Kaphri,@@1 Mahuza,@@2 Shekhansib,@@3 but notably at the two great academies of Sura and Pumbaditha, from about 190 to nearly the end of the 6th century. The doctors of both recensions, although they primarily discuss the correctness of the text and meaning of the *Mishnah,* and what should be the right legal decision according to it, do not confine themselves to this. They introduce, as occasion serves, not merely the whole of the oral tradition handed down to their time, and the necessary references to, and interpreta­tions of, the various laws to be found in the Pentateuch and the other sacred writings, but exhibit also, though only in a fragmentary manner, an almost complete cycle of the profane sciences as current orally and known to them by books composed by Jews and Gentiles. The doctors of both these recensions were and are called *Amoraim* (אמזרא'ם), *i.e.*, mere “discussers, speakers,”@@4 because, unlike the Mishnic doctors, who were and are called *Tannaim* (D'N2ה), *i.e*., “ learners, teachers,” they abstained from mak­ing new laws unless absolutely compelled by circumstances to do so.@@5 These *Amoraim* stand, on the whole, in the same relation to their Mishnic predecessors as counsel giving a legal opinion, or judges deciding legal cases, stand to the legislature which frames the laws. In these points the doctors of both recensions agree. There are, however, also points of considerable difference between the two Tal­muds. These are not merely geographical, and so neces­sarily linguistic,@@6 but also material. Whilst the discussions in the Palestinian Talmud are simple, brief, and to the point, those in the Babylonian Talmud are subtle, long- winded, and, although always logical, sometimes even far­fetched.@@7 But there is another difference. The Palestinian Talmud, besides containing legal and religious discussions, is a storehouse of history, geography, and archæology,

whilst the Babylonian Talmud, taking into consideration that it is treble@@8 the size of its fellow Talmud, contains less of these. On the other hand, it bestows more care upon the legal and religious points, and, being the later and the more studied of the two, it is also the more trustworthy.

*System of the Talmud.—*Most people imagine not only that the Talmuds are a pathless wilderness, without so much as grammatical rules in their respective languages, but that the laws laid down in them rest on mere tradition. In reality their languages have strictly grammatical rules (see below under *Aids,* &c.), and their laws rest on a strictly logical system. The laws in both Talmuds are discussed and argued on philosophical rules, for which it is claimed that they have existed from time immemorial, and can be traced to the Pentateuch itself. These are—(1) the Seven Rules (∏1ΙO y3B>), put forth by Hillel (*Tosephto Synhedrin,* vii., last § ; *Siphro,* towards the end of the Introduction ; *Aboth de-Rabbi Nathan,* xxxvii.) but a great deal older than his time; (2) the Thirteen Rules (∏∏0 K,iPB\*), put forth by R. Yishma'el (Introduction to *Siphro),* which can, how­ever, be traced *in nuce* to the foregoing “Seven Rules” : both these are for the *Halakhah* ; and (3) there are also the Thirty-two Rules (n∏0 D'ΠBH D'E⅛B,), put forth by R. Eli'ezer b. R. Yose Haggalili (vol i. of most editions of the Babylonian Talmud), which are for the *Agadah.* In addition, most of the points to which these rules apply are secured by early tradition. It is quite true that by idiosyn­crasy digressions are very frequent both in Talmud and *Midrash* ; but in the *Halakhah* the digression, however long, invariably ends in coming back to the original cause of the logical combination, whilst in the *Agadah* the digression either comes back to the place from which it started, or else will be found, on examination, to have been introduced for its own sake, and have served its own pur­pose. As the doctors of Talmud and *Midrash* are mostly introduced in dialogues, this is the only practical, if some­what uncommon, method.

*Division of the Talmud.—*The external division of both Talmuds is identical with the division, subdivision, and sub-subdivision of the *Mishnah,* although there is not always *Gemara* in the one when there is *Gemara* in the other.@@9 This, however, need not be further discussed here, as all on this head is minutely specified in Mishnah (*q.v.*). Concerning the internal division into *Halakhah* and *Agadah,* it ought to be said that the former is more largely represented in the Babylonian Talmud, whilst the latter is more largely and more interestingly given in the Palestinian Talmud. Whole collections of *Midrashim* now in our hands have constituted (if we may judge from the known to the unknown) part of the Palestinian Talmud,@@10 and seem to have chiefly belonged to those portions of it which have been gradually lost.

*Purpose.—*The Talmud, unlike the *Mishnah,* contains not only individual decisions, but everything that is necessary for arriving at legal and religious decisions of whatever description these may be, whilst, like the *Mishnah,* it is not itself a handbook of decisions. This is only in accordance with the nature and spirit of an oral law which delegates the decisions to the Talmudico-speculative capacities of the teachers of every age. Even several of the comparatively few instances in which the words . . . ,□ κn□S∏1 (“and the

the civil government is *the* law,” *i.e.,* that except in religious matters the Jew must submit to the laws of his country (T. B., *Baba Bathra, 54b).* Shemuel aud Rab (like Rabbi Yohanan and Resh Lakish, Abayye and Raba, and others), though intimate friends, nevertheless differ on nearly all imaginable points, so that when the Talmud wishes to give firmness to a certain decision or opinion, it uses the phrase ; “ Rab and Shemuel, &c., both agree.”

@@@1 The rector of this school was Rab Hisda, the father-in-law of Raba (*q.v.*)*.*

@@@2 The rector of this school was Raba (*q.v.*)*.*

@@@3 The rector of this school was Rab Mahman b. Yishak (T. B., *Gittin,* 31ά, Rashi, catchword אנא), husband of the learned and accomplished Yaltha, the daughter of the resh galutha (T. B., *Hullin,* leaf 109*b*), &c.

*@@@4 Amora* may also mean an interpreter. The great teachers of the first five centuries had generally a man (or several men) at their side, who to the learning requisite to translate the master’s teaching given in Hebrew, and dilate on it in Aramaic, added a Stentor’s voice, and could by fascinating speech command the attention of the audience. The first Babylonian *Amora, i.e.,* explainer of the *Mishnah,* who had an *Amora, i.e.,* a popular teacher, was Rabbi Shila. The first who is known to have acted as *Amora, i.e.,* popular teacher, to an *Amora, i.e.,* an explainer of the *Mishnah,* was the famous Rab (*q.v.*)*.* See T. Y., *Berakhoth,* iv. 1, 2, &c. ; T. B., *Berakhoth,* leaf 27ά ; and T. B., *Yoma,* leaf 20ά (against Rapoport, *'Erekh Millin,* s.v. “ Amora”).

@@@5 This certainly was not unfrequently the case, but even then they did so only in the spirit of the *Tannaim.*

@@@6 The Palestinian *Amoraim,* teaching people who understood Greek, had not to explain the Greek terms which frequently occur in the *Mish­nah* and other works kindred to it. The Babylonian *Amoraim,* how­ever, who in common with their hearers were ignorant of Greek, had a somewhat irregular though certainly effective way (received by them traditionally) of explaining the Greek terms in the *Mishnah,* &c., by Aramaic etymology. We will give two instances only of this practice : —(1) 'p\*D1SN, which is evidently the Greek *ύποθήκη,* is explained T. B., *Baba Mesi'a,* leaf 66ά, 1TÖ fc⅛X pJDD ηS «Π\* “thou shalt get no payment except from this,”—evidently = 'Kp NΠΠ ΠDX = “upon this thou shalt stand,” *i.e.,* “if I do not pay, this shall serve as my security”; compare Rashi on *Baba Kamma,* 11*b*, catchword \*p'ΓBDX ; (2) \*ρ\*ΓI\*Ι is evidently the Greek δ*ιαθήκη,* and is ex­plained as being a compound of (D,,p) Op'öS NΠΠ ΚΊ, “ this shall stand when I am no more,” *i.e.,* “this is my last will and testa­ment.” From T. B., *Baba Bathra,* leaf 135*b* (evidently a Babylonian *Boroitho*)*,* we see that in T. B., *Baba Mesi'a,* leaf 19*a*, three words (∏□ 31Π2B, S□) have fallen out.

@@@7 Compare p. 35, footnote 3.

@@@8 Bibliographers generally fall into a mistake in describing the size of the Babylonian as twelve times that of the Palestinian Talmud. They forget that two-thirds of the size of the former is simply owing to the commentaries by which it is invariably accompanied.

@@@9 The only thing that ought to be mentioned here is, that to the Palestinian Talmud the *Sheba Massekhtoth Ketannoth Yerushalmiyyoth* (Frankfort, 1851, 8vo) must be added, whilst *Gemara Shekalim* and the *Massekhtoth Ketannoth,* which now form an integral part of the Babylonian Talmud, are (*Aboth de-Rabbi Nathan* excepted) unjusti­fiably attached to it.

@@@10 See Rashi on Gen. xlvii. 2.