

The Talmud

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The **Talmud** (Hebrew is a record of תלמודי :rabbinic discussions pertaining to Jewish law, ethics, customs and history. The Talmud has two components: the Mishnah (c. 200 CE), the first written compendium of Judaism's Oral Law; and the Gemara (c. 500 CE), a discussion of the Mishnah and related Tannaitic writings that often ventures onto other subjects and expounds broadly on the Tanakh. The terms *Talmud* and *Gemara* are often used interchangeably. The Gemara is the basis for all codes of rabbinic law and is much quoted in other rabbinic literature. The whole Talmud is also traditionally referred to as **Shas** (a Hebrew abbreviation of *shisha sederim*, the "six orders" of the Mishnah).

History

Oral law

The first page of the Vilna Edition of the Babylonian Talmud, Tractate Berachot, folio 2a. Originally, Jewish scholarship was oral. Rabbis expounded and debated the law and discussed the Tanakh without the benefit of written works (other than the Biblical books themselves), though some may have made private notes (*megillat setarim*), for example of court decisions. This situation changed drastically, however, mainly as the result of the destruction of the Jewish commonwealth in the year 70 C.E. and the consequent upheaval of Jewish social and legal norms. As the Rabbis were required to face a new reality—mainly Judaism without a Temple and Judea without autonomy—there was a flurry of legal discourse and the old system of oral scholarship could not be maintained. It is during this period that Rabbinic discourse began to be recorded in writing.

The earliest recorded oral law may have been of the midrashic form, in which halakhic discussion is structured as exegetical commentary on the Pentateuch. But an alternative form, organized by subject matter instead of by biblical verse, became dominant about the year 200 C.E., when Rabbi Judah haNasi redacted the Mishnah.(משנה)

Mishnah

The *Mishnah* is a compilation of legal opinions and debates. The name means “redaction,” from the (משנה) verb *shanah* or to study and review, in Hebrew. This name may hint at the original oral memorization, שנה, method of studying rabbinic discourse.

Statements in the Mishnah are typically terse, recording brief opinions of the rabbis debating a subject; or recording only an unattributed ruling, apparently representing a consensus view. The rabbis of the Mishnah are known as *Tannaim* (sing. *Tanna*). תנא

Since it sequences its laws by subject matter instead of by biblical context, the Mishnah discusses individual subjects more thoroughly than the Midrash, and it includes a much broader selection of halakhic subjects than the Midrash. The Mishna's topical organization thus became the framework of the Talmud as a whole.

The Mishnah consists of six orders (*sedarim*, singular *seder* סדר). Each of the six orders contains between 7 and 12 tractates, called *masechtot* (singular *masechet*lit. "web"). Each *masechet* is divided into chapters (*peraqim*) composed of smaller units called *mishnayot* (singular *mishnah*). Not every tractate in the Mishnah has a corresponding Gemara. Also, the order of the tractates in the Talmud differs in some cases from that in the Mishnah; see the discussion on each Seder.

- First Order: Zeraim ("Seeds"). 11 tractates. It deals with prayer and blessings, tithes, and agricultural laws.
- Second Order: Moed ("Festival Days"). 12 tractates. This pertains to the laws of the Sabbath and the Festivals.
- Third Order: Nashim ("Women"). 7 tractates. Concerns marriage and divorce, some forms of oaths and the laws of the nazirite.
- Fourth Order: Nezikin ("Damages"). 10 tractates. Deals with civil and criminal law, the functioning of the courts and oaths.
- Fifth Order: Kodashim ("Holy things"). 11 tractates. This involves sacrificial rites, the Temple, and the dietary laws.
- Sixth Order: Tohorot ("Purity"). 12 tractates. This pertains to the laws of ritual purity.

Baraita

In addition to the Mishnah, other tannaitic works were recorded at about the same time or shortly thereafter. The Gemara frequently refers to these tannaitic statements in order to compare them to those contained in the Mishnah and to support or refute the propositions of Amoraim. All such non-Mishnaic tannaitic sources are termed baraitot (lit. outside material, "Works external to the Mishnah"; sing. baraita ברייתא).

Baraita includes the Tosefta, a tannaitic compendium of halakha parallel to the Mishnah; and the Halakhic Midrashim, specifically Mekhilta, Sifra and Sifre. Other baraitot are known only in the form of quotations within the Talmud.

Gemara

In the three centuries following the redaction of the Mishnah, rabbis throughout Israel and Babylonia analyzed, debated and discussed that work. These discussions form the Gemara (גמרא). (*Gemara* means "completion" (from the Hebrew *gamar* to complete) or "learning" (from the "גמר": Aramaic: "to study"). The Gemara mainly focuses on elucidating and elaborating the opinions of the Tannaim. The rabbis of the Gemara are known as Amoraim (sing. *Amora*). אמורא

Much of the Gemara consists of legal analysis. The starting point for the analysis is usually a legal statement found in a Mishnah. The statement is then analyzed and compared with other statements in a dialectical exchange between two (frequently anonymous and sometimes metaphorical) disputants, termed the *makshan* (questioner) and *tartzan* (answerer). Another important function of Gemara is to identify the correct Biblical basis for a given law presented in the Mishnah and the logical process connecting one with the other: this activity was known as *talmud* long before the existence of the "Talmud" as a text.

These exchanges form the "building-blocks" of the Gemara; the name for a passage of gemara is a *sugya* plural סוגיות (*sugyot*). A *Sugya* will typically comprise a detailed proof-based elaboration of a Mishnaic statement.

In a given *sugya*, scriptural, Tannaic and Amoraic statements are brought to support the various opinions. In so doing, the Gemara will bring semantic disagreements between Tannaim and Amoraim (often ascribing a view to an earlier authority as to how he may have answered a question), and compare the Mishnaic views with passages from the Baraita. Rarely are debates formally closed; in many instances, the final word determines the practical law, although there are many exceptions to this principle. See Gemara for further discussion.

Halakha and Aggadah

The Talmud contains a vast amount of material and touches on a great many subjects. Traditionally Talmudic statements can be classified into two broad categories, *Halakhic* and *Aggadic* statements. Halakhic statements are those which directly relate to questions of Jewish law and practice (Halakha). Aggadic statements are those which are not legally related, but rather are exegetical, homiletical, ethical or historical in nature. See Aggadah for further discussion.

Bavli and Yerushalmi

The process of "Gemara" proceeded in the two major centers of Jewish scholarship, Palestine and Babylonia. Correspondingly, two bodies of analysis developed, and two works of *Talmud* were created. The older compilation is called the Jerusalem Talmud or the *Talmud Yerushalmi*. It was compiled sometime during the fourth century in Israel. The Babylonian Talmud was compiled about the year 500 C.E., although it continued to be edited later. The word "Talmud", when used without qualification, usually refers to the Babylonian Talmud.