

# CENTER FOR MODERN TORAH LEADERSHIP

Center for Modern Torah Leadership



חרות ואחריות

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"Taking Responsibility for Torah"

## A TALMUD TEST

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**Rashi to Genesis 35:13:** "In the place where He had spoken with him" – I do not know what this teaches us.

"I don't know what this teaches us" – why not simply be silent? I suggest Rashi is taking a stand for his methodology. One might think this unanswerable exception disproves the rule that every word in *Chumash* teaches something, undermining a fundamental basis of Rashi's comments about everything else in Torah. No, Rashi says; I am sure this phrase and every phrase teaches something, even if I can't figure it out what it is. Perhaps you will figure it out.

*Lehavdil*, I had a similar experience this week. I had the privilege of discussing how to teach Talmud with wonderful educators at two NY day schools. One sterling young *mechanekeh* and I later glanced together at a *sugya* he was teaching, and I tried using it to instantiate one of the principles I evangelize for: that students cannot understand a Talmudic passage fully unless they precisely and rigorously understand the logical forms represented by the technical terms in the passage. A few minutes later, I blithely repeated the example to another thoughtful teacher. He pointed out that I had been thinking mechanically; in this case it was not clear that following the form increased rather than decreased understanding, and in my haste to make a point I hadn't taken the time to think through the specifics of the text. This was great *mussar* to me, and a challenge as well. Is this really an exception? If yes, does my principle survive? Perhaps the general principle is correct, but I simply misunderstood the particular form.

I decided to honor these beautiful conversations, and try to follow in Rashi's spirit, by committing to publishing about the specific case without knowing what conclusion I would reach. This happily generated another spirited and thoughtful conversation with Deborah Klapper, who insisted that I try to

model a research path that high school teachers could reasonably use to test hypotheses similar to mine, and that high school students could be taught to use independently. Here is the first part of the *sugya*, as it appears in the *Vienna shas* on *Kiddushin* 30a:

1. *How far must a person go in teaching his son Torah?*
2. *Said Rav Yehudah said Shmuel:*
3. כגון (=As in the case of) Zevulun son of Dan, who was taught by his father's father mikra, Mishnah, and Talmud, halakhot and aggadot.
4. גיתרבי (=An attack question based on a text seen as more authoritative):
5. *If he taught him mikra – he does not teach him Mishnah.*
6. *and Rava said: Mikra – this refers to Torah.*
7. *Like Zevulun son of Dan, and not like Zevulun son of Dan.*
8. *Like Zevulun son of Dan – in that he was taught by his father's father.*
9. *Not like Zevulun ben Dan –*
10. *There it was mikra, mishnah and Talmud, halakot and aggadot*
11. *whereas here it is mikra alone.*

The fundamental structure here seems clear.

1-3: Rav Yehudah, citing Shmuel, uses the case of Zevulun ben Dan to instantiate a principle that answers the opening question. The problem is that Shmuel's case has at least two possibly significant particulars: the grandfather as teacher, and the comprehensive curriculum. The Talmud initially understands Shmuel's case as instantiating the principle that a father must teach his son all the things that Zevulun ben Dan was taught by his grandfather.

4-5: The Talmud attacks Shmuel by claiming that he is contradicted by a *beraita* (a Tannaitic text not found in the

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Mishnah. Tannaitic texts are generally treated as more authoritative than *memrot* of Amoraim, such as Shmuel's statement here).

7-11: The Talmud responds that Shmuel and the *beraita* agree that Zevulun ben Dan's grandfather taught him far more than he was required to. Shmuel was using Zevulun ben Dan only to instantiate the principle that grandfathers, and not just fathers, are obligated to teach children.

You perhaps noticed that this outline completely ignores line 6, Rava's statement. Why does that matter? I was confident that the *vav*/and of "and Rava said" is formally a subordinating conjunction, by which I mean that it makes Rava's statement part of the argument from the *beraita*. If this is correct, we should expect the attack on Shmuel to be valid if and only if we understand the *beraita* in the way that Rava understood it. But this seems not to be the case. The *beraita* clearly says, before any interpretation from Rava, that a father need not teach his son both *mikra* and *mishnah*, whereas we initially understood Shmuel to require both (plus *Talmud*, *halakbot*, and *aggadot*). Rava's comments therefore seem irrelevant to the argument based on the *beraita*. Does this mean I misinterpreted the form, or that forms are less crucial than I had argued?

One way to test a claim that Talmudic literary form A = Talmudic logical form 1 is to look up a number of parallel cases. So I opened the Bar Ilan Responsa Project and asked it to search for the words *וממר* and *מיתבי* in that order, and with no more than a 25 word gap between them. This yielded a total of other 15 cases, of which 11 were irrelevant (for example the *וממר* was said by a character in a *beraita* rather than an Amoraic legal authority). Here's what I found in the 4 parallel cases:

**Eiruv 29a:** Rav Nachman states one can make an *eruv techumin* with a *keav* of *tapuchim*. *מיתבי* introduces a *beraita* that states that for the purpose of distributing the poor tithe, 5 *afarsakim* is considered "giving", **and Gorski bar Dari in the name of Rav Manashe bar Shkovli in the name of Rav said: The same is true regarding eruv.** This attacks Rav Nachman, as our initial assumption is that *tapuchim* and *afarsakim* are alike for the purposes of *eruv*, and that it takes more than 5 *tapuchim* to make a *keav*. In this case, the attack question works only if one accepts the statement introduced by **and X said**; otherwise we would be comparing *eiruv* and *maaser ani* with no basis, which would be like comparing apples and apricots. Score one for my hypothesis.

**Bava Kamma 16a:** The *Mishnah* has a list of animals including the *bardelas*. Rav Yehudah identifies the *bardelas* as the

*nafreza*, and Rav Yosef (or the editor) identifies the *nafreza* with the *afa*. The *מיתבי* introduces a *beraita* in which R. Meir adds the *tzavua* to the Mishnah's list, **and Rav Yosef said: The tzavua is the afa!** This attacks our previous identification of the *bardelas* as the *afa*; in that case R. Meir would merely be repeating an item already on the list. Here, the attack question works only if we accept Rav Yosef's statement that *tzavua* = *afa*. Score two for my hypothesis.

**Meilah 16b:** The Talmud reports that Rabbi Yose bar Rabbi Chaninah was praised by Rav Yochanan for reciting a *beraita* that declares that for both *tum'ab* and eating, less than an olivesize of *sberatzim* is sufficient. The *מיתבי* introduces a *beraita* which declares that for the purposes of *tum'ab* less than an olivesize is sufficient, **and Rav Yochanan said: One only receives lashes for (eating) an olivesize.** This attacks the earlier report that Rav Yochanan praised the *beraita* which did not require an olivesize. Score three for my hypothesis.

**Pesachim 54a:** Someone reports that Rav Yochanan agreed with a statement that one makes the berakhah over flame after Shabbat and after Yom Kippur. The *מיתבי* introduces a *beraita* that declares that one makes this berakhah only after Shabbat, with R. Yehudah commenting that one makes it together with the berakhah over wine rather than on the first flame one sees, **and Rav Yochanan said: The Halakhah follows Rabbi Yehudah.** This attacks the earlier report about Rav Yochanan's position. Score four for my hypothesis. Four out of five isn't bad, but it certainly isn't absolute proof, and of course one might suggest that my interpretations of the four cases suffer from confirmation bias (albeit a bias that seems to be shared by many *rishonim*.)

A second test was to check whether my hypothesis was shared by great classical commentators. A quick check of Bar Ilan's *mefarshim-acharonim* tab showed me that the *Pnei Yeboshua* and *Hamakneh* along with many, many other *acharonim* make yeoman efforts to explain how Rava's comment in our *sugya* is a necessary component of the *מיתבי* attack. However, I admit that I do not find any of their answers satisfying. Therefore, at least for now, I thank my colleagues very much for their stimulating conversation, and can only say, as per Rashi on *Chumash*, that I don't know what Rava teaches us here, but I remain confident in my methodological hypothesis.

I am very open to discussion as to how high school students would react to this admission from a teacher, or to reaching this point themselves. *Shabbat Shalom!*

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