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**Talmudic *Aggadot***

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Shiur #29: The Pious Man and the Goat (Part II)

# Introduction

# In the [previous *shiur*](http://etzion.org.il/en/shiur-28-pious-man-and-goat-part-i), we dealt with the various versions of the story of the pious man and the goat, which appears in the Babylonian Talmud in *Bava Kama,* in the Tosefta (*Bava Kama* 8:13 [ed. Lieberman 39a]), and in the Jerusalem Talmud (*Sota* 9:10, 24a). In the latter two sources, the narrative speaks of a specific *Tanna*, R. Yehuda ben Bava, and the harsh treatment he incurs because “I transgressed against the words of my colleagues” in acquiring and maintain a *beheima daka* (small herd animal), in this case a goat. As we saw in other sources, in the Tannaitic era, violating the words of one’s colleagues was a grievous sin for any sage.

In this *shiur*, we will concentrate on the version in the Babylonian Talmud, in the seventh chapter of Tractate *Bava Kama*.

**The Narrative**

1. The rabbis taught: A pious man was once groaning from his heart,
2. So they consulted the doctors,
3. Who said, “There is no remedy for him except suckling boiling milk every single morning.”
4. A goat was therefore brought to him and fastened to the legs of the bed,
5. And he sucked from it [some manuscripts add: boiling milk] every morning.
6. After some days his colleagues came to visit him,
7. But as soon as they noticed the goat fastened to the legs of the bed, they turned back.
8. They said: “An armed robber is in the house of this man! How can we come in to [see] him?”
9. They thereupon sat down and inquired into his conduct, but they did not find any fault in him except this sin about the goat.
10. He also at the time of his death proclaimed: “I know that no sin can be imputed to me save that of the goat, when I transgressed against the words of my colleagues.” (*Bava Kama* 80a)

The narrative in the Babylonian Talmud is quite similar to that in the Tosefta in terms of the general plot and structure, but some minor and fine discrepancies in its language and literary design set it apart from its parallels originating in the Land of Israel. Some of the linguistic distinctions have no influence on the content of the narrative. However, other differences between the details and design of the Babylonian narrative and its Israeli parallels, though they are subtle, do seem to direct its theme in a slightly different direction:

1. The protagonist in the Babylonian Talmud is an anonymous figure – a pious man (*chasid*), rather than a sage (*chakham*). Moreover, the friends who come to visit are “his colleagues,” presumably other pious men like him, but not sages (or the Sages).
2. The structure in the Babylonian Talmud is split into two. The first part describes the pious man’s illness, the medical consultation, and the acquisition of the animal; the second part describes his friends’ visit and their decision to leave. We do not find here the linguistic parallels that we diagrammed in the Tosefta,[[1]](#footnote-1) their main purpose being to highlight R. Yehuda ben Bava’s choice to follow the doctors’ prescription rather than his colleagues’ proscription. This somewhat diminishes the severity of the indictment in the Babylonian narrative from that in the Tosefta.
3. The circumstances of the story, as described in the first part, further diminish the direct guilt of the pious man for acquiring the animal. There are anonymous actors who follow the doctors’ orders (“A goat was therefore brought to him and fastened to the legs of the bed”); in the Tosefta, on the other hand, it is the protagonist himself who undertakes these actions.
4. The second part of the story is also expressed differently in the Babylonian Talmud than it is in the Tosefta. In the former, the friends of the pious man do not pre-empt their visit. Rather, they come to visit him, but when they see the goat tied to his bed, they recoil.[[2]](#footnote-2) This reaction is drastic but spontaneous – horrified by the “armed robber” (*listim mezuyan*, as opposed to the mere thief of the Land of Israel version, *listim*). This difference in formulation may shift the focus of the narrative from the acquisition and maintenance of a *beheima daka*, which the Sages oppose and forbid, to an act of recoil at the problematic nature of remaining in the presence of such a beast, an unambiguous and continuous symbol of theft and damage.

There is another detail that changes in the Babylonian Talmud: The critical analysis is not a postmortem in the literal sense, but rather an immediate consultation: “They thereupon sat down and inquired into his conduct…” Here as well, the end of the story remains open to a certain extent for the reader. This time, the question remaining is what his friends decide to do; perhaps, seeing as his behavior has been otherwise impeccable, they resolve to go back and visit him.

Moreover, the conclusion of the story changes the order. First we have the immediate judgment of his friends, and only afterwards do we have his self-evaluation “at the time of his death.” This disjunction means that the rest of the story is isolated from the point of his passing – unlike in the Tosefta, wherein his death is juxtaposed to their horror at the presence of the thief in his home. )In the Jerusalem Talmud, his deathbed confession comes immediately after they refuse to enter.) This may also minimize the criticism of the pious man.

In this context, we must also consider the halakhic background in the Babylonian Talmud versus that in the Tosefta. We have seen above that in the Tosefta, even according to the view of Rabban Gamliel, who is relatively lenient, there is a restriction of time in maintaining a *beheima daka*; even the solution of tying it to the legs of the bed is subject to this limitation. Naturally, this means that in the narrative in the Tosefta, the maintenance of the goat cannot be halakhically justified even within the bounds of the lenient position of Rabban Gamliel. In the Babylonian Talmud, there is a different tradition in the name of Rabban Gamliel. The *baraita* cited there contains a dialogue between Rabban Gamliel and his disciples:

Rabban Gamliel was asked by his disciples whether it is permissible to raise [small herd animals].

He said to them: “It is permissible.”

But did we not learn: “It is forbidden to raise”? What they asked him was really this: “What about retaining [it]?”

He said to them: “It is permissible, provided it does not go out and pasture with the herd, but is fastened to the legs of the bed.”

In the Babylonian Talmud, the *gemara* makes no mention of Rabban Gamliel’s placing any time limit on maintaining a *beheima daka*, in opposition to the view of the Sages. This is indeed how Rashi and some other *Rishonim* explain it.[[3]](#footnote-3) It is possible that this fact also contributes to shifting the focus from the problem of violating the words of the “colleagues,” i.e. other sages; unlike in the Tosefta, here the pious man has a view on which to rely, even if it is a lone view.[[4]](#footnote-4)

1. Among the various versions, there is an intriguing minor discrepancy in the narrative’s description of the suckling. In the Tosefta, we are told: “So he went out and got himself a goat and tied it to the leg of his bed, and he would suck, as he would groan.” This indicates that the prescription is as needed – every time he groans, apparently.[[5]](#footnote-5) In the Babylonian Talmud, the prescription is, “There is no remedy for him exceptsuckling boiling milk **every single morning**,” and immediately afterwards we find: “A goat was therefore brought to him and fastened to the legs of the bed, and he sucked from it [boiling milk][[6]](#footnote-6) **every morning**.” This language, particularly the term “every single morning,” which does not exists in the Tosefta or in the Jerusalem Talmud, is almost unique. The only other time it appears in another source in the literature of *Chazal* is one place in the Babylonian Talmud, in a totally different context:

With regard to any animals that are disqualified for the altar, their offspring are permitted for the altar.

R. Elazar says: The offspring of a *tereifa* may not be offered on the altar; but the Sages say it may be offered

R. Chanina ben Antigonus says: A ritually clean animal that nursed from a *tereifa* is disqualified from the altar.

Any dedicated animal that became *tereifa* may not be redeemed, since we may not redeem dedicated [animals] in order to give them to dogs to eat. (Mishna, *Temura* 6:5)

Concerning the view of R. Chanina ben Antigonus, the *gemara* there says:

What is the reason?

Shall we say because it becomes fat from it? If this is so, if he feeds it with vetches set aside for idolatry, is it really forbidden?

[Rather, it is as] R. Chanina of Trita recited in the presence of R. Yochanan: You suppose for instance that it sucked hot milk [from a *tereifa*] every single morning, since it can live for twenty-four hours. (Babylonian Talmud, *Temura* 31a)

The explanation of the *gemara* is that daily suckling from a *tereifa*, so that the kosher animal is fully dependent on the *tereifa* for sustenance,[[7]](#footnote-7) changes the kosher animal into a *tereifa*, making it ineligible for the altar.

The Babylonian Talmud in *Bava Kama* describes the matter of the pious man in a similar way. As opposed to the Tosefta, which indicates that the suckling is as needed, the Babylonian Talmud indicates that this is a daily practice, as the pious man derives all of his sustenance from the goat. This indicates a sort of symbiosis or identification between the *chasid* and the *beheima daka*. To this we must add the spontaneous recoil of the colleagues from the presence of the goat, the “armed robber” in the *chasid*’s home. Indeed, it is no wonder that the goat, notorious for its impressive skills of consumption and destruction, so significant as to constitute theft, becomes a symbol of thievery.[[8]](#footnote-8) Retaining an animal that is the symbol of larceny at home under intimate and mutually dependent conditions between it and the *chasid*, giving the impression of some identity between them,[[9]](#footnote-9) is the problem emphasized in the development of the narrative in the Babylonian Talmud.

**The Significance of the Differences in the Babylonian Version**

As we prefaced above, the difference between the version in the Babylonian Talmud and the sources from the Land of Israel are fine and restrained. However, taken together, they shift the focus, however subtly, from the normative plane of the prohibition of raising small herd animals and defying the authority of the Sages to a problem on the plane of personal ethics.

We should emphasize that even in the Babylonian version, the narrative concludes with this testimony of the *chasid* (line 10): “I know that no sin can be imputed to me save that of the goat, when I transgressed against the words of my colleagues,” similar to the parallels from the Land of Israel. It appears that this sentence, which is almost identical to the narrative in the Tosefta, is a remnant of an earlier version on which the Babylonian version is based, which is similar to this version from the Land of Israel. In any case, even if his claim is true concerning the Babylonian Talmud’s development of the story, which shifts the focus, this development is incomplete.

The harsh treatment reflected in the narrative towards the plane of personal ethics is appropriate for the main character, the *chasid*, which is unique to the Babylonian version. In a story about such a characters and his pious colleagues, we should take into account a number of points that are characteristic of the world of the *chasidim*, as documented in the literature of *Chazal*. The view of the *chasidim* towards theft is extreme and requires maintaining a total and absolute distance, and it makes sense that this extreme view concerning theft would cause harsh recoil from an animal that has become the symbol of this sin. The *chasid*’s constant suckling from such an animal only makes the problem worse.

In addition to the severe relationship of the *chasidim* to theft, their worldview contains a special understanding of the relationship between animals and their owners. In the Babylonian Talmud’s description of a prototypical chasid, R. Pinchas ben Yair, who is on his way to redeem captives, we find both extremes:

R. Pinchas happened to come to a certain inn. They placed barley before his donkey, but it would not eat. It was sifted, but the donkey would not eat it. It was carefully picked; still the donkey would not eat it.

“Perhaps,” suggested R. Pinchas, “it has not been tithed?”

It was at once tithed, and the donkey ate it. He thereupon exclaimed, “This poor creature is about to do the will of the Creator, and you would feed it with untithed produce…”

When Rabbi heard of the arrival of R. Pinechas, he went out to meet him. “Will you please dine with me?” asked Rabbi.

“Certainly,” he answered. Rabbi's face at once brightened with joy…

But when [R. Pinechas] arrived, he happened to enter by a gate near which were some white mules. At this he exclaimed, “The angel of death in the house of this man! How can I come in to dine with him?”

When Rabbi heard of this, he went out to meet him. “I shall sell the mules,” Rabbi said.

R. Pinechas replied, “You must not put a stumbling block before the blind.”

“I shall abandon them.”

“You would be spreading danger.”

“I shall hamstring them.”

“You would be causing suffering to the animals.”

“I shall kill them.”

“There is the prohibition against wanton destruction.” (Babylonian Talmud, *Chullin* 7a-b)

The way R. Pinechas ben Yair reacts to the white mules at Rabbi’s house is quite similar to the recoil exhibited by the *chasid*’s visitors in our story when confronted with the presence of a dangerous animal in his home (though not the same type of beast). The formulation is quite similar: ‘“An armed robber is in the house of this man! How can we come in to [see] him?” “The angel of death in the house of this man! How can I come in to dine with him?” The formulation ties these stories together.

Rabbi then suggest various solutions, but all are dismissed by R. Pinchas ben Yair. It appears that rejecting all the proposals demonstrates that the point that bothers this *chasid* is not only the real potential of damage, but the very fact of Rabbi’s retaining an animal that symbolizes death in his home. This constitutes a moral defect in itself, irrespective of the damage that may actually be caused.[[10]](#footnote-10)

The *sugya* of R. Pinechas ben Yair, juxtaposing the story of the white mules to that of the donkey, is an elucidation of the recoil of the *chasid*: The connection between a person and an animal in that person’s home is seen not as an external or instrumental one, but rather as a meaningful, even personal, bond, with moral and theological implications.

The Tosefta and the Jerusalem Talmud contain a line that is similar in its content but differs in its syntax:

One time the Sages wanted to enter to visit him, but they said, "How is it possible to come to him when he hosts thieves in his home?"

In the Jerusalem Talmud’s parallel to the story of R. Pinchas ben Yair and Rabbi,[[11]](#footnote-11) there is a similar distinction, as the *chasid*’s disapproval of Rabbi’s animals has to do with their great expense. The ostentation of maintaining them is regarded as indefensible in light of the economic inequalities of the era. While Rabbi seeks to annul the *shemitta* because of the problems it poses for the indigent, he allows himself the luxury of keeping these exotic animals at his estate. This is opposed to the Babylonian Talmud’s version, in which R. Pinchas ben Yair disapproves of the very idea of retaining dangerous or lethal animals in one’s home.

An additional common principle among the *chasidim* is absolute allegiance to God, which dictates selflessness in various situations when the alternative is impinging on a value that is important to *chasidim*, such as prayer or Shabbat. This principle is important as background for our narrative, in which there is an expectation that a pious man will not keep in his house a symbol of larceny, even if this may endanger his health.

We may summarize by noting that the relationship of the Babylonian Talmud’s narrative to the *chasid*, with the linguistic and literary design differing from the Land of Israel sources, alters the focus of the narrative. The core of the Babylonian version is the outlook of the *chasidim*, viewing a *beheima daka* as a negative symbol even if the actual agricultural damage that it is likely to cause is not significant.

The phenomenon of a pious man who receives all his sustenance from such a creature has an even more negative connotation, even if there are formal halakhic circumstances that justify leniency, and even if the responsibility of the *chasid* himself for bringing the animal into his home is diminished.[[12]](#footnote-12) Since these discrepancies which make the version of the Babylonian Talmud unique are subtle, it is difficult to base this thematic deviation on them alone. However, in the next *shiur*, we will see that the shift in narrative focus is supported by the broader context of the story in the Babylonian Talmud as well.

Translated by Yoseif Bloch

1. As we saw in the previous *shiur*, there are certain keywords that appear in both halves: “one time,” “to enter,” et al. In the Babylonian Talmud, the language is different, so that the remarkable parallelism of the Tosefta’s version is lost. [↑](#footnote-ref-1)
2. It is interesting to consider how the formulation in the Babylonian Talmud measures up to *Pesiketa De-Rav Kahana* (5, *Ha-chodesh*, ed. Mandelbaum, p. 106): “This teaches us that they would tie [the sheep or goat] to the legs of their beds, and the Egyptians would enter and see [the animals] and [the Egyptians’] souls would leave their bodies.” The idea of tying the animal for the Pesach offering (by definition, a *beheima daka*) to the legs of the bed would seem to be taken either from the Tosefta or from the Jerusalem Talmud, an anachronistic observance of the prohibition of keeping a small herd animal on one’s property, even preceding a pilgrimage festival, unless the beast is tied to the bed. The drastic, spontaneous reaction of the Egyptians has a different motivation and a different consequence than in our tale, but it still does recall something of the Babylonian Talmud’s description of how the pious man’s friends recoil. Still, the final line of the story, in which the pious man confesses to his wrongdoing, remains “at the time of his death.” This indicates that the Babylonian Talmud draws on a source similar to that of the Tosefta, but the former’s redactors reworked the sentence to convey the message that they sought to impart, downplaying the guilt of the *chasid*. [↑](#footnote-ref-2)
3. Rashi (ad loc. s.v. *Ela*) and Rashba (s.v. *Amar*) explain the position of Rabban Gamliel in this way, while Tosafot (ad loc. s.v. *Mahu*) disagree, and they bring Rabban Gamliel’s view in line with that of the Sages. It seems that the simple reading follows Rashi and Rashba, and it therefore appears that there is a gap between the tradition in the Babylonian Talmud and that in the Tosefta. [↑](#footnote-ref-3)
4. Even according to the lone view of Rabban Gamliel, it is possible that there exists a problem of violating the words of one’s colleagues, and this indeed is how Lieberman explains the matter, but such a transgression is not quite as explicit as transgressing a unanimous ruling. Moreover, it is worth noting that the narrative in the Babylonian Talmud ends with the pious man’s confession to violating the words of his colleagues, and it is unclear whether this is only the remnant of an original narrative that was not fully reworked by the Babylonian Talmud (as critics have noted sometimes happens when the Babylonian Talmud adapts traditions from the Land of Israel) or if we are talking in this case about accepting the view of Rabban Gamliel in opposition to the view of the majority. Nevertheless, even if in the background there is a certain problem of violating the words of one’s colleagues, we may explain that this is not the main problematic focus in the narrative as the Babylonian Talmud develops it, but only a secondary issue. [↑](#footnote-ref-4)
5. This is indeed how this expression appears in the Jerusalem Talmud, as a description of time: “whenever he would groan.” This appears to indicate that the expression in the Tosefta, “as he would groan,” describes when he would consume boiling milk, not why. The original version, “as he would groan,” is appended to the prescription in the Jerusalem Talmud, apparently because the expression exists in the Tosefta describing the treatment. [↑](#footnote-ref-5)
6. This is what appears in the most reliable manuscripts of the *gemara*; see our previous *shiur*. [↑](#footnote-ref-6)
7. Cf. Rashi ad loc. s.v. *Ho’il*. [↑](#footnote-ref-7)
8. Prof. Ya’akov Elman enlightened me by pointing out that the Babylonian *Amoraim* exhibit an antagonistic relationship towards dangerous animals, almost as if the beasts were demonic in nature, as we see, for example, in the Babylonian Talmud, *Shabbat* 12a. Although a *beheima daka* is not quite as dangerous and it does provide some benefit, it may be that the spirit of the words in the Babylonian Talmud is influenced by this relationship to them as nigh-demonic, in the current context of charactering a *beheima daka* as an “armed robber.” [↑](#footnote-ref-8)
9. Compare this to a similar idea in the Jerusalem Talmud (*Sanhedrin* 1:2, 19b) concerning the term *listim*: General Quintus challenges Rabban Yochanan ben Zakkai concerning the verse, “The bull is to be stoned and its owner also is to be put to death” (*Shemot* 21:29). Rabban Yochanan replies: “Whoever partners with *listim* has the status of *listim*.” Although his disciples then challenge him to provide a sincere answer, implying that his words to Quintus are a mere deflection, there is still a certain truth expressed in this idea that whoever retains an animal known to pose a danger to others is not unlike that animal. A simple reading of the verse ties them to each other in terms of the penalty (although the following verse states that a ransom may be paid to spare the owner’s life), and ultimately this may allude to a profound reality on the moral plane. It is possible that this truth is relevant to the narrative of the pious man as well. Nevertheless, there are significant distinctions between these two cases, as the animal in *Sanhedrin* has already killed a human being, while the *beheima daka* in our case is only a potential hazard. [↑](#footnote-ref-9)
10. Like his grandfather Rabban Gamliel, Rabbi served as President of the Sanhedrin, but R. Pinchas refuses to accept his leniency. This recalls Rabban Gamliel’s allowance for retaining a *beheima daka* at home under certain conditions. However, unlike the relationship between R. Pinchas ben Yair and Rabbi, which is described as tense in other places as well (see e.g. the Jerusalem Talmud’s parallel to the narrative in *Chullin* in the next footnote), I have not found explicit documentation in the literature of *Chazal* for any tensions between those who would identify as *chasidim* and Rabban Gamliel. [↑](#footnote-ref-10)
11. Jerusalem Talmud, *Demai* 1:3, 22a; *Ta’anit* 3:1, 66c. [↑](#footnote-ref-11)
12. There is another source, parallel to the end of our *sugya*, that testifies to the problem of retaining a *beheima daka* without relating to the issue of theft (*Avot De-Rabbi Natan,* Version B, ch. 39, ed. Schechter, p. 107): “In ten aspects, Jerusalem is superior to any other place… Chickens may not be raised in it, **needless to say, small herd animals**.” [↑](#footnote-ref-12)