

CURRENT TALMUD PASSAGE

Posted August 1, 2002 by Rabbi Judy Abrams. Please refer to Maqom's home page for information about previous passages.

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Exciting Developments in Long-Term, Intensive Talmud Study at Maqom!

About one year ago, I offered those who study Talmud with Maqom the option of working with me on a one-on-one basis to do research and create articles about rabbinic literature that would be posted [here](#) at Maqom. With this article, that project is bearing its first fruit. I hope you enjoy reading Rabbi Louis Rieser's research and the papers that have yet to come.

--Rabbi Judith Z. Abrams, Ph.D.

BH

HALAKHAHOT V. OTHER RECOGNIZED AREAS OF JEWISH LEARNING

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In our continuing discussion about what halakhah really means we now come to one of the most helpful texts in our sources, which is repeated in numerous places.

[If one had vowed not to benefit from his neighbor another person may] ... One may [nevertheless] teach him midrash, halakhot and haggadot but one may not teach him Scripture but he may teach his sons and his daughters Scripture. (M. Nedarim 4:3//T. Hagigah 1:9//T. Eruvin 8:23-24)

This mishnah makes it clear that not only is Torah study so important that even if one had vowed not to benefit from anything his neighbor did s/he might still learn all these kinds of learnings from him/her. (Note how one teaches sons and daughters Torah!)

A later source, Leviticus Rabbah, adds a new nuance to this list of subjects:

The halachot of tsitsit, tefillin and mezuzah seem to be additions to "Matan Torah" (the giving of the Torah) but they were included in the revelation (i.e., these are halakhot I'Mosheh miSinai.)....Mikra, Mishnah, halakhot, Talmud, Toseftot, Haggadot, and future teachings were all communicated to Moses on Mount Sinai. (Leviticus Rabbah 22:1)

Let's look at the second part of this passage first. Looking at this list, we see that the categories of Jewish learning are:

Scriptures (sometimes broken down into Torah, Prophets and Writings in other versions)
Mishnah
Halakhot

Talmud
Tosefta
Haggadot

What someone's teacher will say in the future.

This text, repeated so widely in rabbinic literature, makes it clear that halakhah does not mean "a mishnah" (even though the Yerushalmi labels each mishnah a halakhah). Mishnah is a named category of its own. And it's not Talmud or Tosefta either. It seems logical to assume that it means what we have seen that it has meant in earlier documents: received traditions. None of these categories are kinds of law. They are bodies of learning/literature.

Mishnah and Tosefta are canonical collections of teachings and, even though it was redacted after Leviticus Rabbah, it would seem that Talmud is, at the very least, becoming a canonical document. Collections of stories are Haggadot but, interestingly enough, not Midrash. So Halakhot could be a canonical collection of received traditions.

Such halakhot seem to be an addition to "Matan Torah"; the giving of (Written) Torah. And, indeed, when we look at the traditions about tefillin in particular, they are often described as "Halakhah l'Mosheh miSinai", "Traditions received by Moses on Sinai". But, once again, we note that the meaning is not law, but received tradition.

What Leviticus Rabbah adds is that what will even be taught in the future was given at Sinai. The sages of this period (325-375 B.C.E.) added this phrase perhaps, because, rabbinic literature and culture was on the ascent and coming to replace the Temple as a focus of religious activities.

Discussion Questions:

1. What do you think this passage, widely quoted throughout rabbinic literature, means?
2. What is your conception of the "giving of Torah"? Again, note that it is not "HaTorah", "the Torah" but just "Torah", "A Torah".
3. Why do you think Leviticus Rabbah adds the phrase about the future? What does it mean in terms of our study over the internet? Did God, in revealing Torah to Moses, envision us?
4. Could you come up with an analogous list of canonical bodies of learning/literature in American culture? Would it be "baseball and apple pie"? Would it be knowing certain patriotic songs, such as God Bless America, America the Beautiful and the national anthem?