

The Talmud Today

by

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Five Sugyot from the Babylonian Talmud, a recent publication of The Society for the Interpretation of the Talmud (Jerusalem, 2002), has prompted the editors of the *Annual* to invite me to expand my introduction to that volume in the form of an essay, and I am grateful for this opportunity.

Five Sugyot is an introduction to the Society's projected edition of the Talmud with original commentary, which will strive to meet the standards of academic scholarship and at the same appeal to a wide reading audience. Each of the *sugyot* (basic literary unit of consecutive Talmud text) in this volume is treated as follows:

- the text of the each sugya is presented in a graphic format, which emphasizes literary form, and distinguishes three components – tannaitic diction, amoraic statements, and anonymous dialectic (*stam hatalmud*).
- a clear and updated presentation of references to parallel passages, with page numbers of existing editions (*masoret hatalmud*).
- Rashi's commentary.
- a concise summary of the extended discussion.
- the commentary on the sugya, in the form of an extended discussion.

The commentary addresses the major issues mandated by each *sugya*. This often means discussing the overall shape and thrust of the *sugya*; determining the *pshat* of individual components (tannaitic and amoraic dicta), by studying them as independent units and comparing their parallels throughout talmudic literature; assessing the role and agenda of the anonymous discussion, and possible reinterpretation of the dicta by it, in light of its agenda.

The above yields a history of legal institutions and theological concepts contained in the *sugya*. When called for by the subject matter of a particular *sugya*, historical background and cultural parallels from the ancient world are discussed, along with linguistic clarifications, and issues of realia. In service of the above aims, full use is made of the writings of the *Rishonim*, manuscript readings of the Talmudic text, and modern scholarship addressing the *sugya*.

Color and black and white illustrations are interspersed in the commentary. Each *sugya* is preceded by a reproduction of the relevant page from the Vilna Shas. The five *sugyot* are from different tractates, and each of the five authors has addressed himself to preparing the entire chapter from which his *sugya* is drawn. Thus the volume provides a sample of the style of each individual author, and through the composite, the common approach. The five authors are Moshe Benovitz, Shamma Friedman, Yair Furstenberg, Aviad Stollman, and Stephen Wald.

Having amassed commentary on individual chapters, the Society is now launching its second phase, addressing entire tractates. Among the first scheduled are Shabbat by Wald and Bava Kamma by Asaf Malach. Publishing commentary on an entire tractate will require making the discussions much more compact. Necessary back up material will appear on the Society's website.

THE TALMUD is widely studied today in Jewish contexts, perhaps more pervasively than ever before. Furthermore, the entire Talmudic-Midrashic corpus – the full teachings of the Tannaim and Amoraim – has now been granted its rightful place within general academic frameworks as a cultural classic of the ancient world. Yet the Talmud has never been treated in a modern edition with comprehensive commentary as is now being created by the Society for the Interpretation of the Talmud.

Understanding why this is so requires stepping back and taking an overview of modern Talmud scholarship, which was initiated as part of the 19th century *Jüdische Wissenschaft* movement, and now can hopefully take its place along with traditional Talmud studies. Two thrusts existed within 19th and 20th century academic Talmud scholarship. One expressed itself in studies on individual topics and areas: theological, legal, linguistic, stylistic, geographic, botanical, and literary. This emphasis culminated in JN Epstein's magisterial work, *Introduction to the Text of the Mishnah*. The other was to address preparation of critical editions of the texts of the entire Talmudic corpus: Mishna, Tosefta, the Babylonian

Talmud and the Palestinian Talmud (Yerushalmi), and the halakhic and aggadic Midrashim, and culminated in the work of Saul Lieberman.

How should one progress, by first preparing the texts and their interpretation, and basing the studies upon them, or vice versa? This is a “chicken and egg” question, or, in talmudic idiom, “Did not the first pliers require pliers to hold them during manufacture?” Realistically, each scholar will take his/her own course, in terms of personal inclinations, as Epstein devoted himself to “introductions” and delayed the editions, and Lieberman devoted himself to the texts and their editions, and delayed the methodological studies. On the overall scene of talmudic scholarship the text editions with commentary lagged far behind. When they catch up, the studies can finally be based upon exact texts already analyzed in comprehensive commentaries. The Society for the Interpretation of the Talmud hopes to make its contribution towards an edition of the Babylonian Talmud with modern commentary.

An exemplary critical edition with commentary is the early 20th century Bereshit Rabba by J. Theodor and H. Albeck. The pinnacle of a modern edition with exacting textual information and exhaustive commentary of an extended part of Talmudic literature is Saul Lieberman’s *Tosefta Kifshutah*. Subsequent efforts, such as Abraham Goldberg’s commentaries on three tractates of the Mishna, have pointed to Lieberman’s work as the model to be emulated.

Lieberman’s unique scholarly mastery can hardly be duplicated, or even approached. Interestingly however, Lieberman’s genius did not operate in a vacuum, or through subjective insight alone. He devoted himself to careful planning of his scholarly oeuvre with extensive textual and bibliographic preparation, each part of which would be considered a scholarly “project” today, requiring special research staff. Consider his four volume preparatory work *Tosefet Rishonim*, collecting and commenting upon the citations of the Tosefta found in the entire literature of the Rishonim.

The planning for comprehensive commentary on the Babylonian Talmud began more than two decades ago through forging the requisite scholarly tools. The Saul Lieberman Institute of The Jewish Theological Seminary undertook computerization of all primary witnesses (complete and fragmentary manuscripts and first printed editions) of the text of the Talmud. An advanced CD of its Sol Henkind Talmud Text Database has just been issued. The Lieberman Institute has also produced a computerized page reference bibliography of scholarly and traditional

literature, index-linked to passages throughout on the talmudic corpus. A computer-based reference to parallel passages within the talmudic-midrashic corpus (*Otzar Ha-Makbilot*) has also been planned, and is now being built under my direction at the Advanced Methodological Project of Bar Ilan University, as is a computerized synopsis of Tosefta and halakhic midrashim (directed by Prof. Leib Moskovitz and myself) at the University's Naftal Center. These tools contribute to the enhancing of human creativity, and are aimed specifically at serving composition of Talmud commentary.

The Society for the Interpretation of the Talmud is an independent non-profit organization of scholars. Part of its core group is drawn from those who had already published or extended commentary on a chapter of Talmud, or written a doctoral dissertation on this topic (see Bibliography).

A basic question that posed itself at the initial stages of our work involves the intended reading audience: academic, traditional, or both. On the elementary level, where the main goal is grasping the basic meaning of the text the differences between the two approaches are less pronounced. However, they represent two contrasting orientations on the intermediate and advanced levels.

Bearing in mind the fact that the variegated nature of each school makes any attempt at facile categorization an over-simplification, we will attempt sketching contrasting features, which may be cautiously applied, where they fit.

Perhaps the most pervasive contrast is "dogmatic" versus "historical". Most of the traditional approaches are interested in discovering a system of ideas within the text of the Talmud. The academic school is interested in understanding the historical development of the text itself and of the ideas it contains. Critics of the academic approach often claim that it overemphasizes scrutiny of the textual aspects to the detriment of content. It is true that the academic disciplines of Talmud studies are often background-oriented, while the traditional ones are more content-oriented.

Most of the traditional approaches to the study of Talmud entertain agendas that go far beyond the Talmud itself, in fact often leaving the Talmud behind as they focus on other literatures, such as the vast classic corpora of *rishonim* and *achronim*, addressing derivative subjects: applied halakha, or religious and ethical values. Rather than being the

true center of the intellectual activity, the Talmud becomes a springboard and backdrop for secondary operations, which lend their own dialectic to the study of the Talmudic text, imparting intellectual stimulation and pedagogic attraction. The famous Lithuanian dialectic *sh'nei dinim* (“two laws”) is a case in point. However, this process may work at the expense of the centrality of the Talmudic text and its simple meaning.

Striving to produce dialectic may lead to great selectivity in the use of text, introducing material and adopting interpretive positions specifically selected to serve the desired contrast or conclusion. The academic disciplines maintain a clearer dichotomy between Talmud per se and derivative literatures, and strive to maintain their concentration upon the former. The Talmudic scope is inclusive rather than selective, in line with the norms of scholarly objectivity and completeness. Thus the tone is descriptive and usually not dialectic.

The traditional approaches are closed systems, whose boundaries are clearly defined. However, academic Talmud study seeks broad cultural contexts, both Jewish and universal, as lenses for focusing upon the text. Rather than the splendid isolation of closed and orderly systems, this method is open to comparisons with complex external systems, and entertains exploring the relationship of Talmudic lore and society with external cultures and other disciplines.

Many of the tools of critical scholarship derive from approaches which already existed in traditional Talmud studies, especially in the literature of the rishonim, and often in the *questions* (not necessarily the solutions) posed by the achronim. On the other hand, fundamentalism has also appeared within the circles of traditional Talmud study, and is indeed discernable on the contemporary scene. Fundamentalism in this context refers to a non-critical acceptance of interpretation and conclusions. If the Talmudic *sugya* quotes a statement of Rabbi Akiva and fixes its meaning at the conclusion of the discussion, the fundamentalist sees the matter closed. Within the system, the authoritative interpretation is the only valid one. But the critical scholar does not subjugate the search for truth to any authority. Rabbi Akiva's statement can be scrutinized in light of tannaitic parallels (Tosefta, etc.), in light of the Yerushalmi's interpretation, in terms of the simple linguistic or grammatical meaning of his words, or even other categories yielding a historical meaning different than that assigned to it at the *sugya's* conclusion.

Determining the simple meaning, the historical *peshat*, is a sacred categorical imperative for academic scholarship, but not necessarily so

for some traditional approaches. Nevertheless, there are traditional streams which have elevated the value of seeking the peshat. Rashbam to Gen. 37:1 can symbolize the disciplined striving for the historical *peshat* as both an intellectual and a religious value.

It is specifically the academic approach that is equipped to provide the tools for such an orientation to Talmud studies. Not only its classic sub-disciplines, such as scholarly information about the material world of antiquity, but specifically its literary methodologies can play the crucial role. The Talmud is a composite in which later discourse interprets earlier texts imbedded within the *sugya*. These components can be clearly delineated to provide and in depth understanding of the sugya, rather than viewing it monolithically.

The desirability – indeed necessity from our viewpoint – of incorporating talmudic studies in general academic institutions, and academic Talmud studies in Yeshiva frameworks, has been voiced articulately in recent times. I have pressed these points for many years, and it is gratifying to recognize a growing consensus. We will therefore incorporate some quotations here.

If Talmud is today taken as a specific Jewish field of studies rather than a general, cultural area of classic studies, this was not always the case. Renaissance Christian humanists studied Talmud in the original, and in Latin translation. Joseph Geiger, professor of Jewish History at the Hebrew University, has written about the developments in this area:

Most ancient historians and classical scholars seem to take little notice and have next to no knowledge of Talmudic literature and its connections with the study of classical antiquity. This has not always been so. Joseph Justus Scaliger (1540-1609), arguably the greatest classical scholar of all time, devoted much time and energy to his Talmudic studies and was in the possession of the only MS containing the entire Jerusalem Talmud. The change occurred at the end of the eighteenth century, when Friedrich August Wolf's conception of *klassische Altertumswissenschaft* designated everything not Greek or Roman as second class.

The present day extension of classical studies, and especially of the history of the Roman Empire, both in the chronological inclusion of Late Antiquity, and in the redirection of attention to the periphery rather than the centre should provide strong reasons for a reversal of the trend and for the study of Antiquity as one unit,

irrespective of the language and the nature of the available sources. Nor are we inclined to the sort of value judgements prevalent in the eighteenth century. It is regrettable that sources are tacitly dismissed only because they are inaccessible to many scholars.

Eliezer Segal, professor of religious Studies at the University of Calgary, has registered the following in his "The Talmud Goes to College".

~~The Christian world has long expressed an interest in the study of~~ rabbinic literature. The situation has progressed considerably until today, when there is a general realization that the study of Judaism is not only as legitimate as that of any other culture or civilization, but also that it holds a special place of interest because of its centrality to Western culture. Rabbinic thought and literature are naturally recognized to be preeminent expressions of Judaism. The university Judaica scholar is not merely reporting the results of the study in the traditional *yeshiva*, but providing a creative new understanding of the Talmud.

The academic approach has brought the application of other disciplines to Talmud study. The application of methods of general literary criticism to Talmudic texts has proven most fruitful. Such studies, generally neglected in the *yeshiva* curriculum, have been carried out with great success in the university setting.

An additional contribution of the academic approach is in "source criticism." This basically refers to a methodological distinction between the final product and the sources which were put together to make it up... critical talmudic scholars have shown that traditional commentators often employed such an approach, and have thereby come to a clearer understanding of the original significance of many statements by the ancient rabbis.

One of the most interesting phenomena associated with the critical study of the Talmud has been the degree to which it has been accepted by the traditionalists. The *shiddukh* between the university and the *yeshiva* is thus a complex one, but one that promises to prove valuable for both sides.

Menahem Kahana, professor of Talmud at the Hebrew University, wrote a Hebrew article on the importance of academic critical methodologies for Yeshiva studies. The following is a translation of a brief excerpt:

The aim of academic research is striving for the truth. It is natural that those who believe that God's seal is "truth" (emet), and "He desires only truth" (Guide for the Perplexed, 2, 47) should consider the search for truth a religious imperative... this alone should require a maximum effort in combining torah and research.

Rabbi David Bigman, Rosh Yeshiva, Yeshivat Ma'ale Gilboa, writes:

Our method for learning Talmud can be summarized in the following question: "What is it saying, and what is it *saying*?". Through defining these terms we will see that the method consists of 1) identifying the different layers of the Talmudic *sugya*, 2) reading each layer in its own context, and 3) evaluating what values are reflected by each particular statement and the larger editorial structure of the *sugya*.

In the course of identifying original voices, the learner should utilize the wide corpus of manuscripts... the linchpins of our method are paying attention to the strata of the text and reading each stratum in its own context, without the comments or qualifications of later voices. Reading an Amoraic source in the dressing given to it by the *stam* prevents the learner from understanding the *amora* himself. It further shrouds perception of just what was bothering the *stam* and what legal or conceptual development he heralded. The same is true regarding amoraic extensions of tannaitic sources and Rashi's commentary on the "final" text. Reading the Talmud synchronically misunderstands the genre and loses the nuances, or even the entire thrust, of many of *Hazal's* voices.

Bigman makes reference to my 1977 study where some of these issues are developed, and his program indeed reflects an agenda compatible with the Society's aims and efforts.

The Talmud is a rich and fascinating text, but not an easy text. Simply understanding what the words mean is not an easy task, but it would be a pity to leave the matter there. Traditional talmudic interpretation is a vast and invaluable corpus in its own right, but limiting the possibilities of understanding to what has already been said there would amount to fundamentalism. A plethora of computerized student aids and editions addressing the elementary level (Steinsaltz, Artscroll, etc.) add to the argument that the time is ripe for a more sophisticated undertaking.

The Babylonian Talmud is one component, albeit in certain senses the main one, within the classical rabbinic literature of the Talmudic culture, and any passage in the Bavli which has parallels in the other parts of this literature must be studied in the light of these parallels. The Vilna *Shas* is the latest manifestation of a long history of the text of the Talmud. However, earlier witnesses to this textual tradition, manuscripts and first printed editions combine to provide the information needed to understand the earlier wording when possible, and to comprehend the evolution of that text.

Above we have singled out three literary and textual methodologies. These involve: 1. The literary shape of the *sugya* and the historic relationship of its parts. 2. Parallel passages within the larger talmudic-midrashic corpus. 3. Manuscripts of the Talmudic text and other early textual witnesses. Certain circles of traditional Talmud study have begun to seek an approach that includes more rigorous critical tools. Academic Talmud studies, which have already developed critical methods have not always succeeded in applying them to the legal and religious content of the Talmud to the same degree that they have addressed issues regarding the formation and editing of the Talmud and the transmission of its text.

Furthermore, academic studies have not sought a dialectic that might lend intellectual or emotional attraction to the discipline, and most correctly so as befitting the standards of any purely scientific endeavor. Nonetheless, even if the subjective motivation for devoting oneself to the study of the Talmud must be left to each individual, the development of the field is dependent upon the interest and enthusiasm of its practitioners, and the many tasks of this field require a corps of talented and motivated scholars.

The Society for the Interpretation of the Talmud views its project in terms of the needs of both methodological schools described above. It seeks to maintain the standards of academic scholarship, and at the same time address the traditional camp, creating an original amalgam of the strengths of both. Setting the study of consecutive text as its central focus, it will make the content of the Talmud its central concern, making the other aspects, necessary as they are, secondary and supportive of this goal.

Applying the disciplined methods of academe to the dicta of the sages, halakha and aggada, and casting them in their historical settings creates a dialectic of its own. This dialectic is based upon comparison of material, and its main axis is developmental and evolutionary. Comparing different

textual traditions, parallel texts within the corpus, and cultural phenomena within and beyond the Talmudic confines yields a series of operations, many of which are binary constructions whose resolution is challenging and engaging. The sum total of the various comparisons leads to the discovery of stages of meaning, which often arrange themselves as evolutionary levels. There is no necessity to import a dialectic from external fields. The text and content of the Talmud are the central occupation, and they themselves provide intellectual engagement through comparison and discovery. At the same time the parameters of these methods are based upon the rigorous demands of critical Talmud study.

Thus we strive to achieve an original approach which is calculated to become an authentic and inspiring method of Talmud study, serving many camps, and indeed capable of creating dialogue and integration of efforts. The task is a historical one, and the initial response is more than encouraging.

The full history of talmudic law, literature, and theology requires a clear determination of their historical development. The apparent monolithic structure and composition of the sugya must be opened and the various strands defined by careful analysis possible through critical commentary. This process uncovers the historical development of legal principles and institutions and the evolution of their conceptual underpinnings.

Years of preparation have gone into establishing the format and methodology of the Society for the Interpretation of the Talmud, setting up a headquarters and support staff, assembling research materials and tools, and, most important, enlisting a group of scholars equipped for the task and devoted to its implementation.

The group of scholars that has been formed may represent a microcosm of the potential reading audience, ranging as it does from academic university trained to yeshivat hesder scholars, the latter often turning to the Society after having heard of our creative Talmud project from colleagues.

Participating scholars are attracted by our methodology of tracing the development of the literary forms of Talmudic statements as a key to understanding the evolution of their content, such as legal institutions and rabbinic concepts. The system is based on a rigorous academic discipline, and at the same time deeply committed to the content and values of the Talmudic sources, thus its intellectual and valuational attraction are a

potential rallying point capable of creating a renewed vigor and excitement in the field.

The scholars collaborating in this project are producing high quality original scholarship, based upon assiduous painstaking investigation and courageous creative thinking. Their writing is marked with the excitement and enthusiasm of discovery and a collective esprit de corps of the entire cooperative group. Each writer will receive full intellectual credit for his or her contribution.

The Society has now amassed commentary on more than 350 sugyot, equivalent to more than 150 folio pages of Talmud. With the issuance of this introductory volume we expect to initiate our first series of publications, and launch the more advanced stage of the fulfillment of the vision.

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