

DOWNLOAD PDF THE SECOND COMMONWEALTH: THE MISHNA AND THE TALMUD

Chapter 1 : Jewish Literacy, Revised Edition, by Rabbi Joseph Telushkin - The Jewish Eye

The Mishna and the rabbinic discussions (known as the Gemara) comprise the Talmud, although in Jewish life the terms Gemara and Talmud usually are used interchangeably.

Common sense suggests that some sort of oral tradition was always needed to accompany the Written Law, because the Torah alone, even with its commandments, is an insufficient guide to Jewish life. For example, the fourth of the Ten Commandments, ordains, "Remember the Sabbath day to make it holy" Exodus Would merely refraining from these few activities fulfill the biblical command to make the Sabbath holy? Indeed, the Sabbath rituals that are most commonly associated with holiness—lighting of candles, reciting the kiddush, and the reading of the weekly Torah portion—are found not in the Torah, but in the Oral Law. And you shall teach them diligently to your children, and you shall talk of them when you sit in your house, when you walk on the road, when you lie down and when you rise up. And you shall bind them for a sign upon your hand, and they shall be for frontlets between your eyes. Only in the Oral Law do we learn that what a Jewish male should bind upon his hand and between his eyes are tefillin phylacteries. Finally, an Oral Law was needed to mitigate certain categorical Torah laws that would have caused grave problems if carried out literally. The Written Law, for example, demands an "eye for an eye" Exodus Did this imply that if one person accidentally blinded another, he should be blinded in return? But the Oral Law explains that the verse must be understood as requiring monetary compensation: Well over a million Jews were killed in the two ill-fated uprisings, and the leading yeshivot, along with thousands of their rabbinical scholars and students, were devastated. Teaching the law orally, the rabbis knew, compelled students to maintain close relationships with teachers, and they considered teachers, not books, to be the best conveyors of the Jewish tradition. But with the deaths of so many teachers in the failed revolts, Rabbi Judah apparently feared that the Oral Law would be forgotten unless it were written down. In the Mishna, the name for the sixty-three tractates in which Rabbi Judah set down the Oral Law, Jewish law is systematically codified, unlike in the Torah. For example, if a person wanted to find every law in the Torah about the Sabbath, he would have to locate scattered references in Exodus, Leviticus, and Numbers. Indeed, in order to know everything the Torah said on a given subject, one either had to read through all of it or know its contents by heart. Rabbi Judah avoided this problem by arranging the Mishna topically. All laws pertaining to the Sabbath were put into one tractate called Shabbat Hebrew for "Sabbath". It records laws concerning different blessings and when they are to be recited. Another order, called Nezikin Damages, contains ten tractates summarizing Jewish civil and criminal law. Another order, Nashim Women, deals with issues between the sexes, including both laws of marriage, Kiddushin, and of divorce, Gittin. A fifth order, Kodashim, outlines the laws of sacrifices and ritual slaughter. The sixth order, Taharot, contains the laws of purity and impurity. Although parts of the Mishna read as dry legal recitations, Rabbi Judah frequently enlivened the text by presenting minority views, which it was also hoped might serve to guide scholars in later generations. Mishna Eduyot 1: In one famous instance, the legal code turned almost poetic, as Rabbi Judah cited the lengthy warning the rabbinic judges delivered to witnesses testifying in capital cases: In case you may want to offer testimony that is only conjecture or hearsay or secondhand evidence, even from a person you consider trustworthy; or in the event you do not know that we shall test you by cross-examination and inquiry, then know that capital cases are not like monetary cases. For thus we find in the case of Cain, who killed his brother, that it is written: Therefore was the first man, Adam, created alone, to teach us that whoever destroys a single life, the Bible considers it as if he destroyed an entire world. And whoever saves a single life, the Bible considers it as if he saved an entire world. Also, man [was created singly] to show the greatness of the Holy One, Blessed be He, for if a man strikes many coins from one mold, they all resemble one another, but the King of Kings, the Holy One, Blessed be He, made each man in the image of Adam, and yet not one of them resembles his fellow. One commentary notes, "How grave the responsibility, therefore, of corrupting myself by giving false evidence, and thus bringing [upon myself the moral guilt of [murdering] a

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whole world. The rabbis of Palestine edited their discussions of the Mishna about the year 200. More than a century later, some of the leading Babylonian rabbis compiled another editing of the discussions on the Mishna. By then, these deliberations had been going on some three hundred years. The Babylon edition was far more extensive than its Palestinian counterpart, so that the Babylonian Talmud Talmud Bavli became the most authoritative compilation of the Oral Law. When people speak of studying "the Talmud," they almost invariably mean the Bavli rather than the Yerushalmi. A law from the Mishna is cited, which is followed by rabbinic deliberations on its meaning. The Mishna and the rabbinic discussions known as the Gemara comprise the Talmud, although in Jewish life the terms Gemara and Talmud usually are used interchangeably. In addition to extensive legal discussions in Hebrew, halakha, the rabbis incorporated into the Talmud guidance on ethical matters, medical advice, historical information, and folklore, which together are known as aggadata. For example, Mishna Bava Mezia 7: The case in question is where the employer gave them a higher wage than was normal. Yet throughout Jewish history, study of the Mishna and Talmud was hardly restricted to an intellectual elite. That the men who chopped wood in Berditchev, an arduous job that required no literacy, met regularly to study Jewish law demonstrates the ongoing pervasiveness of study of the Oral Law in the Jewish community. William Morrow and Co. Reprinted by permission of the author.

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Chapter 2 : Talmud and Midrash | Judaism | calendrierdelascience.com

Published at the end of the second century CE, the Mishnah is an edited record of the complex body of material known as oral Torah that was transmitted in the aftermath of the destruction of the Second Temple in 70 CE.

Structure[edit] The term "Mishnah" originally referred to a method of teaching by presenting topics in a systematic order, as contrasted with Midrash , which followed the order of the Bible. As a written compilation, the order of the Mishnah is by subject matter and includes a much broader selection of halakhic subjects, and discusses individual subjects more thoroughly, than the Midrash. Each masechet is divided into chapters peraqim, singular pereq and then paragraphs mishnayot, singular mishnah. In this last context, the word mishnah means a single paragraph of the work, i. The six orders are: Zeraim "Seeds" , dealing with prayer and blessings, tithes and agricultural laws 11 tractates Moed "Festival" , pertaining to the laws of the Sabbath and the Festivals 12 tractates Nashim "Women" , concerning marriage and divorce, some forms of oaths and the laws of the nazirite 7 tractates Nezikin "Damages" , dealing with civil and criminal law, the functioning of the courts and oaths 10 tractates Kodashim "Holy things" , regarding sacrificial rites, the Temple , and the dietary laws 11 tractates and Tohorot "Purities" , pertaining to the laws of purity and impurity, including the impurity of the dead, the laws of food purity and bodily purity 12 tractates. In each order with the exception of Zeraim , tractates are arranged from biggest in number of chapters to smallest. Hillel the Elder organized them into six orders to make it easier to remember. The historical accuracy of this tradition is disputed. It is not known whether this is a reference to the Mishnah, but there is a case for saying that the Mishnah does consist of 60 tractates. The current total is 63, but Makkot was originally part of Sanhedrin , and Bava Kamma , Bava Metzia and Bava Batra may be regarded as subdivisions of a single tractate Nezikin. Reuvein Margolies *op*posed that there were originally seven orders of Mishnah, citing a Gaonic tradition on the existence of a seventh order containing the laws of Sta"m scribal practice and Berachot blessings. These include the laws of tzitzit , tefillin phylacteries , mezuzot , the holiday of Hanukkah , and the laws of conversion to Judaism. These were later discussed in the minor tractates. Margolies suggests that as the Mishnah was redacted after the Bar Kokhba revolt , Judah could not have included discussion of Hanukkah, which commemorates the Jewish revolt against the Seleucid Empire the Romans would not have tolerated this overt nationalism. Similarly, there were then several decrees in place aimed at suppressing outward signs of national identity, including decrees against wearing tefillin and tzitzit; as conversion to Judaism was against Roman law, Judah would not have discussed this. Mishnah, Gemara, and Talmud[edit] Rabbinic commentaries on the Mishnah from the next four centuries, done in the Land of Israel and in Babylonia , were eventually redacted and compiled as well. In themselves they are known as Gemara. The books which set out the Mishnah in its original structure, together with the associated Gemara, are known as Talmuds. Unlike the Hebrew Mishnah, the Gemara is written primarily in Aramaic. Content and purpose[edit] The Mishnah teaches the oral traditions by example, presenting actual cases being brought to judgment, usually along with the debate on the matter and the judgment that was given by a notable rabbi based on halakha , mitzvot , and spirit of the teaching "Torah" that guided his decision. In this way, it brings to everyday reality the practice of the mitzvot as presented in the Torah, and aims to cover all aspects of human living, serve as an example for future judgments, and, most important, demonstrate pragmatic exercise of the Biblical laws, which was much needed since the time when the Second Temple was destroyed 70 CE. The Mishnah does not claim to be the development of new laws, but rather the collection of existing traditions. It is thus named for being both the one written authority codex secondary only to the Tanakh as a basis for the passing of judgment, a source and a tool for creating laws, and the first of many books to complement the Tanakh in certain aspects. Oral Torah Before the publication of the Mishnah, Jewish scholarship and judgement were predominantly oral, as according to the Talmud, it was not permitted to write them down. The oral traditions were far from monolithic, and varied among various schools, the most famous of which were the House of Shammai and the

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House of Hillel. The Rabbis were faced with the new reality of Judaism without a Temple to serve as the center of teaching and study and Judea without autonomy. It is during this period that Rabbinic discourse began to be recorded in writing. According to the Mevo Hatalmud[citation needed] many rulings were given in a specific context, but would be taken out of it; or a ruling was revisited but the second ruling would not become popularly known. To correct this, Judah the Prince took up the redaction of the Mishnah. If a point was of no conflict, he kept its language; where there was conflict, he reordered the opinions and ruled; and he clarified where context was not given. The idea was not to use his own discretion, but rather to examine the tradition as far back as he could, and only supplement as required. The accumulated traditions of the Oral Law, expounded by scholars in each generation from Moses onward, is considered as the necessary basis for the interpretation, and often for the reading, of the Written Law. Jews sometimes refer to this as the Masorah Hebrew: The resulting Jewish law and custom is called halakha. While most discussions in the Mishnah concern the correct way to carry out laws recorded in the Torah, it usually presents its conclusions without explicitly linking them to any scriptural passage, though scriptural quotations do occur. For this reason it is arranged in order of topics rather than in the form of a Biblical commentary. In a very few cases, there is no scriptural source at all and the law is described as Halakha leMoshe miSinai, "law to Moses from Sinai". The Midrash halakha , by contrast, while presenting similar laws, does so in the form of a Biblical commentary and explicitly links its conclusions to details in the Biblical text. These Midrashim often predate the Mishnah. The Mishnah also quotes the Torah for principles not associated with law , but just as practical advice, even at times for humor or as guidance for understanding historical debates. Rejection[edit] Some Jews did not accept the codification of the oral law at all. Karaite Judaism , for example, recognised only the Tanakh as authoritative in Halakha Jewish religious law and theology. It vehemently rejected the codification of the Oral Torah in the Mishnah and Talmud and subsequent works of mainstream Rabbinic Judaism which maintained that the Talmud was an authoritative interpretations of the Torah. Karaites maintained that all of the divine commandments handed down to Moses by God were recorded in the written Torah without additional Oral Law or explanation. As a result, Karaite Jews did not accept as binding the written collections of the oral tradition in the Midrash or Talmud. The Karaites comprised a significant portion of the world Jewish population in the 10th and 11th centuries CE, and remain extant, although they currently number in the thousands. Tannaim The rabbis who contributed to the Mishnah are known as the Tannaim, [12] [13] of whom approximately are known. The period during which the Mishnah was assembled spanned about years, or five generations, in the first and second centuries CE. Judah the Prince is credited with the final redaction and publication of the Mishnah, [14] although there have been a few additions since his time: One must also note that in addition to redacting the Mishnah, Judah the Prince and his court also ruled on which opinions should be followed, though the rulings do not always appear in the text. Most of the Mishnah is related without attribution *stam*. This usually indicates that many sages taught so, or that Judah the Prince ruled so. The halakhic ruling usually follows that view. Sometimes, however, it appears to be the opinion of a single sage, and the view of the sages collectively Hebrew: As Judah the Prince went through the tractates, the Mishnah was set forth, but throughout his life some parts were updated as new information came to light. Because of the proliferation of earlier versions, it was deemed too hard to retract anything already released, and therefore a second version of certain laws were released. The Talmud records a tradition that unattributed statements of the law represent the views of Rabbi Meir Sanhedrin 86a , which supports the theory recorded by Sherira Gaon in his famous *Iggeret* that he was the author of an earlier collection. There are also references to the "Mishnah of Rabbi Akiva ", suggesting a still earlier collection; [16] on the other hand, these references may simply mean his teachings in general. Another possibility is that Rabbi Akiva and Rabbi Meir established the divisions and order of subjects in the Mishnah, making them the authors of a school curriculum rather than of a book. Authorities are divided on whether Rabbi Judah the Prince recorded the Mishnah in writing or established it as an oral text for memorisation. The most important early account of its composition, the *Iggeret Rav Sherira Gaon* Epistle of Rabbi Sherira Gaon is ambiguous on the point, although the Spanish

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recension leans to the theory that the Mishnah was written. However, the Talmud records that, in every study session, there was a person called the tanna appointed to recite the Mishnah passage under discussion. This may indicate that, even if the Mishnah was reduced to writing, it was not available on general distribution. This section does not cite any sources. Please help improve this section by adding citations to reliable sources. Unsourced material may be challenged and removed. February Textual variants[edit] Very roughly, there are two traditions of Mishnah text. One is found in manuscripts and printed editions of the Mishnah on its own, or as part of the Jerusalem Talmud. The other is found in manuscripts and editions of the Babylonian Talmud ; though there is sometimes a difference between the text of a whole paragraph printed at the beginning of a discussion which may be edited to conform with the text of the Mishnah-only editions and the line-by-line citations in the course of the discussion. Robert Brody, in his *Mishnah and Tosefta Studies* Jerusalem , warns against over-simplifying the picture by assuming that the Mishnah-only tradition is always the more authentic, or that it represents a "Palestinian" as against a "Babylonian" tradition. Manuscripts from the Cairo Geniza , or citations in other works, may support either type of reading or other readings altogether. Printed editions[edit] The first printed edition of the Mishnah was published in Naples. There have been many subsequent editions, including the late 19th century Vilna edition, which is the basis of the editions now used by the religious public. Vocalized editions were published in Italy, culminating in the edition of David ben Solomon Altaras , publ. The Altaras edition was republished in Mantua in , in Pisa in and and in Livorno in many editions from until These editions show some textual variants by bracketing doubtful words and passages, though they do not attempt detailed textual criticism. The Livorno editions are the basis of the Sephardic tradition for recitation. As well as being printed on its own, the Mishnah is included in all editions of the Babylonian and Jerusalem Talmuds. Each paragraph is printed on its own, and followed by the relevant Gemara discussion. However, that discussion itself often cites the Mishnah line by line. While the text printed in paragraph form has generally been standardized to follow the Vilna edition, the text cited line by line in the Gemara often preserves important variants, which sometimes reflect the readings of older manuscripts. The nearest approach to a critical edition is that of Hanoch Albeck. Oral traditions and pronunciation[edit] A traditional setting of the last passage of the first tractate, Berakhot , which describes how scholars of the Talmud create peace in the world. Problems playing this file? The Mishnah was and still is traditionally studied through recitation out loud. Jewish communities around the world preserved local melodies for chanting the Mishnah, and distinctive ways of pronouncing its words. Many medieval manuscripts of the Mishnah are vowelized, and some of these, especially some fragments found in the Genizah , are partially annotated with Tiberian cantillation marks. Otherwise, there is often a customary intonation used in the study of Mishnah or Talmud, somewhat similar to an Arabic mawwal , but this is not reduced to a precise system like that for the Biblical books. In some traditions this intonation is the same as or similar to that used for the Passover Haggadah. Recordings have been made for Israeli national archives, and Frank Alvarez-Pereyre has published a book-length study of the Syrian tradition of Mishnah reading on the basis of these recordings. Most vowelized editions of the Mishnah today reflect standard Ashkenazic vowelization, and often contain mistakes. The Albeck edition of the Mishnah was vowelized by Hanokh Yalon, who made careful eclectic use of both medieval manuscripts and current oral traditions of pronunciation from Jewish communities all over the world. The Albeck edition includes an introduction by Yalon detailing his eclectic method. Two institutes at the Hebrew University in Jerusalem have collected major oral archives which hold among other things extensive recordings of Jews chanting the Mishnah using a variety of melodies and many different kinds of pronunciation. See below for external links. The reason that the Talmud is not usually viewed as a commentary on the Mishnah, is because it also has many other goals, and can get involved in long tangential discussions. However, the main purpose of the Talmud is as a commentary on the Mishnah. In , Maimonides Rambam published a comprehensive commentary on the Mishnah.

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Chapter 3 : The Talmud: Selections: Introduction

"The Mishna is the authorized codification of the oral or unwritten law, which on the basis of the written law contained in Pentateuch, developed during the second Temple, and down to the end of the second century of the common era."

This generation extended from the death of R. Akiba to the death of the patriarch R. Almost all leading teachers of this generation belong to the latter disciples of R. Jehuda ben Ilai ; 3 R. Jose ben Chalafta ; 4 R. Jochai ; 5 R. Shamua ; 6 R. Jochanan the Sandelar; 7 R. Strack counts all of them in the third generation, and adds, 11 Elazar b. Beroka; 13 Abba Schaul; 14 Chananiah b. Akiba; 15 Chananiah b. Akashya; 16 Jose b. Akabyah; 17 Issi b. Jehuda; 18 Nehuraye; 19 Abba Jos b. Characteristics and Biographical Sketches. Meir, the most prominent among the numerous disciples of R. Akiba, was a native of Asia Minor and gained a subsistence as a skilful copyist of sacred Scripture. At first, he entered the academy of R. Akiba, but finding himself not sufficiently prepared to grasp the lectures of this great teacher, he attended, for some time, the school of R. Ishmael, where he acquired an extensive knowledge of the law. Returning then to R. Akiba and becoming his constant and favored disciple, he developed great dialectical powers. Akiba soon recognized his worth and preferred him to other disciples by ordaining him at an early date. This ordination was later renewed by R. On account of the Hadrianic persecutions, R. Meir had to flee from Judea, but after the repeal of those edicts, he returned and joined his colleagues in reestablishing the Sanhedrin in the city of Usha, in Galilee. His academy was in Emmaus, near Tiberias, and for a time also in Ardiscus, near Damascus, where a large circle of disciples gathered around him. Under the patriarch R. A conflict which arose between him and the patriarch seems to have induced him to leave Palestine and return to his native country, Asia Minor, where he died. His greatest merit was that he continued the labors of R. Akiba in arranging the rich material of the oral law according to subjects, and in this way prepared the great Mishna compilation of R. Besides being one of the most distinguished teachers of the law, he was also a very popular lecturer Hagadist , who used to illustrate his lectures by interesting fables and parables. The pious resignation which he and his noble wife exhibited at the sudden death of their two promising sons has been immortalized by a popular legend in the Midrash. Ilai is generally called in the Mishna simply R. After having received instruction in the law from his father, who had been a disciple of R. Hyrkanos, he attended the lectures of R. Tarphon, and became then one of the distinguished disciples of R. On account of his great eloquence he is called, "The first among the speakers. He gained a modest subsistence by a mechanical trade, in accordance with his favored maxims: Akiba were ordained by R. Baba contrary to the Hadrianic edict, he had to flee. After three years he returned with his colleagues to Usha and became one of the prominent members of the resuscitated Sanhedrin. Simon ben Gamaliel honored him greatly, and appointed him as one of his advisers. As expounder of the law he was a great authority, and is very often quoted in all parts of the Mishna and Boraitha. His legal opinions generally prevail, when differing from those of his colleagues R. To him is also ascribed the authorship of the essential part of the Siphra. The Hagada of the Talmud records many of his beautiful sayings, which characterize him not only as a noble-hearted teacher, but also as a sound and clear-headed interpreter of Scriptures. He, for instance, denied the literal meaning of the resurrection of the dead bones spoken of in Ezekiel, ch. Jehuda had two learned sons who flourished as teachers in the following generation. Chalafta, in the Mishna called simply R. Jose, was from Sepphoris, where already his learned father had established a school. Though by trade a tanner, he became one of the most distinguished teachers of his time. He was a disciple of R. Akiba and of R. Like his colleagues he was ordained by R. For having kept silent when in his presence R. Simon made a slighting remark against the Roman government, he was banished to Asia Minor. When permitted to return, he settled in his native city, Sepphoris, where he died at an advanced age. Besides being a great authority in the law, whose opinions prevail against those of his colleagues R. Simon, he was an historian to whom the authorship of the chronological book Seder Olam is ascribed. Jochai from Galilee, in the Mishna called simply R. Simon, was likewise one of the most distinguished disciples of R. Akiba, whose lectures he attended during

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thirteen years. He shared the fate of his colleagues in being compelled to flee after ordination. Afterwards, he joined them at the new seat of the Sanhedrin in Usha. On a certain occasion he gave vent to his bitter feeling against the Romans, which was reported to the Roman governor, who condemned him to death. He, however, escaped this fate by concealing himself in a cave, where he is said to have remained for several years, together with his son, engaged in the study of the law, and subsisting on the fruit of the carob-trees which abounded there in the neighborhood. In the meantime political affairs had taken a favorable turn, so that he had no longer to fear any persecution; he left his hiding place and reopened his academy at Tekoa, in Galilee, where a circle of disciples gathered around him. He survived all his colleagues, and in his old age was delegated to Rome, where he succeeded in obtaining from the emperor Marcus Aurelius the repeal of some edicts against the Jewish religion. In the interpretation of the law, R. Simon departed from the method of his teacher R. Akiba, as he inclined to the view of R. Ishmael that "the Torah speaks the common language of man," and consequently regarded logical reasoning as the proper starting point for legal deductions, instead of pleonastic words, syllables and letters. In regard to treating and arranging the oral law, however, he followed the method of R. Akiba in subsuming various provisions under guiding rules and principles. Simon is regarded as the author of the Siphre, though that work in its present shape shows many additions by the hands of later authorities. Shamua, in the Mishna simply R. Elazar, was among those of R. He does not, however, appear to have joined his colleagues when they gathered again at Usha. He is regarded as a great authority in the law. The place of his academy is not known, but it is stated that his school was always over-crowded by disciples eager to hear his learned lectures. Among his disciples was also the later patriarch R. On a journey, he visited his former colleague R. Meir at Ardiscos, in Asia Minor, and with him had discussions on important questions of the law, which are recorded in the Mishna and Boraitha. Jochanan the Sandelar had this surname probably from his trade in sandals. Born in Alexandria in Egypt, he came to Palestine to attend the lectures of R. Akiba, and was so faithful a disciple that he visited this teacher even in prison, in order to receive instruction from him. His legal opinions are occasionally recorded in the Mishna as well as in the Tosephta and Boraitha. Elazar or Eliezer b. Jacob was a disciple of R. Akiba and later a member of the Sanhedrin in Usha. This teacher must not be confounded with a former teacher by that name who flourished in the second generation. Nechemia belonged to the last disciples of R. Akiba and was an authority especially in the sacrificial law, and in laws concerning levitical purification. His controversies are mostly with R. He is said to have compiled a Mishna collection which was embodied in the Tosephta. Korcha is supposed by some to have been a son of R. The Talmud also speaks of him as the one to whom miracles occurred frequently. Gamaliel was the son and successor of the patriarch Gamaliel II, of Jabne. In his youth, he witnessed the fall of Bethar, and escaped the threatened arrest by flight. After the death of the emperor Hadrian, he returned to Jabne where he, in connection with some teachers, reopened an academy, and assumed the hereditary dignity of a patriarch.

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Chapter 4 : Michael L. Rodkinson: The History of the Talmud - 6

The Mishnah was redacted by Judah the Prince at the beginning of the third century CE in a time when, according to the Talmud, the persecution of the Jews and the passage of time raised the possibility that the details of the oral traditions of the Pharisees from the Second Temple period (BCE - 70 CE) would be forgotten.

THE "Talmud" is a collection of early Biblical discussions, with the comments of generations of teachers who devoted their lives to the study of the Scriptures. It is more, however, than a mere book of laws. It records the thoughts, rather than the events, of a thousand years of the national life of the Jewish people; all their oral traditions, carefully gathered and preserved with a love devout in its trust and simplicity. Accepted as a standard study, it became endeared to the people, who, as they were forbidden to add to or diminish from the law of Moses, would not suffer this work of their Rabbis to be tampered with in any manner. As it was originally compiled it has been transmitted to us. It is a literary wilderness. At the first view, everything style, method, and language, seems tangled and confused. The student, however, will soon observe two motives or currents in the work; at times harmonious, at times diverse. One displaying the logical mind, which compares, investigates, develops, and instructs; the other, imaginative and poetical. The first is called "Halachah" Rule, and finds a vast field in the Levitical and ceremonial laws; the other p. It is called "Hagadah," or Legend, not so much in our present acceptance of the term, as in the wider sense of a saying without positive authority, an allegory, a parable, a tale. The Talmud is divided into two parts, Mishna and Gemarah. They are the continued works of successive Rabbis, chiefs or principals of the colleges in which they devoted their lives to study. Most of the redactors of the Mishna were dead, however, long before the Gemarah was commenced. The time consumed in the completion of the entire Talmud is stated to have been three hundred and eleven years. In its present form it consists of twelve folio volumes, containing the precepts of the Pentateuch with extended commentaries upon them; amplified Biblical incidents; occurrences affecting the religious life of those who prepared it; philosophical treatises; stories, traditions, and parables. It was called the oral or unwritten law, in contradistinction to the Pentateuch, which remained under all circumstances, the immutable code, the divinely given constitution, the written law. The guardianship of the laws and traditions was vested in the chiefs of the colleges, known as "Scribes," "Men of the Great Synod," "Princes and Fathers of the House of Judgment. Nothing was allowed to seriously interrupt their duties. Palestine was ruled by various dynasties; the masters were martyred; the academies were destroyed; to study the law was made a crime against the state; yet the chain of living tradition remained intact. The dying masters appointed their successors, and for one academy destroyed, three new ones sprang up in another quarter. To be eligible to the position, they were required to be men of well-balanced mind, neither too young nor too old, that their judgment might be neither hasty nor enfeebled. They were required to be thorough linguists, to be masters of the sciences of mathematics, botany, and natural history, and familiar with the arts as well as the sciences. The highest rank in the estimation of the people belonged to these Chachamim, wise men. Many of them were humble tradesmen, yet they were considered greater than priest or noble. Idleness was particularly abhorred by them, and piety and learning were considered deserving of their full meed of homage only when joined to active, bodily work, Among the common sayings of the time, we find these: Three different attempts were made to reduce them into system and order. The third alone was successful. During the last forty years of the life of Moses, the Lord gave to him six hundred and thirteen precepts, including the Decalogue, with full explanation of their meaning and intent, p. The manner in which Moses imparted these precepts to the chosen race is thus recorded in the treatise Erubim. First, he called his brother Aaron into his tent and spoke to him alone, all the words which God had commanded; the sons of Aaron were then admitted and the same words repeated to them; the seventy elders of the people were then called before Moses, and from his lips received the commandments and ordinances of their God, and then any of the people who so desired were allowed to enter the tent, and to them Moses spoke again the same words. Thus Aaron heard these precepts four times, his sons thrice, the elders

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twice, and the people once, from the lips of Moses. After this first course of instruction, the prophet retired and Aaron repeated the precepts; then his sons spoke the words which they had heard; the elders reiterated them, and thus were the commands delivered to Moses, impressed upon the minds of the people, who were authorised in turn to teach one another. The precepts themselves were written on rolls of parchment, but the explanations thereof became the basis of the oral law, the foundation and substance of the Talmud. These six hundred and thirteen precepts were given between the years and and B. If there be any among you who have forgotten the precepts of the Lord which I have taught to you, speak now and I will repeat them; or if there be any one among you to whom the law is not clear, and who desires an explanation of any point, behold I am here to answer his questions. On the seventh day of Adar March he concluded this labour. He wrote thirteen copies of the Pentateuch upon parchment. He gave one copy into the keeping of each of the tribes, and the thirteenth he placed in the hands of the Levites, saying, "Take this book of the law and put it at the side of the ark. Joshua was born in the year He was eighty-two years of age when he became the leader of the people, and he died in the year After his death, the elders, chief among whom were Caleb and Pinechas, undertook the duty of preserving a general knowledge of the oral laws. First of these was Eli, the High Priest. He became judge in , the same year in which Samuel was born, and he died in , one year after Samuel had succeeded to his office. Samuel judged the people eleven years, yielding up his spirit whence it came upon the 28th of Iyar May , The sacred guardianship fell then to David the son of Jesse, from him it descended to Achiyah the Shelomite, and from him to the pure Elijah. In the year Elijah ascended to Heaven, and, with his mantle, his duties devolved upon Elisha, his pupil. Then Yehoyada, Zechariah, Hosea, p. Nahum, Zephaniah, Jeremiah, and Baruch, the son of Neriah, succeeded these, and in the year the duty devolved upon Ezra, high priest, scribe, and prophet. Ezra was a member of the great senate, composed of one hundred and twenty members, which introduced a regular order of prayers for divine service. Previously the people had composed their own prayers--words from their hearts, appropriate to their circumstances and conditions. They had but three set prayers, portions of the Pentateuch, recited from the moment of its existence, viz.: Hillel was chief of the college, and among his pupils was Shamai, a learned man, but of hasty temper and fond of argument. The controversies between the two were long, sharp, and exhaustive. Hillel was called the Hillel of Babel, having been born in that place. At the age of forty years he journeyed to Jerusalem, in order that he might study with Shemiah and Abtalyon. He pursued his studies for forty years, and was chief of the college for forty years, dying when he was one hundred and twenty years old. He was a very meek man, and the many dissensions at the college of Hillel, which form a not insignificant portion of the Biblical commentaries, owe their existence to the polemical disposition of p. To Hillel the necessity of arranging, simplifying, and committing to writing the great bulk of oral law and tradition seemed first to present itself in full force. He commenced the work in the year ; but, though he succeeded in arranging and condensing some six hundred sections into six volumes, he died while the work was still far from completion. Rabbi Shimnon, the son of Gamliel, was the thirty-fourth teacher into whose especial charge they were given, and from him they descended to Rabbi Judah, the successful redacteur, commonly called, by reason of his great eminence, "Rabbi. The Emperor Antoninus conceived for him a respect and affection which resulted in many marks of favour and distinction. Through his influence with the Roman ruler he was enabled to do much towards the benefit of his race. His great desire was to create among the people a love for the study of the law, and a familiarity with its beauties and its moral and religious code. He saw that a complete knowledge of the law was limited to a comparatively few, who were dispersed through many countries, and he feared it might in time be entirely forgotten if the interest in its study was allowed to decrease as it had for some time been diminishing. With the aid of the sages and pupils of his college he set diligently to work, and collecting the rules, explanations, and traditions extant since the death of p. Many of the laws were already obsolete, even on their first publication. Rome had long before substituted her own penal code for that belonging to the Jewish nationality; the minute injunctions regulating the sacrifices and the temple services had but an ideal value, and many of the other laws applied particularly to Palestine, where but comparatively few of the people remained. Yet the whole was received in

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Palestine and Babylonia, not merely as a record of the past, but as a holy work, an infallible text-book, a record of laws that, with the restoration of the commonwealth, would come into practice as in time past. All Israel gave thanks for the completion of this great undertaking. The six sections into which the Mishna was divided may be indexed as follows: Tithes and Donations to Priests, Levites, and the Poor. Prohibited Mixtures in Plants, Animals, and Garments. Betrothal, Marriage, and Divorce. This section includes the major portion of the Civil and Criminal Law. Legal Punishments, and "Sentences of the Fathers. Measurements and Details of the Temple and its Utensils. Levitical and Hygienic Laws. Impure persons and things, and the methods for their purification. The Mishna being formed into a code, became in its turn what the Scriptures had been to it--a basis of development and discussion. After the death of Rabbi Judah, his successors, Rab and Samuel, began explanations of its principles. These were continued in a second generation by Rabbi Judah bar Ezekiel, principal of the college at Nehardea, and Rabbi Hunah, principal of the college at Sura. The latter died in , and until the sixth generation, , the oral commentaries upon the Mishna, now known as the Gemarah, were continued. Rab Ashi inaugurated the collection of these commentaries, and it is said that from the days of Rabbi Judah the Chief, never was the study of the law so prevalent as during the life of this latter Rabbi. He died in , before he had completed his undertaking; and his successors, Mar and Meremar, the latter being his son, were the last of the generations of the "Rabbis of the Talmud. During the bitter persecution of the Jews in Persia the schools were closed, and oral instruction being in a great measure interfered with, the book obtained a hold and authority which its authors never intended. This applies, of course, to its legal portions; the p. But though the Rabbis themselves considered the latter of secondary importance, and explained its character, the majority of the people clung to it, and regarded the Talmud as a complete whole, worthy of their reverence.

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Chapter 5 : Mishnah - Wikipedia

The Second Book of the Mishnah: Mo'ed (Times) Watch () Overviews and Introductions to the Talmud. Tour of the Mishnah. The Oral Tradition. Animated Talmud.

What is the Mishnah? What is a midrash? The Mishnah was collected and committed to writing about AD and forms part of the Talmud. A particular teaching within the Mishnah is called a midrash. However, they also believe that God gave Moses explanations and examples of how to interpret the Law that Moses did not write down. These unwritten explanations are known in Judaism as the Oral Torah. The two main sections of the Oral Torah are the Mishnah and the Gemara. From AD 200, additional commentaries on the Mishnah were compiled and put together as the Gemara. Actually, there are two different versions of the Gemara, one compiled by scholars in Israel c. AD 400 and the other by the scholars of Babylonia c. 500. Together, the Mishnah and the Gemara form the Talmud. Since there are two different Gemaras, there are two different Talmuds: The Talmud can be thought of as rabbinical commentaries on the Hebrew Scriptures, just like there are commentaries written on the Bible from a Christian perspective. In Judaism the Talmud is just as important as the Hebrew Bible. It is used to explain the laws that may not be clear in Scripture. For example, Deuteronomy 21:18-21 The Scripture only mentions gluttony and drunkenness. Are there other behaviors that would be classified as rebellious? What if only one parent thinks the son rebellious? How old does a son have to be to be held accountable for his rebellion? There are many questions that are not directly addressed in the Law, and so the rabbis turn to the Oral Law. The midrash on Deuteronomy 21:18-21 The Talmud also states that in order to be considered rebellious the son must be old enough to grow a beard. A second type of writings in the Talmud is called the Aggadah also spelled Haggadah. Aggadah are not considered law halakha but literature that consists of wisdom and teachings, stories, and parables. The Aggadah are sometimes used with halakha to teach a principle or make a legal point. For example, one Aggadah tells the story of baby Moses being held by Pharaoh at a banquet. She tells her father to place the baby on the ground with both the crown and some hot coals. If the baby Moses takes the crown, he is guilty; but if he takes the hot coals, he is innocent. There are many Aggadah in the Talmud that are prophetic about the Messiah. One such is the story of the White Ram. It is said that God created a pure White Ram in the Garden of Eden and told him to wait there until God called for him. The White Ram waited until Abraham agreed to sacrifice his son of promise, Isaac. The White Ram, created before the foundations of the earth, was slain, and this anecdote presents a picture of our Messiah as the Lamb of God slain from the foundation of the world 1 Peter 1:18-19 The White Ram willingly laid down his life for Isaac. Different sects of Judaism have different views on the Talmud. Reform and Conservative sects believe they can interpret the Talmud as written by rabbis but are not necessarily required to follow it. Karaite Jews do not follow the Talmud or rabbinic teachings at all but only the Hebrew Bible. While Christians can certainly study the Talmud for background information, we should not take it as inspired Scripture.

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Chapter 6 : Bikkurim (Talmud) - Wikipedia

The Beginning of the Second Commonwealth Was the Persian king Cyrus who permitted the Jews to return to their land and rebuild their Temple Jewish? This is just one of the questions and intrigues surrounding the beginning of Jewish history in the Second Commonwealth.

Baraita In addition to the Mishnah, other tannaitic teachings were current at about the same time or shortly thereafter. The Gemara frequently refers to these tannaitic statements in order to compare them to those contained in the Mishnah and to support or refute the propositions of the Amoraim. All such non-Mishnaic tannaitic sources are termed baraitot lit. The baraitot cited in the Gemara are often quotations from the Tosefta a tannaitic compendium of halakha parallel to the Mishnah and the Midrash halakha specifically Mekhilta, Sifra and Sifre. Some baraitot, however, are known only through traditions cited in the Gemara, and are not part of any other collection. Gemara In the three centuries following the redaction of the Mishnah, rabbis in Israel and Babylonia analyzed, debated, and discussed that work. The Gemara mainly focuses on elucidating and elaborating the opinions of the Tannaim. The rabbis of the Gemara are known as Amoraim sing. The starting point for the analysis is usually a legal statement found in a Mishnah. The statement is then analyzed and compared with other statements used in different approaches to Biblical exegesis in rabbinic Judaism or - simpler - interpretation of text in Torah study exchanges between two frequently anonymous and sometimes metaphorical disputants, termed the makshan questioner and tartzan answerer. Another important function of Gemara is to identify the correct Biblical basis for a given law presented in the Mishnah and the logical process connecting one with the other: Minor tractate In addition to the six Orders, the Talmud contains a series of short treatises of a later date, usually printed at the end of Seder Nezikin. These are not divided into Mishnah and Gemara. Bavli and Yerushalmi[edit] The process of "Gemara" proceeded in what were then the two major centers of Jewish scholarship, Galilee and Babylonia. Correspondingly, two bodies of analysis developed, and two works of Talmud were created. The older compilation is called the Jerusalem Talmud or the Talmud Yerushalmi. It was compiled in the 4th century in Galilee. The Babylonian Talmud was compiled about the year , although it continued to be edited later. The word "Talmud", when used without qualification, usually refers to the Babylonian Talmud. While the editors of Jerusalem Talmud and Babylonian Talmud each mention the other community, most scholars believe these documents were written independently; Louis Jacobs writes, "If the editors of either had had access to an actual text of the other, it is inconceivable that they would not have mentioned this. Here the argument from silence is very convincing. Jerusalem Talmud A page of a medieval Jerusalem Talmud manuscript, from the Cairo Geniza The Jerusalem Talmud, also known as the Palestinian Talmud, or Talmuda de-Eretz Yisrael Talmud of the Land of Israel , was one of the two compilations of Jewish religious teachings and commentary that was transmitted orally for centuries prior to its compilation by Jewish scholars in the Land of Israel. It is written largely in Jewish Palestinian Aramaic , a Western Aramaic language that differs from its Babylonian counterpart. Because of their location, the sages of these Academies devoted considerable attention to analysis of the agricultural laws of the Land of Israel. It is traditionally known as the Talmud Yerushalmi "Jerusalem Talmud" , but the name is a misnomer, as it was not prepared in Jerusalem. It has more accurately been called "The Talmud of the Land of Israel". By this time Christianity had become the state religion of the Roman Empire and Jerusalem the holy city of Christendom. In , Constantine the Great , the first Christian emperor, said "let us then have nothing in common with the detestable Jewish crowd. The compilers of the Jerusalem Talmud consequently lacked the time to produce a work of the quality they had intended. The text is evidently incomplete and is not easy to follow. The apparent cessation of work on the Jerusalem Talmud in the 5th century has been associated with the decision of Theodosius II in to suppress the Patriarchate and put an end to the practice of semikhah , formal scholarly ordination. Some modern scholars have questioned this connection: Place and date of composition. Despite its incomplete state, the Jerusalem Talmud remains an indispensable source of knowledge of the development of

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the Jewish Law in the Holy Land. It was also an important resource in the study of the Babylonian Talmud by the Kairouan school of Chananel ben Chushiel and Nissim ben Jacob , with the result that opinions ultimately based on the Jerusalem Talmud found their way into both the Tosafot and the Mishneh Torah of Maimonides. Following the formation of the modern state of Israel there is some interest in restoring Eretz Yisrael traditions. The work begun by Rav Ashi was completed by Ravina, who is traditionally regarded as the final Amoraic expounder. The question as to when the Gemara was finally put into its present form is not settled among modern scholars. Some, like Louis Jacobs , argue that the main body of the Gemara is not simple reportage of conversations, as it purports to be, but a highly elaborate structure contrived by the Savoraim roughly 400 CE , who must therefore be regarded as the real authors. On this view the text did not reach its final form until around 500. Some modern scholars use the term *Stammaim* from the Hebrew *Stam*, meaning "closed", "vague" or "unattributed" for the authors of unattributed statements in the Gemara. See eras within Jewish law. Comparison of style and subject matter[edit] There are significant differences between the two Talmud compilations. The language of the Jerusalem Talmud is a western Aramaic dialect, which differs from the form of Aramaic in the Babylonian Talmud. The Talmud Yerushalmi is often fragmentary and difficult to read, even for experienced Talmudists. The redaction of the Talmud Bavli, on the other hand, is more careful and precise. The law as laid down in the two compilations is basically similar, except in emphasis and in minor details. The Jerusalem Talmud has not received much attention from commentators, and such traditional commentaries as exist are mostly concerned with comparing its teachings to those of the Talmud Bavli. Neither the Jerusalem nor the Babylonian Talmud covers the entire Mishnah: The reason might be that most laws from the Order Zeraim agricultural laws limited to the land of Israel had little practical relevance in Babylonia and were therefore not included. The Jerusalem Talmud does not cover the Mishnaic order of Kodashim , which deals with sacrificial rites and laws pertaining to the Temple , while the Babylonian Talmud does cover it. In both Talmuds, only one tractate of Tohorot ritual purity laws is examined, that of the menstrual laws, Niddah. The Babylonian version also contains the opinions of more generations because of its later date of completion. For both these reasons it is regarded as a more comprehensive collection of the opinions available. On the other hand, because of the centuries of redaction between the composition of the Jerusalem and the Babylonian Talmud, the opinions of early amoraim might be closer to their original form in the Jerusalem Talmud. The influence of the Babylonian Talmud has been far greater than that of the Yerushalmi. In the main, this is because the influence and prestige of the Jewish community of Israel steadily declined in contrast with the Babylonian community in the years after the redaction of the Talmud and continuing until the Gaonic era. Furthermore, the editing of the Babylonian Talmud was superior to that of the Jerusalem version, making it more accessible and readily usable. Language[edit] Within the Gemara , the quotations from the Mishnah and the Baraitas and verses of Tanakh quoted and embedded in the Gemara are in either Mishnaic or Biblical Hebrew. The rest of the Gemara, including the discussions of the Amoraim and the overall framework, is in a characteristic dialect of Jewish Babylonian Aramaic. Overall, Hebrew constitutes somewhat less than half of the text of the Talmud. This difference in language is due to the long time period elapsing between the two compilations. During the period of the Tannaim rabbis cited in the Mishnah , a late form of Hebrew known as Rabbinic or Mishnaic Hebrew was still in use as a spoken vernacular among Jews in Judaea alongside Greek and Aramaic , whereas during the period of the Amoraim rabbis cited in the Gemara , which began around 200 CE, the spoken vernacular was almost exclusively Aramaic. Hebrew continued to be used for the writing of religious texts, poetry, and so forth. Almost all printings since Bomberg have followed the same pagination. In 1763, after an acrimonious dispute with the Szapira family, a new edition of the Talmud was printed by Menachem Romm of Vilna. Known as the Vilna Edition Shas , this edition and later ones printed by his widow and sons, the Romm publishing house has been used in the production of more recent editions of Talmud Bavli. The convention of referencing by daf is relatively recent and dates from the early Talmud printings of the 17th century, though the actual pagination goes back to the Bomberg edition. Earlier rabbinic literature generally refers to the tractate or chapters within a tractate e. It

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sometimes also refers to the specific Mishnah in that chapter, where "Mishnah" is replaced with "Halakha", here meaning route, to "direct" the reader to the entry in the Gemara corresponding to that Mishnah. However, this form is nowadays more commonly though not exclusively used when referring to the Jerusalem Talmud. Increasingly, the symbols "f" and "p" are used. These references always refer to the pagination of the Vilna Talmud. In the Vilna edition of the Talmud there are 5, folio pages. Goldschmidt Talmud "uncensored text", and German translation[edit] Lazarus Goldschmidt published an edition from the "uncensored text" of the Babylonian Talmud with a German translation in 9 vols. In the early 20th century Nathan Rabinowitz published a series of volumes called Dikduke Soferim showing textual variants from early manuscripts and printings. In work started on a new edition under the name of Gemara Shelemah complete Gemara under the editorship of Menachem Mendel Kasher: This edition contained a comprehensive set of textual variants and a few selected commentaries. Some thirteen volumes have been published by the Institute for the Complete Israeli Talmud a division of Yad Harav Herzog , on lines similar to Rabinowitz, containing the text and a comprehensive set of textual variants from manuscripts, early prints and citations in secondary literature but no commentaries. Modern editions such as those of the Oz ve-Hadar Institute correct misprints and restore passages that in earlier editions were modified or excised by censorship but do not attempt a comprehensive account of textual variants. One edition, by Rabbi Yosef Amar, [32] represents the Yemenite tradition, and takes the form of a photostatic reproduction of a Vilna-based print to which Yemenite vocalization and textual variants have been added by hand, together with printed introductory material. Collations of the Yemenite manuscripts of some tractates have been published by Columbia University. The main ones are as follows. The Steinsaltz Talmud , which contains the text with punctuation, detailed explanations and translation. The Steinsaltz Edition is available in two formats: It is available in modern Hebrew first volume published , English first volume published , French, Russian and other languages. Opened as a Hebrew book, this edition preserves the traditional Vilna page layout and includes vowels and punctuation; the Rashi commentary too is punctuated. Opened as an English book, this edition breaks down the Talmud text into small, thematic units and features the supplementary notes along the margins. The Schottenstein Talmud , published by ArtScroll: Each page is printed in the traditional Vilna format, and accompanied by an expanded paraphrase in English, in which the translation of the text is shown in bold and explanations are interspersed in normal type. The Metivta edition, published by the Oz ve-Hadar Institute. This contains the full text in the same format as the Vilna-based editions, with a full explanation in modern Hebrew on facing pages as well as an improved version of the traditional commentaries. See also under Translations , below.

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Chapter 7 : Mishna | Jewish laws | calendrierdelascience.com

The Mishnah and Gemara are the two components of the Talmud, a major text of Rabbinic Judaism, second only to the Hebrew Bible. The Mishnah was written around CE and based on the earlier Oral Law, while the Gemara was completed around CE and consists of commentary and elaboration on the Mishnah.

The nation is commanded to bring their first fruits to Jerusalem. And the Feast of Harvest, the first fruits of your labors, which you have sown in the field; and the Feast of Ingathering, which is at the end of the year, when you have gathered in your labors from the field. And you shall keep the Feast of Weeks to the Lord your God with a tribute of a freewill offering of your hand, which you shall give according as the Lord your God has blessed you. On the other hand, Pesach and Sukkot, aside from their own agricultural identity, are described in the Torah as the holidays that commemorate the Exodus from Egypt and the sojourn in the desert, respectively. In the third month, when the People of Israel went forth out of the land of Egypt, the same day came they into the wilderness of Sinai On the sixth day of the month [Sivan] were the Ten Commandments given to Israel. On the seventh thereof. Nonetheless, a problem remains: According to the chronology recorded in the Talmud, the Jews left Egypt on a Thursday and the Torah was given on Shabbat, which would be fifty-one days --and not fifty-- after Pesach. The Magen Avraham Orach Chaim section insists that the law is actually decided in accordance with the opinion of Rabbi Yossi cited above: While the Magen Avraham therefore questioned the appropriateness of calling Shavuot "the day the Torah was given," we should note that the liturgy actually calls Shavuot "Zman Matan Toratenu", the time of the giving of the Torah, not necessarily implying the precise day. Rav Shimshon Rafael Hirsch commentary to Vayikra Just as the Jews in the desert prepared themselves to accept the Torah, so must we. This would alleviate the difficulty of assigning the date of the holiday to the sixth day of the month, which is not necessarily the day the Torah was given, but was, in fact, the day the People of Israel prepared themselves to receive it. This understanding is borne out by the choice of Torah reading for Shavuot, Chapter 19 of Shmot, which begins with the preparations made to receive the Torah. The Torah itself remains silent regarding the relationship of the Giving of the Torah to the bringing of the first fruits. We are not told the date of the holiday -- either of Shavuot or the giving of the Torah. Shavuot is fifty days after the Exodus, and the Giving of the Torah is in the beginning of the third month. While the connection between Shavuot and the Revelation is obscured in the Torah, the association was maintained by tradition. This is true for both the "primary" Torah reading as well as the "secondary" Haftarah reading. Regarding Shavuot we are told the following: On Pesach we read from the section of the festivals in Vayikra. On Shavuot, we read "Seven weeks", and for haftarah a chapter from Habakuk Chapter 3. According to others, we read "In the third month" Shmot and for haftarah the account of the Divine Chariot Yechezkel chapter 1. Nowadays that we keep two days, we follow both courses, but in the reverse order. This holiday is mentioned in various sections of the Torah. It describes an agricultural holiday, celebrated by bringing the first fruits to Jerusalem. According to the Mishna and the first opinion expressed in the Talmud, the reading for the first day is about Shavuot -- the agricultural holiday, and the second day is about the Giving of the Torah. The conclusion of the Gemara is that on the first day of Shavuot we read the 19th chapter in Shmot, which describes the giving of the Torah, the Revelation and Decalogue, while on the second day in the Diaspora we read the description of the Holiday of Shavuot in Devarim The irony is that it is possible that the Torah was actually given on what would eventually become the "second day" of Shavuot -- hence the reading on the second day reflected the giving of the Torah, while the first day reflected the holiday of Shavuot. The haftarah reading for the "first day" is the description of the Divine Chariot, and for the "second day" the section of Habakuk which mentions the giving of the Torah 7 and provides an overview of the years in the desert, and the conquest of the Land of Israel. Notably, both choices of the haftarah are related to the giving of the Torah and ignore the agricultural motif. The final choice for the first day is the Prophecy of Yechezkel, known as the Chariot of Yehezkel. This section seems the most appropriate match for the section

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in Shmot that describes the Revelation; by choosing this as the haftarah, Chaz"al instruct us as to the nature of Shavuot while teaching us an important lesson about the Revelation. There are two distinct aspects of the Revelation to consider: Upon reflection, we realize that the fact of Revelation is of primary importance: The content would have no significance had it not been for the fact that God Himself said these things. On the other hand, even had the Revelation been devoid of content, it would still have been of incredible religious significance, in and of itself, as a rendezvous between man and God. It is this theme of revelation per se which is highlighted by the choice of the haftarah of Yechezkel. The Merkava Chariot deals with the Revelation witnessed by Yechezkel: And it came to pass in the thirtieth year, in the fourth month, in the fifth day of the month, as I was among the exiles by the Kevar River, that the heavens were opened, and I saw visions of God. The images are stark yet mysterious; the symbols are illusive yet tantalizing. More than any another scriptural prophesy, this section became associated with mystical knowledge and exploration. The Prophecy of the Chariot is actually an unlikely candidate for haftarah reading at any time. The Rabbis teach in the Mishna that there are those who believe that the Chariot may never be read in public as a haftarah: The portion of the chariot is not read as a haftarah, but R. The Mishna taught that this section may not be taught in public "not even to a small group of initiates: The [subject of] forbidden relations may not be expounded in the presence of three, nor the Work of Creation in the presence of two, nor [the Work of] the Chariot in the presence of one, unless he is a sage and understands of his own knowledge. Too much would be revealed. It is the glory of God to conceal a thing [Mishlei Though on other occasions it would be more prudent to conceal, on this day we may reveal a bit, for on this day Revelation took place. Even post- Revelation man must realize that there is so much about God that we cannot know and indeed will never know. On this day of Revelation, perhaps we should even conceal that something was revealed, yet we boldly read about the Revelation and follow with the description of the Chariot. We know that something - perhaps better concealed - was revealed. By choosing the haftarah of the Merkava, the rabbis were expressing their ambivalence in identifying Revelation as the key aspect of the day, and subtly telling us to be careful with our conclusions. The challenge of revelation is to avoid hubris; man may become overconfident, deluded into thinking he understands what may actually elude him. To avoid this pitfall, revelation must be obscured and protected. Ultimately if man wishes to understand God and His ways, the only way to reveal this secret is to learn His Torah and perform His commandments. This is the gift of Revelation with which we are entrusted throughout the year; the content of the Revelation at Sinai is the key to unlocking the secrets of the Revelation itself. Accessing Revelation is not something that is limited to one day on the calendar; we are enjoined to see every day as if the Torah was given anew on that day. This suggests that they should ever be to you as new commandments, as though you had heard them for the first time on that day Siphre on v 32 [Rashi Dvarim This day the Lord your God has commanded you to do these statutes and judgments; you shall therefore keep and do them with all your heart, and with all your soul. We now know that, in fact, it was. Our attitude toward Torah should be as if it were given on each and every day. Perhaps this frame of mind takes us back to the first fruits: The man who has worked so hard during the entire year now has the fruits of his labor in his hands. He experiences a sense of renewal and completion. Remarkably, the ceremony which accompanied the First Fruit Offering included a revelation "a Bat Kol calling on man to continue onward: A heavenly voice "Bat kol" pronounces by these words a blessing upon him the worshipper - "Thou hast brought the first fruits to-day - thou wilt be privileged to do so next year, too! The window between the revealed and the concealed is opened for us on this singular holiday, and the content and purpose of the Revelation at Sinai, the Torah and its commandments, is wrapped around the more familiar and accessible agricultural aspects of the day. As we offer the first fruits of our physical labor before God, the physical bounty with which we have been blessed serves as a reminder of the personal and national destiny we accepted at Sinai. In the final analysis, the holiday of the First Fruits was about receiving the Torah all along, about the medium and the message of Revelation. See Pesachim 68b where the division of the day - in terms of "Divine" service versus personal pleasure is noted. Of specific interest is the declaration that regarding Shavuot it is clear that there is an aspect of human pleasure - a point which is

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debated regarding the other holidays: What is the reason? It is the day on which the Torah was given. It is worthwhile mentioning that the date in Sivan is not ordained in the Torah as the means of establishing the holiday, rather by counting 7 weeks from Pesach. For the Babylonian Rabbis, if the giving of the Torah was not commemorated by the holiday of Shavuot itself, then it was by the "Second Day" observed in the Diaspora. See Tosefta Erachin 1: The Giving of the Torah was associated with Shavuot in antiquity as is evidenced by the prayers which are the formulation of the Men of the Great Assembly, they call Shavuot "zman Matan Torateynu" the day of the giving of the Torah. Additionally, the association of the giving of the Torah with Shavuot was retained by the Ethiopians and the Samaritans, both of whom had limited contact or influence of the Rabbinic authorities. See Tabori page note 25 return to text 7.

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Chapter 8 : The Oral Law -Talmud & Mishna

The Talmud is the name given to the printed edition that includes both the Mishna and the Gemara. If the Mishna is a very brief outline of the laws of the Oral Law, the Gemara is the explanation that fills in all the gaps.

The Mishna is a collection of originally oral laws supplementing scriptural laws. For present-day scholarship, however, Talmud in the precise sense refers only to the materials customarily called Gemara—an Aramaic term prevalent in medieval rabbinic literature that was used by the church censor to replace the term Talmud within the Talmudic discourse in the Basel edition of the Talmud, published in 1516. This practice continued in all later editions. On the one hand, it refers to a mode of biblical interpretation prominent in the Talmudic literature; on the other, it refers to a separate body of commentaries on Scripture using this interpretative mode. Opposition to the Talmud Despite the central place of the Talmud in traditional Jewish life and thought, significant Jewish groups and individuals have opposed it vigorously. The Karaite sect in Babylonia, beginning in the 8th century, refuted the oral tradition and denounced the Talmud as a rabbinic fabrication. Medieval Jewish mystics declared the Talmud a mere shell covering the concealed meaning of the written Torah, and heretical messianic sects in the 17th and 18th centuries totally rejected it. The decisive blow to Talmudic authority came in the 18th and 19th centuries when the Haskala the Jewish Enlightenment movement and its aftermath, Reform Judaism, secularized Jewish life and, in doing so, shattered the Talmudic wall that had surrounded the Jews. Thereafter, modernized Jews usually rejected the Talmud as a medieval anachronism, denouncing it as legalistic, casuistic, devitalized, and unspiritual. There is also a long-standing anti-Talmudic tradition among Christians. The Talmud was frequently attacked by the church, particularly during the Middle Ages, and accused of falsifying biblical meaning, thus preventing Jews from becoming Christians. The church held that the Talmud contained blasphemous remarks against Jesus and Christianity and that it preached moral and social bias toward non-Jews. On numerous occasions the Talmud was publicly burned, and permanent Talmudic censorship was established. On the other hand, since the Renaissance there has been a positive response and great interest in rabbinic literature by eminent non-Jewish scholars, writers, and thinkers in the West. As a result, rabbinic ideas, images, and lore, embodied in the Talmud, have permeated Western thought and culture. Content, style, and form The Talmud is first and foremost a legal compilation. At the same time it contains materials that encompass virtually the entire scope of subject matter explored in antiquity. Included are topics as diverse as agriculture, architecture, astrology, astronomy, dream interpretation, ethics, fables, folklore, geography, history, legend, magic, mathematics, medicine, metaphysics, natural sciences, proverbs, theology, and theosophy. This encyclopaedic array is presented in a unique dialectic style that faithfully reflects the spirit of free give-and-take prevalent in the Talmudic academies, where study was focussed upon a Talmudic text. All present participated in an effort to exhaust the meaning and ramifications of the text, debating and arguing together. The mention of a name, situation, or idea often led to the introduction of a story or legend that lightened the mood of a complex argument and carried discussion further. This text-centred approach profoundly affected the thinking and literary style of the rabbis. Study became synonymous with active interpretation rather than with passive absorption. Thinking was stimulated by textual examination. Even original ideas were expressed in the form of textual interpretations. The subject matter of the oral Torah is classified according to its content into Halakha and Haggada and according to its literary form into Midrash and Mishna. The term Midrash denotes the exegetical method by which the oral tradition interprets and elaborates scriptural text. It refers also to the large collections of Halakhic and Haggadic materials that take the form of a running commentary on the Bible and that were deduced from Scripture by this exegetical method. In short, it also refers to a body of writings. Mishna is the comprehensive compendium that presents the legal content of the oral tradition independently of scriptural text. Modes of interpretation and thought Midrash was initially a philological method of interpreting the literal meaning of biblical texts. In time it developed into a sophisticated interpretive system that

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reconciled apparent biblical contradictions, established the scriptural basis of new laws, and enriched biblical content with new meaning. Midrashic creativity reached its peak in the schools of Rabbi Ishmael and Akiba, where two different hermeneutic methods were applied. The first was primarily logically oriented, making inferences based upon similarity of content and analogy. The second rested largely upon textual scrutiny, assuming that words and letters that seem superfluous teach something not openly stated in the text. The Talmud treats the Mishna in the same way that Midrash treats Scripture. Contradictions are explained through reinterpretation. New problems are solved logically by analogy or textually by careful scrutiny of verbal superfluity. The strong involvement with hermeneutic exegesis—interpretation according to systematic rules or principles—helped develop the analytic skill and inductive reasoning of the rabbis but inhibited the growth of independent abstract thinking. Bound to a text, they never attempted to formulate their ideas into the type of unified system characteristic of Greek philosophy. Unlike the philosophers, they approached the abstract only by way of the concrete. Events or texts stimulated them to form concepts. These concepts were not defined but, once brought to life, continued to grow and change meaning with usage and in different contexts. The meaning of each concept is dependent upon the total pattern of concepts, for the idea content of each grows richer as it interweaves with the others. They linked the oral tradition to Scripture, transmitting it as a running commentary on the Bible. For almost years they applied the Torah to changing circumstances, making it a living law. By the end of this period, rabbinic Judaism—the religious system constructed by the scribes and rabbis—was strong enough to withstand pressure from without and mature enough to permit internal diversity of opinion. At the beginning of the 2nd century bce, a judicial body headed by the *zugot*—pairs of scholars—assumed Halakhic authority. There were five pairs in all, between c. 100 and 200. The first of the *zugot* also introduced the Mishnaic style of transmitting the oral tradition. The making of the Mishna: This era, distinguished by a continuous attempt to consolidate the fragmentary Midrashic and Mishnaic material, culminated in the compilation of the Mishna at the beginning of the 3rd century ce. The work was carried out in the academies of Hillel and Shammai and in others founded later. Most scholars believe that Halakhic collections existed prior to the fall of Jerusalem, in 70 ce. Other compilations were made at Yavne, a Palestinian town near the Mediterranean, as part of the effort to revitalize Judaism after the disaster of 70 ce. By the beginning of the 2nd century there were many such collections. Tradition has it that Rabbi Akiba organized much of this material into separate collections of Midrash, Mishna, and Haggada and introduced the formal divisions in tannaitic literature. His students and other scholars organized new compilations that were studied in the different academies. After the rebellion of the Jews against Roman rule led by Simeon bar Kokhba in 132–136, when the Sanhedrin the Jewish supreme court and highest academy was revived, the Mishnaic compilation adopted by the Sanhedrin president became the official Mishna. The Sanhedrin reached its highest stature under the leadership of Judah ha-Nasi Judah the Prince, or President; he was also called Rabbi, as the preeminent teacher. It seems certain that the official Mishna studied during his presidency was the Mishna we know and that he was its editor. Judah aimed to include the entire content of the oral tradition. Nevertheless, the accumulation was such that selection was necessary. Thus almost no Midrash or Haggada was included. Midrashic material was gathered in separate compilations, and later revisions of some of these are still extant. The language of all of the tannaitic literature is the new Hebrew developed during the period of the Second Temple c. The making of the Talmuds: Both take the form of a running commentary on the Mishna. The foundations for these two monumental works were begun by three disciples of Judah ha-Nasi: Centres of learning where the Mishna was expounded existed also at Sepphoris, Caesarea, and Lydda in Palestine. In time new academies were established in Babylonia, the best known being those at Pumbedita, Mahoza and Naresh, founded by Judah bar Ezekiel, Rava, and Rav Pappa, respectively. The enrollment of these centres often numbered in the thousands, and students spent many years there. Those who no longer lived on the academy grounds returned twice annually for the *kalla*, a month of study in the spring and fall. Academies differed in their methods of study. Pumbedita, for example, stressed casuistry, while Sura emphasized breadth of knowledge. Students often moved from one academy to another and even from Palestine to Babylonia or from

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Babylonia to Palestine. This kept open the channels of communication between the various academies and resulted in the inclusion of much Babylonian material in the Palestinian Talmud, and vice versa. Despite the overwhelming similarity of the two Talmuds, however, they do differ in some ways. The former is invariably shorter, and, not having been subject to final redaction, its discussions are often incomplete. Its explanations tend to remain closer to the literal meaning of the Mishna, preferring textual emendation to casuistic interpretation. Finally, some of the legal concepts in the Babylonian Talmud reflect the influence of Persian law, for Babylonia was under Persian rule at the time. The main endeavour of the amoraim was to thoroughly explain and exhaust the meaning of the Mishna and the Baraitot. Apparent contradictions were reconciled by such means as explaining that conflicting statements referred to different situations or by asserting that they stemmed from the Mishnayot Mishnas of different tannaim. The same techniques were used when amoraic statements contradicted the Mishna. These discussions took place for hundreds of years, and their content was passed on from generation to generation, until the compilation of the Talmud. The remainder was completed in Tiberias some 50 years later. It seems likely that its compilation was a rescue operation designed to preserve as much of the Halakhic material collected in Palestinian academies as possible, for by that time the deterioration of the political situation had forced most Palestinian scholars to emigrate to Babylonia. The Babylonian Talmud was compiled up to the 6th century. Some scholars suggest that the organization of the Talmud began early and that successive generations of amoraim added layer upon layer to previously arranged material. Others suggest that at the beginning a stratum called Gemara, consisting only of Halakhic decisions or short comments, was set forth. Still others theorize that no overall arrangement of Talmudic material was made until the end of the 4th century. But the extent of their contribution is not precisely known. Some attribute to them only short additions. Others credit them with creating the terminology linking the phases of Talmudic discussions. According to another view, they added comments and often decided between conflicting opinions. The proponents of the so-called Gemara theory noted above ascribe to them the entire dialectic portion of Talmudic discourse. Talmudic and Midrashic literature Mishna The Mishna is divided into six orders sedarim, each order into tractates masekhtot, and each tractate into chapters peraqim. It includes prohibitions against mixtures in plants hybridization, legislation relating to the sabbatical year when land lies fallow and debts are remitted, and regulations concerning the portions of harvest given to the poor, the Levites, and the priests. This order deals with ceremonies, rituals, observances, and prohibitions relating to special days of the year, including the Sabbath, holidays, and fast days.

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- Include the books of the oral law: the Midrash, Mishnah, and Talmud. - The leader of the yeshiva or Talmudic academy, known as gaon meaning Excellency supervised the rabbinic enterprise of legal interpretation.

This is a biblical teaching which is emphatically repeated in almost every book of Sacred Scriptures. Let me only refer to the sublime word of the prophet Micah: Translated into all languages of the world, that holy book is accessible to every one and whoever reads it with open eyes and with an unbiased mind will admit that it teaches the highest principles of morality, principles which have not been surpassed and superseded by any ethical system of ancient or modern philosophy. What are the ethical teachings of the Talmud? Nathan and Derech Eretz almost exclusively occupied with ethical teachings, but such teachings are also very abundantly contained in the Hagadic homiletical p. At the side of the great luminaries, we find also lesser ones. At the side of utterances of great, clear-sighted and broad-minded masters with lofty ideas, we meet also with utterances of peculiar views which never obtained authority. Not every ethical remark or opinion quoted in that literature can, therefore, be regarded as an index of the standard of Talmudical ethics, but such opinions only can be so regarded which are expressed with authority and which are in harmony with the general spirit that pervades the Talmudic literature. The Talmudic sages made no claim of being philosophers; they were public teachers, expounders of the Law, popular lecturers. As such, they did not care for a methodically arranged system. All they wanted was to spread among the people ethical teachings in single, concise, pithy, pointed sentences, well adapted to impress the minds and hearts, or in parables or legends illustrating certain moral duties and virtues. And this, their method, fully answered its purpose. Their ethical teachings did actually reach the Jewish masses, and influenced their conduct of life, while among the Greeks, the ethical theories and systems remained a matter that concerned the philosophers only, without exercising any educating influence upon the masses at large. The sacred treasure of biblical truth and wisdom was in the minds and hearts of the Rabbis. This treasury they tried to enrich by their own wisdom and observation. Here they develop a principle contained in a scriptural passage, and give it a wider p. There they crystallize great moral ideas into a pithy, impressive maxim as a guide for human conduct. Here they give to a jewel of biblical ethics a new lustre by setting it in the gold of their own wisdom. There again they combine single pearls of biblical wisdom to a graceful ornament for human life. There are many books written upon the ethics of the Talmud which are enumerated in the bibliography. The most excellent of these is the philosophical book of Professor Lazarus, "Ethik des Judenthums," in German, Frankfurt o. The second volume of this work, we have heard, is ready for or already in print. We, however, would call the attention of the reader to a book written by us in our periodical Hacol, Vol. An extract of this explanation we should like to give here: The commandment in the Old Testament Leviticus xix. Also concerning the duties of charity, numerous special commandments are to be found in the Old Testament. The Talmud explains most of them negatively, viz.: More details will be found in each subject mentioned further on. Hence this obligation which is proper and in accordance with common sense, can be fulfilled by every one without any difficulty. The Evangelist, however, interprets the passage Levit. According to this, one must divide his money and property with those not possessing such. Hence if one would like to live up to the words of the Evangelist, he must see that the life of his poor neighbor should be made exactly equal to his own life, which certainly can never and was never accomplished. The same is with the command in Luke vi. Therefore nothing of this kind is to be found in the Talmud. On the contrary the Talmud says: It is remarkable that in the explanation of Deut. Therefore they interpreted this passage thus, "The name of the Lord shall be loved through thy treatment of thy fellow-men, viz. Therefore let us and our children also study this magnificent Law. Finally, we beg to quote the beginning of the first chapter of the above-mentioned book. This will cause you to be loved by Heaven and liked by thy fellow-men. Zakkai, that it never happened that he should have been greeted first for he was it who greeted every one first, as soon as he perceived him. He was our friend and patron, and many days and weeks we had been fortunate

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to spend in his company, when, in , we had the pleasure to read before him the several thousand quotations from the Talmud, which we had prepared for his work, "Ethik des Judenthums," at his request. We certainly do not know how many of them he has made use of. However, he wrote us a few years ago that our name and service would be mentioned in the second volume of his book. To our great sorrow he departed before the second volume was published.