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# The Organization of the Talmud

The rabbis of the 2<sup>nd</sup> and 3<sup>rd</sup> centuries after Christ organized the Talmud in the form we find it today. Rabbi Jehudah the Nasi (3<sup>rd</sup> Century, president of the Sanhedrin) began the work of gathering together all the notes, archives, and records from which the Talmud would be compiled. The scholars in Spain asserted that these notes had been in existence since schools had begun in Israel, possibly from as early as Ezra's time.

Other Jewish scholars of that period, notably those living in France, declared that not a line was written down anywhere until this compilation began, and that the writing was done from memory alone, the memory of the living rabbis who were the contributors.

Modern scholars have compromised between these two versions of how things happened, by asserting that, during the first centuries, the commentators of the Talmud had taken notes of their studies, then later had written them out in permanent form.

It was severe persecution that was the strong motivation to write things down. The very lives of the scholars were threatened continuously in some periods, and the thought of important bodies of thought perishing with one or two individuals was a catalyst that led to written transcripts.

At a certain point, probably during the 2<sup>nd</sup> century after Christ, the Pharisees gave permission for writing the law. Until then it was absolutely forbidden to put the oral law in writing. No sooner had this been granted that the number of manuscripts began to be very great, and when Rabbi Jehudah had been confirmed in authority (since he enjoyed the friendship of a Roman named Antonius, who was in power in Rome), he discovered that "from the multitude of the trees the forest could not be seen."

The period of the 3<sup>rd</sup> century was very favorable for this undertaking, because the Talmud, and its Jewish followers, enjoyed a rest from persecutors. But there were still sharp differences of opinion among the students of the Talmud themselves.

Although Rabban Gamaliel the Elder (the Gamaliel of the New Testament) had succeeded in

fixing the Law in accordance with Hillel's school, and had declared, with the consent of many of the most prestigious sages of the Talmud, that the school of Schammai was of no validity, when it differed from Hillel, there were more than 400 students in his college alone. So it was decided the individual opinions, even those of the minority, should be considered; and differences between schools of thought were renewed with considerable vigor. Thus, when Rabbi Jehudah began his compilation, he was compelled to give due weight to all the varying opinions.

Another difficulty was in selecting from the mass of doctrines, laws, and commentaries those which were practicable and of direct application. One Rabbi's account states that there were more than 600 sections of Mishnah, and even if this is an exaggeration, it was no easy task to reduce them to six.

## ***The Sections and Tracts of the Talmud***

The subjects (orders: *sedarim*) of the sections and the tracts of the Talmud are as follows:

### **Seder Zeraim (Seeds)**

This section (11 tractates, 74 chapters) contains the law relating to agriculture and crops, heave offerings, tithes, the sabbatical year, and gifts to the poor. At the head of this section is the tract on benedictions, which man owes to his Maker every day, beginning with those of the evening, which commences the day, according to Jewish custom.

Tract **Berakhot** – prayers and benedictions

Tract **Pe'ah** – laws of gleanings and charity

Tract **Demai** – doubtfully tithed produce

Tract **Kilayim** – various kinds of seeds, trees, and animals

Tract **Shevi'it** – laws of the sabbatical year

Tract **Terumot** – contributions to the priests

Tract **Ma'aserot** – tithes for the Levites and poor

Tract **Ma'aser Sheni** – the second tithe, and bringing it to Jerusalem

Tract **Halah** – the dough offering to the priests

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Tract **Orlah** – prohibition against harvesting trees for four years

Tract **Bikurin** – offering of the first fruits at the Temple.

#### Seder Moed (Festivals)

This section (12 tractates, 86 chapters) deals with Sabbath holidays, the duty of taxes before the holidays, and of mourning during the festivals.

Tract **Sabbath** – Sabbath laws

Tract **Iruvin** – laws of permissible limits on the Sabbath.

Tract **Pesahim** – laws of hametz and matzah and the paschal sacrifice.

Tract **Shekalim** – the shekel dues to the Temple and Temple ceremonies

Tract **Yoma** – sacrifices and the fast on Yom Kippur

Tract **Sukkah** – the building of a sukkah; the four species; the festival in the Temple.

Tract **Betza** – general festival laws

Tract **Rosh Hashanah** – fixing the months and years; blowing the *shofar*; and the Rosh Hashanah prayers.

Tract **Taanit** – the regular fast days.

Tract **Megillah** – laws of Purim.

Tract **Moed Katan** – laws of the intermediate festival days

Tract **Hagigah** – Laws for pilgrimage festivals

#### Seder Nashim (Women)

This section (7 tractates, 71 chapters) deals with laws regarding women, marriage, and divorce. There also laws on vows and Nazarites, because women's vows are dependent on the decision of their fathers and husbands; and Nazarites depend on women, who may legally consecrate a child previous to its birth, as for example, Hannah, the mother of Samuel, and the mother of Samson.

Tract **Yebamot** – Levirate marriage; prohibitions on marriage; testimony on the death of the husband.

Tract **Ketubot** – the marriage contract and special agreements

Tract **Nedarim** – various types of vows.

Tract **Nazir** – the Nazarite laws

Tract **Sotah** – laws concerning an adulteress; murder in which the perpetrator is unknown; war

Tract **Gittin** – divorce; writing and sending the *get*.

Tract **Kiddushin** – the marriage act; laws of genealogy

#### Seder Nezikin (Damages)

This section (10 tractates, 73 chapters) is also known as **Yeshuot** (Rescues), since a lot of it deals with saving a victim from his persecutor. It deals with laws of property, judges, penalties which courts may prescribe. A section of the religious criminal code (**Avodah Zarah**) is devoted to the prohibition of pagan worship. Another tractate, **Horayot** (Decisions), deals with the problem of what to do in case the Sanhedrin makes an erroneous decision that plunges the whole nation into error. The tractate **Avot** (Fathers) deals with ethics and philosophy and contains the sayings and aphorisms of sages of the Mishnah. Because of this unique content, this tractate was included in many prayer books and was translated into other languages.

Tract **Baba Kama** (First Gate) – direct and indirect damages.

Tract **Baba Metziah** (Middle Gate) – losses, loans, work, and wage contracts.

Tract **Baba Batra** (Final Gate) – partnership, sales, promissory notes, inheritance

Tract **Sanhedrin** – various types of courts, criminal law, principles of faith

Tract **Makot** – punishment by flagellation

Tract **Shevuot** – oaths

Tract **Eduyot** – a collection of testimonies on various subjects

Tract **Avodah Zarah** – Keeping one's distance from idolatry and idolaters.

Tract **Avot** – ethics and *derekh eretz*.

Tract **Horayot** – erroneous rulings of the courts and their rectification

### Seder Kodashim (Holy Things)

This section (11 tractates, 90 chapters) is devoted mainly to laws pertaining to the Temple and its sacrifices, and includes laws of ritual slaughter and details about kosher and non-kosher foods.

Tract **Zevashim** – laws of sacrifice

Tract **Menahot** – meal offerings, *tzitzit*, *tefilin*

Tract **Hulin** – laws of ritual slaughter and dietary laws

Tract **Behkorot** – the first-born child and animal; defective animals

Tract **Arakhin** – valuation of Temple offerings and soil

Tract **Temurah** – substituting an animal offering

Tract **Keritot** – sins requiring extirpation and sacrifices for them

Tract **Me'ilah** – sins of sacrilege against Temple property and atonement for them

Tract **Tamid** – Daily sacrifices in the Temple

Tract **Midot** – measurements of the Temple

Tract **Kinin** – what to do when various sacrifices have been mixed

### Seder Toharot (Purity)

This section (12 tractates, 126 chapters) includes the most complex and involved legal subjects, the laws of ritual purity and impurity. These laws, which were observed mainly in the period of the Temple, and for several subsequent generations in Palestine, consist of minute and extremely involved details based on ancient traditions, in which the logical connection is not always discernible. One tractate, **Nidah**, the only one which appears in either the Jerusalem or Babylonian Talmud, has practical significance in that it discusses laws on the periodic ritual uncleanness of women.

Tract **Kelim** – various types of utensils and their sensitivity to pollution

Tract **Oholot** – laws of the uncleanness of the dead

Tract **Negaim** – laws regarding leprosy

Tract **Parah** – preparation of the ashes of the red heifer and purification after contact with the dead

Tract **Tohorot** – various laws of purification

Tract **Mikvaot** – laws of the *mikvaot* for purification

Tract **Nidah** – ritual impurity of the woman

Tract **Makhshirin** – ways in which foods become ritually unclean

Tract **Zavim** – gonorrhea and purification from it

Tract **Tevil Yom** – discussion of various kinds of ritual uncleanness

Tract **Yadaim** – ritual uncleanness of the hands

Tract **Uktzkin** – categorization of things that are susceptible to ritual uncleanness.

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#### Principal resources for this study are:

Rodkinson, Michael L, "The History of the Talmud", The Talmud Society, Boston, 1918.

Steinsaltz, Rabbi Adin, "The Essential Talmud", Jason Aronson Inc., Northvale, NJ, 1992

Edersheim, Alfred, "The Life and Times of Jesus the Messiah"

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