

From the Rabbi's Desk  
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## Stories with a Twist [270]

### Yosef, It Seems to Me that My *Halakhot* Were Not Accurate Until Now...

(Insights into Babylonian Talmud Menachot 18a)



## Background of Our Story

### Tractate Menachot



<https://en.wikipedia.org/wiki/Menachot>

Menachot deals with the rules regarding the preparation and presentation of grain-meal and drink offerings, including the meal-offering that was burnt on the altar and the remainder that was consumed by the priests as specified in the Torah (Leviticus 2:1 and on); the bringing of the *omer* of barley (Leviticus 23:10), the two loaves (Leviticus 23:17), and the showbread (Leviticus 24:5).as offerings in the Temple in Jerusalem.

### Rabbi Elazar ben Shammua



Koren Talmud Bavli, The Noe Edition. Menachot Part 1. Koren publishers  
Jerusalem Page 116

Rabbi Elazar ben Shammua was a *tanna* in the generation prior to the redaction of the Mishna. He was a priest and was among the greatest of Rabbi Akiva's students. Rabbi Elazar ben Shammua was among the leaders of the Jewish people in the years of persecution in the wake of the failure of the bar Kokheva rebellion. Despite the dire situation, many students studied with him. One of his primary students was Rabbi Yehuda HaNasi, the redactor of the Mishna. Not many of Rabbi Elazar ben Shammua's statements are cited in the Mishna, but he was held in high esteem by the Sages of the following generations. Rav, an *amora*, referred to him as the happiest of the Sages, and Rabbi Yoĥanan said of him: The hearts of the early Sages

were like the Entrance Hall to the Sanctuary. In the Mishna and in *baraitot*, he is called simply Rabbi Elazar. Rabbi Elazar ben Shammua lived a long life, and according to one tradition he was 105 years old when he was executed. He is listed among the ten martyrs executed by the Romans.

### **Yosef the Babylonian**



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Yosef the Babylonian was a *tanna* in the generation before Rabbi Yehuda HaNasi. As his name suggests, Yosef the Babylonian was a native of Babylonia, specifically from the Jewish settlement and great learning center of Huzal. Apparently his father's name was Yehuda, and he was therefore also called Gur Arye, lion cub (see Genesis 49:9). Upon arriving in Eretz Yisrael, he studied with several of Rabbi Akiva's students and became adept at describing the various philosophies and teaching techniques of different Sages. According to the Jerusalem Talmud, he was also called Rabbi Yosef Katnuta, and he is praised in the Mishna for his pious character. Halakhic and aggadic statements in his name are recorded in the Babylonian Talmud.

### **Maimonides: Sefer Avoda, Hilkhot Pesulei HaMukdashin 13:8**

Similarly, if when performing one of these four tasks or all of them, one has an [improper] intent other than these three intents, that undesirable intent does not disqualify [a sacrifice] at all.

What is implied? When slaughtering [a sacrificial animal], receiving [its blood], bringing [the blood to the altar], and casting [on the altar], a person had the intent to:

- a) leave the blood of the sacrifice or the organs and fats to be burnt on the altar for the next day or to remove them from the Temple Courtyard,
- b) or he had the intent to cast the blood on the [altar's] ramp, where it is not opposite the base
- c) or [take] the blood of sacrifices that must be presented on the upper portion of the altar on the lower portion or those to be presented on the lower portion on the upper portion,
- d) or those to be presented on the outer altar on the inner altar, or those to be presented on the inner altar on the outer altar, or to bring the blood of a sin-offering into the inner chamber,
- e) he had the intent that impure people or others disqualified from partaking of a sacrifice should partake of it,
- f) that the sacrifice be offered by impure people or others who are disqualified from performing sacrificial service,
- g) to mix the blood of the sacrifice with unacceptable blood;
- h) he intended to break the bones of a Paschal sacrifice or to eat from it while it is not thoroughly cooked;
- i) or he intended to burn a sin-offering that must be burnt outside its proper time or outside its proper place;

With regard to any of the above - or similar - intents, the sacrifice is acceptable. Similarly, if when taking the handful of meal, placing it into a vessel, bringing it to the altar, or casting it on the [altar's] pyre, one had the intent to leave the handful

or the frankincense until the following day or to take them out of [the Temple Courtyard], the offering is acceptable.

### Background Text (B'raitā on Menahot 17b)

דְּתַנִּיא: הַשׁוֹחֵט אֶת הַזֶּבַח לְשֵׁנוֹת מִדָּמוֹ לְמַחֵר, לְהַקְטִיר מִבְּשָׂרוֹ לְמַחֵר, לְאֶכּוֹל מֵאִימּוֹרָיו לְמַחֵר – כָּשֶׁר, וְרַבִּי אֱלִיעֶזֶר פּוֹסֵל. לְהַנִּיחַ מִדָּמוֹ לְמַחֵר – רַבִּי יְהוּדָה פּוֹסֵל. אָמַר רַבִּי אֱלִיעֶזֶר: אִם בָּזוּ רַבִּי אֱלִיעֶזֶר פּוֹסֵל וְחַכְמַיִם מְכַשְׂרִין.

As it is taught in a *baraita*: In the case of one who slaughters the offering with the intention to drink some of its blood, which is designated to be presented on the altar, on the next day, or to burn some of its meat, which is meant to be eaten, on the next day, or to eat some of its sacrificial portions, which are designated to be burned on the altar, on the next day, the offering is fit, as his intention is either to eat an item that is usually sacrificed on the altar, or to burn on the altar an item that is usually eaten. But Rabbi Eliezer deems the offering unfit. If one slaughters the offering with the intention to leave some of its blood for the next day, but not to present it or consume it, Rabbi Yehuda deems the offering unfit. Rabbi Elazar said: Even in this case Rabb Eliezer deems the offering unfit, and the Rabbis deem it fit.

### The Text: Babylonian Talmud Menahot 18a

אָמַר רַבִּי: כְּשֶׁהִלַּכְתִּי לְמִצְוֹת מִדּוֹתַי אֶצֶל רַבִּי אֱלִיעֶזֶר בֶּן שָׁמוּעַ, וְאָמַרְי לֵה: לְמִצְוֹת מִדּוֹתַי שֶׁל רַבִּי אֱלִיעֶזֶר בֶּן שָׁמוּעַ, מִצְּאֵתַי יוֹסֵף הַבְּבֻלִי יוֹשֵׁב לְפָנָיו, וְהָיָה חָבִיב לּוֹ בְּיֹתֵר עַד לְאַחַת, אָמַר לוֹ: רַבִּי, הַשׁוֹחֵט אֶת הַזֶּבַח לְהַנִּיחַ מִדָּמוֹ לְמַחֵר, מֵהוּ? אָמַר לוֹ: כָּשֶׁר  
עַרְבִית – אָמַר לוֹ: כָּשֶׁר;  
שַׁחֲרִית – אָמַר לוֹ: כָּשֶׁר  
צִהָרִים – אָמַר לוֹ: כָּשֶׁר  
מִנְחָה – אָמַר לוֹ: כָּשֶׁר, אֲלֵא שֶׁרַבִּי אֱלִיעֶזֶר פּוֹסֵל. צִהָבוּ פָּנָיו שֶׁל יוֹסֵף הַבְּבֻלִי.

אָמַר לוֹ: יוֹסֵף, כְּמִדּוּמָה אֲנִי שָׁלֵא כִּיּוֹנָנוּ שָׁמוּעֵתִינוּ עַד עַתָּה!  
אָמַר לוֹ: רַבִּי, הֵן! אֲלֵא שֶׁרַבִּי יְהוּדָה פָּסוּל שָׁנָה לִי, וְחִזְרֵתִי עַל כָּל תְּלַמִּידָיו וּבִקְשָׁתִי לִי חֵבֵר וְלֹא מִצְּאֵתִי, עַכְשָׁיו שֶׁשָׁנִיתִ לִי פָּסוּל הִחְזַרְתָּ לִי אֲבִידָתִי.

זָלְגוּ עֵינָיו דְּמָעוֹת שֶׁל רַבִּי אֱלִיעֶזֶר בֶּן שָׁמוּעַ, אָמַר: אֲשֶׁרִיכֶם תְּלַמִּידֵי חַכְמַיִם שֶׁדָּבְרֵי תוֹרָה חָבִיבִין עֲלֵיכֶם בְּיֹתֵר! קָרָא עָלָיו הַמְּקָרָא הַזֶּה: "מֵה אֶהְבֵּתִי תוֹרָתָה כָּל הַיּוֹם הִיא שִׁיחֲתִי" וְגו'

Rabbi Yehuda HaNasi said: When I went to Rabbi Elazar ben Shammua to clarify my knowledge, and some say that Rabbi Yehuda HaNasi said:

When I went to clarify the knowledge of, i.e., study under, Rabbi Elazar ben Shammua, I found Yosef the Babylonian sitting before Rabbi Elazar ben Shammua. And every ruling that Rabbi Elazar ben Shammua taught was especially dear to him, until they began discussing one *halakha*, when Yosef the Babylonian said to him: My teacher, with regard to one who slaughters the offering with the intention to leave some of its blood for the next day, what is the *halakha*?

Rabbi Elazar ben Shammua said to him: The offering is fit.

Yosef the Babylonian repeated this question that evening, and Rabbi Elazar ben Shammua said to him that the offering is fit.

He asked again the following morning, and Rabbi Elazar ben Shammua said to him that the offering is fit.

Once again, he asked this question at noon, and Rabbi Elazar ben Shammua said to him that the offering is fit.

When he asked the question a further time that late afternoon, Rabbi Elazar ben Shammua said to him: I hold that the offering is fit, but Rabbi Eliezer deems it unfit.

Rabbi Elazar ben Shammua said to him: Yosef, it seems to me that our, i.e., my, *halakhot* were not accurate until now.

Yosef the Babylonian said to him: My teacher, yes, I agree that the offering is fit, as you said. But my reluctance to accept your statement was due to the fact that Rabbi Yehuda taught me that the offering is unfit, and I went around to all of Rabbi Yehuda's disciples, seeking another disciple who had also heard this from him, but I could not find one, and thought that I must have been mistaken. Now that you have taught me that Rabbi Eliezer deems it unfit, you have returned to me that which I had lost.

Upon hearing this, Rabbi Elazar ben Shammua's eyes streamed with tears, and he said: Happy are you, Torah scholars, for whom matters of Torah are exceedingly dear. Rabbi Elazar ben Shammua recited this verse about Yosef the Babylonian: "O how I love Your Torah; it is my meditation all the day" (Psalms 119:97).



**Explaining the Story** - What is going on in our story? (Explain the sequence of events)

### Comprehension and Analysis Questions

**?** Why does Yosef the Babylonian keep asking Rabbi Elazar ben Shammua the same question: "*My teacher, with regard to one who slaughters the offering with the intention to leave some of its blood for the next day, what is the halakha*"?

**Extra Bonus ?** "...you have returned to me that which I had lost." What did Yosef the Babylonian lose that was so important to him?

**?** Why did the eyes of Rabbi Elazar ben Shammua stream with tears upon hearing Yosef the Babylonian's explanation?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

**Bonus ?** If one of the main purposes of studying Torah is to learn what the final law is, why is it important to teach and to learn about the dissenting opinions?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

Answer 3 \_\_\_\_\_

Please read the following teaching (Babylonian Talmud, Eruvin 13b).

**Rabbi Abba said that Shmuel said: For three years Beit Shammai and Beit Hillel disagreed. These said: The halakha is in accordance with our opinion, and these said: The halakha is in accordance with our opinion.**

Ultimately, **a Divine Voice emerged and proclaimed: Both these and those are the words of the living God. However, the halakha is in accordance with the opinion of Beit Hillel.**

The Gemara asks: **Since both these and those are the words of the living God, why were Beit Hillel privileged to have the halakha**

**established in accordance with their** opinion? The reason is **that they were agreeable and forbearing**, showing restraint when affronted, and when they taught the *halakha* they would **teach** both **their own statements and the statements of Beit Shammai. Moreover**, when they formulated their teachings and cited a dispute, **they prioritized the statements of Beit Shammai to their own statements**, in deference to Beit Shammai.

**?** Why do you think Beit Hillel taught both their own statements and the statements of Beit Shammai?

Answer 1 \_\_\_\_\_

Answer 2 \_\_\_\_\_

Answer 3 \_\_\_\_\_

**Bonus ?** What can our story/stories teach us about civil discourse, healthy societies, community building, and family interaction?

### **“The Twist” – Or the Lessons We Can Learn from These Texts**

**!** Having a difference of opinions is an intrinsic part of every society and group of individuals. The acknowledgment of the existence of different opinions and the freedom to express them is a sign of a healthy society and its inherent strength.



“I disapprove of what you say, but I will defend to the death your right to say it” (Evelyn Beatrice Hall).

While not everybody is expected to defend to the death the right for others to speak their truths, it is reasonable to expect from each of us the acknowledgment that people have different opinions. Healthy societies, good leaders, and strong communities allow for different opinions to be heard, and understand that permanent unanimity is not only a sign of totalitarianism, but also a sign of weakness.