

PART I.

HISTORICAL AND LITERARY INTRODUCTION TO THE NEW EDITION OF THE TALMUD.

CHAPTER I.

THE COMBINATION OF THE GEMARA, THE SOPHRIM, AND THE ESHCALATH.

Voluminous books were written about the text of the Mishna and Talmud in almost every language, besides valuable articles by very scholarly men in different books and periodicals. In the bibliography the reader will find all modern works arranged with various references to subjects. We shall only point out the special books on this subject, viz., "Darkhe Hamishnah," (The Ways of the Mishna), by Zachariah Frankel, "The Introduction to the Mishna," by Jacob Brill, 1876, "The Tradition of the Oral Law," by H. Weiss, and "Toldat Hamishnah," (History of the Mishna), by Haim Oppenheim, all in Hebrew; "Jahrbücher," by Dr. N. Brill, Frankfort, A. M., "Real Encyclopædie," by J. Hamburger, "Die Lehrer der Mishna," by M. Braunschweiger, and Graetz's "History of the Jews," all in German. Finally three special introductions were written (1) "Einleitung in den Talmud," Leipzig, 1894, second edition, by Dr. Herman Strack, in German; (2) "Introduction to the Talmud," 1891 and 1894, second edition, by Dr. M. Mielziner, in English, and (3) "Introduction to the Mishna," in the Russian language, by N. Perferkowitz. ¹ In these introductions are mentioned also the different translations of the Mishnayoth and Talmud in all the languages up to the time these works were written. Finally, Dr. Erick Bischoff wrote a special book named "Kritische Geschichte der Talmud-Überetzungen aller Zeiten und Zungen," Frankfort,

a. M., 1899. All the above mentioned introductions explain the terms of the text of the Mishna and Talmud, their abbreviations and the method of both Talmuds, to enable those who desire to study the text in the original. We, however, who wish to give an introduction to our English translation of the Talmud, deem it not necessary to trouble the English reader with the explanations of the text, and shall give only what pertains to our new edition.

We have already mentioned in our brief introduction to *Sabbath* that the Talmud, in general, is composed of *Mishna* and *Gemara*. In this introduction, however, we shall give all the particulars pointed out by Strack and Mielziner which we deem of interest to the English reader. As a text we took Mielziner's "Introduction," which is an excellent work, omitting what seems to us not necessary for the reader, supplying it with necessary remarks and additions.

The Talmud is a combination of *Mishna* and *Gemara*, the latter is a collection of *Mishnayoth*, *Tosephtas*, *Mechilta*, *Siphra*, *Siphre* and *Boraithas*, all of these, interpreted and discussed by the Amoraim, Salboraim, and also Gaonim at a later period. "The Mishna is the authorized codification of the oral or unwritten law, which on the basis of the written law contained in Pentateuch, developed during the second Temple, and down to the end of the second century of the common era." The author of which was R. Jehuda, the prince named "Rabbi" (flourishing toward the end of the second century), taking the unfinished work of R. Akiba and R. Meir as basis. [1](#)

(2.)

"The word Tosephta means Addition, Supplement, and, as indicated by this name, the work is intended to complete deficiencies of the Mishna. [2](#) It is divided into Masechtoth, generally corresponding to those of the Mishna, but differing

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from them in the arrangement of their subject, and in the division of their Perakim. The latter are not subdivided into paragraphs. There are in all sixty Masechtoth and 452 Perakim. The Tosephta contains mainly the remnants of the earlier compilations of the Halacha made by R. Akiba, R. Meir, R. Nehemia, and others not adopted in the Mishna, and, besides additions made after R. Jehuda Hanasi's death by his disciples, R. Chiya, R. Oshaya, Bar Kappara and others. But we find in that work also many sayings and decisions of later Amoraim of the Babylonian and Palestinian schools. In its present shape it belongs to the fifth or sixth century." [1](#)

(3.)

"The Mechilta, the Siphra and the Siphre have this in common, that they treat of the oral law not according to well arranged subjects, as is the case with the Mishna and the Tosephta, but rather in the form of a running commentary and discussion on the biblical passages from which the law is deduced or on which it is based.

"The Siphra, also called Torath Cohanin, is a collection of traditional interpretations of the whole book of Leviticus, introduced by an exposition of R. Ishmael's thirteen hermeneutic rules."

(4.)

"The Siphre, or, as its fuller title reads, the books of the school of Rab, comprises the traditional interpretations of the book of Numbers, beginning with Chapter V., and of the whole book of Deuteronomy. The author of the Siphre on Numbers was evidently not the same as the author of that on the last book of the Pentateuch. The style of the former, being more argumentative and discursive, often resembles

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that of the Siphra, while Siphre on Deuteronomy is generally brief, bearing more resemblance to

the Mechilta." The author of it is said to be R. Simeon b. Johai.

Besides the Tosephta, the Mechilta, the Siphra and the Siphre just described, other collections of a similar character existed during the Talmudical period. In the course of time they perished, but many hundred fragmentary passages thereof are quoted in all parts of the Palestinian and Babylonian Gemara. Such a passage quoted from those lost collections as well as from the Tosephta, Mechilta, Siphra and Siphre was termed *Boraitha*, or *Mathnitha Boraitha*, meaning *extraneous* Mishna. This term was used in order to distinguish those passages from passages in *our Mishna*, that is, the authorized Mishna of R. Jehuda Hanasi, compared with which they had but a subordinate value. The Baraithoth are often found to be conflicting with each other or with the authorized Mishna, and in this case the Gemara usually displays great ingenuity and subtlety in the attempt to reconcile them. In some instances, however, one or the other Boraitha is declared to be spurious. [1](#)

The authorities mentioned in the Mishna and Boraitha [2](#) as having transmitted and developed the oral law belong to three different periods; namely: (1) The period of Sopherim. (Scribes); (2) The period of Zugoth; (3) The period of Tanaim.

(a) Sopherim or Scribes were the learned men who succeeded Ezra during a period of about two hundred years. To them many institutions and extensions of the Mosaic law are ascribed. The Sopherim are also called collectively "the men of the Great Assembly (Synod)." According to tradition, this Synod consisted of 120 members, but we have no record of their names with the exception of *Ezra*, its founder, and of *Simon the Upright (Just)*, (the high priest Simon I., between 310-292, or his grandson Simon II., between 220-202 B.C.), who is said to have been one of the last members of the Great Assembly.

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Antigonos of Socho, a disciple of Simon the Just, was the connecting link between this and the following period.

(b) The word *Eshcalath (Zugoth)*, meaning the pairs (*duumviri*), is the appellation of the leading teachers from Jose ben Joezer till Hillel, of whom always two, at the same time, stood at the head of the Sanhedrin, one as president (*Nasi*), and the other as vice-president (*Ab beth din*).

The succession of these Zugoth was:

(1) *Jose ben Joezer* and *Jose ben Jochanan*, flourishing at the time of the Maccabean wars of independence.

(2) *Joshua b. Perachia* and *Nitai of Arbela*, flourishing at the time of John Hyrcan.

(3) *Juda b. Tabai* and *Simon b. Shetach*, flourishing at the time of Alexander Janai and Queen Salome.

(4) *Shemaiah* and *Abtalion*, flourishing at the time of Hyrcan II.

(5) Hillel and Shammai, flourishing at the time of King Herod.

(c) With the disciples of Hillel and Shammai begins the period of Tanaim, which lasted about 210 years (from 10 to 220 Ch. Era). With the beginning of this period the title Rabbi (teacher) for the ordained teachers, and the title Rabban (our teacher) for the president of the Sanhedrin came in use.

In the Mishna, the term Tana, meaning a teacher of the oral law, does not yet occur. Those teachers are there signified by generally adding the title of *Rabbi* to their names, or by calling them collectively the Sages, while the authorities of the preceding period are occasionally designated "the former elders." It is first in the Gemara that the term *Tana* is applied to a teacher mentioned in the Mishna and Boraitha, in contradistinction to the *Amoraim*, expounders of the Mishna, as the teachers after R. Jehuda Hanasi are called. (In Babylonian Talmud: in Palestinian, however, the Amoraim are also called Rabbis.)

The period of the Tanaim is generally divided into five or six minor sections or generations. The purpose of this division is to show which teachers developed their principal activity contemporaneously, though the actual lifetime of some of them extended to more than one generation.

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The following chronological tables contain the names only of the more prominent [1](#) teachers of each generation. Every table is followed by short biographical sketches of the teachers mentioned therein. [2](#)

Footnotes

[1:1](#) This work, which is the first of its kind in the Russian language, is also worthy to be considered.

[2:1](#) The meaning of the word Mishna is already explained by us in the first volume of this work, as well as its division into sections.

In Mielziner's "Introduction," pp. 18-21, the reader will find all the details about Mechilta Siphra and Siphre and Boraitha, which we deem it not necessary to repeat as they are not of importance to the reader.

[2:2](#) See also our brief general introduction, vol. i., p. xvii.

[3:1](#) The Tosephta is usually printed as an appendix to Alphasi's compendium of the Talmud. In the Vienna edition of the Babylonian Talmud (1860-72) the Masechtoth of the Tosephta are appended to the corresponding Masechtoth of the Talmud. A separate revised edition of the

whole Tosephta was published by Dr. Zuckerman (Pasewalk and Treves, 1877-82). Dr. Adolph Schwartz is publishing a new edition of the Tosephta, with notes and text corrections, of which the first volume is out, Wilna, 1891. Critical researches on the Tosephta are found in Frankel's "Darke Hamishna," pp. 304-307, and in I. H. Weiss's "Dor Dor," etc., II., pp. 217-225; also in I. H. Duenner's "Wesen und Ursprung der Tosephta," Amsterdam, 1874.

[4:1](#) Some critical researches on the Boraitha are found in Frankel's "Darke Hamishna," pp. 311-313, and in I. H. Weiss's "Dor Dor," II., pp. 239-244.

[4:2](#) We do not find the *Zugoth* to be mentioned in the Boraitha. However, we do not cancel it as it is so written by Mielziner.

[Next: Chapter II: The Generations of the Tanaim](#)