vat. 114.

14. P, M, Vat.2 read "were permitted"; O, O2, G1, G2, "was permitted."

15. V, P, M read "cowives."

16. R. Dosa's name appears thirty-five times in the tannaitic sources: twelve in a single passage, m'Eduy 3.1–6, and six more in its parallels elsewhere in the Mishnah.

17. mKet 13.1; mRH 2.8–9.

and this was a difficult thing for the sages,
because he was a great scholar,[18]
and his eyes were fixed,[19] [preventing him] from coming to the house of study.
They said, "Who will go and inform him?"
R. Joshua said to them, "I will go."
"And who after him?"
R. Eleazar ben Azariah [agreed to go].
"And who after him?"
R. Akiba [agreed to go].

We now see that those who issued the ruling are not the primary subjects of the sentence. The ruling has been introduced in order to inform us of the response it generated from the "sages" at a later point. The primary actors in this scene are these "sages" for whom the ruling "was a difficult thing." Presumably, they felt that the law should follow Bet Hillel and were unhappy with this precedent favoring Bet Shammai.[20] The next clause focuses on R. Dosa, identified as being a blind man who no longer appears in the bet midrash. The story, therefore, is not set "in the days of R. Dosa" but a generation later, in the days of the "sages," after R. Dosa has left the scene.

At long last, in the final clause, we come to the main verb of this run-on sentence. The sages, unable to summon R. Dosa due to his age and blindness, request volunteers to travel to R. Dosa and "inform him" (*yoḏiʿo*). The text neglects to tell us of what the sages seek to inform R. Dosa. Despite this striking lacuna, we can deduce a few things about the sages' understandings and intentions from this line. First, since the text links the sages' decision to "inform" R. Dosa to the fact that they found the ruling of "the days of R. Dosa" to be "a difficult thing," it implies that sages understand R. Dosa to be responsible for the ruling. The sages themselves explicitly confirm this later in the story. Further, the phrase "inform" suggests a unilateral action. The sages do not seek a dialogue with R. Dosa but want to deliver their opinion or decision to him. Hidary understands the sages as "seeking to accuse and reprimand R. Dosa for his decision."[21] It is also possible that the sages simply intend to inform R. Dosa that they planned to reverse his decision. Whatever their exact intent, the sages apparently want to express their displeasure to R. Dosa regarding his ruling.

18. V, P read "very old man"; O, "great man."
19. P, M, G2, V (in margin) read "dimmed."
20. See bShab 130b.
21. Hidary, *Dispute*, 219.

Finally, the rabbis who will become the protagonists of our story are introduced: R. Joshua, R. Eleazar ben Azariah, and R. Akiba. These three of the most illustrious sages of Yavne will form the fellowship that will journey to R. Dosa on behalf of the entire bet midrash to "inform" him. The fact that three great sages are recruited emphasizes the importance and perhaps potential danger of the mission.

The opening lines of the story thus introduce the audience to two temporally and geographically distinct worlds and their populations. First, we have the sages of the generation in which the story takes place, whom we know as "the Yavne generation." They emerge as the dominant group in the story. Their time is the present and their place is in the bet midrash, the locus of rabbinic knowledge and authority, and the center of action in this scene.

On the other side is R. Dosa. He is associated with the earlier generation of sages who ruled in favor of Bet Shammai. He is still alive, but just barely. In some textual witnesses he is explicitly described as "very old." He is blind, a condition associated with death by the rabbis.[22] Thus far, he exists only "offstage," as his place is in his home and not in the bet midrash. R. Dosa's marginal position is further emphasized by the term used to describe his blindness. Most texts read "his eyes were fixed" (*ve-'enav kamu*). This recalls the biblical description of Eli as he awaits the news of the fate of his sons and the Israelite army at the hands of the Philistines: "Now Eli was ninety-eight years old; his eyes were fixed (*ve-'enav kamah*) and he could not see."[23] Eli, the once great leader now sits vulnerable and helpless, away from the center of action on the battlefield.[24]

This entire scene reflects the sages' point of view. It is set in their bet midrash. Almost everything we learn about R. Dosa and his apparent ruling is communicated via an account of the sages' thoughts and feelings. At the end of the scene, we learn that these sages are in fact the great sages of Yavne, led by some of the most famous and distinguished rabbis in history. The status of the protagonists further encourages the audience to identify with them and to assume that their perspective accurately represents the truth.

This scene also implicitly presents the sages' normative perspective, which the audience is similarly led to accept. The sages of Yavne see

22. bNed 64b; b'AZ 5a.

23. 1 Sam 4.15. *Kamah* is an ancient plural form equivalent to the standard biblical and rabbinic *kamu.* This is the only place in the Bible which contains the phrase *ve-'enav kamah/u.*

24. Other texts read, "his eyes were dimmed," *ve-'enav kahu,* recalling the description of Isaac before Jacob steals the blessings, *va-tikhhena 'enav* (Gen 27.1).

themselves as the ultimate religious authority and enforcers of the hegemony of Bet Hillel, entitled to reject unilaterally the rulings of the previous generation and perhaps even castigate those elder sages who defy them.

Finally, this opening act sets up the audience's expectations for how the plot will unfold. The "crisis" the rabbis seek to resolve is the disjunction between their own contemporary world of the bet midrash and the foreign world of R. Dosa's home, rooted in the past. The three rabbis seek to do so by journeying to R. Dosa with the mission of asserting their authority over him. They are in effect seeking to bring the past into line with the present. The tension in the plot derives from the uncertainty of what will happen when the rabbis finally confront R. Dosa. Will R. Dosa acquiesce to the rabbis, or will he resist? If there is a conflict, who will prevail? It is the audience's curiosity as the rabbis move forward in their quest that keeps it engaged in the story.

ACT 2: AT R. DOSA'S HOUSE

Act 2, Scene 1: Crossing the Threshold

The sages now leave the bet midrash and approach R. Dosa's home, the setting of the next act:

> They went and stood at the entrance to his house.
> His maidservant entered and told him,
> "Master, the sages of Israel are come to you."
> He said to her, "Let them enter,"
> and they entered.[25]

The narrator could easily have eliminated this description without impacting the plot. The scene serves to retard the forward movement of the plot, deferring the confrontation between the rabbis and R. Dosa, thereby increasing the suspense. In focusing on the rabbis' crossing over the threshold into the house and the role of the maidservant in mediating this crossing, the narrator also emphasizes the significance of this transition from the bet midrash of Yavne to the home of the great sage of yesteryear. It is as if this doorway is a portal into a different world.

Act 2, Scene 2: The Welcome

The difference between the world of the sages and that of R. Dosa is not immediately apparent. In the previous scene, the maidservant affirmed

25. Line missing in P and Vat.1.

the stature of the rabbis by calling them the "sages of Israel," and R. Dosa granted them immediate entrance. As they enter, the sages continue to be treated with great respect:

> He took hold of R. Joshua and seated him upon a golden couch.
> He said to him,
> "Master, will you address your other disciple and seat him?"
> He said to him, "Who is he?"
> "R. Eleazar ben Azariah."
> He said, "Has our friend Azariah a son?"
> and applied to him this verse,
> "I have been young and am now old,
> but I have never seen a righteous man abandoned,
> or his children seeking bread."[26]
> He took hold of him and seated him upon a golden couch.
> He said to him,
> "Master, will you address your other disciple and seat him?"
> He said to him, "Who is he?"
> "Akiba the son of Joseph."[27]
> He said to him, "You are Akiba son of Joseph,
> whose name is known from one end of the world to the other![28]
> Sit down, my son, sit down. May people like you multiply in Israel."

The sages finally meet R. Dosa, but their confrontation with him is again deferred. The narrator takes the trouble to inform us of the pleasantries exchanged as they arrive. This is the second time in which the three rabbis are introduced one by one, further reinforcing their centrality in the story and its world. R. Dosa accords his guests the greatest honor, taking each one by the hand and seating them on couches of gold. He expresses his joy in meeting them and blesses R. Akiba for his great reputation as a Torah scholar. This scene also emphasizes R. Dosa's blindness and the extent to which he is cut off from the contemporary world. R. Dosa knows R. Akiba only by reputation. He is not even aware of R. Eleazar's existence, having retired before the younger rabbi was even born.

At this juncture, R. Dosa's perspective appears to be rooted in ignorance on both the informational and normative levels. On the normative level, R. Dosa is ostensibly on the wrong side of the law. On the informational

26. Ps 37.25.

27. M, O1, O2, G1 read "R. Akiba"; M and Vat.1 lack "son of Joseph"; O2 replaces "son of Joseph" with "the expositor."

28. Vat.1 reads "in the entire world"; O1 adds "applied to him this verse, 'A good name is better than fragrant oil . . .'"

level, R. Dosa is ignorant of the goings-on in the bet midrash and apparently unaware of the sages' intentions to challenge him and his authority. The audience, in contrast, knows that though R. Joshua addresses R. Dosa as "Master" and refers to himself and his colleagues as R. Dosa's students, he is in fact planning to challenge or even castigate R. Dosa. This establishes an ironic distance between R. Dosa and the audience, as the audience watches R. Dosa graciously welcome the sages as friends and not as the adversaries that the audience knows them to be. The scene thus further solidifies the audience's identification with the sages and raises the expectation that when these three great sages finally confront the blind, ignorant, and naively deferential old man, one way or another, the rabbis will triumph.

Act 2, Scene 3: The Reversal

Scene three continues to follow events from the sages' perspective:

> They began to surround him with legal arguments
> until they reached that of the daughter's co-wife.
> They said to him, "What of the daughter's co-wife?"
> He said to them, "It is a dispute between Bet Shammai and Bet Hillel."
> "According to whom is the law?"
> He said to them, "The law is in accordance with Bet Hillel."
> They said to him, "But was it not stated[29] in your name,
> 'The law is in accordance with Bet Shammai'?"
> He said to them: "Did you hear 'Dosa' or 'the son of Harkinas'?"
> They said to him, "By the life of our master![30]
> We heard it anonymously!"

The phrase "to surround with legal arguments" appears nowhere else in rabbinic literature. It might best be understood here as describing the way the sages attempt to entrap R. Dosa by engaging him in a casual conversation about the law. They seek to raise the case of the daughter's co-wife without arousing R. Dosa's suspicion, thereby eliciting an honest answer. This description represents the sages' perspective, shared by the audience. From R. Dosa's perspective, however, the sages are engaging him in an innocent conversation, with no defined outcome.

Finally, the sages ask R. Dosa about the daughter's co-wife. The entire story has led up to this point. But R. Dosa does not reveal his position. He merely notes that it is a matter of dispute, frustrating the audience's ex-

29. M reads "did we not hear."
30. V, P read "Rabbi! By my life, by my life!"

pectations and deferring the long-awaited confrontation. The suspense mounts as the sages must ask yet another question to pin down R. Dosa: "According to whom is the law?" The audience now expects R. Dosa to finally admit his Shammaite allegiance.

But this never happens. R. Dosa declares, "The law is in accordance with Bet Hillel." At this point, the ironic reversal in the plot begins. The sages' assumption about R. Dosa, on which all their actions have been based, is entirely incorrect. Not only does R. Dosa not rule like Bet Shammai in this case, but his unequivocal declaration in favor of Bet Hillel establishes him as a staunch Hillelite. The entire plot thus far has been driven by a misunderstanding on the part of the sages.

This ignorance of the sages on the informational level now emerges as the immediate cause of the crisis in the story. The resolution of this crisis comes as the sages learn of their errors on the normative level, paving the way for them, and the audience as well, to be enlightened through their encounter with the true moral, halakhic, and metaphysical ground of the story, which lies with R. Dosa.

The sages' enlightenment begins as R. Dosa exposes the source of their error. Had the sages carefully examined the tradition, they would have realized that it does not necessarily attribute its ruling to R. Dosa, only to someone bearing the patronymic "ben Harkinas." They react in shock and embarrassment to their blunder. The sages' response also conclusively confirms that they had believed that R. Dosa was responsible for the ruling in favor of Bet Shammai. There now can be no question that their displeasure with R. Dosa's putative ruling, declared already in the first line of the story, motivated their journey to his home to "inform him."

This error in exegesis exposes a deeper, moral dimension to the sages' error. Their misunderstanding is at least in part the result of their failure to sufficiently respect and seek out contact with the elders of the previous generation. Had they been more connected to their predecessors, they would have known that R. Dosa was a Hillelite and, as we shall soon learn, that there was another Shammaite who bore the name "ben Harkinas." At the very least, the rabbis should have been humbler in their approach, seeking to clarify R. Dosa's position rather than setting out to confront him.

Act 2, Scene 4: The Reveal

The reversal of the plot is only completed with R. Dosa's speech, which reveals the informational and normative ground of the story:

"I have a younger brother,
he is the firstborn of Satan

and his name is Jonathan
and he is one of the disciples of Shammai.
Beware that he does not overwhelm you with legal arguments,
because he has three hundred[31] arguments about
the daughter's co-wife, that she is permitted.[32]
But I call heaven and earth to testify that
on this mortar, Haggai the prophet sat
and said three rulings:
A daughter's co-wife is forbidden;
Ammon and Moab tithe the tithe of the poor in the Sabbatical year;
and proselytes may be accepted from the Cordyenians and the
Tarmodites."

R. Dosa now lays out the core message of the story. He sets up a divide between Shammaite reliance on dialectic and Hillelite commitment to the tradition of the prophets. As a Hillelite, he sees himself as merely a link in the chain of transmission. We can now better appreciate R. Dosa's joyous welcome of the sages. Just as he is proud of his connection to earlier generations, he also celebrates the next generation of scholars. Without students to whom he can transmit his teachings, his own work is meaningless. He is happy to learn that R. Azariah has been succeeded by a son who follows his path, and he wishes for more great sages like R. Akiba. As a master of tradition, R. Dosa is focused on the past and the future, but not on his own present. Humility is an integral trait of those whose life is devoted to transmitting the wisdom of the past to the future.

R. Dosa's words also have the effect of rebuking the sages. The sages have not maintained a relationship with R. Dosa, apparently the last surviving link to the previous generation. It is not R. Dosa who has been cut off from the bet midrash, but the sages who have cut themselves off from R. Dosa, and, as a result, from the tradition itself. They perceived themselves as the autonomous source of all halakhic authority, not understanding that their authority rests on their claims to be authentic transmitters of the traditions of their teachers. Though the sages zealously seek to en-

31. Vat.1 (with erasure marks) and M add "and fifty-nine."

32. In P, B, O2, the last three words are missing; in B and O2, this entire line appears before "Beware . . ." G1 reads, "I have a younger brother; he is the firstborn of Satan. He has three hundred arguments about the daughter's co-wife and his name is Jonathan and he is one of the disciples of Bet Shammai. It is of him that you heard, 'Beware, lest he overwhelm you with laws.'" These variations do not impact the meaning of R. Dosa's speech in any material way. But the instability of the text may suggest that the original text was much shorter and that the various versions before us reflect a latter expansion.

force Bet Hillel's rulings, it turns out that they were not true Hillelites. They did not abide by the central teachings of Bet Hillel, which are now revealed to be commitment to tradition, and humility toward those who transmit it. The story does not explain the basis for the sages' insistence on Bet Hillel's ruling, given that we have now learned that they lacked clear traditions in its favor. But R. Dosa contrasts his own reliance on tradition with Jonathan's "satanic" use of dialectic.[33] The sages' indifference to tradition and their mistaken belief in their own autonomy can reasonably be understood as implicitly linked with the dialectical approach and, by extension, with Jonathan and the Shammaites. This link between the sages of Yavne and dialectical methods is further strengthened in the final act of the story.[34]

R. Dosa's blindness now takes on new meaning. R. Dosa no longer recalls the helpless Eli. He now evokes the biblical prophet Ahijah the Shiloite. Ahijah's eyes were "fixed (*kamu*) with age," but nevertheless he was able to identify the disguised wife of Jeroboam as soon as he heard her footsteps.[35] R. Dosa assumes the persona of the Tiresias-like blind seer who, despite his lack of physical sight, has greater knowledge and understanding than those who can see.[36]

The ironic reversal in this act is concretized though the seats on which the various characters sit. R. Dosa seats each of the sages on a golden couch. This appeared to confirm that he recognizes the aristocratic status and halakhic authority of these younger sages. But at the end of the scene, we learn that R. Dosa's seating of the sages on golden couches reflects his own humility, not the status of the sages themselves. It is R. Dosa's humble stool that is the true seat of the prophets, establishing R. Dosa as the ultimate source of halakhic authority.

By the end of this scene, the ignorance and failings of the rabbis have been revealed. The audience now has an accurate understanding of the events of the story and of the proper relationship between the sages of Yavne and R. Dosa. R. Dosa, with his commitment to tradition and humility,

33. Dosa's description of his brother as the "firstborn of Satan" is quite remarkable and has no parallel in rabbinic literature. R. Dosa may be suggesting that Jonathan is a sectarian who has no place in the rabbinic community. For similar usages in early Christian literature, see Pol. *Phil.* VII.1; *Haer.* III.3.4; John 8:44. See also Fraenkel, *Sipur ha-agadah*, 353n28.

34. Following Jeffrey Rubenstein, *The Culture of the Babylonian Talmud* (Baltimore, Md., 2005), 39–53, I use the term "dialectics" broadly to describe all creative and analytic hermeneutics and analysis, as opposed to the traditionalists' more conservative and literally oriented approach.

35. 1 Kgs 14.4.

36. bBer 58a portrays the blind R. Sheshet in a similar manner.

has emerged as the true bearer of the informational and normative truth in the story.

ACT 3: THE DESOLATION OF THE RABBIS

Act 3, Scene 1: The Retreat

At the end of the previous scene, R. Dosa displaces the sages as the central focus of the story. In the final act, this focus returns to the sages. The narrator follows them as they leave R. Dosa's home for uncharted territory:

> It was taught (*tana*):
> When they entered, they entered through one door;
> when they exited
> and they exited through three doors.

The process of narrative reversal is completed in this scene. The description here recalls the biblical curse: "You will march out against [your enemies] by a single road but flee from them by seven roads."[37] The sages arrived as an esteemed delegation but now flee like those vanquished in battle. The focus of the reversal is no longer R. Dosa's triumph but the shame of the rabbis.

The sages now leave R. Dosa's world, but they do not return to Yavne. They remain in a liminal space, which we shall see is more closely affiliated with R. Dosa's world than with Yavne. Now that the rabbis' fellowship has been broken, two of the characters disappear entirely. With the dissolution of the group, the audience's bond with it is also broken. The audience now has no one with whom to identify.

Act 3, Scene 2: The Final Battle

In the final scene, the focus shifts to R. Akiba, and we at last meet Jonathan:

> [Jonathan] came upon R. Akiba,[38]
> He asked him a question and stumped him,[39]
> He said to him,
> "You are Akiba (the expositor)[40]

37. Deut 28.25, cf. 28.7.

38. V, P, Vat.1, Vat.2, O2, G1 suggest, "R. Akiba came upon [Jonathan]."

39. O2 reads, "He overwhelmed him with halakhic arguments and put him in his place."

40. "The expositor" appears in M, B, O1, G1, G2, Vat.2; Vat.1 adds "son of Joseph."

whose reputation is known
from one end of the world to the other?![41]
You are lucky you received your reputation,
for you still have achieved the level of cattle herders."
R. Akiba said to him,
"not even that of shepherds."

Having been separated from his colleagues, R. Akiba finds himself alone. It is in this vulnerable position that he encounters Jonathan, of whom R. Dosa warned the sages must "beware." In engaging Jonathan, R. Akiba finally arrives at the confrontation with the Shammaite "ben Harkinas," that he and his colleagues have sought from the outset, though not on the terms they would have desired.

The first line of this scene could also be translated as Jonathan "attacked [*paga' b-*] R. Akiva."[42] Jonathan engages R. Akiva in the rabbinic equivalent of a duel. He challenges him with a halakhic question, which R. Akiva cannot answer. R. Akiva's loss to Jonathan shames not only himself but the entire generation of sages, of whom he holds the greatest reputation.

This defeat is even more stinging than the exposure of the sages' ignorance at the hands of R. Dosa. It is hardly surprising that this generation of sages did not measure up to the last in terms of mastery of tradition, as the sages did not, until now, value the study of tradition. But R. Akiva was known for his creative brilliance. In many manuscripts, Jonathan gives R. Akiva the title "the expositor" (*ha-ḏarʂhan*), emphasizing that R. Akiva's renown was based on his abilities in dialectical exegesis. Yet R. Akiva still cannot match the prowess of a forgotten sage of the previous generation. The sages of Yavne do not measure up to the sages of old, even on their own terms.

The narrator does not identify the subject matter of Jonathan's challenge, but from the context we might deduce that Jonathan was attacking Bet Hillel's position regarding the daughter's co-wife, against which "he had three hundred arguments." If so, R. Akiva's embarrassment is magnified further. Though they have aggressively promoted Bet Hillel's position on this matter, the sages cannot defend it. Were it not for the tradition they belatedly received from R. Dosa, the sages would be lost.

41. Vat.1 reads "in the entire world."

42. According to the reading, "came upon R. Akiba" rather than "R. Akiba came upon him." O2 explicitly describes the encounter as an attack, reading in the next line, "he overwhelmed him with legal arguments."

The sages' faith in their own abilities and authority has now been exposed as exaggerated and unjustified. This final shaming of R. Akiva would at first appear to remove any remaining reason for the audience to sympathize with R. Akiva and his colleagues. But in the last lines of the story, the narrator shifts our perspective once again. Jonathan insults R. Akiva, declaring his reputation as a great scholar to be a fraud, comparing him to an ignorant herdsman. Even as Jonathan's statement emphasizes R. Akiva's ultimate fall from grace, it exposes Jonathan as a nasty fellow. Jonathan emerges as a sort of monster who preys on the vulnerable, overwhelming them with his superior abilities and then gloating over their defeat. His arrogance in displaying his dialectic abilities contrasts with R. Dosa's humility in transmitting his received traditions. Even before R. Akiva speaks, it is difficult not to sympathize with him as a victim of Jonathan. Then, R. Akiva is granted the last word. He accepts Jonathan's harsh rebuke, going further and stating that he does not even rise to the status of a shepherd. In rabbinic literature, shepherds represent one of the lowest classes of society, just above thieves.[43] We cannot but empathize with R. Akiva as Jonathan pours salt on his wounds and he responds with humility.

The closing scene thus points in two directions. It leaves us with the sages at their lowest point, stripped of their honor and authority. The audience has been disabused of its assumptions about these famous sages. Yet R. Akiva's self-effacement demonstrates that he too has learned from his experiences. He now understands his place vis-à-vis the previous generation and has adopted R. Dosa's key moral trait of humility. The story leaves us reason to hope that R. Akiva and his colleagues will regroup and reconstruct their bet midrash along the lines of R. Dosa's teachings and values.

THE TEXTUAL HISTORY OF THE STORY

Our close reading of the story demonstrates its literary unity. However, from a philological perspective there is good reason to believe that the story as we have it is a composite work made up of different strata.

The Talmud introduces the story with the term *gufa,* which is used to reintroduce a previously cited text for further discussion.[44] In this case, the editors seek to present the complete text of the story from which they had just cited the first line. From the beginning until the end of the second act, the

43. bSan 25b.

44. See Zorach Warhaftig, "Notes on Three Talmudic Rules" (Hebrew), *Sidra* 10 (1994): 66.

story is narrated entirely in Hebrew, without any intervening notices that other sources have been introduced to the story. There is no indication that the bulk of the story was not created by a single hand, based on earlier traditions,[45] and thereafter transmitted in a more or less stable manner.

Only at the beginning of act three is the flow interrupted by the word *tanya*. This suggests that the description that follows of the rabbis entering through one door and leaving by three comes from a different source than the rest of the story. There is also certain tension between this line and the previous scene. The sages' flight from R. Dosa's house is not consistent with the kindly image of R. Dosa presented until this point. One might have expected R. Dosa not to allow his guests such an ignoble exit.

This same line describing the sages' flight also appears, in Aramaic, in the Yerushalmi's version of the story. There, this depiction describes not the sages' exit from R. Dosa's house but the conclusion of their meeting with Jonathan at his home, a central scene in that version, which is lacking in the Bavli:

> They went in and [Jonathan] sat before them.
> He explained to them, but they did not understand,
> He explained to them, but they did not understand.
> They began to doze.
> He said to them, "Why are you dozing!"
> He began to throw clumps of earth at them.
> Some say:
> They entered by one door and left by three.

In the Yerushalmi version as well, this line is identified as a distinct source, as it is introduced with the words "some say." But this line is a better fit in the Yerushalmi, as the sages' flight follows their being insulted and attacked by Jonathan. This tradition about the sages' entrance and exit most likely originally circulated as a gloss to the Yerushalmi's version of the story and was introduced into the Bavli story by a later hand. This redactor recontextualized the tradition into the version of the story in his possession by presenting it as referring to the sages' exit from R. Dosa's house rather than from Jonathan's. This integration was not entirely successful, as it presents R. Dosa as a more intimidating figure than he appears in the body of the story.

There is also evidence that the following, final scene is a later addition as well. It contains the story's only Aramaic words, *akshi lei ve-ukme*, which

45. See yYev 1.6, 3a.

we have translated as "He asked him a question and stumped him."[46] The sudden introduction of Aramaic and the fact that this scene follows a section that itself appears to be a later addition suggest that it was introduced subsequently as well.[47] R. Dosa's warning to the sages regarding Jonathan and his prowess sets up an expectation from the audience of such a meeting. Perhaps drawing on the Yerushalmi's version, a later redactor accommodated this expectation, adding a scene in which Jonathan overwhelms the representative of the sages with his brilliance.

If this analysis is correct, we have before us two different stories. The original story contained only the first two acts, ending with R. Dosa's speech revealing the central teachings of the story. This version is relatively mild in its critique of the sages of Yavne. The narrative's primary focus is to promote R. Dosa's values of tradition and the ethical traits it fosters rather than to attack the sages and their approach. The sages serve as a foil to R. Dosa, who dominates the final scene of the story. In this version, the sages are never explicitly associated with dialectics. The important factor is that they neglected tradition, not the alternative approach they embraced. The story ends with the sages at the feet of R. Dosa, having been enlightened by him. Ultimately this conclusion could be interpreted as "all's well that ends well."

At a later stage, the two scenes of act three were added, shifting the focus away from R. Dosa and his message, and toward the sages and their failings. The sages' meeting with R. Dosa no longer ends amicably, as the sages now flee in shame. The Yavne sages are portrayed as inferior to the previous generation in terms of their mastery of dialectic as well as of tradition. What is more, the rabbis are clearly identified with the "satanic" dialectic approach of Jonathan.

This transformed story now functions more to critique the sages and their dialectical methods than to champion R. Dosa and his approach. The new story's negative portrayal is somewhat balanced by the fact that the new version of the story leaves the audience with a sympathetic image of R. Akiva and his newfound humility.

This analysis remains speculative. In what follows, I shall return to considering the entire story as a single literary unity, only referring to its possible evolution when relevant.

46. On this phrase in the Bavli, see Adiel Schremer, "'He Posed Him a Difficulty and Placed Him': A Study in the Evolution of the Text of TB *Bava Kama* 117a" (Hebrew), *Tarbiz* 66 (2000): 403–15. Note that this phrase appears in Hebrew in O2.

47. Fraenkel, *Sipur ha-agaḍah*, 350n15, argues that only the Aramaic phrase is a later addition, but acknowledges that this is difficult to justify.

THE STORY AND THE YAVNE CYCLE

We can now consider this story in relation to the other rabbinic sources about Yavne and its sages. From the outset, our story builds on the world presented in other materials of the Yavne Cycle, in which the Yavne bet midrash is the absolute center of halakhic teachings and authority. The story assumes that the audience recognizes R. Joshua, R. Eleazar ben Azariah, and R. Akiva as heroes of the Yavne generation. The authors of our story were not necessarily familiar with the amoraic texts related to the Yavne Cycle as we know them. However, they would certainly have been aware of the tannaitic texts and likely would have been familiar with the amoraic traditions in some form. In these sources, Yavne and its sages are often presented as the historical pinnacle of rabbinic scholarship and leadership. In our story this image is unmasked as a sham. This narrative is a challenge to Yavne's position, a touchstone of rabbinic values and authority.[48]

Yet the R. Dosa story's critique of Yavne also builds on one of the primary motifs common to many Yavne Cycle sources. Beginning with the mishnaic story of R. Gamliel and R. Joshua, and continuing in the Yerushalmi and Bavli versions of both the deposition of R. Gamliel and the oven of Akhnai, the leading Yavne sages are consistently portrayed as seeking to impose their rulings on the entire rabbinic community and as willing to implement extreme measures in order to marginalize rabbis who do not toe the line.

Our story bears a particularly close relationship to the Akhnai tradition. Like both Talmuds' versions of that story, our story tells of how the sages of Yavne, particularly R. Joshua and R. Akiva, rejected the ruling of another rabbi, sending a messenger to his home to inform him of the decision. These similarities are strengthened by the fact that R. Eliezer is referred to in the Talmuds as a *shamuti,* which is understood, at least in the Yerushalmi, as meaning that he was a follower of Bet Shammai.[49] Both stories may thus tell of the rejection of an (alleged) Shammaite in the Yavne period.

48. The story also draws on the rabbinic narrative traditions that focus on R. Akiba. In the Yavne Cycle, R. Akiba is a secondary figure. These stories portray R. Akiba as the quintessential Torah scholar known for his creative brilliance. Our story refers to and contests this titanic image of R. Akiba. On narrative traditions surrounding R. Akiba, see Azzan Yadin-Israel, *Scripture and Tradition: Rabbi Akiba and the Triumph of Midrash* (Philadelphia, 2015); Shamma Friedman, "A Good Story Deserves Retelling: The Unfolding of the Akiba Legend," *Jewish Studies, An Internet Journal* 3 (2004): 55–93.

49. See Alexander Guttmann, "Hillelites and Shammaites—A Clarification," *Hebrew Union College Annual* 28 (1957): 115–26.

The two narratives also share a key pair of phrases. The exchange "'Who will go and inform him?'—'I will go'" (*mi yelekh ve-yoḏi'o—ani elekh*) appears in rabbinic literature only in our story and the Bavli version of the Akhnai story.[50] In the Yerushalmi's Akhnai story, this same exchange appears in Aramaic (*man azal moḏa' lei . . . ana azal . . .*). Whereas in the Dosa story, the nature of the information that is to be communicated is mysteriously elided, in the Akhnai tradition, the phrase "Who will go and inform him?" is in no way problematic or ambiguous. The sages want to tell R. Eliezer that they have excommunicated him in absentia. It therefore seems more likely that the phrase originated in the Akhnai tradition, from where it was taken and, most awkwardly, integrated into our story. This borrowing may have been done as a conscious allusion to the Akhnai narrative, meant to establish a textual link between the two narratives.[51] It is even possible that the authors of our story expected the audience to fill in the missing indirect object of "inform him" from the Akhnai story and understand that the sages seek to inform R. Dosa that he has been excommunicated, just like R. Eliezer.

Though the Dosa story's depiction of the sages' behavior recalls those found in other Yavne stories, especially that of the oven of Akhnai, our story's portrayal presents a much more radical critique of the Yavne leadership than the critiques found in the rest of the Yavne Cycle. In the *mRoš Ha-Shanah* narratives about the disputes over the new moon and the stories in the first chapters of *yBerakhot* and *bBerakhot* about the dispute over the evening Shema, it is specifically R. Gamliel who is criticized for using his power to crush dissent. His victims, notably R. Joshua, are also major Yavne sages. At the ends of these stories the conflicts are resolved and R. Gamliel's authority at Yavne is reaffirmed. These stories highlight tensions within the rabbinic community and raise concerns and express ambivalence about arrogance and excessive interest in power and prestige among some of the sages of Yavne, but they do not challenge the authority or legitimacy of the sages of Yavne as a whole.

The attitude of the oven of Akhnai story toward the sages of Yavne is less straightforward. Until recently, scholarship on the Bavli's Akhnai story has tended to place R. Joshua's declaration that the Torah is "not in heaven" and God's concession that "my children have defeated me!" at the center of the story. In these readings, the story is not a critique of Yavne

50. See Hidary, *Dispute,* 219 and n. 179 there.

51. Hidary, *Dispute,* 219n180, notes the similarity between the singular phrase "They began to surround him with legal arguments" (*soveviṿ be-halakhot*) in our story and "they encompassed it/him with arguments" (*hekifo ḏevarim*) in the Bavli's Akhnai story.

at all. Yavne is constructed as the location of the ultimate triumph of the collective authority of the rabbis against all challengers, human and divine. But, beginning with Jeffrey Rubenstein's comprehensive study of the story, scholars have drawn attention to the story's context in the midst of the Bavli's discussion of the sin "verbal oppression" (*ona'at devarim*).[52] This approach sees the story as condemning the sages for their punishment of R. Eliezer and the emotional pain they inflict upon him. As Rubenstein writes, "Not content to have rejected Eliezer's ruling and its divine endorsement, the sages burn all objects he had decreed pure and ban him [. . . They] apparently wanted to take revenge at his having defied them in the first place or attempt to teach him a lesson. In any case the punishment far outstrips the crime."[53] In this version it is all of the Yavne sages, led by both R. Joshua and R. Gamliel, who abuse their power in seeking to marginalize R. Eliezer, who is not generally portrayed as part of the leadership at Yavne. Rubenstein and his colleagues correctly view this story as one of the most powerful presentations of the moral failing of the Yavne leadership in the Bavli.[54] It expresses deep ambivalence regarding rabbinic institutionalized authority. Yet even the most extreme reading of this story must concede the limited nature of its critique. R. Eliezer appears as, at best, an antihero. However justified his great anger, it causes vast destruction and ultimately results in the death of his brother-in-law R. Gamliel, devastating his wife. The Akhnai tradition is a complex story, which recognizes its characters' strengths and weaknesses, as well as the competing legal, ethical, social, and theological values that underlie the tragic conflict which it portrays. However critical it may be of the sages of Yavne, it does not undermine their status as great, if flawed, heroes of the bet midrash. Even at the end of the story, Yavne remains the center of all halakhic authority.

The Dosa story presents a much more negative picture of the sages of Yavne, as can be seen through a comparison with the Bavli's Akhnai story. In that narrative, the sages of Yavne are portrayed as great warriors who engage in halakhic combat with each other in the bet midrash. They face down R. Eliezer, a true threat to their hegemony who has supernatural

52. Jeffrey Rubenstein, *Talmudic Stories: Narrative Art, Composition, and Culture* (Baltimore, Md., 1999), 34–63. For a survey of both approaches to the story, see Steinmetz, "Agada Unbound," 311–15, and the footnotes there; Chaya Halberstam, "Encircling the Law: The Legal Boundaries of Rabbinic Judaism," *Jewish Studies Quarterly* 16.4 (2009): 396–424.

53. Rubenstein, *Talmudic Stories*, 42.

54. In "In-Laws to Intimate Enemies," I argue that the Yerushalmi version of the story is even more unequivocally pro-R. Eliezer. Nevertheless, its critique of the other sages is in some ways milder than in the Bavli.

powers. R. Joshua ultimately confronts and defeats God himself. In our story, the sages' adversary is, in contrast, a blind old recluse. In the final scene, Yavne's greatest champion is easily felled by an otherwise unknown sage. The Yavne sages do not deserve their reputation as the "greatest generation" of Torah scholars. On the other hand, unlike R. Eliezer, R. Dosa is a modest and kind man who is the undisputed hero of the story. His home, with the seat of the prophet as its central axis, displaces Yavne as the true source of halakhah and halakhic authority. The Dosa story presents an unequivocal attack on the reputation of Yavne and her sages. It challenges the notion that the bet midrash of these rabbis is the intellectual and spiritual fountainhead from which rabbinic Judaism sprang. Yet our story stops just short of completely rejecting the Yavne sages as exemplars. It concludes with a sympathetic image of R. Akiva, painfully humbled before the arrogant Jonathan. In the end, the audience is left with hope that R. Akiva and his colleagues may redeem themselves, but only once they realize that their previous perception of their bet midrash as the ultimate source of Torah knowledge and authority was nothing but an illusion.

THE STORY AS IDEOLOGICAL COUNTER-VOICE IN THE BABYLONIAN TALMUD

The radical way our story challenges the other sources of the Yavne Cycle and the rabbinic literary and cultural assumptions that they embody requires explanation. Why would storytellers seek to upend the entire myth of Yavne, which had been so central to rabbinic self-understanding since the tannaitic period? The first step toward answering this question is to consider the relationship between the story's central agendas regarding Torah study and halakhic adjudication and the dominant currents within both the sugya in which it appears and the Bavli as a whole.

The Story as Counter-Voice in the Sugya

Our story establishes tradition as the sole source for determining the Halakhah, rejecting dialectic. This tradition is envisioned as monistic in nature, containing only one correct answer to any given halakhic question. Alternative opinions, even those suggested by the greatest of rabbis, are simply wrong. A similar message emerges from the Yerushalmi's version of this story. Both versions record R. Dosa's statements about his brother Jonathan and the rulings of Haggai the prophet, using almost the exact same words. But when considered in their talmudic contexts, the resonances of the two stories' messages could not be more different.[55]

55. See Fraenkel, *Sipur ha-agadah*, 438n6.

In both Talmuds, the R. Dosa story appears as part of larger discussions emerging from mYev 1.4 regarding the dispute between Bet Hillel and Bet Shammai about the daughter's co-wife and their disagreements in general. As Richard Hidary has demonstrated, the Yerushalmi's discussion strikes a negative tone regarding Bet Shammai. It seeks to limit or even deny the pluralistic implications of various tannaitic sources that suggest there is legitimacy to the positions of both houses.[56] The R. Dosa story's message that only Bet Hillel's ruling conforms to the authentic prophetic tradition and its identification of Bet Shammai with the "satanic" Jonathan fits in seamlessly with the Yerushalmi's monistic approach and its anti-Shammaite agenda.

Hidary also demonstrates that the Bavli's discussion of mYev 1.4 takes a far more pluralistic approach, affirming the fundamental legitimacy of the rulings of both houses.[57] The sugya concludes by citing the first line of our story to prove that the sages did sometimes rule according to Bet Shammai.

The Bavli then presents the entire story. On the surface, the story appears as a simple appendix to the sugya, whose purpose is to provide the complete text of a source previously cited in a partial manner. But the story strikes a most discordant note in this context. Until this point, the Bavli has focused on the fundamental legitimacy of Bet Shammai's practices and on the principle of pluralism in halakhic practice. But in the story, the Yavne sages' desire to suppress the practice according Bet Shammai is, in and of itself, presented as being entirely appropriate. The story rejects the notion that the Halakhah might tolerate opposing views and portrays Jonathan the Shammaite as a renegade whose rulings lack authenticity.[58] Whether or not the editors who chose to include this story meant it as such, the story acts as a Palestinian-inflected counter-voice within the sugya.[59]

The Story as Counter-Voice in the Babylonian Talmud as a Whole

Hidary goes on to argue that the different overall outlooks of the Yerushalmi and the Bavli versions of this sugya regarding the status of Bet Shammai and the wider question of pluralistic practice are consistent

56. yYev 1.6, 3a–b; Hidary, *Dispute*, 196–204.

57. bYev 14a–16a; Hidary, *Dispute*, 206–7.

58. Hidary, *Dispute*, 221–22, argues that the story fits with the Bavli's agenda, because it ends by giving the Shammaite the upper hand and affirms their intellectual superiority.

59. On the subversive role that narratives can play within sugyot in the Bavli, see Barry Wimpfheimer, *Narrating the Law: A Poetics of Talmudic Legal Stories* (Philadelphia, 2011).

with wider trends throughout the two Talmuds. The Yerushalmi generally tends to be more monistic and antagonistic to Bet Shammai, and the Bavli tends toward pluralism and legitimation of Bet Shammai.[60] The story of R. Dosa in the Bavli thus stands out not only relative to the sugya in which it appears but against the backdrop of the Bavli as a whole.

The relationship between our story and the wider culture that produced the Bavli comes into sharper focus when we consider a related issue. Contemporary scholars have repeatedly identified the divergent attitudes of the Palestinian and Babylonian academies regarding the relationship between tradition and dialectics as one of the key differences between their cultures. Though rabbis of both locales clearly valued both mastery of tradition and dialectic skill, Palestinian scholars tended to emphasize the importance of tradition and its mastery in the study and adjudication of halakhah, whereas the sages of Babylonia generally prized the ability to engage in dialectical argumentation and best one's opponent in scholarly debate.[61] The recent work of Amram Tropper and Leib Moscovitz has complicated this picture, suggesting that the Babylonian focus on dialectics emerged only gradually, gaining steam in the fourth generation and reaching its height in the postamoraic, stammaitic period.[62]

When placed in this context, our story's stance in favor of tradition and against dialectics stands out as rejecting the emphasis on dialectic in the Babylonian academies. Further, if my proposed account of the story's development, in which the final version reflects a much stronger polemic against dialectics than the original, is correct, we can trace an inverse trajectory in the evolution of our story. It moved toward increasing rejection of dialectics, even as the broader culture became ever more enamored with them.

The Antidialectic Counter-Voice in the Babylonian Talmud

The dissident positions expressed in our story are not an isolated phenomenon. It is part of a small but discernible group of sources in the Bavli that reflect a common worldview. In an unpublished article, Shira Shmidman explains how a narrative in bZev 96b offers a similar critique of dialectics. In that story, Rami bar Hama, who is presented as a master of

60. Hidary, *Dispute*, 231–32.

61. See David Rosenthal, "The Transformation of Eretz Israel Traditions in Babylonia" (Hebrew), *Cathedra* 92 (1999): 7–48; Rubenstein, *Culture,* 39–53. For further bibliography, see Moulie Vidas, *Tradition and the Formation of the Talmud* (Princeton, N.J., 2014), 115n1; Amram Tropper, *Like Clay in the Hands of the Potter: Sage Stories in Rabbinic Literature* (Hebrew; Jerusalem, 2011), 160n13.

62. Tropper, *Like Clay,* 155–92; Leib Moscovitz, *Talmudic Reasoning* (Tübingen, 2002), 349. See also David Kraemer, *The Mind of the Talmud* (New York, 1990).

dialectics, is humiliated by his former student, who exposes his ignorance of tannaitic traditions. Like the Dosa story, this story also stands in opposition to the surrounding sugya, which implicitly favors dialectical argumentation over the simple reading of tannaitic sources. Shmidman concludes that this story is likely a response to the trend toward dialectics prevalent at the time of this composition, representing "opposing voices that pointed out the dangers of taking [dialectics] too far."[63]

Another, more moderate example of this voice is the oft-cited account of Rabbah's ascension to the leadership of the academy, in bHor 14a.

> R. Joseph was a "Sinai";
> Rabbah was an "uprooter of mountains."
> They sent [an inquiry] there [to the land of Israel]:
> Who of these should take precedence?
> They sent back to them:
> "A Sinai takes precedence [. . .]"
> Nevertheless, R. Joseph did not accept office.
> Rabbah ruled for twenty-two years
> and only after did R. Joseph rule.
> In all the years of Rabbah's rule,
> R. Joseph did not even call to his house a cupper.

In this narrative, the sages of Babylonia must choose between R. Joseph, a master of tradition ("Sinai"), and Rabbah, a master dialectician ("uprooter of mountains"), for the leadership of the academy. The Babylonians turn to the sages of Palestine for advice. The rabbis of the West rule in favor of the "Sinai." Though this story associates the preference for tradition over dialectic with the land of Israel, it portrays the rabbis of Babylonia as deferring to the Palestinians on this matter. The reason why the "uprooter of mountains" triumphed over the "Sinai" is not because his approach was superior, but because the "Sinai" declined the position. R. Joseph is rewarded for his modesty with a long, healthy life, toward the end of which he briefly succeeds Rabbah. This association of the study of tradition with modesty (and longevity) and of dialectic with self-assertiveness, parallels the portrayal of the two approaches found in the R. Dosa tradition. The authors of this narrative apparently sought to explain the dominance of dialectical approach in Babylonia despite their own belief in the superiority of tradition. The story insists that the sages of Babylonia never rejected the values of their more authoritative Palestinian colleagues.

63. Shira Shmidman, "The Rami bar Hama Narrative of Zevahim 96b: A Contextual Analysis," *Oqimta* 8 (2022): 80.

Rather, the dialecticians triumphed precisely because the morally superior traditionalists, by their very natures, deferred to their more aggressive colleagues.[64]

The Possible Social Context of the Counter-Voice

Moulie Vidas calls attention to several talmudic passages that condemn "masters of Mishnah" and tannaim, the reciters of tannaitic traditions, referring to them as "those who hate" the sages[65] and as examples of the "evil and cunning" individuals who are "destroyers of the world."[66] He argues that these sources suggest that those who focused on the memorization and recitation of halakhic traditions within the Babylonian rabbinic academies posed a real challenge to the authority of the analytically oriented "masters of Talmud," whom Vidas identifies with the creators of the Bavli.[67] Vidas envisions this competing group of sages as operating "within the confines of the rabbinic academy," though "we have no text that explicitly provides us with the reciter's perspective."[68] He looks to hekhalot literature to find an expression of "what an ideology of rabbinic memorization could look like [. . .] allow[ing] us to at least imagine the other side of the Bavli polemic."[69]

Our story and the other sources we just cited reflect precisely such an "ideology of memorization" coming from within the Bavli itself. They appear to be the product of a group that challenged the authority and methodology of the ruling elites of rabbinic Babylonia. It is tempting to speculate that the antidialectic counter-voice that we have delineated is the work of the faction whose existence is posited by Vidas. We cannot reconstruct the exact nature and extent of the dispute between these two putative factions of rabbinic society because the sources on both sides are highly polemical and likely exaggerate the extent of the debate. The tradition-oriented group may have sought to banish dialectic and its proponents from the bet midrash altogether. Alternatively, they may have simply sought to recalibrate the balance between tradition and dialectic and critique the hubris that often comes along with engagement in dialectics.

64. A version of this story also appears in bBer 64a. This appears to be a later reworking of the *Horayot* text. See Tropper, *Like Clay*.

65. bBM 33b.

66. bSot 21a–22.

67. Vidas, *Tradition*, 115–66.

68. Vidas, *Tradition*, 148.

69. Vidas, *Tradition*, 202.

Between the Bet Midrash of Yavne and the Babylonian Academies

We can now return to our question as to why the authors of our story so aggressively challenge the reputation of Yavne and its sages. This literary reconstruction of Yavne is part of the story's wider ideological and, it seems, sociopolitical agenda. As Boyarin and I have argued, the Yavne Cycle was a foundational myth of Babylonian rabbinic society, helping to establish its central values and provide a model for the authority of their own rabbinic elites. Challenging this myth was perhaps the most effective way of undermining the values and social structures of that community. If the rabbis of Yavne were not the ultimate source of halakhic knowledge and authority, nor even the great dialecticians they thought themselves to be, then those who claimed their mantel in late talmudic Babylonia most certainly cannot make such claims. Those rabbis may look back to Yavne as the source of their freewheeling dialectical approach, which embraces individual creativity and multiplicity of possibilities, but the authors of this story insist that R. Dosa's traditionalist worldview, with its values of modesty and respect for both teachers and students, represents the proper approach. In the view of our story, it is upon the stone of the prophets in R. Dosa's home that the rabbinic bet midrash should be built, not the vineyard of Yavne.

This strategy is particularly effective because it draws on a trajectory already present in the materials of the Yavne Cycle. As I have argued elsewhere, especially in the Bavli sources, Yavne serves simultaneously as both a "model" and a "mirror" for the rabbinic society of the story's authors and original audience, both presenting an idealized bet midrash and highlighting various social and ideological issues of concern to the authors.[70] We have already noted how other stories in the Yavne Cycle raise concerns about abuses of power by the leadership of the rabbinic community, even as they affirm the fundamental notion of centralized rabbinic authority. Our story leverages this "mirror" aspect of the Yavne Cycle to challenge the very concept of Yavne as a model.

Yet our story does not seek to completely remove the memory of Yavne from the rabbinic consciousness. In the end, it allows the audience to identify with R. Akiva in his defeat. It holds out the possibility that Yavne was subsequently reconstructed by R. Akiva and his colleagues in line with the vision of their newfound teacher, R. Dosa.

70. Simon-Shoshan, "Oven of Akhnai."

CONCLUSION

The Bavli's story of Dosa ben Harkinas represents a high point of talmudic narrative art. Its carefully crafted narrational strategy drives home the story's message. Yet this story is also a sort of "ugly duckling" among talmudic stories. Contemporary scholarship has tended to highlight the manner in which talmudic stories champion human creativity and a degree of pluralism, as well as the way in which the literary form of these stories dramatizes the tensions and ambiguities of competing values.[71] The R. Dosa story does not fit this paradigm. It forwards a reactionary agenda, which challenges the values of pluralism and creativity. Its narrative form follows suit. The story is part of a wider counter-voice within the Bavli, which rejects the primary, legal, ideological, and aesthetic norms of Babylonian rabbinic culture.

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71. See especially Fraenkel, *Sipur ha-agaḏah*.