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T H E I N S T I T U T I O N O F O R D I N A T I O N .

AN ESSAY treating the subject of the ordination of Rabbi, setting forth the history of ordination, the manner in which ordination was carried out, the classes of ordination, the laws governing ordination, and the privileges that ordination bestowed.

Submitted to the Faculty of the Hebrew Union College as part  
requirement for the degree of Rabbi.  
respectfully,

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## INTRODUCTION

Defination. Ordination is the investing of a man with the power to perform the duties attendant upon a sacred office. Ordination is found not only in Judaism, but also in other religions. In Judaism where religion covers the whole of life, there were special means of investing a man with power for such duties as among other peoples would not be considered to be religiously sacred at all. Thus, in Judaism there was a special induction into the sacred office of priesthood. Aaron and his sons were solemnly appointed to be priests to the Lord. (Cf. Exodus XXVIII, 41). The Levites too, were appointed to their office with special ceremony. (Cf. Numbers VIII, 11 : "And the Children of Israel shall put their hands upon the Levites."). Then there was the solemn appointing of a man to be king over Israel, as in the anointing of Saul and David. But ordination came to be used especially, in the appointing of a man to the office of Rabbi. The man ordained as Rabbi, was thus made the teacher of what was permitted and of what was forbidden by the ritual law (יורה); he was also to be the judge in civil and in criminal cases (דין); and finally he was given the right to decide those matters that concerned the rights of the sanctuary (יתיר בכורות); (Cf. b. Sanhedrin 5a). This essay will deal only with the ordination of the Rabbi. It will not concern itself with the appointment of priests, Levites, and kings, except in so far as these types of transfer of authority, throw light upon the ordination of Rabbi.

Phraseology of ordination. There are various words that are used in connection with the ordination of Rabbi, that should

be taken note of and considered, before we enter upon the discussion of the subject proper. There are three words each of which means ordination. They are: Semicha (סמיכה), Minui (מינוי) and Kabalath Reshuth (קבלת רשות).

The word Semicha is used in the tosephta, the Mishna, and in the Babylonian Talmud. Thus in Tosephta Sanhedrin I, 1, and in Mishna Sanhedrin I, 3, we find: סמיכת דקנים בשלשה

This according to the opinion of R. Jochanan means ordination:

b. Sanhedrin 13b: מאי סמיכת דקנים? מיסמך סבי

" means the ordination of an Elder".

Also b. Sanhedrin 14a : אמר ריב"ל אין סמיכה בחוצה לארץ

"R. Joshua b. Levi says that there can be no ordination outside of Palestine". The word Semicha comes from the root סמך

to place. When it is used in connection with the word "hand", it means "to lay on the hand". This phrase is used in connection

with sacrifices, as in Exodus XXIX, 10:

וסמך אהרן ובניו את ידיהם על ראש הפר

"And Aaron and his sons shall place their hands upon the head of the ox." (Cf. also verses 15 and 19, and Leviticus I, 4.).

It is used also in ordination. Numbers XXVII, 18 has:

ויאמר ה' אל משה קח לך את יהושע בן נון איש אשר רוח בו וסמכת את ידך עליו

"And the Lord said to Moses: 'Take Joshua the son of Nun, a man in whom there is spirit, and lay thy hands upon him'".

From this root סמך the Rabbinical word Semicha is formed.

The second word used for ordination, is Minui (מינוי). It is used in all the Palestinian sources that are later than the Mishna and the Tosephta. Thus e.g. j. Rosh Hashana 58b has:

לעיבור קולכין אחר מינוי

"In voting upon the intercalation, we follow the order of ordination". The word is derived from מנה "to appoint".

It means therefore appointment to office.

The third term used in referring to ordination, is קבלת רשות, which means getting permission (to judge etc.). It is used in the Babylonian Talmud. Thus b. Sanhedrin 5a has:

מאי רשותא? כי הוה נחית רבה בר חנה לבבל א"ס  
לחייא לרבי, בן אחי יורד לבבל יורה? וגו'

"What is meant by Reshus? When Rabba bar Hana was going down to Babylon, R. Hija said to R. Juda I: 'My nephew is going down to Babylon; may he teach?' 'He may teach etc.'" In other words, this ordination of Rabba bar Hana, is here referred to as Reshus. The term was used also in referring to the permission to judge which was gotten from the Exilarch. Thus on the same page we find:

א"ר קאי מאן דבעי למידן דינא ואי טעה מיבעי  
למיפטר, לשקול רשותא מבי ריש גלותא.

"Rav said: 'Whoever wishes to judge, and not have to pay in case he makes a mistake, let him get Reshus from the Exilarch'."

Besides these three terms that are used in referring to the ordination, namely Semicha, Minui, and Kabalath Reshus, there are three terms that are used to designate the one ordained. They are: <sup>2</sup>Rabbi (רבי), <sup>1</sup>Zaken (זקן), and perhaps also Hakim (חכים).

The term Rabbi as used to designate the one ordained, is found b. Baba Mezia 85a:

שמואל ירחינאה חכים יתקרי ורבי לא יתקרי

"Altho Samuel Yarchinai will be called sage, he will never be called Rabbi." This refers to the fact that Samuel was never ordained, and since he was never ordained, he never bore the title Rabbi, and was always called just Samuel or Mar Samuel.

The term Zaken meaning elder, is used frequently. Thus e.g. j. Sanhedrin has (29a):

תשעים אלף זקנים מינה דוד ביום אחד

"Ninety thousand Elders did David ordain in one day."

The term Zaken has, of course, the same significance as the Latin 'senator', and the Greek *γερων* (that is --old, mature man); since it was usually only the maturer men who were ordained.

Perhaps the word Hakim (חכים) sage, was also applied to the one ordained. Thus j. Taanioth 68a has:

כד תיחות לתמן אמור ליה דמנייתך חכים

"When you go to Babylon tell him (to ordain) you as Hakim." Rabbi Juda said this to R. Hami bar Hanina whom he refused to ordain. However in b. Baba Mezia 85a the same term Hakim is used in contradistinction to the term Rabbi.

General Outline. We will discuss the subject of ordination under the following five heads: 1) The History of Ordination, which will deal with the origins of the institution and with its changes and with the various phases of its development. 2) The Manner of Ordination, which will treat of the manner in which the ceremony was carried on, and with whatever changes there were in its forms. 3) The Classes of ordination, will describe the various classes of ordination that could be given, and how these classes of ordination differed from one another. 4) The Laws Governing Ordination, which will treat of the various regulations that governed the giving and the receiving of ordination; and finally 5) The Rights and Privileges gotten through Ordination, which will concern itself with the various perogatives and advantages of the one that is ordained.

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CHAPTER I --- THE HISTORY OF ORDINATION.

a) The Origins of the Institution. According to tradition, the first ordination was the ordination of Joshua and of the seventy elders, by Moses. Numbers XXVII, 18-23 gives us the following account of the ordination of Joshua:

"And the Lord said to Moses: 'Take Joshua the son of Nun, a man in whom there is spirit, and lay thy hands upon him (וַיָּסֹבֶה אֶת יָדָיו עָלָיו) Stand him before Elazar the Priest and before the whole congregation, and give him instructions in their presence. And thou shalt put some of thy glory upon him, so that all the congregation may hearken, and he will stand before Elazar the priest, and consult the Urim and Tumim, and according to his command they shall go forth, and according to his command they shall come in ---he and all the Children of Israel, and with him all the congregation.' And Moses did as God commanded him; and he took Joshua and he placed him before Elazar the Priest and before the whole congregation; and he placed his hands upon him and he gave him instructions, as God spoke through Moses."

Thus Joshua was ordained to be leader in the place of Moses. He was to have the right of consulting the oracle and of giving the orders for the marching of the Children of Israel.

Numbers XI, 16-17 tells us of the ordination of the Elders: "And the Lord said to Moses: 'Gather for me seventy elders from the Elders of the Children of Israel, men whom you know are elders of the people and its officers, and take them to the tent of meeting, and let them stand there with you; and I shall come down and speak with thee there, and I shall remove some of the spirit that upon thee, and place it upon them, and they shall bear with thee the burden of the people, and thou shalt not bear it alone.'" Then verse 25 tells:

"And the Lord descended in a cloud and spake to him, and removed some



of the spirit that was upon him, and gave it to the seventy elders. And it came to pass when the spirit moved over them, that they prophesied unceasingly." Thus Moses ordained the seventy elders to the office of helping him judge the people.

Now according to tradition, this ordained assembly of elders was the origin of the Sanhedrin that existed till the time of the second Temple and later. Thus Sifre 25b (edition Friedman) refers to this assembly of Elders as Sanhedrin:

אספה ל' . . . שתהא סנהדרין לשמי

Thus too, in the discussion in Mishna Sanhedrin, when the problem at issue is the size of the sanhedrin, this assembly of Moses is taken as the prototype. Accordingly, the Mishna (Sanhedrin I, 6) counts the sanhedrin as numbering seventy one members based upon the seventy of the assembly of elders and Moses as the presiding officer. Joshua who was ordained to the leadership of the people, was also the head of the Sanhedrin. This is indicated in Aboth I, where Moses gives the Law to Joshua and Joshua gives it to the Elders. Thus Maimonides (Yad: Hilchoth Sanhedrin) speaks of "the court of Joshua" (בית דינו של יושע). According to tradition, this system of an ordained leader at the head of an ordained assembly (although it was not necessary that every one of the assembly be ordained cf. Yad Hilchoth Sanhedrin IV, 1) continued without interruption until later times. There was no break in the chain of ordination. Thus David too practiced ordination, j. Sanh. 29a:

כתיב ויוסף עוד דוד את כל בחור בישראל (2 Samuel VI, 1)  
ר' ברכיה בשם ר' אבא בר כהנא תשעים אלף זקנים  
מינה דוד ביום אחד

"And David assembled all the chosen men of Israel --thirty thousand. R. Berachya said in the name of R. Abba bar Kahana: 'Ninety thousand elders did David (ordain) in one day'". The whole traditional

conception of the unbroken of ordination from the time of Moses downward, is well expressed by Maimonides (Hilchoth Sanhedrin IV, 1)  
 ואותן הזקנים סומכים לאחרים ואחרים לאחרים, ונמצאו  
 הסמוכים איש מפי איש עד בית דין של יהושע ועד  
 בית דין של משה רבינו

"These Elders ordained others and these others still others, thus going back to the court of Joshua and to the court of Moses."

This is the traditional view of the origins of ordination. If, however, we try to find indisputable historical evidences, we are at once confronted by a serious lack of facts. The first clear evidence of the existence of ordination to the office of Rabbi, is a brief notice in the Talmud Yerushalmi, j. Sanhedrin 19a :

א"ר בא בראשונה דיק כל אחד, <sup>ואחר</sup> ממנה את תלמידיו כהן  
 ר' יוחנן בן זכאי מינה את רבי ליעזר ואת רבי יהושע וגל

"Originally each teacher ordained ----etc---just as Jochanan ben Zaccai ordained R. Eliezer and R. Joshua." This is an evidence of an ordination that took place in the first Christian century. It does not follow that this is the first ordination that ever took place, <sup>it</sup> merely means, that this is the first ordination of which we have a definite report. On the other hand we have clear indication that there was ordination of Rabbi even before the destruction of the second Temple.\* We have the striking fact that until the time of Hillel and Shammai, the title Rabbi was never used, while after that time it is quite common. Thus almost immediately after Hillel and Shammai, there was Rabban Gamliel the Elder. This seems

#### NOTE

Dr. A. Sidon (in the Kaufman Gedenkbuch) bases a proof that ordination existed in the time of Hillel and Shammai, upon an interpretation of Mishna Hagiga II, 2. (Cf. also J. Behm: "Die Handauflegung im Urchristentum" p. 129). Dr. Sidon maintains that the

to indicate the fact, that there must have been some manner of ordination at that time. It is worthy of note that those that bore the title (Rabbi) belonged to the school of Hillel. Thus Rabban Gamliel was the grandson of Hillel, R. Simon was his great grandson and R. Jochanan was the disciple of Hillel. Thus it may well be, that it was the school of Hillel that first emphasized ordination.

We see then, that we have historical evidence of the existence of ordination in the first century when R. Jochanan ordained R. Eleazar and R. Joshua; and that perhaps ordination existed even earlier, namely in the time of Hillel and Shammai because it is directly after that time that we find the title Rabbi. Our task now is to study the later history of ordination.

Note continued passage " Jose b. Joezer says not to lay on the hands, Jose b. Jochanan says that we should lay on the hands etc." does not refer to the laying on of hands on the sacrifice, but refers to ordination. Thus all the Zugoth till the time of Hillel, discussed the question of ordination. It is hardly probable, however, that this view is correct. The whole context proves that laying of hands here refers to the sacrifice, and that too is the way all the commentators take the passage. The opinion of Dr. Sidon is only a surmise.

\* Note. J. Behm in "Die Handauflegung im Urchristentum" p. 125 says that ordination by laying on of hands as means of continuous transfer of authority, existed as early as the sixth century B.C.E. He bases his belief upon the fact that the passage in Numbers which tells of the ordination of Joshua, dates back to the sixth century. This view is hardly correct. It does not follow that because the priestly code tells of the ordination of Joshua, that there actually existed at the time of the writing just such an ordination. Of course, the account in "P" is not merely a literary invention. "P" must have pictured the ordination as resembling something that actually existed. There was actually an assembly before the exile in Jerusalem. This assembly was composed of priests and Levites (Cf. Deut. XVII, 9, 18, and Article "Authority" Jewish Encyclopedia). This assembly must have been in the mind of the authors of "P" when they wrote of the assembly of the Elders, who, as far as we know, were not Priests or Levites at all. Then too, after the model of the appointment of the high priest or of the kings of Israel, they pictured the appointment of Joshua. That is really all that can be derived from the fact that "P" tells of this ordination of Joshua and of the Elders. However, if the

b) History of Ordination till the time of R. Simon b. Gamliel II.

The remark in j. Sanhedrin 19a, gives us a list of men who were ordained until the ordination of R. Meir by R. Akiba. \* After this time we are told, there was a change in the system of ordination.

After Meir and Simon were ordained, then the following occurred:

תזרו וחסלו כבוד לבית הזה. אמרו ב"ד שמינה שלא לדעת  
הנשיא אין מינוי מינוי. ונשיא שמינה שלא לדעת בית דין  
מינוי מינוי

"Honor was accorded the Patriarchal house, and it was ordained that if the court ordained anybody without the consent of the Patriarch, the ordination was not valid, but if the Patriarch ordained anybody without the knowledge of the court the ordination was valid." This change occurred after the ordination of Meir, therefore in the time of R. Simon b. Gamliel II.

The history of the ordination during the period preceeding this change, can be easily seen. Evidently after the destruction of the Temple, R. Jochanan b. Zaccai, who reconstituted the authority of the Pharisees and of the Torah, emphasized the practice of ordination, [which he had very likely learned in the school of Hillel in Jerusalem/ Now that the Temple was destroyed, there

Note continued) assembly which was called at the time of Ezra and Nehemia, were a regular assembly, then perhaps it might be possible to infer that it had some definite way of ordaining its members, and that the Priestly Code had this actual ordination in mind, in its description of the ordination of the Elders and of Joshua. But at best that assembly was only occasional, (Cf. Jew. Encyc. Article "Sanhedrin"). And so the assumption of J. Behm that at the time of the writing of the book of Numbers (i.e. the middle of the sixth century B.C.E.) there was regular ordination and that moreover by the laying on of hands, seems lacking in sufficient evidence.

\*

Note. Although Meir was ordained by R. Akiba he was also ordained later by R. Juda b. Baba. Thus b. Sanhedrin 14a remarks:

כס קאומר ר"מ לא סמכו ל' עקיבה אינו אלא טועה סמכיה  
ר"ע ולא קיבלו סמכיה ל' יתודה בן בבא וקבלו

"Whoever says that R. Meir was not ordained by R. Akiba, is mistaken. R. Akiba did ordain him, but they did not accept the ordination. When R. Juda b. Baba ordained him, they accepted the ordination."

was all the greater need for respected authority, and for a regular source of the laws that were to govern the life of the people. The problem before the school at Jabne was, to give itself as much as possible of the authority that was formerly vested in the priestly hierarchy in the Temple. To do this, it had to continue the development that had already begun before the destruction of the Temple. For by the time of the destruction of the Temple, the Pharisees were already in position to lay down <sup>regulations</sup> for the carrying out of much of the Temple ritual. They were able to say that the High priest was but a messenger of the Beth Din, and to enjoin an oath upon the High Priest before he entered upon his duties on Yom Kippur, that he would perform his duties correctly. (Cf. Jew. Encyc. Article "Pharisees"). This conquest of the priestly authority by the Pharisees, had to be continued by the school at Jabne, especially now that the power of the priest was broken, and there was no source of authority save that of the Pharisees and of their successors, the Rabbis. To attain this authority, R. Jochanan b. Zaccai and his colleagues at Jabne, emphasized ordination, so as to give the feeling that there was, although the Temple was no longer in existence, a regularly constituted traditional authority. Thus he ordained his disciples; and the various other Rabbis also ordained their disciples. This system of each Rabbi ordaining his pupils, continued from the time of R. Jochanan through the time of R. Akiba, until the change that we have mentioned in the system of ordination came about.

c) The History of Ordination until the Time of R. Judah II.

The account in j. Sanhedrin 19a tells, as we have seen, that they gave honor to 'this house', and decided that the Patriarchal House should have the right of being the sole source of ordination. By this, the right to ordain was taken away from the individual Rabbi

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Each Rabbi was no longer permitted to ordain his own pupils as R. Eleazar had ordained R. Joshua, and R. Joshua had ordained R. Akiba, and as R. Juda b. Baba had ordained the pupils of R. Akiba.

Since R. Juda b. Baba was the last who is mentioned as ordaining, before the change was made, the change must have taken place therefore in the time of R. Simon b. Gamliel II as we have already seen. Indeed after the time of R. Juda b. Baba, we find many evidences of the fact that the Patriarch alone had the right to confer ordination. Thus when R. Hiya wished to have his nephews ordained, he had to ask the Patriarch Judah I to ordain them. (Cf b. Sanhedrin 5a). So too, j. Moed Katan III, 1 (81a) tells that since the patriarch refused to ordain him, Bar Kappara knew that he never would be ordained.

אמר רבי איני מכירך זקן וידע דלית הוא

סתמנ"א ב"מ

"Rabbi (Judah I) said: 'I will not ordain you as an Elder'. Then he (Bar Kappara) knew that he would never be ordained."

Why this change was made at this particular time, will be clear when we realize the situation at that period. It was the time of the Bar Kochba rebellion, and of the resulting Hadrianic persecutions. The great schools that had existed in the various parts of Palestine had now been closed. The Roman Government had ~~forbidden~~ the practice of the Jewish religion. To insure the extermination of the rebellious sect, the Romans forbade the practice of the transmission of Rabbinical authority --- ordination. This is described in b. Sanhedrin 14a and b. Aboda Zara 8b:

שפעם אחת גזרה המלכות גזרה על ישראל שכל  
הסומך יהרג וכל הנסמך יהרג ועיר שסומכין בה תיחרב

"Once the Government ordained that whoever confers ordination shall be put to death, and whoever receives ordination shall be put to

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death, and that the city in which an ordination shall take place, shall be laid waste." In that terrible time, one of the Rabbis, Juda b. Baba, risked his life, and decided to insure the continued life of Judaism, by ordaining men who were to be the sources of religious authority for the coming generation. He selected a lonely place between the cities of Usha and Sheferam, and there ordained the seven pupils of R. Akiba. For this act, he suffered a martyr's death. (Cf. Graetz "History", English ed. volume II, p. 429). At the earliest opportunity, those older Rabbis who survived, and the newly ordained, repaired to Usha in Galilee, and there proceeded to reconstitute the rabbinical authority, and to give new life to Judaism. Obviously, one of the things that occupied their attention, was the question of ordination. The result of their deliberations was, that they decided that the Patriarch alone should have the power to ordain, and that he should be independent of the Sanhedrin in this regard.

The reason for this change can be easily imagined. Evidently they were moved by the desire to strengthen things, by centralizing the source of authority. Instead of letting every Rabbi ordain his own disciples, which was done in the past, they created just one strong source of ordination --namely the Patriarch. It was rather easy to make this change at this time, because owing to the persecutions, only one school was left--- the school at Usha. There were no other schools that might have opposed the centralizing of the authority, and the taking it away from each Rabbi. Moreover, when the rabbis made this change, they must have been animated by the desire of strengthening the power and prestige of the Patriarchate. In this they must have been aided by the Patriarch Simon II himself, who always wished to surround

the Patriarchate with dignity and honor. (Cf. Graetz Vol. II, p. 434)  
All these reasons were the causes of the change being made at this time.

During the period that was inaugurated by this transferring of the right to ordain to the Patriarch, still another change took place. B. Sanhedrin 5b, tells us the following:

פעם אחת הלך רבי למקום אחד וראה בני אדם שמגבלין  
עסותיהם בטומאה ... אמרו לו תלמיד אחד בג לבאן והורה לם  
באותה שעה גזרו תלמיד אל יורה א"כ נוטל נשות מרבו

"Once Rabbi (Judah I) went to a certain place, and he noticed that the people at that place were accustomed to knead their dough in uncleanness. --- He inquired, and they told him the following: 'Once a certain disciple had come to us and had told us, that we may knead dough in pond water,' (but he had really said 'Egg liquid'). Then Rabbi decreed, that henceforth no disciple may teach ritual things unless he first get permission from his teacher." That is to say, that previous to this decree of Rabbi, any disciple, even though he be unordained, was permitted to instruct the people as to their religious duties. This resulted in mistakes in the carrying out of the ritual laws. Hence the decree was made that none but ordained teachers should teach the law. Thus, while until that time ordination was rather optional, and was prized rather as an honor or as a recommendation of especial fitness, now it was a pre-requisite; without ordination, no religious decisions could be handed down. This decree was especially important, since as we have seen, ordination could be procured only from the Patriarch.

This period marked the appearance of a new factor in the history of ordination. It is at this time that the Babylonian



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schools were begun. The relation between the Palestinian schools and the growing Babylonian schools, had an important effect upon the history of ordination. It would be well to discuss at this point, the whole relation of Babylon to Palestine with regard to ordination, although the discussion will take us somewhat past the limits of the period with which we are now dealing.

In the time of Judah I, when the Babylonian schools were just beginning, there was great eagerness on the part of those who were to be leaders in Babylonia, to obtain the ordination from Palestine. Thus for example, R. Hiya was anxious that his two nephews Rabba bar Hana and Rab, who were going to Babylon, should receive the ordination. Apparently, R. Judah I rather hesitated to ordain too many Babylonians. He refused to give Rab the full ordination, and he did not ordain Samuel Yarchinai at all. However since as yet the schools at Babylon had as yet no prestige of their own, they were anxious to get it by being ordained by the Patriarch.

It was natural however, that when the Babylonian schools grew in importance, that the Babylonians should chafe under the idea that they need any ordination from Palestine. They began to feel that they did not need ordination. And so the anxiety on their part to obtain ordination from Palestine soon disappeared. There is a discussion in the Babylonian Talmud b. Sanhedrin 5b, that reveals a frame of mind entirely different from that of those first Babylonian teachers who were so desirous of obtaining ordination from Palestine.

פשיטתא מהכא להכא ומהתם להתם ומהכא להתם מהו  
מהתם להכא מאי?

"It is clear to us that permission to judge gotten here in Babylon gives one the right to judge in Babylon, and that permission gotten in Palestine, is valid for Palestine, and that permission

gotten here is valid even in Palestine, but does the permission gotten in Palestine have any validity here in Babylon?" They decide that permission to judge gotten in Palestine has no validity in Babylon. As to Rabba bar Hana who did get ordination in Palestine, they say that he did not need it for judging in Babylon, he needed it only for the cities on the border.

This point of view represents ofcourse, the climax of a growing feeling of independence. Duener in his *נדרים* to this passage, says that the discussion is of late date. It belongs to a time when the Babylonians could no longer understand a state of affairs under which Babylon had to depend upon Palestine. We know that before the time of this discussion, the Babylonians began to look upon their Exilarch as the sole source of authority. (Cf. Hamburg. Real Encyc. sub. "Ordinirung"). And so the Babylonians say, that if a man wishes to be a judge, and not have to pay should he make a mistake, let him get authority from the Exilarch. (b. Sanh. 5a)

לשקול רשותא מבני ריש גלותא

This Reshus from the Exilarch, was not exactly the same as ordination. That is to say, that as far as we know, this giving of permission to be judge, was not accompanied by any solemn ceremony and did not involve the transfer of the holy spirit, which as we shall see (Chapter V.) was essential to ordination. But in its practical effect it was the same as ordination. It gave a man almost all the privileges of a judge, and it made ordination obtained in Palestine, totally unnecessary.

It was against this spirit of haughty independence on the part of the Babylonians, that grew as their schools became stronger and the Palestinian schools became weaker, that the law was made that there can be no ordination given outside of Palestine.

Thus we find in b. Sanhedrin 14a :

אמר ריב"ל אין סמיכה בחוצה לארץ

"R. Joshua the son of Levi says that there can be no ordination outside of Palestine." Joshua b. Levi is a Palestinian Amora of the first generation. He lived about fifty years after the time of Rabbi Judah I. Before this time, there could be no such law. There could have been no need for it. The Babylonian schools had no prestige, and there could have been no suspicion of the Babylonians wishing possibly, ~~wishing~~ to have a system of ordination or something equivalent to it, independent of Palestine. The same law is quoted by another Palestinian authority who lived a few years later than R. Joshua b. Levi. j. Bikkurim 65d.

ר' אחי שאס לר' סימון א"ל (ר' סימון) שמעתי שאין ממנין זקנים בחוצה לארץ

"R. Ami asked R. Simon---- Said R. Simon: 'I have learned that there can be no ordination outside of Palestine.'"

It is clear that this law is directed against the Babylonians. As to ordination in other countries, there was really no objection on the part of the Palestinian authorities. Thus we see in j. Bikkurim 65d, that Isaac b. Nachman was ordained in Gaza, with the condition however that he return to Palestine. Similarly, Zemina was ordained in Tyre, and Juda b. Titus was ordained in Rome\*. Evidently, the Palestinian authorities felt that there was no danger in letting ordination take place in Gaza, or Tyre or Rome. The real danger was in not curbing the power of the Babylonians.

However, inspite of the objections on the part of the rabbis

Note \*.

ר' יצחק בק נחמן הוה בעצה ומענה ע"מ לתדור

ר' זמנה הוה בצור ומענה ע"מ לתדור

יהודה בן טיטוס הוה ברומי ומענה ע"מ דיתדור

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of Palestine, the power of the Babylonians continued to grow, and the Babylonians became completely independant of the Palestinian ordination, and their whole legal system depended upon the Exilarch. Indeed they went so far as to believe that permission gotten from their Exilarch was even more valuable than permission gotten through ordination in Palestine, since permission gotten from the exilarch permitted one to act as judge in both Babylon and Palestine, while ordination gotten in Palestine was valid only in Palestine. So much then for the relation of Babylon to Palestine with regard to ordination.

As we have already seen, the right of being the sole source of ordination was given to the Patriarch in the time of Simon ben Gamliel II. The question before us now, is, how long did this state of affair last? We know that after a certain period, the right to be the sole source of ordination was taken away from the Patriarch. j. Sanhedrin 19a tells:

חדרו והתקינו שלא יהי בית דין מסנין אלא מדעת נשיא  
ושלא יהא הנשיא ממנה אלא מדעת בית דין

"Then they decreed that the court shall not ordain without the consent of the Patriarch, and that the Patriarch shall not ordain without the agreement of the court." The passage does not tell us when this change took place, and we can only surmise. Graetz (Cf. German ed. Vol. IV, note 25) believes that this change took place in the time of the Patriarch Judah II, because it was in his time that the privilege of ordaining was abused, and unworthy men were ordained.\* This opinion is evidently correct, for we find plenty of complaints uttered at this time that mercenary considerations

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Note \* Cf. Also Bacher: "Zur Geschichte der Ordination, Monatsschrift Volume 38, pp 122-127.  
J.Z. Lauterbach in the Jewish Encyc. Article "Ordination, and Hamburger Real Encyc. Article "Ordinirung".

were respected in the conferring of ordination. In j. Bikk. 65d we are told that one should not arise to show respect to anyone who has been ordained because of money. As a result of this, many were ordained who were totally unfit. We find a complaint against such unfit judges in b. Sanhedrin 7b:

אמר ריש לקיש כל המעמיד דין על קצבור שאינו הגון כאילו נוטע אשירה

"Resh Lakish says: 'If one appoints a judge who is unfit, it is as if he has set up an Ashera'." Resh Lakish and Zeera, who make these complaints, are both contemporaries of R. Judah II. It may well have been, as Graetz supposes that these abuses led up to the curtailing of the Patriarch's right to ordain. This is all the more likely, when we bear in mind, that the Patriarch Judah II did not stand very high in the estimation of his contemporaries. He was openly attacked and criticised by the Rabbis of his time, especially by Resh Lakish. For this reason, it is likely that the change occurred in his time.

It seems to me that there is additional evidence that the change took place in the time of Judah II, or at least not later than that time. B. Sanhedrin 14a tells us:

ר' יוחנן הוה מצטער עליה דרב שמן בר אבא דלא הוה דביהו דליסמכיה

"R. Jochanan was worried concerning R. Shaman bar Aba, who was not in his presence to be ordained." On the same page we have the statement that R. Jochanan wished to ordain R. Hanina and R. Hoshaya, but could not succeed because these two men were members of the family of Eli. Evidently then, R. Jochanan bar Napacha, who was a contemporary of Judah II, already had the privilege of conferring ordination. In fact we can go one step further. Not only was the right to ordain

\* Note. רבי חנינא ורבי הושעיה הוה קא משתקיד ר' יוחנן לחיסמכיהו. לא הוה מסתייעא מולתא. הוה קא מצטער טובא. אחרו ליה לא מצטער מר דאמן מדבית עלי קאמיון

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extended from being an exclusive prerogative of the Patriarch to include also the Beth Din, but there was evidently a return to the system that obtained before the time of the Patriarch Simon II, namely, that each teacher again had the right to ordain his own disciples, or anyone that he wished. Thus R. Jochanan could confer ordination, and so could other Rabbis as for example, R. Jonathan b. Achmai, and R. Simon b. Zerud. B. Sanhedrin 14a:

ר' יונתן / ב' / עכמאי / וחד דעמייה (ומנא?) / ר' ש' ב' / זיר / ז' / חד דהק' גב"הו סמכיהו

Indeed we should expect to find earlier traces of this change. The weakening of the power of the Patriarch could hardly have been so sudden. There must have been a gradual diminution of his power. In fact before the time of Judah II, right after the time of Judah I, who was strong and jealous of his power, R. Hiya dared to ordain Rab, who was refused full ordination by Judah I. (Cf b. Sanhed 5a:

א"ר חייא (ורב ס"ר ח"א). From then on, the disintegration of the power of the Patriarch must have proceeded, until by the time of Judah II, not only was the ordination by the Patriarch made to need the agreement of the Beth Din, but also each individual Rabbi could ordain whomever he pleased.

d) The End of Ordination. How long ordination continued after this, is not certain. We know that there was still ordination in the latter part of the third century. B. Ketuboth 17a and b. Sanh. 14a tell us of the ordination of R. Ami and R. Asi who lived at the end of the third century. Very likely ordination continued till the middle of the fourth century. It was then that the Emperor Constantius carried on his persecutions of the Jews. He made it so difficult and dangerous for the Sanhedrin to convene, that the Patriarch Hillel II decided to fix the calendar, so that henceforward, the time for the various holidays could be determined without needing a meeting of the Sanhedrin. After that time, the schools in Palestine died down. There were still a few teachers: R. Jeremiah

and R. Jose. Since these men still had the title Rabbi, it is likely that they too were ordained. After these two Amoraim, there were no more teachers and schools in Palestine, and since there could be no ordination outside of Palestine (Cf supra and also Chapter IV), ordination ceased---that is in the middle of the fourth century.\*

To summarize the history of ordination, we have seen that the traditional view was, that there was a continuous chain of ordination beginning with the ordination of the Elders and of Joshua by Moses; that as far as we have other evidence, we can say that there was ordination in the time of the schools of Hillel and Shammai, i.e. at the very beginning of the Christian Era; That we have clear evidence that after that time, each teacher ordained his own pupils till the time of the Hadrianic persecutions; at that time, the right of conferring ordination was made an exclusive privilege of the Patriarch. This state of affairs continued until the time of R. Judah II, the latter half of the third century; it was during this period that Judah I made ordination indispensable, and that the Babylonian school began to grow independent of the Palestinian ordination; in the

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Note. Leopold Löw (in "Gesammelte Schriften" Volume IV, p. 163) maintains that ordination lasted till the fifth century, since as he says, Rabina and R. Ashe were the last to be ordained. He bases this upon his interpretation of b. Baba Mezia 86a:

רבי ורב נתן סוף משנה רב אשי ורבנא סוף דורא

which he says means that Rabina and R. Ashe were the last ones to be ordained. But this interpretation is contrary to the evident meaning of the passage. The parallelism shows clearly that the meaning is, that just as Rabbi and R. Nathan were the last Tanaim, so Rabina and R. Ashe were the last Amoraim; and that is just the way in which the commentators take the passage. Moreover it is impossible that these men should have been ordained, since at that time there were no schools in Palestine, and ordination could take place only in Palestine (Cf Chapter IV.). There were no teachers of note in Palestine, to attract these men to come and be ordained. In fact the last Patriarch Gamliel Batraa was deprived of his power by the Government in the beginning of the fifth century, and Rabina lived towards the end of the fifth century.

time of Judah II, the latter half of the third century, the Patri-  
was compelled to have the permission of the Beth Din before he  
could ordain anyone, and the Beth Din could ordain if it procured  
the permission of the Patriarch; at this time, too, each teacher  
took the permission to ordain his pupils, and ordination was thus  
no longer the exclusive prerogative of the Patriarchal house; by the  
time of the close of the Palestinian schools, ordination ceased i.e.  
by the middle of the fourth century.

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The attempt of Jacob Berab to re-establish ordination in 1538, does  
not fall within the scope of this essay; nor will this essay concern  
itself with the modern Hatarath Horaa, which is commonly called  
Semicha, but is really only a testimonial of ability ( Cf Article  
"Hatarath Horaa" Jew. Encyc.).

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CHAPTER II -----THE MANNER OF ORDINATION.

The question that is before us now, is, how the ordination was carried out.

a) The Laying on of Hands, And the Calling by Name. What was the manner in which the ceremony of ordination was performed? According to tradition, Moses in ordaining Joshua, laid his hands upon him. Since this prototype of Rabbinical ordination is pictured as having been done by the laying on of hands, evidently the laying on of hands was the original means of ordination. That this was the first means of ordination is evident ~~from~~<sup>for</sup> a number of reasons. In the first place, ordination meant the transfer of the Holy Spirit (Cf Chap V) and the Holy Spirit was transferred by the laying on of hands. We see this in Numbers XXVII, 18, 20: וסמכת את ידך עליו... ונתתה מהוורק עליו  
"Thou shalt place thy hands upon him---thou shalt transfer some of thy 'glory' to him." In other words the glory of Moses was transferred to Joshua, by the laying on of the hands of Moses. And the Midrash commenting upon this passage says (Numbers Rabba XXI, 16): וסמכת את ידך עליו כמדליק נר מנר. ונתתה מהוורק עליו כמערב מכלי לכל  
"And thou shalt lay thy hands upon him"--as one kindles one light from another. 'And thou shalt give of thy glory to him'---as one pours from one vessel into another." The books of the New Testament which have borrowed the Jewish idea of the laying on of hands, have a similar notion of the effect of the laying on of hands. Acts XIX, 6  
"And Paul laid his hands upon them, and the Holy Ghost came upon them."

Another proof that the laying on of hands is the original means of ordination, is that the laying on of hands at ordination is found among other peoples, and is therefore a common custom. It was used in ordination by the Romans. J. Behm ("Die Handauflegung" p.122) quotes the following from Livius I, 18, 8f, where the appointment of

Numa to be king of Rome is described:

"Lituo in laevam manum translato, dextra in caput Numae imposita, precatus ita est: O Juppiter etc.

"Transferring the wand to the left hand, he laid his right hand upon the head of Numa and prayed as follows etc."

Moreover the earliest post-Biblical references to ordination use the word סמיכה, which means literally the laying on of hands, thus Mishna Sanhedrin IV, 4: **היו צריכין לסמוך סומכין מן הראשונה**. For all these reasons then, it is evident that the first mode of ordination was by the laying on of hands.

This manner of ordaining was, however, at a certain time, superseded. B. Sanhedrin 13b tells:

**א"ל ל'אחא בריה דרבא לרב אשי . ממס סמכין ליה ?  
א"ל סמכין ליה בשמא קרי ליה רבי**

"R. Acha the son of Rava asked R. Ashe, 'Do they actually lay on hands at ordination?' Then R. Ashe answered him 'They ordain a man by calling him by name, and by calling him Rabbi.'" When did this change occur? R. Ashe lived at the beginning of the fifth century; hence by the beginning of the fifth they already knew that ordination was no longer given by laying on of hands. In fact this change is known even earlier. j. Horayoth 47d :

**א"ר זעירה הדא אמרין שממין זקנים בפה**

R. Zeera lived at the beginning of the fourth century, and he knows that ordination is given not by hands, but orally.

When this change actually occurred can be seen from the change in the word applied to ordination. The Mishna and the Tosephta in referring to ordination, use the word Samach, and Semicha, thus Mishna San. I, 3 and Tos. San. I, 1 **סמיכת זקנים בג'**

also Mishna San. IV, 4: **היו צריכין לסמוך סומכין מן הראשונה**

On the other hand, in the Talmud Jerusalmi and in the other post-Mishnaic Palestinian sources, the term Semicha is never used. An

entirely different term is used --Minui. Thus j. Sanhedrin 19a:

תמן קר"י למנייה סמיכותא

Cf Also j. Horayoth 47d; j. Sanhedrin 18c, 19a, 29a; j. Bikkurim 65d; (three references on that same page); j. Rosh Hashana 58b; Lev. Rabba II, 4. The term Semicha used in all the earlier sources, means ordination by the particular ceremony of laying on of hands, while Minui is a more general term meaning simply appointment to office (Cf. Dan. I, 2 Ichronicles IX, 29, and Mishna Bikkurim III, 2 קממונה). The fact that all the post-Mishnaic Palestinian passages use the word Minui, certainly points to a conscious distinction. It points to a conscious avoiding of the word which means the laying on of hands, and the preference for the word which means simply appointing or ordaining. The only possible reason for such a conscious distinction, is that in Post Mishnaic times there was no longer any laying on of hands at ordination. Thus, laying on of hands in ordination must have ceased at the close of the Mishnaic period, therefore at the very beginning of the third century.\*

As to the reason for the abandoning of the laying on of hands,

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Note. Bacher (Monatschrift 1894, pp 122-127) believes that the laying on of hands was abandoned during the latter part of the second century, in the period following the Bar Kochba war. He basis his belief upon two arguments: 1) That the Babylonian Talmud in describing the ordination of the disciples of Akiba by Juda b. Baba, uses the word Semicha which means actual laying on of hands, and therefore Juda b. Baba must have used this method in that ordination and 2) That since in the period after the Bar Kochba war the right to ordain was restricted to the Patriarch, and since laying on of hands can have meaning only when each teacher ordains his own disciples and transfers his spirit to him, the laying on of hands must have been abandoned.

It seems to me that both these arguments are fallacious. In the first place, it does not follow that because the Babylonian Talmud uses the word קממונה that actual laying on of hands was meant, and that the Talmud wishes to tell us that R. Juda ordained the pupils of Akiba in this particular manner. By the same mode of reasoning one could argue from b. Sanhedrin 14a: אמר רבנן אין סמיכה בשלש that there was laying on of hands in the time of Joshua b. Levi in the third century. As a matter of fact the Babylonian Talmud does not refer to any particular type of ordination when it uses the word

*Evidently it is*

as Bacher and other writers agree, that laying on of hands became largely prevalent among the Christians, and for this reason was abandoned by the Jews. This was evidently the case. The early church made much of the laying on of hands. The New Testament is full of it. The Gospels speak frequently of the laying on of hands by Jesus

Note Continued.

Samach. In fact where it knows that the ordination was not performed by the laying on of hands, it still uses the word Samach. Thus b. Sanhedrin 13b סמכין ליה בשמא. Indeed wherever the Babylonian refers to ordination it uses the word Samach and its derivatives, regardless of the particular type of ordination referred to, and regardless of the date of the saying. Cf. b. Sanhedrin 13b three passages, 14a five passages; b. Ketuboth 112a; Aboda Zara 8b.---most of these passages are ascribed to Amoraim of the third and fourth centuries, when laying on of hands certainly was no longer used. The Babylonians knew no other term for ordination. The Palestinians were aware of that fact. Thus j. San. 19a tells

המן קר" למנייה סמיכותא  
 "In Babylon instead of the word Minui, they use the word Semicha." For this reason it is impossible to base any argument as to the manner of ordination, upon the fact that the Babylonian Talmud uses the word Samach in a certain passage.

The second argument of Bacher that laying on of hands has meaning only when each teacher ordains his own disciples, and hence it was abandoned after the Bar Kochba war when each teacher no longer ordained his own pupils, this argument is also fallacious. There is no basis for maintaining that laying on of hands has meaning only when each teacher ordains his own pupils. Why could not anybody who was filled with the Holy Spirit transfer that spirit to anybody else? Juda b. Baba was not the teacher of the pupils of R. Akiba and yet Even according to Bacher he ordained them by laying on of hands. In Acts we see that Paul gives the Holy Ghost by laying on hands upon youths whom he happens to meet on his journey to Ephesus. Acts XIX, 6. In Acts IX, 17, we are told that Ananias (who had never met Paul before this occasion) lays his hand upon Paul, and Paul is filled with the Holy Ghost. Acts VIII, 17 Peter and John go to Samaria, by laying on of hands, fill with the Holy Ghost people whom they have never met before. Evidently then, there is basis for the assumption of Bacher that there can be no transfer of spirit by the laying on of hands, except in the case of teacher and disciple. Neither the Jewish sources nor the Christian sources, which have borrowed the custom from Judaism, permit such an inference. Hence, the Patriarch when he ordained men who were not his disciples may well have used the laying on of hands.

Thus both arguments of Bacher to prove that the laying on of hands was abandoned after the Bar Kochba war, are unfounded.

for the purpose of healing. Mark V, 23 :

"My little daughter lieth at the point of death; come and lay thy hands upon her that she may be healed." Cf Also VIII, 25; Luke IV, 40 XIII, 13; Mark XVI, 18 etc. The laying on of hands is used also in Baptism. Cf. Acts XIX, 5-6.

The fact that the laying on of hands became such a common Christian custom, made it obnoxious to the Rabbis; especially since just at this time (the time of the closing of the Mishna) the church was growing very powerful. The Church had begun to spread over the Roman Empire and could now boldly combat the parent religion. It was natural therefore that at this time the Rabbis should feel very antagonistic to Christianity, and wish to avoid any resemblance to it. Thus it was, that at the close of the Tanaitic period the laying on of hands was dropped, and ordination was carried on without it; and all the Palestinian post-Mishnaic sources do not use the word Semicha, <sup>any longer</sup> but instead, have the word Mirui.

b) The Place of <sup>the</sup> Ordination Ceremony. Before the time of Simon II, when each rabbi ordained his own pupils, the ceremony of ordination must have taken place in the presence of the assembled disciples of the Rabbi, since the conferring of ordination was an important ceremony, and since anyhow two others were needed to be present beside the Ordainer and the ordained. (Cf Chapter VI). When the ordination was taken over by the Patriarchal house, the ceremony must have become even more impressive. It must have been something like the description given in Mishna Sanhedrin IV, 4, where we are told that there were three rows of disciples before the Sanhedrin, and when they needed to ordain anybody they would ordain from the first row. This is a description of the method of procedure of the Sanhedrin at Jabne when it was necessary to make up a deficiency in

the number of judges in the Sanhedrin. Whenever a man had to be ordained as Rabbi by the Patriarch, the ceremony was carried on, in all likelihood, just as this one was, in the presence of the whole Sanhedrin; since in the first place the man ordained as rabbi was also to be a judge, and hence should be ordained in the presence of the court; and since also after the time of Judah II, the concurrence of the whole Beth Din was a pre-requisite to ordination. Another indication of the fact that the ordination was carried on in the presence of the whole court, is the fact that often in speaking of the ordination of certain rabbis, the plural verb is used, thus giving the impression that all the rabbis assembled conferred the ordination. Thus b. San. 14a:

כִּי סִמְכוּהוּ בְּזֵרָא

"When they ordained R. Zeera." also on the same page: "When they ordained R. Ami and R. Asi." Also b. Ketuboth 17a: When the Rabbis ordained R. Asi."

When the man to be ordained entered the assembly, the work that was being done was stopped; the head of the assembly would tell the meturgamon to stop his discourse. Then the man must have marched up solemnly to the seat assigned to him. We get this description from the rabbinical account of the ordination of Joshua. The rabbis conceived the ordination of Joshua to be the prototype of all the later ordinations, hence they described it in the light of the ordination ceremonies with which they were familiar. Sifre 140 :

"When Joshua entered, Moses bade the meturgamon be silent, until Joshua reached his place."

c) Ordination Vestments. It is probable that the man to be ordained wore special vestments during the ceremony. The idea of special vestments at ordination and initiation, is not an unusual one. It is found among various peoples. J. Behm (Die Handauflegung p.123)

quotes the following from the Journal of the Royal Asiatic Society (1907, p. 167) which speaks of initiation among the Dervishes: "The 'Pir', by laying his hands upon the disciple's head, and clothing him in the 'chirga', indicates to all and sundry that he has verified the fitness of that person etc." The Jewish sources also, know of a special garment in the transfer of office. When Elija gives over his office of prophet to his disciple Elisha, Elisha takes possession of his master's mantle. When Aaron and his sons were appointed to their office they wore special garments (Ex. XXVIII). Rabbinical literature also, has some mention of an ordination garment. Thus Leviticus Rabba II, 4;

א"ר ברכיה משל לזקן שהיתה לו מעפורת והיה מצוה את תלמידו  
ואומר לו קפלה ונערה. א"ל אדוני המלך מכל מעפראות שיש לך  
אי אתה מצוה אותי אלא על דו. א"ל מפני שאותה לבשתי  
כשנתמיתי זקן

"Said R. Berachya this is comparable to an Elder who had a cloak. He commanded his disciple to fold it and clean it (shake the dirt out). Then the disciple answered: 'Of all the cloaks that you have, you give me these special commands only as regards this one'. He answered: 'Because this is the cloak that I wore when I was ordained an Elder'". Michael Sacha (Beiträge Zur Sprach u. Altertumskunde I, 86ff.) in commenting upon this word מעפורת, says that it was a garment of linen used in ordination. In j. Bikk. 65d we find:

א"ר ש"ן זה שהוא מתמני בכסף אין עומדין מפניו, ואין  
קוראין אותו רבי, והטלית שעליו כמרדעת של חמור

"As to the one that is ordained thru money, we do not arise in his presence, and we do not address him as Rabbi, and the garment that he wears is like the pack-saddle of an ass." Perhaps this passage <sup>also</sup> is ~~also~~ to be understood as referring to the ordination garment.

d) Declaration at the Ordination. The declaration at the ceremony is revealed to us in the response of R. Ashe to a question of R. Aha b. San. 13b.

ממכין ליה שחא, קוראין ליה רבי, ויהבי ליה רשותא  
למידן דיו קנסות

"We ordain(the candidate) by name, we call him Rabbi, and give him permission to judge cases involving fines." Evidently the man was called by name, (and before the <sup>beginning</sup> end of the third century the ordainer placed his hand upon the head of the candidate, cf. p. 24), then he was called "Rabbi", and after that his duties were defined to him. As to the definition of the duties of the ordained, the passage just quoted tells us that permission was given him to judge cases. There is a more detailed description of the definition of the duties to the one ordained, in b. San. 5a where the ordination of the nephews of R. Hiya is described:

א"ל ר' חייא לרבי בן אחי יורד לבבל. יורה? יורה.  
ידין? ידן. יתיר בכורות? יתיר.

"Said R. Hiya to Rabbi, 'My nephew is going down to Babylon, may he teach?' 'He may teach'. 'May he judge?' 'He may judge'. 'May he free the first born animals?' 'He may free the first born.'"

Apparently, when the declaration was made, the duties of the ordain- were defined in detail, each particular type of function separatly. This whole formula as given here, was not used in every case of ordination. It was used only in case of full ordination. When a man was given partial ordination, (Cf. Chapter III) then only that part of the formula was pronounced that expressed the particular function for which the Patriarch wished to ordain him. (Cf. the ordination of Rab on the same page).

e) Address by the Ordained. It seems that after the man was declared to be Rabbi, and his duties defined to him, the he delivered a public discourse. We can see this from the ordination of Joshua by Moses, which was considered to be the prototype of the later ordination. The Rabbis in describing that ordination say (sifre 140):

וסמכת את ידך עליו... א"ל תן תורגמן  
זיהושע להיות שואל ודורש ומורה קוראות

"'And thou shalt lay thy hands upon him'---that means, give him a



meturgamon in order that he may study and teach." In other words according to the conception of the Rabbis, the ordination of Joshua involved the giving of a meturgamon to him, who would interpret to the people present, the address that Joshua might make. We find the address by the ordained referred to also in b. San. 7b:

דבי נשיאה אוקמו ד"נא דלא הוה גמיר. א"ל ליהודה בר  
נחמני מתורגמניה דריש לקיש, קום עליה באמורא. קם  
גחין עליה ולא אמר ליה ולא מידי

"It once happened that the Patriarch ordained a man who was not sufficiently learned. Then those present told the meturgamon of Resh Lakish: 'Go and act as his interpreter.' Then the meturgamon bent over the ordained man (to listen to what he had to say), but he said nothing." The Rabbis here are complaining of those men who were ordained although they unworthy, since they were unable to make the discourse that was customarily made by the man ordained.

f) Praise of the Ordained. After the discourse was delivered, the Rabbis would utter a song of praise in honor of the ordained. The Talmud gives us the text of two of such songs. B. San. 14a:

כי סמכוהו לר' זירא שרו ליה קכי. לא כחל ולא שרק  
ולא פירכוס, ויעלת חן

"When they ordained R. Zeera they sang the following song in his honor: 'His eyes are not painted, he is not rouged, he is not beautified, and yet he is full of grace.'" Also b. San. 14a, & Ket. 17a:

כי סמכוהו לר' אמי ולר' אסי שרו לקו קכי. כל מן דין  
כל מן דין סמכו לנא. לא תסמכו לנא לא מסרמיסין  
ולא מסרמיסין

"Ordain for us men such as these, and do not ordain for us men who are ignorant and foolish." These are the only two cases in which songs to the ordained are mentioned; moreover these songs are in honor of the famous Rabbis, Zeera, Ami and Asi. It may be therefore, that songs were not sung at every ordination, but were sung only at the more important ordinations, when the men ordained were to be

especially honored.

To sum up the manner of ordination: We have seen that the original means of ordination was the laying on of hands. This means of ordination was abandoned at the end of the Tanaitic period, and not right after the Bar Kochba war, as Bacher believes. The reason that the laying on of hands was abandoned, was that it had become by this time a distinctive Christian custom. As to the place where the ordination was performed, we noticed that it was carried out in the presence of the whole Sanhedrin. The man to be ordained was clad in a special garment; he was called by name, declared to be Rabbi, and his duties were defined to him; then he delivered a public discourse. The ceremony must have ended with a song by the assembled Rabbis in honor of the more important candidates.

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### CHAPTER III ----- CLASSES OF ORDINATION.

It is evident from the passages available, that there were various kinds of ordination. It will be helpful to an understanding of the subject, if we classify ordination according to its various types. There were apparently four classes of ordination: full ordination, partial ordination, temporary ordination, and conditional ordination.

a) Full Ordination. Full ordination was given to anyone who was to have all the rabbinical privileges. We have an example of full ordination in b. San 5a: "When Rabba bar Hana was to go down to Babylon, R. Hiya asked Rabbi (Judah Hanasi): 'My nephew is going down to Babylon, may he teach ( יורה )?' 'He may teach'. 'May he judge ( ידין )?' 'He may judge.' 'May he free the first-born animals ( יתיר בכור )?' 'He may free the first-born animals'." That is all that R. Hiya asked for in behalf of his nephew, and all that he asked for, was granted. Evidently, then, this is the full ordination. It involved teaching, judging, and freeing the first-born animals. What the exact significance of each of these terms was, will be discussed in Chapter V. (Rights and Privileges gotten through Ordination).

b) Partial Ordination. Immediately after the case of full ordination mentioned in Sanhedrin, we are told of a case of partial ordination. Rab, the other nephew of R. Hiya, was about to depart for Babylon, and R. Hiya asked that he too be ordained.

"When Rab was about to go down to Babylon, R. Hiya asked R. Judah: 'My nephew is about to go down to Babylon, may he teach?' 'He may teach'. 'May he judge?' 'He may judge.' 'May he free the first-born animals?' 'He may not free the first-born animals.' Here we see that the Patriarch did not give the full ordination, as he did in

the case of Rabba bar Hana. He does not give Rab the right to free the first-born animals. Maimonides, in discussing partial ordination, says (Yad, Hilchoth Sanhedrin IV, 8) "They may ordain whomever they wish, for only a few of the things (that a Rabbi may do), even though that person may be competent to deal with all things. Thus a learned sage, who may be competent to teach the whole Torah, may be ordained by the court and given permission only to judge, and not to decide ritual matters etc." The view of Maimonides that partial ordination is given not in case of partial ability necessarily, is borne out by the discussion that follows this passage in Sanhedrin. The Rabbis ask why it is that Rab was not given the full ordination, and the discussion brings out the fact that Rab was exceptionally proficient in all matters. Evidently then, the Patriarch was not compelled to consider the ability of the candidate when he conferred the partial ordination. As a matter of fact we know that in this particular case, Rabbi Judah was guided by other reasons when he gave Rab only partial ordination (Cf. supra p. 14). It may well have been, that partial ordination was also used in cases where there really was only partial ability.

c) Temporary Ordination. Another class of ordination was temporary ordination. The ordainer could confer an ordination that was valid only for a certain period. We are told of such a case in

b. San. 5b:

ס"ח ר' יוחנן ל' שמן דמי אית בר שותיה עד שגבא ס"ח

"Said R. Jochanan to R. Shemen: 'You have permission from us to teach (Cf. Rashi to the passage) until you return to us (from Babylon)'"'. Thus R. Shemen was ordained for a specific time only.

Another case of temporary ordination is in j. taanioth 68a:

רבי הוה חמני תרין מינוין. אין הוין כד"י היין  
מתקיימין ואין לא הוון מסתלקין

"Rabbi would ordain two persons a year. If they would prove themselves worthy, they would remain (ordained) etc." This particular temporary ordination, contains also another element. It is also a sort of a trial ordination, and might fit also in the next class:

d) Conditional Ordination. The fourth class of ordination is conditional ordination. Men may be ordained, with the validity of their ordination depending upon their doing a certain stipulated thing. Thus j. Bikkurim 65d after discussing the question as to whether ordination may be conferred outside of Palestine, makes the following remark:

רבנן דקיסרין אמרין חמנין זקנים בחוצה לארץ עמי לחזור

"We may ordain Elders outside of Palestine, on the condition that they return to Palestine." That is to say such an ordination is only conditional. If the men return, then the ordination is valid. Quite a number of such conditional ordinations are given on the same page. Thus for example: "R. Isaac ben Nachman was in Gaza, and they ordained him on condition that he return."

The various classes of ordination are, therefore, complete ordination, partial ordination, temporary ordination, and conditional ordination.

# CHAPTER IV.-----THE LAWS GOVERNING ORDINATION.

We will now consider the laws governing ordination. It will not be our purpose to discuss minutely all the details of the various ordination laws that may have existed, it is rather our purpose to enumerate all the laws, to classify them, to show, whenever data are available, the historical reasons that led up to the making of these laws.

It will be seen that most of the regulations governing ordination, are not expressly mentioned as laws, but are derived from the practice of ordination as revealed in the Talmud. The laws governing ordination can be divided into two classes: A) The laws dealing with the persons concerned in ordination, and B) The laws dealing with the places where ordination may be conferred.

A) The Laws Governing the Persons Concerned in Ordination. The laws governing the persons concerned in ordination, deal with three classes of persons: 1) The Ordainer, 2) The ordained, and 3) These present at the ordination.

1) The Laws concerning the Ordainer. There are four laws that concern the ordainer:

a) The Ordainer must be himself ordained. This law is not expressly stated, but it must have clearly existed in the minds of the Rabbis, since the dogmatic theory underlying ordination, was that there was an unbroken chain of ordained from the first ordination (that of Joshua ) until the time of the Rabbis. There was always a גמול אדם גמול --a man ordained by someone who was himself ordained. The chain was never broken. Thus each Rabbi was able to ordain his disciples because he himself was a גמול. He

could transfer the Holy Spirit (Cf. Chapter V.), because the Holy Spirit was in him; in other words he could ordain 'as one lights one light from another' (Cf. Numbers Rabba XXI, 16). This law is of interest in the question as to whether now, since there is no longer a 71007 '90 7100, ordination can ever be re-established. Maimonides (Yad, Hilchoth Sanhedrin iv, 11) believes that ordination can be re-established if the Rabbis of Palestine agree. Then they can confer the ordination <sup>upon a certain person</sup> as did the Sanhedrin of old; and then this person can thereafter ordain others. Based upon this opinion of Maimonides, Jacob Berab in 1538 attempted to re-establish ordination in Palestine (Graetz English ed. Vol. IV, P.531). David Ibn Zimri in his commentary to that passage in Maimonides, says that perhaps before the Messiah will come, Elija who is surely ordained himself, will ordain others and thus re-establish ordination; or perhaps the children of Reuben who will come to do battle before the advent of the Messiah, and who surely have in their midst one who has been ordained, will re-establish ordination. At all events it was clear to the Rabbis of old and to the later commentators, that he who is to confer ordination must himself have been ordained.

b) Any Rabbi may confer Ordination. At first any Rabbi had the right of conferring ordination. This, as we have seen was changed giving the Patriarch the sole right of ordaining. This was changed again requiring that the Patriarch obtain the consent of the Sanhedrin. We have already discussed this fully in the "History of Ordination".

c) The Ordainer may ordain as many men as he pleases. Although this law also is not expressly stated, it is nevertheless quite

clear. Juda b. Baba ordained seven pupils of R. Akiba. j.San 29a tells us:

"Ninety thousand Elders did David ordain in one day." Evidently then the ordainer could ordain as many as he pleased in as brief a period of time as he pleased. Cf. therefore Yad, San. IV, 7: "They may even a hundred at one time."

d) The ordainer may restrict the number of those ordained. Just as the ordainer could ordain as many as he pleased, so too he could restrict the number of those ordained in a certain period of time. Thus j. Taanioth 68a tells us that Judah Hanasi restricted himself to ordaining just two men a year.

e) The ordainer may ordain whomever he pleased. No disciple could come to his teacher or to the Patriarch, and demand it as his right that he be ordained. It rested entirely with the ordainer, whom he shall ordain and whom he shall not ordain. Thus Judah gave only partial ordination to Rab in spite of Rab's well known ability (b. San. 5a); he refused to ordain Mar Samuel (b. Baba Mezia 85a bottom); he did not ordain Hami bar Hanina (j. Tan. 68a).

The last three laws can be generalized in the statement that the ordainer was entirely free. He could ordain as many as he pleased, as few as he pleased, and whomever he pleased.

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2) Laws Concerning the Ordained. There are two laws that apply to the man to be ordained:

a) The candidate must be a disciple of the ordainer. This law is a converse of the law that each Rabbi ordained his own pupils. We have already discussed the changes of this law.

b) Any scholar could refuse to accept ordination. It was always within the right of a man to refuse to be ordained, for whatever



reason he pleased. A man accepted the office of Rabbi of his own free will. Thus (b. Sanhedrin 14a):

ו' זירא הוה מיטמר למיסמכיה דאמר לא הוה קבל וק"ם

"R. Zeera used to hide himself so as not to be ordained, because he followed the statement of R. Elazar that one should always remain in the back-ground etc." Again (j. Taanioth 68a):

אמר (ר' חמי בר חנינה) לית אינא מקבל עלן מתמני"א עד

זמן דמתמני רבי פס דרוש קמ"

"Said R. Hami bar Hanina, 'I will not accept the ordination, unless R. Pas of Rome be ordained before me.'" Thus we see that it was entirely optional with the scholars whether they would accept ordination or not.

3) Laws concerning those Assisting at the Ordination. There is one law concerning those assisting at the ordination:

a) Ordination could be conferred only in the presence of three. This law is expressly stated. It is found in the Mishna and in the Tosephta (Tos. San. I, 1 and Mishna San. I, 3): סמיכת זקנים בג' This according to the interpretation of R. Jochanan means that ordination can be carried on only in the presence of three. b. san 13b. The reason for this law is evidently, that they wanted ordination to be conferred by a 'court', since the one ordained was also to be a judge. Thus too, in Mishna San. IV, 4, those ordained to be one of the judges of the Sanhedrin, were ordained from the front rows and evidently in the presence <sup>of the court</sup>; and so they believed that the one who was to be ordained as judge, whether he was to be in the Sanhedrin or not, should be ordained in the presence of a court; and therefore ordination was to be conferred only in the presence of three.

It seems however, that this law was not taken strictly. Men were ordained by one teacher only. Thus the ordination of Joshua which was the prototype of all later ordinations, was done, as far as we are told, by Moses alone. The Talmud (b. San. 13b bottom) notices this, and says that the fact that Moses alone, ordained Joshua, might lead one to infer that when ordination is conferred by one man only, it is quite sufficient. And there are other cases where we are not told that there was anybody else present at certain ordinations, and where the strong presumption is that there was no one present. The story which tells of the ordination of the disciples of R. Akiba, praises Juda b. Baba for his courage in giving ordination inspite of the decree of the Roman Government; and tells us that he suffered a martyr's death. Now if there were any one else assisting at that ordination, we would surely hear of them and of what happened to them. Thus it seems just to infer, that Juda b. Baba ordained alone. In fact the Talmud notices this difficulty also, and it explains it away, by saying that there were two others there, but in order to give special honor to Juda b. Baba their names are not mentioned. But we have a definite case where only two people conferred ordination. (the same page):

ר' יונתן בן עכמאי וחד דעימי (ומנ?) ר"ש בן זירוד.

חד דדוק גב"קו סמכוהו.

"R. Jonathan b. Achmai and Simon ben Zerud, ordained someone who was in their presence." Evidently then, while it was a clearly mentioned law that ordination could be conferred only in the presence of three, the law was not strictly followed.

B) The laws dealing with the places where ordination may be given.  
There are two laws concerning the places where ordination may be

conferred:

a) Ordination can be conferred only when both ordainer and ordained are in Palestine. The law that ordination could take place only in Palestine is found expressly in both the Babylonian and the Jerusalem Talmuds. In b. San 14a: "Said R. Joshua b. Levi, 'there can be no ordination outside of Palestine,'" and in the Jerusalemi in Bikkurim 65d we find: "R. Ami asked R. Simon whether ordination can be conferred outside of Palestine, and R. Simon answered: 'I have learned that there can be no ordination outside of Palestine.'" Both R. Joshua and R. Simon were Palestinians of the middle of the third century, R. Simon living a little later than R. Joshua. This law could<sup>not</sup> have arisen much earlier than the time of these Rabbis, for it was then that the Palestinians resented the growing independence of the Babylonians, who thought that the Reshus gotten from the Exilarch, was an adequate for ordination gotten in Palestine. For a fuller discussion of this cf. chapter II, The History of Ordination.

It was not sufficient for the ordainer alone to be in Palestine, and the one to be ordained to be outside of Palestine, Both had to be in Palestine. Thus we find in b. San. 14a:

ל' יוחנן הוה מצטער דרב שמן בר אבא דלא הוה גב"הו דליסמכיה

"R. Jochanan was very much grieved concerning R. Shemen bar Aba, because Shemen was not in his presence to be ordained." This case is offered by the Talmud as a proof that if the ordainer is in Palestine and the one to be ordained is in Babylon, the ordination cannot be conferred. We have another case proving this law (the same page)

ל' יוחנן וא'... חר דהוה גב"הו סמכיהו וחד דלא הוה גב"הו לא סמכיהו

"They ordained a certain person who was in their presence, but

one who was not in their presence they did not ordain." Evidently then, both ordainer and ordained had to be in Palestine. From this law Maimonides (Yad San. IV, 6) derives the law that as long as both are in Palestine, the ordination can be conferred, altho both are not in the same city.

b) Ordination could take place outside of Palestine, with the condition that the ordained return to Palestine. This law is mentioned in j. Bikkurim 65d: "The Rabbis of Caesarea say that we may ordain Elders outside of Palestine on condition that they return to Palestine." The condition 'that they return to Palestine' indicates that the law was made as a sort of an exception to the law that no ordination could be conferred outside of Palestine, and that this exception was made in behalf of those Palestinians who were away from Palestine. They were ordained, but had to return home. The Talmud gives us a few cases of such ordinations: Isaac b. Nachman was ordained in Gaza, Zemina was ordained in Tyre, Juda b. Titus was ordained in Rome. Cf. also Chapter I p. 18, and Chapter III p 34 .

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CHAPTER V--RIGHTS AND PRIVILEGES GOTTEN THROUGH ORDINATION.

It now remains for us to discuss the different rights and privileges gotten through ordination. There were quite a number of such privileges:

a) The ordained had the title 'Rabbi', and could perform the various functions of the Rabbi. It was the privilege of the ordained to be called Rabbi, cf b. San. 13b: "We call him 'Rabbi'"; and since the man was now Rabbi he had all the functions that adhered to the rabbinical office. These functions were, as we have seen, three, *יורה, דין, יטיר בכוריה*. The expression *"יורה"* refers to the fact that the Rabbi has the right to 'teach', in each particular case, the requirements of the ritual law. We find this use of the word *"יורה"* clearly indicated in b. San 5b, where a disciple tells the people in a certain that they may knead their dough in the juice of eggs. This decision leads to some misunderstanding and violation of the ritual law. And as a consequence they decided that:

*תלמיד אל יורה אצל נוסט רשות מרבו*

"A disciple shall not make ritual decisions, unless etc."

Thus *"יורה"* involved all questions of Issur Ve-Hetter, forbidding and permitting, binding and loosing, and whatever else the idea of binding and loosing meant to the Rabbis..(Cf. Jew. Encyc. Article: 'Binding and Loosing'). The word *"דין"* refers to the rabbinical privilege of acting as judge. In ordinary civil matters anybody, ordained or unordained, could act as judge if the parties concerned are willing, but to act as judge in cases involving the imposition of fines, was the special privilege of the ordained. We are told of this in b. San 13b:

*קרי ליה רבי ויהבי ליה רשותא למידן דיני קנסות*

"We call him Rabbi, and give him permission to judge cases involving the imposition of fines". Rashi to the passage says that as regards other civil cases, anybody could act as judge, but in cases involving fines only an ordained judge would do. The third privilege of the ordained was יטיר בכורות. That meant that he could decide that a certain first-born animal had a blemish which made it unfit for sacrifice. The privilege of יטיר בכורות does not mean that the ordained could do just this thing alone; the expression means that he may make <sup>any</sup> decisions involving the rights of the sanctuary and the priests.

b) The ordained did not have to make good the damage caused by an incorrect decision on his part. If an unordained man acts as judge and makes a mistake involving a loss, he is bound to make good that loss (b. San. 5a). But if an ordained man acts as judge, he is not bound to make good the loss caused from his mistake. We can see this from a case that is mentioned on 5a (ibid):

רבה בר חנה דן דינא ושעה אתא לקמיא דרבי חייא  
א"ל אי קיבלוך עליהו לא תשלם. ואי לא דיל שלים  
והא רבה בר חנא רשותא הוה נקיט.

"Rabba bar Hana judged a case and made a mistake. He came to R. Hiya and told him of it. Then R. Hiya said: 'If they had accepted you as their judge (accepting therefore also your mistaken decisions), do not pay; but if they have not accepted you as their judge, you must pay'". The Rabbis find this answer of R. Hiya difficult, because they think that Rabba bar Hana should not have to pay whether he was accepted as judge or not, because he was ordained, and an ordained judge is not responsible for his mistakes.\* They solve the

\* Note If the ordained judge made a mistake in דבר משנה, even he was responsible.  
only in משנה otherwise decision void.

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difficulty by saying that the ordination of Rabba bar Hana, since it was gotten indirectly from Palestine, has no validity in Babylon, and Rabba bar Hana although he was ordained was nevertheless bound to make good the mistake that he made.

c) In the assembly voting upon the intercalation, those who had been ordained first, had the privilege of voting first. When the assembly was called to decide whether or not to intercalate the year, the vote was taken in the order of the ordination of the men voting.

j. Rosh Hashana 58b: ר'יעקב בר אבא... לעיבור דולכין אחר המינוי

"R. Jacob bar Acha said ---- 'In voting upon the intercalation, we follow the order of ordination.'" The Talmud on the same page, notes an exception to this rule:

כהנא איתמני קדמי מן רבי יעקב בר אבא . נאל ר' יעקב  
קדמי מיניה לעיבורא

"Kahana was ordained before R. Jacob bar Acha, and yet R. Jacob preceded him in the vote upon the intercalation."

d) The ordained received the Holy Spirit. Another one of the privileges of the ordained was that he received the Holy Spirit. The ordainer possessed the Holy Spirit, and at the ordination transferred some of it to the ordained. We referred to this fact cursorily in Chapter II, when we discussed the proof that the original means of ordination was by laying on of hands. It now remains for us to go into the question more deeply.

The first evidence that at the act of ordination the Holy Spirit<sup>it</sup> was transferred, is in the ordination of Joshua. God tells Moses to ordain Joshua, and (Numbers XXVII, 20): ונתתה מקודך עליו  
"Thou shalt give some of thy splendor to him." This evidently refers to the Holy Spirit that was in Moses, and which was now to be transferred to Joshua. The Midrash<sup>it</sup> to the passage, makes this point still

clearer (Numbers Rabba XXI, 16): "'And thou shalt place thy hand upon him'--as one kindles one light from another; 'And thou shalt give some of thy splendor to him'--as one pours out from one vessel to another." The Holy Spirit is transferred in the ordination of the seventy Elders. Numbers XI, 25: "And Moses gathered seventy Elders of the people -----and the Lord removed some of the Spirit that was on him and gave it to the seventy Elders, and when the spirit rested upon them they prophesied unceasingly." Here we see that the Elders, when they were ordained, received the Holy Spirit which was in the ordainer, and as those who are possessed of the Holy Spirit often do, they prophesied. \* The Midrash in describing this transfer of Spirit, uses almost the exact words that it used in describing the giving of the splendor of Moses to Joshua:

(Numbers Rabba XVI, 16)

למקד לנר שהיה דולק והדליקו ממנו כמה נרות

"This may compared to a burning light, from which they kindle many other lights."

In the early Christian church, which had borrowed the idea of ordination from Judaism, we find exactly the same idea, that ordination was accompanied by a transfer of the Holy Spirit. Acts XIX<sup>6</sup> "And Paul laid his hands upon them, and the Holy Ghost came upon them and they spoke with tongues and they prophesied." This is not exactly a case of ordination, but rather an admission into the church. But it is analagous to ordination. It has the same laying on of hands. It shows that in the mind of the author the laying on of hands meant a transfer of the Holy Spirit. Cf. also VIII, 13. Acts X, 38 says: "How God anointed Jesus of Nazareth with the Holy

\*Note. That prophecy is the result of the entering of the Holy Spirit, Num. XI, 29: "Would that all the people of the Lord would prophesy, and the Spirit of the Lord come upon them."



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Ghost and with power." etc. From all this it is clear, that ordination in whichever manner it was conferred, (for the elders were ordained without the laying on of hands), involved an entering of the Holy Spirit into the ordained.

e) The ordained had his sins forgiven. Another privilege that was believed to come with ordination, was that the sins of the ordained were forgiven. Thus b. San. 14a:

אמר ר"א אין אדם עולה לגדולה אלא כח מוחלן לו על כל עונותיו  
"R. Eleazar said that no man reaches the high office (of ordination) unless his sins are forgiven." Also j. Bikkurim 65d:

אף חכם שנתחנן מוחלן לו על כל עונותיו  
"Also a sage who is ordained, is forgiven all his sins."

It seems that this idea that the sins of an ordained man are forgiven at the time when he is ordained, is clearly a corollary of the fact that the Holy Spirit entered the ordained. The Holy Spirit could not enter into a person who was unworthy of receiving it. In b. Yoma 21b we are told that one of the things that were in the first Temple but not in the second, was the Holy Spirit. This must have been due to the belief that at the time of the second Temple there were none who were quite worthy of receiving the Holy Spirit. (Cf. Jew. Encyc. article 'Holy Spirit'). If therefore a person was about to be ordained, that is, if he was about to receive the Holy Spirit, he had to be first made a fit recipient of the Spirit, i.e. his sins were forgiven him.

To summarize then, the privileges that came with ordination were, that the ordained could be called Rabbi, and could perform the various Rabbinical functions; he was not bound to make good a loss caused by his mistake in judging; he voted in the council for the intercalation in accordance with the time of his ordination; he received the Holy Spirit; and his sins were forgiven.

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13.       "               "               "       'Holy Spirit.'
14.       "               "               "       'Sanhedrin.'
15. "Yad", Hilchoth Sanhedrin, Chapter IV.
16. Bible, Numbers XI, 16-17, 25; XXVII, 18-23. and other referen-  
ces.
17. Mishna, Hagiga II,2; Sanhedrin I,3; IV,4.
18. Tosephta, Sanhedrin I,1.
19. Sifre (ed.Friedman) 25b; 140.
20. Talmud Babli. Yoma 21b; Ketuboth 17a, 112a; Baba Mezia 85a,86a  
Sanhedrin 5a (various references), 5b (various  
references),7b, 13b &14a (various references).
21. Talmud Yerushalmi. Bikkurim 65d (various references),  
Taanioth 68a, Rosh Hashana 58b, Moed Katan 81a,  
Sanhedrin 18c, 19a, 29a; Horayoth 47d.
22. Midrash Rabba, Leviticus II, 4; Numbers XVI, 16, XXI, 10.