

# THE EARLIER RABBINIC TRADITION

AND ITS IMPORTANCE FOR  
NEW TESTAMENT BACKGROUND

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## INTRODUCTION

**T**HERE is a gap of more than four hundred years between the last book of the Old Testament and the first of the New. Jewish religion and literature advanced and developed during that intervening period and beyond it, and Christianity came to birth and matured against this changing background. A proper historical understanding of the New Testament is impossible without a detailed knowledge of Jewish literature and thought. The simple saint may well find his way to the kingdom without this, but for those who would be teachers and students in the New Covenant faith, such knowledge is not only desirable but necessary. That is why the Apocrypha and Pseudepigrapha, the works of Philo and Josephus, and some portions of the pagan writings have been read and studied by earnest Christians throughout the centuries.

There is another field of Jewish literature, possibly more important for New Testament background than those just mentioned, yet considerably less familiar to the majority of Bible students. In the centuries before and after the advent of Christ, the learned Jewish scholars or Rabbis made it their main task in their schools and academies to interpret and expand, by their own methods, the Mosaic Law, the basic Judaism of the Old Testament. Their wisdom and their hair-splitting, their masterly expositions and their smile-provoking puerilities, long preserved orally, came at last to be written down in Hebrew and Aramaic. These writings form what we now call the Rabbinic literature.

For the purposes of this essay, the earlier Rabbinic tradition is differentiated as falling within the period which closes about 200 A.D. Some knowledge of this

period is essential for any scientific study of the Gospels and Epistles. The total neglect of Rabbinic studies by the majority of Christians is due not only to the severe linguistic requirements for advanced work, but also to the lack of suitable helps for the beginner. These pages are meant for the beginner. They give only the most important facts, with the minimum of technicality. The Notes and Bibliography offer some suggestions for those who wish to study the subject further.

## CHAPTER I

### THE MAIN STAGES OF RABBINIC TRADITION

THE corpus of Jewish oral law or the unwritten Torah, known to Jesus, Paul and Josephus as the 'tradition of the elders,' is familiar, at least by name, to every reader of the New Testament. This tradition began some four centuries before Christ, in the time of Ezra, or very shortly afterwards, though its earlier history is shrouded somewhat by the mists of antiquity. At a much later date, and right up to the destruction of Herod's Temple in 70 A.D., this oral law was the main cause of dissension between the Pharisees and the Sadducees. While the Temple still stood, the wealthy, aristocratic and rather worldly Sadducee priests had a certain influence in Judaism, at least with the upper classes. Yet even then their poorer and much more learned lay brethren, the Pharisees, were gaining the ascendancy, largely, no doubt, by their superior ability. Pharisees and Sadducees alike acknowledged the authority of the written Torah, the canonical Old Testament, and the pre-eminent authority of the five books of the Pentateuch or Law of Moses. The Pharisees sternly and vehemently maintained also the binding obligation of the oral law or tradition, which the Sadducees just as emphatically rejected. Eventually, of course, and more especially after the destruction of the Temple, the Pharisees carried the day, and the doctrines of the Sadducees became a dead letter in the life of Judaism. For all those who rejected Jesus Christ, and remained within the Old Covenant, the oral law became the universal ruling, and was no longer the manifesto of a party.

In this way, the guiding principle for those who still

adhered solely to the Jewish faith became not the Old Testament Scriptures alone, but these Scriptures supplemented and interpreted by a tradition claiming within itself an equal or even greater authority and autonomy. This tradition remained oral until well after the completion of the New Testament canon. Its universalization within the continuing Judaism, particularly after the fall of the Herodian Temple, marks a second major stage in the Rabbinic development. In the first stage, it is still merely something of a party cry.

The third stage was reached in 200 A.D., when the tradition also became written, and, as it were, deuterocanonical, forming, in the pages of the Mishnah, the nucleus of the Rabbinic literature. When the present Mishnah was committed to writing, it contained the legal teaching of nearly four centuries, clarified and invested with authority by successive generations of Rabbinic teachers. In the earlier period, this great mass of material had to be memorized, and the name Mishnah, significantly enough, comes from the Hebrew verb *shanah*, to repeat.

After 200 A.D., the Mishnah took its place beside the Old Testament as a second written source for Jewish exposition and enactment. The main preoccupations of Jewish exegetical scholars then became twofold, the closed canon of Scripture on the one hand, and the codified traditional Mishnaic law, presenting in itself something of a closed canon, on the other. The Mishnah, like the Old Testament, and unlike most other Rabbinic writings, is not in any sense a commentary on something else, but a body of teaching claiming its own authority within itself. This fact is important, and its fuller significance will become clear in the third section.

The earlier Rabbinic commentaries, which make up more or less the whole extant literature outside the

Mishnah, are of two kinds. What they offer is of course something very different from the scientific exegesis and analysis of, say, the *International Critical Commentary*. The first kind is the running or verse-by-verse commentary on the books of the Old Testament, known as Midrash. This word, which is biblical,<sup>1</sup> comes from a Hebrew verb *darash*, to examine, explore, interpret. Oral Midrashic teaching predates its earliest written samples by five or six centuries, going back, or nearly back, to the days of Ezra. There is a kind of Midrash within the Old Testament itself, as in the books of Chronicles, but these remarks apply to the type which is specifically Rabbinic.

The second kind is the commentary on the Mishnah itself, known as Gemara, from the Aramaic verb *gemar* (Hebrew form *gamar*), to finish, and later, by derivation, to learn by heart or to learn traditional law. Mishnah and Gemara together form the constituent elements of Talmud, from the Hebrew verb *lamad*, to learn. If the reader remembers that the Mishnah is part of the Talmud, the earliest part, from which the Gemara grew, he will be saved from errors of nomenclature. It would be quite as absurd to couple Mishnah and Talmud as it would be to couple Pentateuch and Old Testament.

These may be called the primary Rabbinic writings. In every case, there was a long oral history prior to the written documents. Later Hebrew commentaries on these primary sources have been produced right into modern times.

Separate from all this activity, and yet parallel to it, is the tradition of Targum. Centuries before Christ,

1. 2 Chr. xiii. 22, xxiv. 27. See also the article, Commentary, in Hastings' *Dictionary of the Bible* (in future references, H.D.B.), and Driver, *Literature of the Old Testament*, 9th edn., p. 529.



the Hebrew of the Old Testament had become a dead language, save for the learned, and had been replaced for the mass of the populace by the vernacular Aramaic. This necessitated the Targumim, or paraphrastic Aramaic renderings of the Hebrew Scriptures. Just as with Mishnah and Midrash, written documents come fairly late. The earliest of them, Targum Onkelos on the Pentateuch, belongs to the second or third century after Christ. Oral Targum probably goes right back to Ezra, and its beginnings may well be reflected in Neh. viii. 8. Targum has its place in the study of Old Testament text, but lies outside the present enquiry.

## CHAPTER II

### THE PRE-DOCUMENTARY PERIOD

**I**N filling out the very bare synopsis of the last chapter, it may be well to glance briefly first at the history of Rabbinic Judaism during the first five or six centuries of its existence, the period prior to the written documents we now possess. The later literature was no mushroom growth, but the written precipitate of centuries of oral teaching. Certain controversial issues may be passed over very lightly.

It is reasonable to suppose that Ezra was the immediate ancestor, if not the actual founder, of Rabbinic Judaism. Efforts have been made by the more radical critics to deny his very existence, but these views need not be taken very seriously. Most scholars would admit that Ezra came to Jerusalem from Babylon in the fifth, or, less probably, in the fourth century before Christ,<sup>1</sup> and that he had the authority of a royal warrant to reform the Jewish religion after the re-settlement in Palestine of some of the Babylonian exiles. His priestly status, and his activities in connection with the Temple, are of much slighter importance than the fact that he secured for the Torah recognition as the supreme norm in Judaism, thus checking both the corruption and the over-sacerdotal tendencies of the faith of returned Israel. The solemn scene described in Neh. viii-x was a turning point in the history of legalistic Judaism. Its faults as well as its virtues spring from this fresh

1. See J. Stafford Wright's Tyndale Press monograph, *The Date of Ezra's Coming to Jerusalem*, for an excellent review of the whole problem of the Ezran chronology, together with a very reasonable and satisfying conclusion.

orientation in the direction of the Torah. It is quite certain that a purely sacrificial and priestly religion, such as might have developed in Israel without Ezra's work, would never have survived the destruction of the Temple in 70 A.D. Ezra himself may reasonably be regarded as the *terminus ex quo* for the history of Rabbinic Judaism.

A later Judaism, discontented perhaps with the comparative modernity of Ezra, and cherishing its tradition above even the written Law, sought to make the entire Talmud and Midrash part of God's Sinai revelation to Moses.<sup>1</sup>

God imparted to him, they said, not only the Written Torah, but also the oral law, the Unwritten Torah. The latter, the more precious, was reserved for the pious and wise of later ages, to be revealed afresh in God's good time, and piecemeal. The literal claim would hardly be treated seriously by a Christian. It has nevertheless been interpreted in a picturesque manner, as implying that all Rabbinic teaching, all Jewish exposition, right down to the present day, is the fruit of the original Torah revealed to Moses, the spirit of that teaching alive and growing. Law begets law, instruction begets instruction, and it all goes back to God's Sinai revelation to Moses though the human channels of God's commands have been constantly changing.

The Christian may well endeavour to understand the Jewish viewpoint, even if he cannot fully sympathize. His main criticism, of course, is that, far from regarding the Unwritten Torah as transcending the inspired pages of the Old Testament, he cannot, by the wildest stretch of imagination, conceive of it as even comparable in value to those pages. The Old Testament in general

1. The main Rabbinic passages are given in Hebrew in Taylor's *Sayings of the Jewish Fathers*, Excursus I.

has a majesty and a splendour about it which the whole corpus of Rabbinics has never approached, far less surpassed.

The opening of the Mishnah Tractate, *Sayings of the Fathers*, presupposes the view mentioned above, tracing the oral law from Moses, through Joshua, the Elders, the Prophets, the Men of the Great Synagogue, Antigonus of Soko, and the five 'Pairs' of early Rabbis, of whom the last are the famous Hillel and Shammai. With the last 'Pair,' who flourished between 30 B.C. and 10 A.D., the light of documentary evidence begins to shine, even if it is scarcely yet contemporary. Despite the dogmatic statements of Rabbinic writers, it must be confessed that in the earlier period much remains conjectural.

The 'Men of the Great Synagogue' have furnished a convenient depository for the origins of all the otherwise unexplained features of developed legal Judaism. R. Travers Herford<sup>1</sup> assumes that they existed as a collegiate body for perhaps a century and a half after the time of Ezra, and did important work. Most scholars, however, adopt the view that the Great Synagogue was merely the vast assembly described in Neh. viii-x, and never possessed a permanent institutional character.<sup>2</sup> It seems reasonably certain that oral Scribal teaching began with or shortly after Ezra, and that its earliest form was Midrash, or Old Testament

1. R. Travers Herford, *Talmud and Apocrypha*, London, 1933.

2. See Synagogue, the Great, article by Selbie, H.D.B.; Schürer, *History of the Jewish People in the Time of Jesus Christ*, abbr. H.J.P., Division II, Vol. I, pp. 354-5 (Eng. trans. 6 vols., Edinburgh 1900); and the literature cited by Selbie and Schürer.

exposition after the Rabbinic manner. Strack<sup>1</sup> seems to feel that this teaching died an early death after the mission of Ezra, and that it was revived in the days of Hillel. Probably the truth lies between these extreme views. Rabbinic teaching may well have continued fitfully from its first inception right into the days of the known scribes, though the evidence is rather too limited for dogmatic statements as to its extent and content. It is certainly active enough during the New Testament period, and it is unlikely that it was ever totally eclipsed during its long history.

With the publication of the Mishnah of Rabbi Judah the Patriarch, about 200 A.D., Rabbinic Judaism enters upon a new phase of its existence. The purely oral period has ceased, and it enjoys henceforth a very adequate and, indeed, voluminous documentation.

The earlier Rabbis must have had exact memories of prodigious capacity. Before 200 A.D., the writing down of traditional matter, especially of a legal nature, was under extreme disfavour, if not actual interdict. It would be beside the purpose here to examine the motives for this apparently strange attitude.<sup>2</sup> Written material certainly existed, because for one thing there were earlier rescensions of the Mishnah, and certain of the Rabbis undoubtedly possessed notes and flysheets. But this written material may well have been used in something of a hole-and-corner manner.

When the Mishnah was put to paper, some of its teaching had enjoyed an oral transmission of nearly four centuries. With the Midrashim, most of the

1. H. L. Strack, *Introduction to Talmud and Midrash*, Eng. trans., Philadelphia, 1945, p. 10.
2. Some critical material will be found in Strack, *op. cit.*, pp. 12-20.

documents are later, but some of the material is even earlier. Bousset,<sup>1</sup> writing of the whole literature, says: 'It has, with unbelievable tenacity, held fast to its old traditions; even in mediæval writings there lies, sprinkled and embedded, the very oldest material.'

<sup>1</sup> W. Bousset, *Die Religion des Judentums*, 2nd Edn., 1906, s. 45.

## CHAPTER III

### HALAKHAH AND HAGGADAH

EVERY educated person is aware of such literary distinctions as verse and prose, history and allegory, and so on. There is an equally fundamental distinction within the Rabbinic writings, though it offers no exact analogy to either of these. Throughout the literature, there are two elements or strains, mutually exclusive, and found side by side in the majority of cases. These are known as Halakhah and Haggadah. One of these strains may predominate, so that in an individual work little of the other is to be found. But it is not usual for either of them to be totally excluded. The reader must grasp clearly the meaning of these important terms or the whole subject of Rabbinic Judaism will be a closed book to him.

The Halakhah, to describe its essence in a sentence, deals with the prescriptive side of the law, making its requirements exact and exacting, and applying them to individual cases where the merely general principles might leave the proper procedure in given circumstances a matter of controversy. The name is derived from the Hebrew verb *halakh*, to walk, go. The concept of a way of life is too familiar to Christians to require comment. Levy<sup>1</sup> defines the word as follows: 'Halakhah — properly gait, way of living — only figuratively. Halakhah — that is, law, according to which the conduct of life, actions, have to be regulated . . . that, namely, which has maintained itself through tradition, although it is not mentioned in the Hebrew

1. J. Levy, *Neuhebräisches und Chaldäisches Wörterbuch*, Band I, Leipzig, 1876, s. 471 a.

Scriptures.'

All the earlier Halakhah, and much of it in later times, deals with the Torah, the Scriptural, and especially the Pentateuchal, law or teaching, from the point of view of specific enactment, extending, modifying or interpreting its precepts as occasion demands. The Rabbis realized that the Sinai law had been given in time, time had elapsed since its first revelation, and new factors kept entering into the situation which had to be pondered afresh. There was, for example, a categorical prohibition against all work on the Sabbath day. The Rabbis were forced by circumstances to make the general principles of this law practicable by legitimizing certain exceptions. The famous incident of 1 Macc. ii. 34-38, where a thousand Jews suffered annihilation without raising a finger in self-defence, rather than profane the Sabbath by resisting enemy attack thereon, may well have started the modification of the Sabbath law by casuistry. The saving of life, and certain other carefully restricted matters, were allowed to supersede the commandment when circumstances clearly demanded this, though no passage in the Old Testament specifically allows any exception or modification whatsoever. Other commands are made by the Halakhah more stringent than the letter of Scripture requires, on the principle of making a fence about the law, as the Rabbinic phrase puts it, to keep man, in his human weakness, as far from transgression as possible. Where the Written Torah is vague and general, the Halakhah frequently makes its demands precise and particular. The minutiae of the laws of tithe and sacrifice, of marriage, of business dealings and honesty, and so on, are subject in some measure to careful prescriptive definition, and in this the Halakhah finds its very substance. Within the Old Testament itself, Psalms xix and cxix, for example, show a delight in the law which the later Pharisees and Rabbis carried to extremes. The Talmudic method-



ology can doubtless trace its ancestry to these Psalms and their parallels.

Much of the Halakhah may be regarded as Rabbinic pronouncement. New laws at first maintained a strict Scripture-centricity, and were deducible, or supposedly deducible, from Holy Writ. With the beginnings of oral Mishnah, probably early in the second century B.C., Halakhic legislation claims self - autonomy. Schools, and in the course of time, even individual Rabbis, may promulgate it without the Scripture proofs hitherto customary. This explains why the Mishnah is in no sense a commentary, but a body of law claiming an authority which need not necessarily be established by Scriptural precedent. Halakhic enactments become invested with a prestige which is regarded as equal to, or almost greater than, that of the Sinai Law itself. The tradition which would father itself on Moses seems to want at times to be almost the father of Moses!

Haggadah<sup>1</sup> is correctly, if somewhat vaguely, defined as the 'non-Halakhic element of Rabbinism,' for the two strains together cover the entire field, with mutual exclusiveness. The word properly means 'declaration,' rather than 'narration,' as formerly supposed, as the literature mentioned in the footnote will indicate to the careful reader. Haggadah seeks to draw out from the Hebrew text of Scripture a wider and fuller meaning, but in a direction different from that of the Halakhah. Its argumentation is often based on peculiarities in the text, repetitions, redundancies, intrusive letters, and

1. See W. Bacher, *Agada der Tannaiten*, Band I, Zweite Auflage, 1903, ss. 451-475, *Der Ursprung des Wortes Haggada*. There is an earlier version of this essay, in English, in the *Jewish Quarterly Review*, April, 1892. See also Driver, *Literature of the O.T.*, 9th Edn., p. 487, where Bacher's arguments are summed up very neatly and concisely.

such like, which would hardly be considered significant in modern scientific exegesis, and yet seem to be charged with meaning for the ancient Rabbis. Where Halakhah is enactive, legal, prescriptive, and very definite, Haggadah is homiletic and imaginative, delighting in legend and parable and anecdote, and retailing favourite stories of Hillel, Akiba and the other sages. Halakhah, once authoritatively promulgated, is regarded as binding, whereas Haggadah is freer in tone, and allows more scope for individual opinion. Concepts like loving God and one's neighbour, though of cardinal importance, are scarcely open to exact Halakhic formulation, and fall therefore under the homiletics of the Haggadah. All Rabbinic writings, as we now have them, contain both elements, though one may preponderate somewhat over the other. Thus the Mishnah is almost entirely Halakhic, with only short passages of Haggadah, whereas certain of the Midrashim are almost entirely Haggadic, with only short passages of Halakhah.

## CHAPTER IV

### THE MISHNAH AND ITS LITERARY SUCCESSORS

**R**ABBI JUDATH'S Mishnah, based on earlier sources, was compiled and set out in Neo-Hebrew about 200 A.D. The Aramaic passages are so few and so short as to be negligible. The style is rather bald, prosaic and elliptical, contrasting strongly with the golden Hebrew of the Scriptures, and there are slight differences of accident and syntax. But the idiom of the Mishnah may be acquired easily by anyone competent in the Biblical language.<sup>1</sup> Scriptural quotations are introduced somewhat incidentally, not as the justification for the autonomous Halakhah. The entire Mishnah has more kinship with the Book of Leviticus than with the Prophets or the Psalms.

The Mishnah does not perhaps offer very attractive reading for the Christian, who observes neither the whole Law of Moses nor its supplementary tradition. It is nevertheless an important document for the New Testament scholar, and for several reasons. It is the chief literary monument of post-Biblical Judaism coming next in importance to the Old Testament itself and nearly as epoch-making for the Jews as were the New Testament writings for the Christians. It is probable that the appearance of the New Testament gave the Jews the urge to write down their traditional law, and so to have post-canonical documents authori-

1. M. H. Segal, *A Grammar of Mishnaic Hebrew*, Oxford, 1927, is useful and thorough, though perhaps rather too exhaustive in its treatment of exceptions for the beginner. Danby's complete translation is of inestimable help.

tative from their point of view. Further, the Mishnah is earlier in its date of final compilation than the other Rabbinic writings and nearer to New Testament times. Most important of all is the fact that the Mishnah incorporates that body of Pharisaic and scribal oral teaching known to readers of the Gospels as the 'tradition of the elders,' and this alone would make it an essential discipline in New Testament study.

The expansion of the oral law did not cease when the earthly life of Jesus closed, or even when the New Testament canon was completed. When the Mishnah was at last written down, it contained much that was later than Apostolic times. Some of the material is easily dated, some of it is not. But here undoubtedly is to be found the kind of teaching familiar to Jesus and His followers as the tradition of the elders. Traditions were highly cherished and carefully preserved in Rabbinic circles, and even as the material expanded, a certain homogeneity was maintained. If the teaching of Jesus be compared with Mishnaic passages which cannot be proved to go back in their present form to His time, this is not necessarily an anachronism, as they may well rest on earlier teaching familiar to Him. The Mishnah was alive and growing, albeit in oral form, quite as early as 170 B.C., and much of its substance formed contemporary background for the Gospels.

The dating of Rabbinic passages is too complicated a matter for adequate discussion here.<sup>1</sup> There is often no clue, but when there is one, it is usually the name of a known Rabbi. This means merely that the date

1. The reader may consult Montefiore and Loewe, *A Rabbinic Anthology*, London, 1938, pp. 694-737; also Danby's *The Mishnah*, Oxford, 1933, Appendix III, pp. 799-800. W. Bacher, *Agada der Tannaiten* and *Agada der pal. Amoräer*, 2 and 3 volumes respectively, are useful for the more advanced student.

is not later than his time, though it may quite well be earlier. The difficulty is that many Rabbinic names were as common as Smith or Brown in contemporary England.

The framework of the Mishnah, which forms the framework also for the Talmudim, is more systematic than is usual with Rabbinic writings. Apart from certain interpolations of material, digressions are rare, and the Tractates are concise, orderly, and to the point.

Each of the six main divisions of the Mishnah is called a Seder, plural Sedarim. The first of these deals with agricultural produce and the laws of tithe; the second with the Jewish set feasts; the third with the laws relating to women; the fourth with property and civil law; the fifth with the hallowed things of the Temple; and the sixth with the laws of uncleanness. Each Seder contains a number of Tractates, generally inter-related as aspects of the main theme. But there are five apparent exceptions, sometimes known as the 'orphan' Tractates. These five appear to be wholly or partly off the subject. Certain of them contain some material relevant to the main theme. They have doubtless been incorporated for the sake of this material, but left intact, in accordance with a common Jewish literary practice.

Within the particular Sedarim, the logical disposition of the material has been vitiated somewhat by the arbitrary arrangement of the Tractates in order of length, the longest coming first. Some lengthy Tractates were split later, and this accounts for apparent exceptions. The original arrangement had doubtless a mnemonic purpose in the oral days. When the pupil had to learn the material by heart, he performed the most strenuous part of his task first while his mind was fresh. Modern readers of the Mishnah cannot but feel a good deal of pity for him! Tractates are divided

into chapters, and chapters into sections somewhat longer than Biblical verses, but giving rise to a similar system of reference. The reader will find a fuller synopsis of the contents of the Mishnah in an Appendix.<sup>1</sup>

The close of the Mishnah coincides roughly with the close of the age of the Tannaim, the five or six generations of Rabbinic scholars following the period of Hillel. Their successors, the Amoraim, do not fall within the present survey.<sup>2</sup> There is another compilation of Tannaitic material, the Tosephta, identical in arrangement and titles of Tractates with the Mishnah, and affording, as the name implies, a supplement thereto. The Tosephta gives material both earlier and later than its Mishnaic counterparts.<sup>3</sup>

As indicated already, the Mishnaic exposition of later scholars is called Gemara. Gemara arose independently in the schools of Babylonia and of Palestine, forming, each with the Mishnah, the Babylonian Talmud and the Palestinian or Jerusalem Talmud respectively. Each Gemara contains passages of Tannaitic teaching, which had not found a place in the Mishnah. A passage of this kind, distinguishable

1. A full chapter-by-chapter synopsis of the Mishnah will be found in Strack, *op. cit.*, pp. 24-64, and briefer ones in H.J.P., Div. I, Vol. I, pp. 121-5, and H.D.B., Extra Vol., pp. 60-61.
2. For a full list of Tannaim and Amoraim, and some information about them, see Strack, Ch. xiii, pp. 105-134, also the *Jewish Encyclopædia*, and the (German) *Encyclopædia Judaica*, regrettably uncompleted.
3. See H.J.P., Div. I, Vol. I, pp. 130-133; H.D.B., Extra Vol., p. 62.

by a customary formula of introduction, is called a Baraita, and represents an earlier tradition. Neither Gemara covers the entire Mishnah, but the Babylonian is the fuller and more important of the two. Strack dates the Jerusalem Talmud at the beginning of the fifth, and the latest portions of the Babylonian Talmud about the middle of the sixth, centuries A.D.

Midrash, on the other hand, remained rooted in Scripture, and many collections of material took shape, some of them very extensive. Midrash Rabbah, or the Great Midrash, is the largest and most important of these, and has, like the Babylonian Talmud, been translated into English in its entirety. Many of the others remain, together with the mediæval and modern commentaries, in the obscurity of the original Hebrew, the preoccupation of a few learned Jews and a handful of Christian specialists. The non-Hebraist has certain translations at his disposal, in English, German, French or Latin, but much of the material is totally inaccessible to him. For fuller details, the reader may refer to Strack's *Introduction*.

## CHAPTER V

### SOME GENERAL CHARACTERISTICS OF RABBINIC WRITINGS

THE Rabbinic writings are in the line of direct descent from the Hebrew canon of the Old Testament, and owe their origin to intellects both in Babylonia and in Palestine. Much of the material boasts a considerably more respectable antiquity than the written expression of it. Nevertheless the reader breathes a very different atmosphere when he turns from the inspired pages of the Old Testament to any Rabbinic composition. The verve and spiritual insight of the prophets seems to have given place to Levitical particularism save where, on occasion, the spirit of the older Judaism flashes forth.

The relationship of Rabbinic thought to the Peshat, the plain, natural or literal meaning of the Old Testament text, is of fundamental importance. Biblical words and phrases may be interpreted by rather twisted ratiocinations; they may be made the basis of fantastic speculations, and the stringency of commandments may be tightened or slackened as occasion demands. And yet, however casuistical and perverted Midrash, Mishnah and Gemara may seem from a modern and critical point of view, the Peshat always retains, outwardly at least, the supreme authority.

Very strange conclusions may be drawn from the silences of Scripture. Thus Midrash Rabbah on Genesis argues in a duplicated passage<sup>1</sup> that the appearance of old age began with Abraham, physical

1. Chapter 65, paragraph 9, and Ch. 97, par. 1. See Soncino Press translation.



suffering with Isaac, illness before death with Jacob, and repeated sicknesses with Hezekiah. Reasons of a somewhat imaginative nature are assigned in each case. The entire argument is that previous cases are not recorded in Holy Writ, and that therefore there were no previous cases. Philo adduces a similar contention in *Quod Deterius*, 177-8. It is interesting to compare with this the argument of the writer to the Hebrews in vii. 3.

The system of Hermeneutics, the dialectical and casuistical extension of the Old Testament laws by textual and other arguments, grew more and more complicated as it passed through the hands of Hillel, Nahum of Gimzo, Akiba, Ishmael and Eliezer ben-Jose. With this may be linked the Gematria, the science of deducing conclusions from the Biblical use of numbers, and of investing them with symbolism. A knowledge of this system provides useful background material for the study of the books of Daniel and Revelation. Parallels may be found also in the Pseudepigrapha.

Nevertheless, despite these and many other vagaries of interpretation in the Rabbinic writings, the literal meaning of Scripture is never rejected and disregarded, as it would seem to be in certain moods of Philo, but enjoys rather an almost superstitious veneration. Allegories and arguments may supplement the meaning of the text in Haggadic writings, but they never supersede it. Furthermore the Hebrew Bible normally appears in quotation with extreme verbal accuracy.

When a reader meets the Rabbinic writings for the first time, they will probably seem disjointed, perhaps even incomprehensible. Several factors contribute to this impression.

In the first place, a knowledge of the contents of the Old Testament, and of the Rabbinic methods of approaching those contents, is presupposed on every page. The numerous quotations are meant to prove and

exemplify, not to instruct. The reader is expected to know the Book and the oral law by heart already.

Secondly, in the Halakhah in particular, the Rabbis are generally concerned with the legislation appropriate for special cases, or with the detailed observance of laws already enacted, rather than with the basic principles, which are taken for granted.

Thirdly, there is the tedious feature of composite authorship, which holds throughout all the primary Rabbinic writings. No Tractate, no chapter, is the continuous exposition of a single man, with the stamp of an individual personality. Each is a compilation, a catena, of the utterances of separate Rabbis, on kindred or sometimes unrelated themes, some of them pearls, some of them pebbles, and with little or no interconnection. The result is much less attractive than a book of proverbs, because the material is so uneven. The oral teaching of the Scribes current in the days when Jesus lived would be similar in material content. It would consist of a recitation from memory of a chain of relevant dicta, given on the authority of predecessors, with little or no personal contribution. This no doubt is what lies behind the contrast of Mk. i. 22. It was the note of personal authority on the part of Jesus, as against the authority of precedent, which caused the astonishment in His hearers.

The Mishnah receives the main emphasis in these pages, though it can be compared fruitfully with the New Testament only at certain points, as each contains much that is foreign to the other. The Mishnah is only a fraction of the Rabbinic output, and many features of the New Testament unrepresented, or sparsely represented, in its Tractates are typical enough of Rabbinism for all that. The Mishnah, being predominantly Halakhic, contains no parables, though these abound in the Haggadah and are well known in the Old Testament. In genius and insight the parabolic teaching of Jesus is unique, but there was nothing

new in the outward form. It may be taken as a rough working rule that if a characteristic feature of the New Testament has Old Testament precedent, be it parable, miracle, allegory, or anything else, it generally finds some echo in the Rabbinic literature, in the Halakhah or the Haggadah, wherever its kinship may lie. The essentially Mishnaic purview of this introductory study is of course justified by chronology and by circumstance. After all, an interesting parallel to the New Testament in the Gemara of the Talmud, or in a late Midrash, may be centuries younger than its counterpart. It might of course be centuries older, but it is difficult to assign dates in the oral period. There is certainly a rich field of New Testament background in the Mishnah alone.

Perhaps the Halakhic element of Rabbinism was especially prominent during the earthly days of Jesus. Certain interchanges between the Master and the Pharisees would seem rather to suggest this, and a number of the Gospel passages alone would make some study of the Halakhah essential for a real understanding of our Christian Scriptures. There has always been a tendency in Judaism to stress the legal rather than the prophetic side of the Old Testament. Had the prophets received the place they deserved in the heart of Israel, the course of history might have been different. For a Jewry which heeded just a little less minutely the outward enactments of the book of Leviticus, and set greater store on the teachings of Isaiah and of Jeremiah, might have been more ready for the advent of the Son of Man. But to the Jew the precepts of the law were all of equal importance, and the tradition, it would seem, was more important than any. The miscalculation of a tithe was as heinous a sin as hate or covetousness. And so, when the Son of God came to teach them a better way, they reviled Him and crucified Him.

There is one feature of the Mishnah, touching in its

pathos, which explains in large measure its whole spirit. Historically speaking, much of its legislation was out of date when it was committed to writing. For the Jews had lost their freedom and the cherished Jerusalem Temple had been in ruins for more than a century. It was the dearest hope of the Jewish heart that the Temple would again stand, and that sacrifices would again be offered on its altar. The poignancy of this longing comes out clearly in the Tractate Tamid, Fifth Seder, vii. 3 fin., and other passages. The Temple Code, and innumerable legislations applicable only to a free people, were faithfully transcribed into the completed Mishnah, sometimes in the present tense, sometimes in the past, just as though the national disaster of 70 A.D. had never occurred. Here was faith and hope, here was loyalty and love, and the spectacle cannot leave us unmoved, even though we as Christians can scarcely share in the desire to see the Temple rebuilt.

It is easy to dismiss the enactments of the Mishnah as pettifogging red tape, religion of the letter without the spirit, and so on. Such statements are not without an element of truth, though modern Jewish scholars claim to have their side of the story too. The Mishnah is the child of the Old Testament, even if the child has caught only some of the features of the parent, and these, from our point of view, not always the best. Even if the Jews did choose the lower loyalty, as we see it — the legalistic rather than the prophetic — they persevered in it with a burning, a fanatical heroism unexampled in history, save by the Christian martyrs. The stones and even the very dust of Sion are dear to the Jewish heart (Ps. cii. 14), and the Mishnah, which may seem as dry as dust to the critical Christian, has been dearly loved by many a later saint of the Old Covenant. Law and tradition are the warp and woof of the Jew's faith, and his sincerity and his devotion may frequently put his Christian brother, who claims a higher revelation of God, to shame.

In addition to the special features already mentioned, paronomasia, mnemonic devices, name etymologies, arguments from grammar and technical methodologies of many kinds are to be found in Talmud and Midrash alike. All these could be exemplified, but they lie outside the scope of this introduction, and in any case they could be illustrated only from the Hebrew. Rabbinics is a neglected theological discipline, which, though arid in some respects, proves supremely rewarding and interesting in the end.

## CHAPTER VI

### MISHNAIC AND NEW TESTAMENT IDEALS

THE writer hopes to follow up this brief introduction with some further studies in the Rabbinic background of the New Testament. Without anticipating certain themes contemplated there, it may be possible, in a few pages, to indicate some of the more attractive features of the Mishnah, and to see how these compare with New Testament standards. This may help to indicate, from a limited point of view, the importance of the whole study.

It is easy to condemn, but more difficult to understand. Jews and Christians ever since the Church was founded have hurled a good deal of criticism and invective at one another, often with more of acrimony than of appraisal. Yet it is possible to try to understand the Jew without thereby becoming any less Christian.

Judaism is in large measure, though not entirely, legalistic, and has frequently been condemned by Christians on those grounds. Alfred Edersheim, a Jew who became a Christian, wrote after his conversion concerning the Rabbinic Halakhoth: 'They provided for 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 whither he might, laying on him a yoke which was truly unbearable.'<sup>1</sup> It is interesting to contrast this with the words of S.

1. Edersheim, *The Life and Times of Jesus the Messiah*. Vol. 1, p. 98.

Schechter, who remained a Jew: 'How anxious a Jew was to carry out a law, and what joy he felt in fulfilling it, may be seen from the following story . . . According to Dt. xxiv. 19, a sheaf forgotten in the harvest field belonged to the poor, the proprietor being forbidden to go again and fetch it. This prohibitive law was called 'the commandment with regard to forgetfulness!' It was impossible to fulfil it as long as one thought of it. In connection with this we read in the Tosephta: 'It happened to a Chasid (saint) that he forgot a sheaf in his field, and was thus enabled to fulfil the commandment with regard to forgetfulness. Whereupon he bade his son go to the temple, and offer for him a burnt-offering and a peace-offering, whilst he also gave a great banquet to his friends in honour of the event. Thereupon his son said to him: Father, why dost thou rejoice in this commandment more than in any other law prescribed in the Torah? He answered, that it was the occurrence of the rare opportunity of accomplishing the will of God, even as the result of some oversight, which caused him so much delight.' . . . And I may perhaps remark that this joy of the commandment was a living reality even in modern times. I myself had once the good fortune to observe one of those old type Jews, who, as the first morning of the Feast of Tabernacles drew near, used to wake and rise soon after the middle of the night. There he sat, with trembling joy, awaiting patiently the break of dawn, when he would be able to fulfil the law of the palm branches and the willows!<sup>1</sup> Many similar passages could be cited, on both sides, but the two typical quotations chosen set out clearly the contrasting viewpoints. A study of the tradition of the elders would bring them into greater prominence.

Practical Christian ethics, on the human side, may

1. Schechter, *Some Aspects of Rabbinic Theology*, pp. 149, 151-2.

be in large measure summed up in the Golden Rule of our Lord Jesus Christ. The Mishnah text does not contain even Hillel's negative version, which, though found in the Gemara, was certainly enunciated before our Lord taught. Hillel's words are themselves paralleled in earlier Jewish teaching. They are, 'What is hateful to yourself, do to no other; that is the whole Law, and the rest is commentary' (Tractate Sabbath, 31 a.)<sup>1</sup> It is unnecessary to stress here how much richer and more searching are the positive words on the lips of our Lord.

Yet there are passages in the Mishnah which show practical, although perhaps isolated or more limited, applications of the spirit of the Golden Rule. Some of these are certainly later in date than our Lord's earthly ministry, but they may be taken as typical of early Rabbinism.

Rabbi Eliezer said, for example, 'Let the honour of thy fellow be dear to thee as thine own,' and Rabbi Jose said, 'Let the property of thy fellow be dear to thee as thine own' (Aboth ii. 10 and 12).

As an interesting special application, the following words may be cited: 'Like as the law against defrauding applies to buying and selling, so does it apply to spoken words. A man may not say, "How much is this thing?" if he does not wish to buy it' (Baba Metzia iv. 10). There is something very attractive about this. Perhaps the point is blurred a little in these days of multiple shops and company businesses, but the writer had in mind the simpler society of earlier Judaism,

1. There is a much earlier instance in Tobit, iv. 15. A similar remark is made in a fragment of Philo. See also Montefiore, *Rabbinic Literature and Gospel Teaching*, pp. 150-151, and the larger Commentaries on Mt. vii. 12 and Lk. vi. 31.



where a man's shop or booth was his living. The slogan, 'The customer is always right' is only a legend, and this little suggestion of consideration for the shopkeeper on the part of the customer has quite a modern ring about it, at least for those who still own private businesses in a small way. Of course, it may also be argued that the shopkeeper should display his prices in the first instance!

It is interesting in this same connection to note the Mishnaic attitude to borrowing and lending. Shakespeare's famous dictum, 'Neither a borrower nor a lender be,' certainly formed no part of the Jewish code of ethics. There was a real sense of fraternity between Israelites, and it was felt to be wrong that one brother should have plenty of this world's goods, while another went hungry. By Old Testament law the seventh or Sabbatical Year was held to cancel all outstanding debts between fellow Jews. Willingness to lend usually decreased in the sixth or pre-Sabbatical year, human nature being very human, and the root of all evil tending to show itself from time to time in the best-regulated societies. Rather than have his fellow Jews suffer possible want or destitution in the sixth year, through the lack of willing lenders, 'Hillel ordained the *prozbol* as a precaution for the general good' (Gittin iv. 3). The *prozbol* was a legal arrangement whereby a loan could be made without the seventh year cancellation taking effect. It ensured that a Jew in dire need would not be left without some willing creditor. The fact that loans were made and repaid without *prozbol* argues well for the trust and trustworthiness of the Jews of the period. The Israelite who voluntarily repays a debt during the Sabbatical year is highly commended. Details of these matters will be found in the tenth chapter of the Tractate Shebiith.

Though it is laid down by Jewish law that an Israelite who has fallen on evil circumstances may not only accept but expect help and relief from a wealthier

co-religionist, it is nevertheless regarded as meritorious to abstain from such help so far as possible, but not to the extent of endangering life. The last chapter of the Tractate Peah lays down the statutory privileges and reliefs for the poor, with the appropriate conditions, but subjoins these significant words: 'He that does not need to take them yet takes them shall not depart from this world before he falls in need of his fellow men; but he that needs to take them yet does not take them shall not die in old age before he has come to support others out of his own goods.' Succour to those who are poor, and sturdy independence in poverty, can both be very fine things, provided neither is carried to extremes.

Jesus said, Give to him that asketh of thee, and from him that would borrow of thee turn not thōu away. Perhaps the Rabbis who framed the legislation of the last paragraphs would have taken a line slightly less ideal. Nevertheless their enactments do display a considered humanitarianism, adapted to circumstances in the real world, though falling below the fulness of the love of the Master.

Jesus said, Be ye therefore perfect, even as your father which is in heaven is perfect; and again, Except your righteousness shall exceed the righteousness of the Scribes and Pharisees, ye shall in no wise enter into the kingdom of heaven. In these and in other passages, the Master taught that there is no limit to our strivings, or to what God requires of us.

The spirit of the Mishnah as a whole is rather more pedestrian than this. Yet there are a number of passages which suggest that a man may be a little more or a little less righteous or generous than the letter of his obligation requires. These teachings may not seem very impressive from our point of view, but they must be considered against the background of a somewhat legalistic and regimented piety. The reader may consult for himself Shebiith viii. 11, x. 9; Terumoth iv. 3

and 6 (*cf.* Aboth i. 16); Maaser Sheni v. 1; Pesahim vii. 8.

The joy which the pious Jew felt in the discharge of the law has been indicated already in the quotation from Schechter. Nobody who has read widely and impartially in the Rabbinic Literature and in modern Jewish writings will feel disposed to question this, as the fact is clearly vindicated over and over again. The Christian may well feel puzzled as to how such real and undeniable delight could accompany the fulfilment of a legislation so external, but he can scarcely deny its reality.

The joy, however, was not the main thing for the Jew. He had a reverence for his law, a desire to pay to it the most absolute homage and obedience. The autonomy of the law, and the categorical authority with which it was invested by its adherents, comes out in passage after passage. The first chapter of the Tractate Kiddushin closes with these words: 'If a man performs but a single commandment it shall be well with him and he shall have length of days and shall inherit the Land; but if he neglects a single commandment it shall be ill with him and he shall not have length of days and shall not inherit the Land. He that has a knowledge of Scripture and Mishnah and right conduct will not soon fall into sin, for it is written, "And a threefold cord is not quickly broken" (Ec. iv. 12). But he that has no knowledge of Scripture and Mishnah and right conduct has no part in the habitable world.' The same thing is reiterated, from a different point of view, at the beginning of the Tractate Peah: 'These are things whose fruit a man enjoys in this world while the capital is laid up for him in the world to come: honouring father and mother, deeds of loving-kindness, making peace between a man and his fellow; and the study of the Law is equal to them all.'

The Christian, of course, owes his allegiance to a Person rather than to an outward law. It is well for

him if he shows a like devotion and sincerity.

The plain Mishnaic teaching regarding resurrection and the after life is of considerable exegetical and historical interest. The full references are as follows: Berakoth i. 5; Sotah ix. 15; Sanhedrin, chapter x.; Aboth iv. 21-22; Tamid vii. 4. Part of the Sotah passage is worth citing: 'Rabbi Phineas b. Jair says: Heedfulness leads to cleanliness, and cleanliness leads to purity, and purity leads to abstinence, and abstinence leads to holiness, and holiness leads to humility, and humility leads to the shunning of sin, and the shunning of sin leads to saintliness, and saintliness leads to the gift of the Holy Spirit, and the Holy Spirit leads to the resurrection of the dead. And the resurrection of the dead shall come through Elijah of blessed memory.' It is scarcely necessary to point out how this links up with certain references to Elijah in remarks addressed to our Lord Himself, and recorded in the Gospels.

It is stated twice in the fifth chapter of the Tractate Arakhin that 'the dead have no worth.' A careful study of the context shows that the reference is human and vocational rather than eschatological, and that this does not clash with the Mishnah's developed teaching on the survival of bodily death.

Even the rather bare facts of the foregoing pages should make it abundantly clear to the reader that the Jews had a religion and a faith. Undoubtedly this would not be satisfying to those who have received the higher revelation of God manifest through Jesus Christ our Lord, and yet Judaism is infinitely grander and better than any other non-Christian religion, because, even for us, it contains at least a part of the truth. Judaism is an interesting study in and for itself, but its especial importance lies in the fact that it provided the historical and religious background for the rise of Christianity. Our own faith cannot be fully and sensitively appreciated without a knowledge of it. And Rabbinic Judaism, that side of the study which is per-

haps least known amongst Christians, has a very special significance for New Testament background.

The question as to why some Jews accepted while the very great majority rejected Jesus as the Christ is one of profound theological importance. Why did Christianity, which grew up on Jewish soil, become so early and so deeply impregnated with Gentile thought and Gentile piety and devotion? The problem is too wide and searching for these pages, but the writer is convinced that some historical answer may be found along the lines of Rabbinic research. From the purely Jewish point of view, Klausner has already attempted to give an answer.

There are many passages in the New Testament where a knowledge of the Mishnah and of kindred writings provides direct and illuminating exegetical material. This fact has been largely ignored by the earlier commentators, but it is quite certain that, in the future, scientific exegesis of the Gospels and Epistles will need to take more account of it. The passage already alluded to, Mk. i. 22, is an isolated instance. It has not been possible within the limits of this brief essay to combine any adequate evidence of this with the very necessary introductory material. The reader must know what Rabbinics is all about before he is in a position to make any special studies.

## APPENDIX

### A BRIEF SYNOPSIS OF THE TRACTATES OF THE MISHNAH

**T**HIS Synopsis, together with the passages suggested for reading, will acquaint the reader with the general contents of the Mishnah, and with the cream of its teaching. The numbering of the Tractates within each Seder is merely for convenience, as the juxtaposition of those closely related in theme sometimes disturbs the printed order.

#### *First Seder. ZERAIM (Seeds)*

1. BERAKOTH<sup>1</sup> (Benedictions). This, the first of the five 'orphan' Tractates, opens the section on agricultural produce and the tithes and offerings therefrom. Its primary topic is the use of the traditional Jewish prayers, and its secondary topic is the benedictions over food, or grace. This subsidiary theme gives it its place at the head of the Mishnah. The teaching on prayer is of special interest.

2. PEAH (Gleanings). This covers the Biblical legislation (Lv. xix. 9, 10, xxiii. 22; Dt. xxiv. 19, 21, xiv. 28, 29) concerning that part of the produce of fields and vineyards which must be left for the poor. An active if somewhat prescribed humanitarianism is shown, and there are certain interesting reflections on the relationship of poverty and independence.

3. DEMAI (Doubtful). This deals with produce purchased from an Israelite whose scrupulosity with regard to tithes is in doubt. It goes beyond Biblical legislation. 7. MAASEROTH (Tithes) and 8. MAASER SHENI (Second Tithe) link on here, and with them may be mentioned 6. TERUMOTH (Heave-offerings — Nu. xviii. 8 ff.) 9. HALLAH (Dough-offering — Nu. xv. 17-21), and 11. BIKKURIM (First-fruits) — Dt. xxvi. 1-11).

1. For the titles of the Tractates, the spellings of Danby's Mishnah have been adopted. These are not exact transliterations of the Hebrew, but are simpler and more phonetic.

4. **KILAIM** (Diverse Kinds). This deals with the prohibition (Lv. xix. 19; Dt. xxii. 9-11) against the coupling of diverse kinds — animals in breeding or ploughing, seeds in the same field, materials in the same garment, etc. It is, for example, Pentateuchically as well as Mishnaically illegal for the Jew to wear a garment containing both linen and wool. This was sensible contemporary hygiene: the unmixed garment was more readily cleansed.

5. **SHEBIITH** (the Sabbatical Year). This treats of the prescribed fallowness of the land in the seventh year, and of the cancellation of debts between Israelites then. (Ex. xxiii. 10, 11; Lv. xxv. 2-7, 20-22; Dt. xv. 1-3).

10. **ORLAH**. This Tractate is concerned with the prohibition (Lv. xix. 23, 24) against the use of the fruit of young trees during the first three years of their growth.

### *Second Seder. MOED (Set Feasts)*

1. **SHABBATH** and 2. **ERUBIN** (the conjoining of Sabbath limits) attempt to modify by casuistry the absolute prohibition of the Decalogue against work on the seventh day, and the stringent rules regarding the Sabbath day's journey and the carrying of burdens.

3. **PESAHIM** deals with the Feast of Passover, as described in Ex. xii and elsewhere; 5. **YOMA** with the Day of Atonement (Lv. xv, xxiii. 26-32; Nu. xxix. 7-11); 6. **SUKKAH** with the Feast of Tabernacles (Lv. xxiii. 33-44); 8. **ROSH HA-SHANAH** with the Feast of the New Year; 9. **TAANITH** with days of fasting and prayers for rain; and 10. **MEGILLAH** with the regulations for reading the Scroll of Esther at the Feast of Purim. 7. **YOM TOB** and 11. **MOED KATAN** (Festival and Mid-Festival Days) are concerned with certain days involving restrictions on labour and mourning, and having therefore something of a Sabbath character.

4. **SHEKALIM** treats of the half-shekel Temple tax due from every Israelite of twenty years and over.

12. **HAGIGAH** has as its titular subject the male offering made at each of the three annual feasts. (Dt. xvi. 16-17). But there is also some material on the Laws of Uncleaness, linking with the Sixth Seder.

*Third Seder. NASHIM (Women)*

This Seder deals, apart from digressions, with the Jewish laws relating to women and marriage. It may be remarked in passing that in every marriage legislation here set forth, the purview is not confined to the needs of lay people, but includes those cases where the husband is a priest, or the wife of priestly stock.

1. YEBAMOTH (Sisters-in-law — Dt. xxv. 5-10). This Tractate sets out the laws of Levirate marriage, and describes the ceremony of loosing the shoe and spitting in the face, prescribed for a childless widow whose brother-in-law refuses to raise up seed unto his brother.

2. KETUBOTH is concerned with marriage deeds and portions, 6. GITTIN with Bills of Divorce, and 7. KIDDUSHIN with Betrothals.

5. SOTAH (The Suspected Adulteress). This Tractate elaborates the very severe legislation of Nu. v. 11-31. There is some further material at the end, unrelated to the main theme, and mainly apocalyptic in character.

Of the two 'orphan' Tractates in this Seder, 3. NEDARIM deals with Vows in general, and 4. NAZIR with the Nazirite Vow in particular. The first of these in particular contains a good many references to women, which would account originally for its place in this section of the Mishnah. The further subjoining of a Tractate on a theme related to that of the interloper is quite in accordance with Rabbinic procedure.

*Fourth Seder. NEZIKIN (Damages)*

1. BABA KAMMA (The First Gate). The first three Tractates lay down the principles of restitution for injury. The first deals with damage caused by oxen and by uncovered pits, with standing crops wasted by animals, with fire and with theft (Ex. xxi. 28, xxii. 6). 2. BABA METZIA (The Middle Gate). This Tractate continues with the topics of lost property, damage to goods in storage, usury and profit, injury to hired animals, changes in the value of goods and animals under rental, leasing, wages, etc. 3. BABA BATHRA (The Last Gate). Further regulations are added regarding joint property, consideration for others in jointhold tenancy, usucaption, measures and weights, inherited property, docu-



ments, etc. These three Tractates originally formed one.

4. *SANHEDRIN* outlines the constitution of the Great Sanhedrin, and of its lesser local counterparts. The various kinds of capital punishment prescribed in the law, and the offences for which they are appropriate, are discussed. The tenth chapter, concerning those who do and those who do not share in the life to come, is interesting. 5. *MAKKOTH* (Stripes). This deals with non-capital, especially corporal, punishment, and also with the cities of refuge available for the unintentional homicide who prefers exile to death. 10. *HORAYOTH* discusses decisions given by the Sanhedrin in error, and the culpability of those who act on these decisions. (Lv. iv. 1-21).

6. *SHEBUOTH* is concerned with the subject of oaths.

8. *ABODAH ZARAH* (Idolatry). Regulations are given here regarding the use of things which have been associated with Gentiles, and possibly used for idolatrous purposes. There is some interesting Pauline background here.

There are two further 'orphan' Tractates. 7. *EDUYOTH* (Testimonies). This is a catena of unrelated Rabbinic dicta, differences of opinion as between the School of Hillel and the School of Shammai, and further Halakhic material. 9. *ABOTH* is often known as the Sayings or Ethics of the Fathers. It has been incorporated into the Jewish Prayer Book entire, and is a mine of proverbial wisdom, quite the finest thing in the Mishnah.

#### *Fifth Seder.* KODASHIM (Hallowed Things)

This Seder deals with the Temple and its ritual. Five of the eleven Tractates deal with specific kinds of offerings:

1. *ZEBAHIM* with Animal Offerings, 2. *MENAHOTH* with Meal Offerings, 6. *TEMURAH* with the substituted offering (Lv. xxvii. 10), 9. *TAMID* with the daily Whole-offering, morning and evening, and 11. *KINNIM* with Bird Offerings. The last chapter of Zebahim has some interesting remarks of a historical nature on Sacrifice.

3. *HULLIN* describes the correct method of slaughtering non-sacrificial animals for food, and 4. *BEKHOROTH* gives the laws of Firstlings (Ex. xiii. 2, etc.)

5. *ARAKHIN* deals with Vows of Valuation and Worth. If an Israelite vows his own or another man's valuation to the

Temple, the sum to be paid is fixed by statute, and varies with age and sex. (Lv. xxvii. 1-7). If he vows his own or another's worth, this has to be assessed on grounds of usefulness and ability (Lv. xxvii. 8).

7. KERITHOTH opens by enumerating the thirty-six sins liable to punishment by death, and allows loopholes for the unintentional offender.

8. MEILAH deals with Sacrilege, or the mishandling of Temple property, and 10. MIDDOTH with the geography and dimensions of the Temple.

### *Sixth Seder.* TOHOROTH (Levitical Cleannesses)

This Seder applies and extends at great length the Levitical laws of clean and unclean. Kinds and degrees of uncleanness are differentiated and elaborate rules for purification given. Some of the legislation is sheer ritual embroidery; some of it is sensible hygiene. Western readers living under modern conditions should not be too hasty in their judgments. Sexual manifestations, leprosy and contact with the dead were, in Jewish eyes, the main causes of uncleanness, but there were many minor ones. Apart from the Mishnah itself, the reader may consult Danby's first and fourth Appendices; H.J.P., Div. II, Vol. II, pp. 106-111; H.D.B., articles Clean, Leprosy, Medicine, Unclean, etc.

As regards the cleansing of inanimate things, 1. KELIM legislates for household vessels and utensils, 2. OHOLOTH for tents and houses, especially after corpse defilement, 8. MAKSHIRIN for foodstuffs susceptible to uncleanness through the purposeful application of any of the seven liquids wine, honey, oil, milk, dew, blood, water (Lv. xi. 34 and 38), and 12. UKTZIN for fruits defiled by stalks, husks and rinds.

3. NEGAIM deals with leprosy signs, in bodies, garments and houses. As regards the cleansing of the person, 4. PARAH describes the sprinkling of the body for corpse uncleanness with the water containing the ashes of the red heifer (Nm. xix.), 6. MIKWAOTH deals with immersion pools and baths, and 11. YADAIM with the cleansing of the hands. 7. NIDDAH gives instructions for menstruants (Lv. xv. 19-24), and 9. ZABIM for men and women suffering an issue (Lv. xv. 1-15, 25-30). 5. TOHOROTH is concerned with minor degrees of

uncleanness, and 10. **TEBUL YOM** with uncleanness requiring immersion and isolation till sunset.

#### READING LIST

*First Seder.* Berakoth i. 5, ii. 5-7, iii. 3-4, ix. 3, 5; Peah i. 1, viii. 9; Shebiith x; Terumoth iv. 3.

*Second Seder.* Yoma viii. 9; Rosh ha-Shanah iii. 1, 8; Taanith iii. 8, iv. 8; Hagigah i. 8, ii. 1.

*Third Seder.* Sotah viii. 7, ix. 12; Kiddushin i. 10.

*Fourth Seder.* Baba Kamma i. 1, 2; Baba Metzia ii. 11, iv. 10; Sanhedrin viii. 5; Abodah Zarah iv. 7; Aboth, entire.

*Fifth Seder.* Zebahim iv. 6, xiv. 4-10; Arakhin v. 2, 4, viii. 4; Tamid vii. 3, 4; Kinnim iii. 6 fin.

*Sixth Seder.* Niddah iv. 2, vi. 4; Makshirin ii. 5, 6, 8.

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S. Schechter, *Some Aspects of Rabbinic Theology*, London, 1909. A very readable Jewish exposition, covering some of the main topics.

S. Schechter, *Studies in Judaism*, 3 series, Philadelphia, 1945. Three volumes of interesting and miscellaneous essays on Jewish subjects, some dealing with the later, and some with earlier, periods.

R. Travers Herford, *Talmud and Apocrypha*, London, 1933. An interesting book. Certain statements, e.g., regarding the Men of the Great Synagogue, are perhaps a little individual and should be checked.

*The Jewish Encyclopædia*, New York, 1901.

Hastings, *Dictionary of the Bible*, Edinburgh, 1900.

RABBINICS PROPER, AND RABBINICS IN RELATION TO  
NEW TESTAMENT

Danby, *The Mishnah*. Complete English translation. Oxford, 1933. Indispensable.

Montefiore and Loewe, *A Rabbinic Anthology*, London, 1938. An excellent volume, suitable for desultory reading or closer study, and giving a wonderful picture of the Rabbinic mind in all its aspects. Most of the material, however, is too late in date for critical N.T. purposes.

H. L. Strack, *Introduction to Talmud and Midrash*, Eng. trans., Philadelphia, 1945. M. Meilziner, *Introduction to Talmud*, U.S.A., 1894. The student should try to secure one or both of these. The former is more comprehensive, as it deals with Midrash also. The information is there, though the author seems to have made no attempt to present it in a readable form.

C. G. Montefiore, *Rabbinic Literature and Gospel Teaching*, London, 1930. Rabbinic parallels to passages in Matthew and Luke. Montefiore argues in several of his books that Jesus added nothing new to Judaism. Most of the passages he quotes in this book are much too late to lend any colour to his argument whatsoever. The standard work of this kind is Strack and Billerbeck's *Kommentar zum Neuen Testament aus Talmud und Midrasch*. Montefiore's book is useful for the English reader.

W. D. Davies, *Paul and Rabbinic Judaism*, London, 1948.

I. Abrahams, *Studies in Pharisaism and the Gospels*, Cambridge, 1917. Two Series — the second published 1924.

## THE LANGUAGES

It may be safely assumed that any student contemplating Rabbinic study from original sources will already possess a thorough knowledge of Biblical Hebrew. The Rabbinic style and phraseology may of course be picked up by observation. Even Aramaic is not entirely a new language, though it is better to know the special forms. The following books have been of service to the writer.

M. H. Segal, *A Grammar of Mishnaic Hebrew*. Oxford, 1927.

Strack und Siegfried, *Lehrbuch der Neuhebräischen Sprache*. Leipzig, 1884.

P. H. Mason, *Shemets Davar*. A Rabbinic Reading Book. Cambridge, 1880.

W. B. Stevenson, *Grammar of Palestinian Jewish Aramaic*. Oxford, 1924.

M. L. Margolis, *Aramaic Language of the Babylonian Talmud*. München, 1910.

G. Dalman, *Grammatik des Jüdisch - Palästinischen Aramäisch*, Zweite Auflage, Leipzig, 1905.