

## **THE JEWISH TALMUD**

The Talmud is in two parts : (1) the Mishna, i.e. the Oral Law ; (2) the Gemara, i.e. commentaries on the Oral Law.

### ***The Mishna***

The Mishna, or Oral Law (often called the Second Law) is that set of rules and regulations which the scribes compiled from the Written Law of Moses primarily during the inter-Testament period.

### ***Traditional origin***

Jewish tradition reaches back much further, and claims that the Oral Law was actually given along with the Written Law to complete and explain it. This is what the scribes and Pharisees of our Lord's time believed. Along with all the precepts, regulations and ceremonials in the Pentateuch God had given to Moses explanations relating to their proper application and supplementation, to be transmitted by word of mouth. Such is the common belief to this day among traditionally orthodox Jews.

The classic passage on this, in the Mishna itself, reads thus : "Moses received the (oral) law from Sinai, and delivered it to Joshua, and Joshua to the elders, and the elders to the prophets, and the prophets to the men of the Great Synagogue." (Note : the "Great Synagogue" is a traditional college or assembly of one hundred and twenty men soon after the days of Ezra, to which the Jews assign an important share in the formation of the Old Testament and the handing on of the Oral Law.) From the men of the "Great Synagogue" the Mishna or Oral Law was then transmitted (supposedly) to the scribes or rabbis who followed, who in turn faithfully passed it on from generation to generation.

We ourselves, of course, do not believe in any such fantasy as that God gave to Moses, along with the written Law, this "oral" law. Nor can we accept the story of the "Great Synagogue" in its

Jewish traditional form ; though we readily agree that Ezra and his coscholars had much to do with the shaping of the Old Testament canon, and that Nehemiah probably convened some such assembly which may have been followed by annual reassemblings. As Dr. Edersheim says, "Ezra left his work uncompleted. On Nehemiah's second arrival in Palestine, he found matters again in a state of utmost confusion. He must have felt the need of establishing some permanent authority to watch over religious affairs. This we take to have been 'the Great Assembly', or as it is commonly called, 'the Great Synagogue.' It is impossible with certainty to determine either who composed this assembly or of how many members it consisted. Probably it comprised the chief priests, elders, and judges'-the latter two classes including the scribes, if indeed that order was already separately organised. Probably, also, the term, 'Great Assembly' refers rather to a succession of men than to one synod-the ingenuity of later times filling the historical canvas, where left blank, with fictitious notices."

As for the Jewish tradition that God gave Moses the Oral Law along with the Written Law, and that it was thence passed orally down, that tradition had its birth and growth, like the Mishna itself, during the inter-Testament period, in the fertile minds of scribes anxious to invest the oral law with sanctity and authority.

### ***Real Origin of the Mishna***

How, then, in reality, did the Mishna, or Oral Law, develop? And how did it come to be in the Talmud? It originated in what are known as the Midrashim. And what were they? They were commentings on the Law and other Old Testament Scriptures which began to be made from about the time when the Remnant returned to Judaea after the Babylonian exile. When the writings of Moses and the pre-exile prophets became unintelligible to the mass of the people, who now spoke Aramaic, public expositions of the Scripture became necessary in a new way, and were delivered on a much larger pattern by the "lawyers" or "scribes." Often, perhaps, the public teacher would limit himself to paraphrasing the Scriptures in the Aramaic vernacular ; but the understandable tendency was to expand into exegesis and application. As time went on,

paraphrasing became needed from Hebrew into other languages besides Aramaic, for the Jews were more and more spread among the different peoples of the world ; and this led to translations or versions in Chaldee, Syrian, Greek (such versions being known as targums). Also the early commentings on the Scriptures developed into more definite though still oral commentaries, i.e. the Midrashim.

### ***The Halachoth***

These Midrashim, or commentaries, almost inevitably divided themselves into two main categories, namely the Halachoth and the Hagadoth (oth is a Hebrew plural).

The Halachoth were the binding rules or precepts which were deduced or developed from the Written Law to cover all those details of human conduct which the Written Law itself did not mention. When one remembers that the returned Jews had adopted the Law of Moses as both the written constitution of the state and the authoritative rule of individual life, and that there were simply endless new civil and personal problems inevitably arising, one can well appreciate how it gave rise to the continuous labours of a large body of trained men who made the study of the Law the great business of their lives. One can easily see, also, how those legal rules or precepts, those guaranteed extendings of the Written Law to cover particular circumstances, gradually came to acquire an importance equal to, or even greater than, that of the Written Law itself. They are known collectively as the Halachic Exegesis, or "Deductions from the Law," or as the "traditional law" in distinction from the "Written Law" of Moses. As time went on and the Halachoth grew, they covered "every possible and impossible case, entered into every detail of private, family, and public life ; and with iron logic, unbending rigour, and most minute analysis, pursued and dominated man, turn wither lie might, laying on him a yoke which was truly unbearable."

### ***The Hagadoth***

But besides the Halachoth, there were the Hagadoth. The former were legal prescriptions,

doctrinal, binding, fixed, stable ; whereas the latter were free interpretations, homiletical, discursive, exhortative, practical, and accompanied by illustration, comment, anecdote, clever or learned sayings, etc. The Halachoth were confined to the Pentateuch, whereas the Hagadoth ranged over the whole Scriptures. They contain "beautiful maxims and ethical sayings of illustrious men; attractive mystical expositions about angels and demons, paradise and hell ; Messiah and the prince of darkness ; poetical allegories ; symbolic interpretations of all the feasts and fasts ; charming parables ; witty epithalamiums ; touching funeral orations ; amazing legends; biographical and characteristic sketches of Biblical persons and national heroes; popular narratives and historical notices of men, women, and events of bygone days; philosophical disquisitions ; satirical assaults on the heathen and their rites ; able defences of Judaism, etc. etc." Is it to be wondered at, that such a sacred and national lore became far more interesting to the people at large than the dry musts and must nots pertaining to the legal enactments contained in the Halachoth? Indeed, although both the Halachoth and the Hagadoth had developed from the early Midrashim, or commentings, the word Midrashim later became commonly used of the Hagadoth only.

### ***Eventual Compilation in Talmud***

For centuries the Halachoth were transmitted orally and were therefore also called Shematha, which means that which was heard or received, i.e. by those in the chain of tradition. To write them down was frowned on as a religious offence. The only touches of writing, for centuries, were those by a few learned rabbis who here and there wrote out certain of these laws, or indicated them by signs or hints in their Pentateuch scrolls, solely to aid memory : and those documents are called Secret Scrolls. It was between 200 B.C. and A.D. 200 that the compiling and editing this now-accumulated mass of juridico-political and religious halachoth took shape. By and by, the circumstances of the times indicated the need for fixedness and order, and more or less complete collections of the Halachoth were made. The learned Hillel (75 B.C.-A.D.14) made a first attempt, classifying the Halachoth under six sedarim or orders (which still remain). A much fuller collection is attributed to Rabbi Akiba (about A.D. 135). The compilation of

Halachoth and Hagadoth together, in finalised form, as the authoritative Mishna, and as now in the Talmud, was accomplished by Rabbi Jehuda, who died about the end of the second century A.D. "The language of the Mishna is that of later Hebrew, purely written on the whole, though with a few grammatical Aramaisms, and interspersed with Greek, Latin and Aramaic words which had become naturalized."

### ***Divisions of the Mishna***

The Mishna, as now in the Talmud, is in six Sedarim or orders, the titles of which indicate their main subject : (1) Sedar Zeraim -agriculture ; (2) Sedar Moed-the festivals ; (3) Sedar Nashim -women; (4) Sedar Nezikin-civil and criminal law; (5) Sedar Kodashim sacred things ; (6) Sedar Taharoth-purifications.

These six orders or books are divided into tractates. There are 11 tractates in the first, 12 in the second, 7 in the third, 10 in the fourth, 11 in the fifth, 12 in the sixth-making a total of 63 tractates. These tractates are subdivided into perakim (chapters)-525 in all ; and again into 4,187 mishnas (verses)-for the word mishna is used of any such verse of the whole Mishna, just as we ourselves use the word "Scripture" to mean the whole Bible, yet speak of any particular verse as such-and-such a scripture.

### ***The Boraitas and Toseftas***

But not even did this official Mishna manage to incorporate all the Midrashim, or traditional precepts and interpretations. Many others existed, which are preserved in part in the Sifra, or Commentary on Leviticus ; the Sifri on Numbers and Deuteronomy ; the Mechilta on Exodus ; and the second Sifri on Numbers.

Still further, there are the Toseftas, or "Additions," dating from soon after the official Mishna was completed. There are Toseftas, or "Additions," to fifty-two out of the sixty-three Mishna

tractates.

### ***Substance and Influence of the Mishna***

For such a diverse and complex compilation, the Mishna is thus systematised with great skill ; but in substance it treats men like children. Its precepts, with their "musts" and "must nots," formalising the minutest particulars of ritual observances, kept men for ever at the mere letters of the alphabet in matters religious, spiritual and moral. It prevented the development of real theology and plastered men's minds with pedagogic "do's" and "don'ts." As Dr. Edersheim says: "The Halachah indicated with the most minute and painful punctiliousness every legal ordinance binding on the conduct. But it left the inner man, the spring of actions, untouched alike as regarded faith and morals. What he was to believe and what to feel was chiefly matter of the Haggadah. A man might hold or propound almost any views so long as he adhered in teaching and practice to the traditional ordinances. . . . Thus, Rabbinism had no system of theology ; only what ideas, conjectures, or fancies the Haggadah yielded concerning God, angels, demons, man, his future destiny and present position, and Israel, with its past history and coming glory. What a terrible mass of conflicting statements and debasing superstitions, legendary colouring of Biblical narratives and scenes, incongruous, and degrading to them ; the Almighty Himself and His angels taking part in the conversations of rabbis, and the discussions of academies ; nay, forming a kind of heavenly Sanhedrin, which occasionally require the aid of an earthly rabbi. The miraculous merges into the ridiculous and even the revolting. Miraculous cures, miraculous supplies, miraculous help, all for the glory of great rabbis, who by a look or word can kill and restore to life. At their bidding the eyes of a rival fall out, and are again inserted. Nay, such was the veneration due to rabbis, that R. Joshua used to kiss the stone on which R. Elieser sat and lectured, saying: 'This stone is like Mount Sinai, and he who sat on it like the Ark.'" Read all this, and then bear in mind that the Mishna represents the traditions which were current among the scribes and the Pharisees when our Lord was on earth. Its influence was a dead weight against the new message of the kingdom of heaven which our Lord had come to proclaim.

### ***The Gemara***

So far we have dealt only with the first part of the Talmud, i.e. the Mishna ; but there is a second part, the Gemara, for the Mishna is only a smaller area of Jewish traditionalism. As we have said, the Mishna reached standardised completion at the hands of Rabbi Jehuda toward the end of the second century A.D. Thenceforward, because of obscurity in many of its enjoinders, the Mishna itself became the subject of elucidation and comment. Just as the Mishna purports to expound and expand the Written Law, so now in turn must the Mishna be expounded and supplemented! That is what developed during the period of the Amoraim, or public expositors of the Oral Law from about A.D. 200 to 500. During those three centuries commentaries ranging over the whole Mishna came into being.

### ***Formation of the Gemara***

These commentaries, containing the "discussions, illustrations, explanations and additions" which the Mishna provoked "in its application or in the academies of the Rabbis," were eventually brought together and arranged in order: and it is these commentaries collectively which form the Gemara. The word gemara means "that which is learned," and is therefore practically synonymous with the word "talmud." It is well to note that; for although the entire work popularly known as the Jewish Talmud comprises both the Mishna and the Gemara, as often as not when the Jews themselves speak of the Talmud they mean the Gemara only, in distinction from the Mishna.

### ***Two Gemaras***

But there is yet a further feature to mention. There are two of these Gemaras or Talmuds. There is the Jerusalem Gemara, and there is the Babylonian. They are so named because the one came from the Palestinian academies and the other from the Babylonian. It should be borne in mind that ever since the return of the Remnant to Judaea after the exile in Babylonia the Jews of the

homeland were a minority. The much larger part of their race continued as the "Dispersion." By the time Josephus wrote (A.D. 37-q8) there was "no nation in the world which had not among them part of the Jewish people." But it was between the Euphrates and the Tigris, in the area formerly known as Babylonia, that the largest and wealthiest and least-Hellenised Jewish communities remained (see note prefixed to study number 107). It was from there that the greatest teachers had come to restore and expound the Law in Judaea-the great Ezra, just before the interTestament period, and the renowned Hillel just at the end of it. After the overthrow of Jerusalem in A.D. 70 political stress shifted the real centre of rabbinical Judaism to Babylonia. The Jerusalem Talmud is the earlier but much smaller of the two, and it gives the discussions of the Palestine Amoraim (expositors) from about A.D. 200 to 400. The Babylonian Talmud is some four times larger, and covers more than thirty-six of the sixty-three tractates of the Mishna. It is nearly eleven times longer than the Mishna itself, and fills close on six thousand large pages. It was completed somewhere about A.D. 500. Both Gemaras began to be known by that name from about the ninth century onwards. The Jews consider the Babylonian Talmud the higher authority of the two. The succinctness of the Jerusalem Talmud, however, compared with the diffuseness of the Babylonian, saves it from many fables, fictions and absurdities.

### *Character and Style*

Neither of these Gemaras is complete. Both have the same Mishna, but differ considerably in the Gemara. In both of them the Mishna is commented upon seriatim, tenet by tenet. Dr. Edersheim says: "Of the character of these discussions it would be impossible to convey an adequate idea. If we bear in mind the many sparkling, beautiful, and occasionally almost sublime passages in the Talmud, but specially that its forms of thought and expression so often recall those of the New Testament, only prejudice and hatred could indulge in indiscriminate vituperation. On the other hand, it seems unaccountable how any one who has read a Talmudic tractate, or even part of one, could compare the Talmud with the New Testament, or find in the one the origin of the other."

Offsetting Dr. Edersheim, however, the learned Bishop Lightfoot, speaking of the Babylonian



Gemara, says: "The almost unconquerable difficulty of the style, the frightful roughness of the language, and the amazing emptiness and sophistry of the matters handled, do torture, vex, and tire him that reads them (the Talmudic authors). They do everywhere abound with trifles in that manner as though they had no mind to be read; with obscurities and difficulties, as though they had no mind to be understood ; so that the reader hath need of patience all along to enable him to bear both trifling in sense and roughness in expression."

With that well-deserved Anglican grumble, perhaps we ought now to leave the Talmud, lest others start grumbling, too!

## **JOSEPHUS ON THE ESSENES**

"The doctrine of the Essenes is this: That all things are best ascribed to God. They teach the immortality of souls, and esteem that the rewards of righteousness are to be earnestly striven for; and when they send what they have dedicated to God into the temple, they do not offer sacrifices, because they have more pure lustrations of their own; on which account they are excluded from the common court of the temple, but offer their sacrifices themselves; yet is their course of life better than that of other men; and they entirely addict themselves to husbandry. It also deserves our admiration, how much they exceed all other men that addict themselves to virtue, and this in righteousness: and indeed to such a degree, that as it hath never appeared among any other men, neither Greeks nor barbarians, no, not for a little time, so bath it endured a long while among them. This is demonstrated by that institution of theirs, which will not suffer any thing to hinder them from having all things in common; so that a rich man enjoys no more of his own wealth than he who hath nothing at all. There are about four thousand men that live in this way, and neither marry wives, nor are desirous to keep servants; as thinking the latter tempts men to be unjust, and the former gives the handle to domestic quarrels; but as they live by themselves, they minister one to another. They also appoint certain stewards to receive the incomes of their revenues, and of the fruits of the ground; such as are good men and priests, who are to get their corn and their food ready for them."