

From the Rabbi's Desk
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Stories with a Twist

[251]

But a Certain Elder of the Disciples of Shammai the Elder Was There

Insights into Babylonian Talmud, Beitzah 20a



Background to Our Story

Hillel and Shammai



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Hillel the Elder and Shammai were the last of the pairs of Sages who transmitted the Oral Torah to successive generations over a period of about two centuries; Hillel served as *Nasi* of the Sanhedrin while Shammai was the president of the court. Hillel and Shammai lived about one hundred years prior to the destruction of the Temple, at the beginning of Herod's reign. Hillel and Shammai founded two schools, Beit Hillel and Beit Shammai, which flourished for many years after their passing, but they themselves disagreed about only three or four issues. The main difference between Hillel and Shammai was one of personality. Hillel treated himself and others in an easygoing manner, avoiding conflict whenever possible. Shammai, by contrast, took a more severe approach, attempting to scrutinize people's motivations and habits.

Tradition has it that Hillel began as an impoverished student who took on menial labor in order to pay to attend the lectures of Shemaya and Avtalyon. The Gemara compares Hillel to Ezra the Scribe, crediting him with reestablishing Torah study at a period in history when it was utterly neglected (*Sukka* 20a). His disciples were praised as well. According to the Gemara, Hillel the Elder had eighty students: Thirty of them were worthy that the Divine Presence should rest upon them as it rested upon Moses; thirty were worthy that the sun should stand still for them, as it did for Joshua bin Nun; and twenty were average. The

greatest among Hillel's students was Yonatan ben Uzziel and the least among them was Rabban Yohanan ben Zakkai (*Sukka* 28a).

Bava ben Buta



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Bava ben Buta was one of Shammai's greatest students and a significant Sage of his time. Mentioned on several occasions as a distinguished pupil of Shammai, he was renowned in his generation for both his righteousness and his wisdom. Much has been told about his great humility and how he disregarded his own honor in order to establish peace between a man and his wife or for the sake of Heaven. Apparently, he served as a judge in Jerusalem and was famous for his knowledge of worldly affairs. It is said that when Herod killed a great number of Torah scholars, he had Bava ben Buta blinded but kept him alive so that he could take his counsel; it is further related that it was Bava ben Buta who advised Herod to rebuild the Temple in a magnificent manner.

Mishnah Beitza 2:4

בית שמאי אומרים: מביאין שלמים ואין סומכין עליהן, אבל לא עולות. ובית הלל אומרים: מביאין שלמים ועולות, וסומכין עליהן.

Beit Shammai say: One may bring peace offerings on a Festival, but one may not place his hands on them, as this is considered using animals, which is prohibited on a Festival by rabbinic decree. However, one may not bring burnt-offerings, apart from the obligatory daily and additional offerings of the day, because burnt-offerings are consumed entirely on the altar and not by people, and slaughter is permitted on a Festival only for the purpose of human consumption.

And Beit Hillel say: One may bring both peace offerings and burnt-offerings, and one may even place his hands on them.

Placing hands on the heads of offerings



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All offerings brought by an individual, whether obligatory offerings or gift-offerings, require that the owner's hands be placed on the head of the animal before it is slaughtered, with the exception of the firstborn-offering, the tithe-offering, and the Paschal lamb (*Rambam Sefer Avoda Hilkhot Ma'aseh HaKorbanot* 3:6).

The Text: Babylonian Talmud, Beitza 20a

תנו רבנן: מעשה בהלל תזקן שהביא עולתו לעזרה לסמוך עליה ביום טוב. תברו עליו תלמידי שמאי תזקן, אמרו לו: מה טיבה של בהמה זו? אמר להם: גקבה היא, ולזבחי שלמים הבאתיה. פשפש להם בזנבה, והלכו להם. ואותו היום גברה ידם של בית שמאי על בית הלל, ובקשו לקבוע הלכה כמותן. והיה שם זקן אחד מתלמידי שמאי תזקן, ובבא בן בוטא שמו, שהיה יודע שהלכה כבית הלל, ושלח והביא כל צאן קדר שפירו שלים והעמידן בעזרה, ואמר כל מי שרוצה לסמוך – יבא ויסמוך. ואותו היום גברה דן של בית הלל וקבעו הלכה כמותן, ולא היה שם אדם שערער בדבר כלום.

The Sages taught in a *baraita*: There was an incident involving Hillel the Elder, who brought his burnt-offering to the Temple courtyard in order to place his hands on the animal's head on a Festival.

The students of Shammai the Elder gathered around him and said to him: What is the nature of this animal that you are bringing?

Hillel did not want to quarrel with them in the Temple and therefore concealed the truth from them for the sake of peace. He said to them: It is a female, and I have brought it as a peace-offering, as burnt-offerings are always male. He swung its tail for them so that they would not be able to properly discern whether the animal was male or female, and they [The students of Shammai] departed.

On that day, when the incident became known, suggesting that even Hillel had accepted Shammai's view, Beit Shammai gained the upper hand over Beit Hillel, and they sought to establish the halakha in this regard in accordance with their opinion. But a certain Elder of the disciples of Shammai the Elder was there, and Bava ben Buta was his name, who knew that the halakha is in accordance with the opinion of Beit Hillel in this matter. And he sent for and brought all the high-quality sheep of Kedar that were in Jerusalem, and he stood them in the Temple courtyard and said: Anyone who wishes to place his hands on the head of an animal should come and place his hands there. And on that day Beit Hillel gained the upper hand over Beit Shammai, and they established the halakha in this case in accordance with their opinion, and there was no one there who disputed the matter in any way.



Explaining the Story (What is the sequence of events that take place in the story?)

Comprehension and Analysis Questions

? Why did Hillel the Elder bring his burnt-offering to the Temple courtyard in order to place his hands on a Festival?

? Why did the students of Shamai gather around him [Hillel the Elder]?

Bonus ? How do we know that the students of Shamai wish to quarrel with Hillel the Elder?

Bonus ? Why didn't Hillel the Elder tell the truth to Shamai's students?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? Why was it necessary for Hillel to swing the tail of the animal?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? Why did the students of Shamai depart?

? *"On that day Beit Shammai gained the upper hand over Beit Hillel."*

Which day was "that day"?

? Why did the students of Shamai gain the upper hand on "that day"?

Bonus ? What does Bava ben Buta do to help decide the halacha according to Beit Hillel?

Bonus ? Why does Bava ben Buta wish to prevent the halacha to be decided according to Beit Shamai?

Bonus ? Why is Bava ben Buta able to help decide the halacha according to Beit Hillel? Why is he successful where Hillel the Elder himself failed?

"The Twist" – Or the Lessons We Can Learn from the Text

! When you cannot win a battle, let someone else pick it for you; and if he or she belongs to the other camp, that's even better!

EPILOGUE