

ORAL TORAH VS. WRITTEN TORAH

by Torah.org

As mentioned earlier, there are two "Torahs": the Written and the Oral. In Jewish tradition, both were given to Moses at Mt. Sinai and during the forty years in the desert, and taught to the whole nation. [In fact, when Judaism says "G-d gave the Torah to Moses at Sinai" it is talking only about the Oral -- otherwise, Moses should have known about the Golden Calf, and as for Korach's Rebellion, Moses should have reacted "well, we've been expecting *you*..."]

Both have been with us, according to Jewish sources, for all of the past 3300 years. And without both, it is impossible to fully understand traditional Jewish teaching or thought. The Written Torah, mentions each of the Commandments, or Mitzvos, only in passing or by allusion. The Oral Law fills in the gaps.

Here is an example: "And you shall tie them as a sign on your arm and for (*Totafos*) between your eyes." (Deut. 6 8) This is the source for the Mitzvah of Tefillin (phylacteries - if that's any clearer), but it doesn't tell us that much. From this alone, we'd never know how to do this Mitzvah. What are we supposed to tie to the arm? With what do we tie it? What are "*Totafos*?" What is it a sign of? Without the Oral Law, quite simply, there's no Mitzvah of Tefillin. And there aren't too many other Mitzvos that'll make much sense either. Not, that is, without some form of commentary.

With that said, it wouldn't have made any sense for the Author of the Five Books to have left us nothing more than tantalizing hints we still would have no idea what to do. So, either the Torah was written by an idiot (or a relatively clueless 'redactor' according to modern theorists) who just never thought things through enough to tell us what to put into our Tefillin... or there must be an instruction manual somewhere that came in the same package. We call this "instruction manual" the Oral law.

Let's see another example. "When you shall be far away from the place that the L-rd your G-d shall choose to place His name (i.e. when you'll live far from Jerusalem and the Temple), slaughter from your herd and from your flock that which the L-rd has given you, as He has commanded you..." (Deut. 12 21)

This passage informs us that even when we will live far away from the Temple, we will still be able to enjoy meat (for the entire 40 years in the wilderness the Jews ate meat only from Temple/Tabernacle offerings). Simply take an animal from your own herd or flock and slaughter it... "**as He has commanded you.**" Now, you can search the Bible from beginning to end, but you won't find any instructions or command concerning the technique of animal slaughter that would justify

the words "as He has commanded you." It's simply not there. Either the author of this Torah forgot... it slipped his mind... he had a bad day (you know, his kids were going berzerk, the air conditioner broke down, and nothing went right) or else He gave us an Oral Law to go with the written. Not surprisingly, Jewish tradition sides with the latter possibility.

So if it's an "Oral" Law, how come it's written down? The answer has to do with human frailty.

In the lifetime of Rabbi Yehuda Hanasi (around 1700 years ago), Roman persecution, the recent destruction of the second Temple and the disruption of stable Jewish community life threatened our ability to properly retain and transmit this oral law. Rabbi Yehuda, therefore, wrote down the bare basics in the Mishna. A couple of centuries of hardship and persecution later, the rabbis of Babylonia saw a need to record even more detail and compiled a written version of what is known as the Talmud. Somewhere in between, the rabbis of Israel had begun work on a "Jerusalem Talmud" which is still an important part of the Jewish library, but, due to Roman/Christian persecution, was never really finished.

So why wasn't it written down in the first place? There are many reasons, but think of this. The Torah contains 613 Mitzvos, their many and detailed instructions and the information needed to apply them to every possible circumstance that history can throw at the Jewish people (e.g. electricity and the Sabbath). It includes the philosophy that binds a Jew to the Torah and the fire that will ignite the heart of each Jew in the service of his G-d. Now there are as many different types of Jews as there are Jews, and each one has a different "boiling point," yet for each of us there's a path to true emotional involvement in Mitzvah-observance and Torah study. And that path is found in the Oral Torah.

Writing down the Oral Law in a book you'd be able to carry on something smaller than the average bus, yet which contained all of the detail and variety we've discussed, is simply not practical. Now that Rabbis have devoted themselves to writing down their oral teachings, libraries of Jewish books, all "Torah", have been published. Furthermore, reading such a book in a way that keeps the flavor of a living Torah -- one you've learned from a living teacher who learned from his living teacher who learned from his... is also a challenge. So in the best of all possible worlds, the oral Torah would have best been kept oral -- but we simply cannot remember it all.

Does that mean that, now, in the imperfect world in which we live, that we no longer have the real thing? Jewish tradition says no. Despite the fact that we have printed versions of the Talmud and many other books as well, the Oral Torah is *still* oral at its essence. For one thing, it's nearly impossible to master the logic and style of the Talmud without a real, live teacher. As brilliant as you might be, and even with an English translation, it will probably remain a confused collection of scattered ideas and disjointed reasoning until you're given the key by an expert. We're forced, therefore, to take our Talmud with a dose of the oral Torah.

In addition, the Talmud's oral flavor can still be tasted through its flexibility. Take, as an example, the

19th Century decision that the opening and closing of electrical circuits was prohibited on the Sabbath. This decision wasn't a simple matter of personal preference or a random guess, but, as a review of the literature will show, was firmly rooted in the Talmud itself.
