

# History Crash Course #39: The Talmud

In a time of chaos, the sages do the unprecedented and write down the Oral Law

At various times during the persecutions of Roman Emperor Hadrian, the sages were forced into hiding, though they managed to reconvene at Usha in 122 CE, and then in a time of quiet managed to re-establish again at Yavneh in 158 CE. With so much persecution and unrest, with the Jewish people fleeing the land of Israel, the rabbis knew that they would not be able to keep a central seat of rabbinic power alive for long.

## Yehudah HaNasi

In a time of chaos, the rabbis decide that they must do the unprecedented — write down the Oral Law. Yehudah HaNasi is one personality who is absolutely fundamental to understanding this period of time, and one of the greatest personalities of Jewish history. So great was he that he is now affectionately referred to in Jewish scholarship as only *Rebbe*.

Hadrian dies in 139 C.E and with his death came an improvement in the treatment of the Jewish community in Israel. During a period of relative quiet, Rabbi Yehudah HaNasi managed to befriend the Roman emperors who succeeded Hadrian, particularly Marcus Aurelius (161-180 C.E.). Writes historian Rabbi Berel Wein in his *Echoes of Glory* (p. 224):

*Providentially, in the course of the Parthian war, Marcus Aurelius met Rabbi [Yehudah HaNasi], and they became friends and eventually confidants. Marcus Aurelius consulted with his friend in Judah on matters of state policy as well as on personal questions.(1)*

The years of Marcus Aurelius' reign, ending in his death in 180, was the high-water mark in the intercourse between Rome and the Jews. The Jews, under the leadership of Rabbi Yehudah HaNasi, would use this period of blissful respite to prepare themselves for the struggle of darker days surely lurking around the corner. It was during this time (circa 170-200 CE), the Mishnah was born.

## Mishnah

In past installments we discussed the fact that at Mount Sinai the Jewish people received the Written Torah and the Oral Torah. The Oral Torah was the oral explanation of how the written laws should be executed and followed. The Oral Torah passed from generation to generation and was never written down. Why? Because the Oral Torah was meant to be fluid. The principles stayed the same, but the application of those principles was meant to be adapted to all types of new circumstances.

This worked exceptionally well as long as the central authority — the Sanhedrin — remained intact, and the chain of transmission was not interrupted. (That is, teachers were able to freely pass on their wisdom to the next generation of students.) But in the days since the destruction of the Temple, the Sanhedrin had been repeatedly uprooted and teachers had to go into hiding.

Rabbi Yehudah HaNasi realized that things would not get better any time soon. He saw that the Temple would not be rebuilt in his generation and possibly in many generations to come. He saw the Jews fleeing the land as a result of the constant persecutions and impossible living conditions. He saw that the central authority was weaker than ever and might cease altogether. To make sure that the chain of transmission would never be broken, he decided that the time had come to write down the Oral Torah.

This was a mammoth undertaking. Although much of the work may have already been done by previous generations of rabbis, the monumental task of editing, explaining and organizing this vast amount of material was left to Rabbi Yehudah. The end result of this massive undertaking was a definitive, yet cryptic (the basic principles were all there yet a teacher was

still required to elucidate the material) version of the entire Oral Law called the *Mishnah*. (Incidentally, the word *Mishnah* means "repetition" because it was studied by repeating; *Mishnah* then, by extension, means "learning.") Maimonides, in his introduction to his *Mishneh Torah*, explains it as follows:

He gathered together all the traditions, enactments, and interpretations and expositions of every position of the Torah, that either come down from Moses, out teacher, or had been deduced by the courts in successive generations. All this material he redacted in the *Mishnah*, which was diligently taught in public, and thus became universally known among the Jewish people. Copies of it were made and widely disseminated, so that the Oral Law might not be forgotten in Israel.

## Writing the Talmud

During the centuries following the completion of the *Mishnah*, the chain of transmission of the Oral law was further weakened by a number of factors:

- Economic hardship
- Increased persecution caused many Jews, including many rabbis, to flee the country
- The role of the rabbis of Israel as the sole central authority of the Jewish people was coming to an end

This decentralization of Torah authority and lack of consensus among the rabbis led to further weakening of the transmission process. It became clear to the sages of this period that the *Mishnah* alone was no longer clear enough to fully explain the Oral Law. It was written in shorthand fashion and in places was cryptic. This is because it was very concise, written on the assumption that the person reading it was already well-acquainted with the subject matter.

So they began to have discussions about it and to write down the substance of these discussions. Since at this time a significant portion of the Jewish population was living in Babylon, which was outside the bounds of the Roman Empire, the rabbis there put together their discussions, the end product of which was called *Talmud Bavli* or the Babylonian Talmud. Even before this process had begun in Babylon, in the land of Israel, another set of discussions took place and the end result was *Talmud Yerushalmi* or the Jerusalem Talmud.

Although there are two Talmuds, they are not really separate. The Rabbis of Babylon had access to the Jerusalem Talmud while they were working on their text. But if there is dispute between the two Talmuds, the Babylonian Talmud is followed. Both because Babylonian Talmud is considered more authoritative and the Jerusalem Talmud is more difficult to study, Jewish students pouring over the Talmud in yeshiva are using chiefly the Babylonian Talmud. The Talmud is more than just an application of the details of the Jewish law as expounded in the *Mishnah*. It's the encyclopedia of all Jewish existence.

The Talmud also contains a lot of *agadata* — these are stories that are meant to illustrate important points in the Jewish worldview. These stories contain a wealth of information on a huge range of topics. This information was vital to the Jewish people because Jewish law was never applied by reading a sentence in the Torah and executing it to the letter. Take for example, "eye for an eye, tooth for a tooth." It was never Jewish law that if someone blinded you, that you should go and blind him. What is the good of having two blind people? It was always understood on two levels: 1) that justice must be proportional (it's not a life for an eye) and 2) that it means the *value* of an eye for the value of the eye, referring to monetary damages. Thus, the Talmud presented the "written" and "oral" tradition together.

To read the Talmud is to read a lot of arguments. On every page it seems that the rabbis are arguing. This kind of argument — the purpose of which was to arrive at the kernel of truth — is called *pilpul*. This word has a negative connotation outside the yeshiva world, as people read these arguments and it seems to the uneducated eye that the rabbis are merely splitting hairs, and that some of the arguments have absolutely no basis in everyday life. But this is not so.

The reason why the rabbis argued about things that may not have any application to everyday life was to try to get to truth in an abstract way — to understand the logic and to extract the principle. These rabbis were interested in knowing what reality is and in doing the right thing. Reality is what Judaism is all about — the ultimate reality being God.