

## The Talmud

Orders and tractates of the Mishnah and Talmud

	Mishnah	Babylonian		Jerusalem		
	No. of Chapters	No. of Folios	Folios Munich Ed.	No. of Folios		Subject Matter
Order Zera'im						
Berakhot	9	64	19	14		Benedictions and daily prayers
Pe'ah	8	—	3	7		Gleanings (Lev. 19:9-10)
Demai	7	—	3	6		Doubtfully tithed produce
Kilayim	9	—	4	7		Diverse kinds (Lev. 19:19; Deut. 22:9-11)
Shevi'it	10	—	4	7		The Sabbatical Year (Ex. 23:10-11)
Terumot	11	—	4	9		Heave offering (Lev. 22:10-14) assigned to the Kohanim
Ma'aserot	5	—	2	5		Tithes (Num. 18:21)
Ma'aser Sheni	5	—	3	5		Second tithe (Deut. 14:22 ff.) of the first, second, fourth and sixth years
Hallah	4	—	2	4		Dough offering (Num. 15:17-21) given to the Kohanim
Orlah	3	—	2	4		The fruit of young trees (Lev. 19:23-25)
Bikkurim	3	—	3	3		First fruits (Lev. 26:1-11)
Order Mo'ed						
Shabbat	24	157	28	18		The Sabbath
Eruvin	10	105	17	9		The fusion of Sabbath limits
Pesahim	10	121	18	11		Passover
Shekalim	8	—	6	7		The Shekel dues (Ex. 30:11-16)
Yoma	8	88	16	8		The Day of Atonement
Sukkah	5	56	9	5		The Feast of Tabernacles
Betzah	5	40	11	5		Festival laws
Rosh Ha-Shanah	4	35	7	4		The four new years, particularly Rosh Ha-Shanah
Ta'anit	4	31	8	7		Fast days
Megillah	4	32	9	7		Purim
Mo'ed Katan	3	29	7	4		The intermediate days of festivals
Hagigah	3	27	6	5		The Festival offering (Deut. 16:16-7)
Order Nashim						
Yevamot	16	122	24	16		Levirate marriage (Deut. 25:5-10) and halitzah
Ketubbot	13	112	20	12		Marriage contracts
Nedarim	11	91	10	7		Vows (Num. 30)
Nazir	9	66	8	8		The Nazirite (Num. 6)
Sotah	9	49	11	9		The suspected adulteress (Num. 5:11 ff.)
Gittin	9	90	16	7		Divorce
Kiddushin	4	82	14	9		Marriage; legal acquisition of bondsmen, chattel and real estate
Order Nezikin						
Bava Kamma	10	119	22	7		Torts: cases of compensation for theft, robbery or violence
Bava Metzia	10	119	20	6		Civil law: found property; bailments; hiring; leasing; joint ownership
Bava Batra	10	176	21	6		Property law, including rights & restrictions
Sanhedrin	11	113	24	14		Judges: courts; arbitration; procedure; capital cases; dogma
Makkot	3	24	5	3		Flagellation (Deut. 25:2): treatment of perjurers; cities of refuge
Shevu'ot	8	49	9	7		Oaths
Eduyyot	8	—	4	—		Traditional testimonies
Avodah Zarah	5	76	13	7		Idolatry
Avot	5	—	2	—		Ethical maxims and aphorisms
Horayot	3	14	4	4		Erroneous ruling of the court (Lev. 4:22 ff.)

	Mishnah	Babylonian Talmud *	Jerusalem Talmud		
	No. of Chapters	No. of Folios	Folios Munich Ed.	No. of Folios	Subject Matter
<b>Order Kodashim</b>					
Zevahim	14	120	21	—	Animal offerings and their procedure; conditions of acceptability
Menahot	13	110	21	—	Meal and drink offerings
Hullin	12	142	25	—	Slaughtering of animals & birds
Bekhorot	9	61	13	—	Firstlings (Deut. 15:19 ff) and tithing (Lev. 27:32-33)
Arakhin	9	34	9	—	Vows of valuation (Lev. 27:1-8)
Temurah	7	39	8	—	The substituted offering (Lev. 27:10)
Keritot	6	28	9	—	Excisions (Lev. 18:29)
Me'ilah	6	22	4	—	Sacrileges (Lev. 5:15-16)
Tamid	7	9	4	—	The daily sacrifice (Num. 28:3-4) and Temple service
Middot	5	—	3	—	Dimensions of the Temple
Kinnim	3	—	2	—	The Bird offering (Lev. 5:7 ff.)
<b>Order Tohorot</b>					
Kelim	30	—	11	—	Uncleanness of vessels (Lev. 11:33-35)
Oholot (Ahilot)	18	—	7	—	Uncleanness through presence under same roof (Num 19:14-15)
Nega'im	14	—	7	—	Leprosy (Lev. 13, 14) and purification
Parah	12	—	5	—	The Red Heifer (Num. 19)
Tohorot	10	—	5	—	Contact with sources and grades of impurity
Mikva'ot	10	—	5	—	Ritual immersion
Niddah	10	73	14	4	The menstruant (Lev. 15:19-31)
Makhshirin	6	—	3	—	Liquid that predisposes food to become ritually unclean (Lev. 11:37-38)
Zavim	5	—	2	—	Fluxes (Lev. 15)
Tevul Yom	4	—	2	—	Ritual uncleanness between immersion and sunset (Lev. 22:6-7)
Yadayim	4	—	3	—	The ritual uncleanness of the hands
Uktzin	3	—	2	—	"Stalks" parts of plants susceptible to uncleanness

\*The number given is the last page number. The pagination, however, always begins with page 2; one page should therefore be deducted.



## TALMUD

1. **Mishna**—The mishna was the first great codification of the Oral Law, which was compiled by Rabbi Yehudah HaNasi around the year 200 C.E. Every area of Jewish law is treated although in a very concise manner. Legal arguments are recorded but rarely are the implications of these arguments made clear. The authorities quoted are called Tannaim (lit. 'Teachers who repeat')—memory up until that time being the only device for learning and transmitting the oral law.
2. **Talmud**—(Gemara): (lit. 'The study or the teaching'). The Babylonian Talmud was arranged and completed around 500-550 C.E. The authorities quoted are, of course, the earlier Tannaim as well as the Amoraim (lit. 'The speakers' or 'interpreters') of Babylonia. The Talmud is a record of thousands of discussions, debates and directives regarding Jewish law, philosophy and ethics.
3. **Rashi**—an acronym for Rabbi Shlomo Ben Yitzchak (Yarchi), who lived in Provence, France, 1040—1105. Rashi's explanation of the Aramaic text is indispensable. He enters into many discussions with his contemporaries on the interpretation of questions, answers, suppositions and conclusions. One simply cannot imagine the study of Talmud without his aid.
4. **Tosafot**—This collection of erudite dialectics by the great yeshiva academicians of France (and Germany) spans the entire range of the Talmudic corpus. If a contradiction appears in the Talmud and especially in Rashi's interpretation of the Talmud, the Tosafists will put on a display of intellectual fireworks. Chief among them was Rabbi Yaakov Tam, Rashi's grandson.
5. **Gilyon HaShas—Rabbi Akiva Eger**  
Born in Eisenstadt, Hungary 1761. These are seminal notes and novellae on the Talmud by the father-in-law of the Chasam Sofer. His genius and piety were legendary and his works are required reading (study) at every level of higher learning. He died in Pozen, Poland in 1838.
6. **Ein Mishpat, Ner Mitzvah—Rabbi Yehoshua Boaz**, 16th century.  
Wrote these footnotes to the entire Talmud. They indicate the legal texts where the law can be found. This is a massive undertaking which uses the Mishna Torah of Maimonides, The Sefer Mitzvot Gadol, the Tur Shulchan Aruch and the Shulchan Aruch of Rabbi Yosef Karo.
7. **Mesoret HaShas**—cross-reference work in the Talmud itself which helps locate where else the issue is discussed.
8. **Hagahot HaBach**—Textual inaccuracies and emendations of Rabbi Yoel B. Shmuel Sirkes 1570-1640. The word 'Bach' is an acronym for Bayit Chadash, the other famous work of this author. His son-in-law was the Taz. (See Shulchan Aruch).

EGYPT	EREZ ISRAEL	ROMAN EMPIRE	CULTURAL ACHIEVEMENTS
40 Legation of Jews of Egypt lead by Philo to Rome	41-44 Agrippa I	41-54 Claudius 41 Claudius issues edict of toleration 54-68 Nero	until c.40 Philo writes in Alexandria
66 Massacre of the Jews at Alexandria	66 Beginning of revolt against Rome 67 Vespasian conquers Galilee; the Zealots take over in Jerusalem	69 Galba; Otho; Vitellius 69-79 Vespasian	
73 Temple in Leontopolis closed	c.70 Destruction of Qumran community 70 Siege of Jerusalem; destruction of the Temple 70 Sanhedrin established at Jabneh by Johanan b. Zakkai 73 Fall of Masada	79-81 Titus 81-96 Domitian 96-98 Nerva 98-117 Trajan	c. 79 Josephus completes <i>Jewish Wars</i> 93 Josephus completes <i>Jewish Antiquities</i>
115-117 Revolt of the Jews	c. 115 d. of Gamaliel II c. 116-117 "war of Quietus"	117-38 Hadrian	
	132-35 Bar Kokhba war 135 Fall of Bethar; Aelia Capitolina established; Akiva executed c. 135-38 Persecutions of Hadrian c. 140 Sanhedrin at Usha	138-61 Antoninus Pius 161-80 Marcus Aurelius 161-69 Lucius Aurelius Verus 180-92 Commodus 193 Pertinax 193-211 Septimius Severus	2nd cent., Canonization of the <i>Ketuvim</i> (Hagiographa)
	c. 170 Sanhedrin at Bet She'arim	211-17 Caracalla 212 Jews (together with most of subjects of the empire) become Roman citizens	c.210 Redaction of the Mishnah
	c. 200 Sanhedrin at Sepphoris	217-18 Macrinus 218-22 Helio-gabalus 222-35 Alexander Severus 253-60 Valerian	
BABYLONIA		270-75 Aurelian 284-305 Diocletian	245 Dura-Europos synagogue built
219 Arrival of Rav	c. 220 d. of Judah ha-Nasi c. 230 d. of Gamaliel III c. 235 Sanhedrin at Tiberias		
247 d. of Rav 254 d. of Samuel 259 Academy of Nehardea moves to Pumbedita	c. 270 d. of Judah II Nesiah c. 290 d. of Gamaliel IV		
c. 297 d. of Huna c. 299 d. of Judah b. Ezekiel			

Dates	Nasi	Other principal Tannaim
20 B.C.E.	Hillel	
20 C.E.	Shimon	
20 - 40	1. Gamliel (I) the Elder	Akavyah b. Mahala'el, Bava b. Buta, Ben He He, Yonatan b. Uziel
40 - 80	2. Shimon b. Gamliel (I)	Dosa b. Harkinas, Hanina Segan HaKohanim, Hanina b. Dosa, Tzadok (I), Yehudah b. Betai (I), Yohanan b. Zakkai
80 - 110	3. Gamliel (II) of Yavneh	Elazar b. Arakh, Elazar b. Tzadok (I), Eliezer (b. Hyrcanus), Eliezer b. Ya'akov (I), Nahum of Gamzo, Nehunya b. HaKanah, Shmuel HaKatan, Tarfon, Yehoshua (b. Hananyah), Yose HaKohen
110 - 135	4.	*Abba Shaul, Akiva, Elazar b. Azaryah, Elazar of Modi'in, Elisha b. Avuyah, Halafta, Hananyah b. Hakhinai, Hananyah b. Teradyon, Hananyah (Nephew of) Yehoshua (b. Hananyah), Ifai, Shimon b. Azzai, Shimon b. Nannas, Shimon b. Zoma, Tzadok (II), Yehudah b. Bava, Yehudah b. Betai (II), Yishmael (b. Elisha), Yohanan b. Berokah, Yohanan b. Nuri, Yose b. Kisma, Yose HaGelili
135 - 170	5. Shimon b. Gamliel (II)	Elazar (b. Shamu'a), Elazar b. Tzadok (II), Eliezer b. Yose HaGelili, Hanina b. Gamliel, Meir, Natan HaBavli, Nehemyah, Shimon (b. Yo'hai), Yehudah (b. Ifai), Yehoshua b. Korha, Yishmael b. Yohanan b. Berokah, Yohanan HaSandlar, Yonatan, Yose (b. Halafta)
170 - 200	6. Yehudah HaNasi	Elazar b. Shimon, Hama b. Bisa, Pinehas b. Yair, Shimon b. Elazar, Shimon b. Halafta, Shimon b. Menasya, Shimon b. Yehudah, Summakhos, Yishmael b. Yose, Yose b. Meshullam, Yose b. Yehudah (b. Ifai)
200 - 220	Gamliel (III) b. Rabbi (Yehudah HaNasi)	Bar Kappara, Hiyya, Levi (b. Sisi), Oshaya Rabbah, Shela, Shimon b. Rabbi (Yehudah HaNasi)
Amoraim in Eretz Israel		Amoraim in Babylonia
220 - 250	1. Hanina (b. Hama), Yannai, Yehoshua b. Levi, Yehudah Nesfa (I)	1. Mar Ukva (I), Rav, Shmuel
250 - 290	2. Hama b. Hanina, Resh Lakish, Yitzhak (Nappha), *Ya'akov b. Idi, *Ulla (b. Yishmael), Yohanan (b. Nappha), Yose b. Hanina	2. Adda b. Ahavah (I), Avimi, Giddel, Hamnuna (I), Hisda, Hiyya b. Ashi, Hiyya b. Yosef, Huna, Kahana (I), Matenah (I), Nahman b. Ya'akov, Yehudah (b. Yehezkel), Yirmeyah b. Abba, Ze'iri
290 - 320	3. Abbahu, Ammi, Assi, Elazar (b. Pedat), *Haggai, Hanina b. Pappa, Helbo, Hiyya b. Abba, Ifai, Shmuel b. Nahmani, *Yirmeyah, Zera	3. Aha b. Ya'akov, *Dimi, Hisda, *Idi b. Avin (I), Rabbah b. b. Hanah, Rabbah (b. Nahmani), Rabbah b. Rav Huna, *Ravin (Avin), Sheshet, Yosef (b. Hiyya)
320 - 350	4. Aha, Berekhyah, *Hizkiyah, Hillel (II), Huna (b. Avin), Yehudah b. (Shimon b.) Pazzi, Yonah, Yose (b. Zevida)	4. Abaye, Adda b. Ahava (II), *Dimi of Neharde'a, Nahman b. Yitzhak, Nahman b. Hisda, Rami b. Hama, Rava
350 - 375	5. Avin (II) (b. Ravin), Hanina of Tzipori, Mana (II), Tanhuma b. Abba	5. *Amemar, Hama, Huna b. Yehoshua, Kahana (IV), Pappa, Pappai, Zevid
375 - 425		6. *Aha b. Rava, Ashi, Geviha of Bei Katil, Mar Zutra, Rafram (I), Ravina (I), *Yeimar
425 - 460		7. Mar b. Rav Ashi, Rafram (II)
460 - 500		8. Rabbah Tosafah, Ravina (II)

\*A name marked with an asterisk indicates that the Sage was also active in the following generation.

**כָּל דֹּאֲלִים גָּבֵר** Lit., *whoever is stronger wins*. A legal solution sometimes applied in civil disputes, where neither litigant has convincing evidence to support his claim. The court refuses to judge the case and leaves the claimants to settle the matter themselves, in the hope that the true owner will exert himself and win. This solution is applied only in certain rigorously defined situations. See also **שְׂוֵא דְדִּינִי**.

**מִיגוֹ** Lit., *from the midst of, since*. An important legal argument, used to support the claim of one of the parties in a dispute. If one of the litigants could have made a claim more advantageous to his cause than he actually did, we assume he was telling the truth. The **מִיגוֹ** argument may be expressed in the following way: "Since he could have made a better claim (for had he wanted to lie, he would presumably have put forward a claim more advantageous to himself), we assume that he must be telling the truth." For he could say: **מָה לִּי לִשְׁקֹר** — "What reason do I have to lie?" There are, however, certain limitations governing the application of this principle; for example, **מִיגוֹ אֵין בְּמִקּוֹם עֵדִים** — "There is no **מִיגוֹ** where there are witnesses." In other words, **מִיגוֹ** is not effective where witnesses contradict the litigant's claim. The principle of **מִיגוֹ** is the subject of profound legal analysis in the Talmud and its commentaries.

## SAGES

**רבֵּי הֶלְבּוֹ** Rabbi Helbo. A third-generation Babylonian Amora, Rabbi Helbo was one of Rav Huna's outstanding students, and transmitted many of Rav Huna's Halakhic teachings. Later, Rabbi Helbo immigrated to Eretz Israel (during Rav Huna's lifetime), apparently settling in Tiberias. There he met Rabbi Yohanan and studied Aggadah with Rabbi Shmuel bar Nahmani, and Halakhah with the outstanding disciples of Rabbi Yohanan. Rabbi Helbo's Halakhic and Aggadic teachings are found in both the Babylonian and Jerusalem Talmuds, and many Amoraim of the next generation in Eretz Israel cite his teachings. He left no children.

## BACKGROUND

**His wife's honor.** The honor referred to here is not merely respectful behavior and speech. It also has practical implications. Since people often honor each other because of their attire and jewelry, a husband is obligated to make certain that his wife is dressed in a way that does honor to him in public, and he must be more scrupulous of his wife's honor than of his own in this matter. This ruling explains the connection between honoring one's wife and earning a blessing. Anyone who honors his wife and buys her possessions, even above his economic status, is worthy of a blessing for that reason.

**וְהֵינּוּ דָאֵמֵר לְהוּ רָבָא לִבְנֵי מְחוּזָא** And this is what Rava said to the people of Mehoza. Rava lived in Mehoza, and eventually moved the Pumbedita Yeshivah to that city, which was a major commercial center. Most of the Jews who lived there were apparently merchants who supported themselves solely through commerce, as opposed to most other Jews during that period, who engaged in agriculture. Accordingly, Rava phrased his remarks in a manner appropriate to the Mehozans, since the residents of that city were very concerned about financial matters and were

## TRANSLATION AND COMMENTARY

increase of the earth." <sup>1</sup>And it is written at the end of the passage (ibid., 6:6): "And Israel became very poor because of Midian." Thus we see that the Bible calls the Israelites "poor" after their grain was destroyed by their enemies.

<sup>2</sup>The Gemara continues its discussion of how a husband should conduct himself towards his wife. Rabbi Helbo said: A man should always be careful about his wife's honor, for blessing (prosperity) is only found in a man's house on account of his wife, <sup>3</sup>as the verse says (Genesis 12:16): "And Pharaoh treated Abram well for his wife's sake, and he had sheep and oxen, etc." Accordingly, Rabbi Helbo argues, the Torah is teaching us that in general a man's prosperity comes from his wife. <sup>4</sup>And this is what Rava said to his fellow townspeople, the people of Mehoza: Honor your wives so that you may become wealthy.

<sup>5</sup>The Gemara now relates a story connected with the issue of causing anguish to other people, although its theological significance far transcends this specific ethical concern. The story begins with a Mishnah from tractate *Kelim*, which deals with the susceptibility of utensils to ritual impurity. If a primary source of ritual impurity, such as a dead animal, comes into contact with a utensil, the utensil becomes ritually impure only if it is susceptible to ritual impurity. The susceptibility of a utensil to contracting ritual impurity depends on its construction and on the material from which it is made. We learned in a Mishnah taught elsewhere (*Kelim* 5:10) that there is a difference of opinion regarding an oven: "If someone cut an earthenware oven horizontally into ring-shaped pieces, and then reconstructed it and put sand between the pieces, afterwards spreading clay on the oven to join the pieces together,

## LITERAL TRANSLATION

against them, etc.," <sup>1</sup>and it is written: "And Israel became very poor because of Midian."

<sup>2</sup>And Rabbi Helbo said: A man should always be careful about his wife's honor, for blessing is found in a man's house only on account of his wife, <sup>3</sup>as it is said: "And he treated Abram well for her sake." <sup>4</sup>And this is what Rava said to the people of Mehoza: "Honor your wives so that you may become wealthy." <sup>5</sup>We have learned there: "[If] he cut it [into] segments and put sand between segment and segment,

## RASHI

וידל ישראל — לעיל מיניה כמינ' וימנו עליהם ושמיתו את יבול הארץ. אוקירו נשויבו = כדדו נשומיכס. מחוזא — עיר שהיה רבא דר נחמיה כן שמה. חתבו חוליות — מנור העשוי חוליות מנרפו נכנסן כדך כלי חרס, ואמר כן צירף החוליות, ונמן חול בין חוליא לחוליא.

## NOTES

**If he cut it into segments and put sand.** Various explanations of the dispute between Rabbi Eliezer and the Sages have been suggested by the commentators. Some authorities explain that they disagreed as to whether an oven that was initially manufactured by cementing separate pieces of ceramic together can become ritually impure (i.e., if it later comes in contact with a dead body, etc.; thus *Rambam*, *Ra'avad* and others). Rabbi Eliezer maintains that the oven cannot contract ritual impurity, because the pieces do not fit together well, and hence the oven is considered broken, and the law is that broken

utensils cannot contract ritual impurity (*Ra'avad*).

Others explain that the "oven of Akhnai" was a normal oven which had become ritually impure, after which the owner cut it into separate pieces which he later cemented together (*Rash*, *Ritva*, and others). According to this explanation, Rabbi Eliezer maintained that the oven becomes ritually pure, because cutting it into pieces is tantamount to breaking it, and even though it was later cemented together the pieces do not fit together well, because the sections of the oven remain separated from each other by layers of sand.

## HALAKHAH

**Honoring one's wife.** "The Sages said that a man should love his wife like himself, and honor her more than himself." (*Rambam*, *Sefer Nashim*, *Hilkhot Ishut* 15:19.) **An oven cut into segments.** "An earthenware oven which was cut into pieces horizontally

can become ritually impure, if it was overlaid with clay and the clay fired, even if there are layers of sand between the pieces," following the view of the Sages. (Ibid., *Sefer Tohorah*, *Hilkhot Kelim* 16:5.)

## TRANSLATION AND COMMENTARY

<sup>1</sup> Rabbi Eliezer declares the resulting oven ritually pure — i.e., not susceptible to ritual impurity — because in his opinion the oven is no longer regarded as a complete utensil and is therefore no longer susceptible to ritual impurity. While the pieces have indeed been joined together once more, the oven is nevertheless regarded as built of broken fragments, and such a structure is not susceptible to ritual impurity. The Sages, on the other hand, declared it to be sufficiently reconstructed to be ritually impure — i.e., subject to ritual impurity. In their opinion, although the oven was reconstructed from separate pieces, it is to be viewed as a repaired and whole vessel, because of the clay that has been spread over it on the outside. Notwithstanding the sand that separates its pieces, it is a single, whole unit, and is susceptible to ritual impurity like any other oven. [59B] And such an oven was called "the oven of Akhnai."

(*Akhnai* means a type of snake.)  
 The Gemara asks: What is "Akhnai"? Why was the oven named after a snake?

The Gemara replies: Rav Yehudah said in the name of Shmuel: The Mishnah is hinting at the fierce argument between Rabbi Eliezer and the Sages, described in the Baraita below. The Rabbis who disputed Rabbi Eliezer's view entwined Rabbi Eliezer with words, like a snake wrapping itself around its prey, and they succeeded in having the oven declared ritually impure.

The details of the dispute were taught in the following Baraita: "On that day, Rabbi Eliezer used all the arguments in the world. He produced powerful arguments to justify his position that the oven should be considered unreconstructed and not susceptible to ritual impurity. But the Sages did not accept his arguments, and insisted that the oven was susceptible to ritual impurity. After Rabbi Eliezer saw that he was not able to persuade his colleagues with logical arguments, he said to them: 'If the Halakhah is in accordance with me, let this carob tree prove it.' The carob tree immediately uprooted itself and moved one hundred cubits — and some say four hundred cubits — from its original place. The Sages said to him: 'Proof cannot be brought from a carob tree.' Rabbi Eliezer then said to the Sages: 'If the Halakhah is in accordance with me, let the channel of water prove it.' The channel of water immediately flowed backward, against the direction in which it usually

## LITERAL TRANSLATION

Rabbi Eliezer declares it ritually pure and the Sages declare it ritually impure. [59B] And this is the oven of Akhnai."

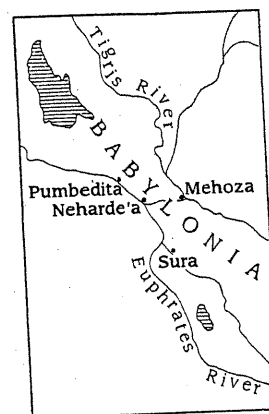
<sup>2</sup> What is Akhnai?

<sup>3</sup> Rav Yehudah said in the name of Shmuel: Because they encircled [him with] words like this snake, and declared it ritually impure.

<sup>4</sup> It has been taught: "On that day, Rabbi Eliezer used (lit., 'replied') all the arguments (lit., 'replies') in the world, but they did not accept [them] from him.

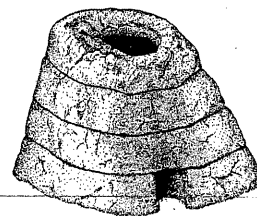
<sup>5</sup> He said to them: 'If the Halakhah is in accordance with me, let this carob tree prove [it].'  
<sup>6</sup> The carob tree was uprooted from its place one hundred cubits — and some say four hundred cubits. They said to him: 'One does not bring proof from a carob tree.'  
<sup>8</sup> He then said to them: 'If the Halakhah is in accordance with me, let the channel of water prove [it].'  
 The channel of water turned

therefore interested in any advice that might make them rich.



## REALIA

**The oven of Akhnai.** An oven of Akhnai (based on an oven found in Masada). According to Rabbi Eliezer, if such an oven was cut into pieces horizontally (cf. the lines in the illustration), it could not become susceptible to ritual impurity even if the pieces were later cemented together.



## LANGUAGE

**Snake.** This is the Aramaic form of the Greek word *echis*, or *echidna*, meaning "snake," "vipera." Some authorities believe that Akhnai was the name of the man who made the oven (*Tosafot* and others). Several people mentioned in the sources bear this name, especially in the form current in Eretz Israel, *Hakhnai* (חכניאי). According to this interpretation, the words of the Gemara here are a homiletic addition, indicating that the name of the oven was appropriate.

## RASHI

רבי אליעזר מטהר — שאין זה כלי חרס אלא בנין, כעין כלי גללים וכלי אדמה שאין מקבלין טומאה. וחכמים מטמאין — דאזלי בתר מוליות. שאר חכמים שלהם היו עשים כעין קדירות גדולות ופיו למעלה, ולורף כנשן כשאר קדירות ומטלטלים. אלא שהיה מושיבו על הארץ או על הדף, ומדניק את טפילות הטיט סביב על כולו לעשותו עב שיקלוט ויחזיק את חומו. עכנאי — נחש. דרכו לעשות בעגולה להכניס ויגזי אלל פיו.

## NOTES

Because they entwined him with words like a snake. Just as a snake winds itself round its prey and does not permit it to escape, so too the Sages offered such cogent proof of their viewpoint that Rabbi

Eliezer was unable to refute their objections (*Rabbenu Nissim Gaon*).

**The carob tree and the channel of water.** The commentators explain that God performs miracles for



## SAGES

**אליעזר רבי** Rabbi Eliezer. When the name "Rabbi Eliezer" occurs in the Talmud without a patronymic, it refers to Rabbi Eliezer ben Hyrcanus (also known as Rabbi Eliezer the Great), who was one of the leading scholars in the period after the destruction of the Second Temple.

Rabbi Eliezer was born to a wealthy family of Levites, which traced its descent back to Moses. Rabbi Eliezer began studying Torah late in life, but quickly became an outstanding and beloved disciple of Rabban Yohanan ben Zakkai. Indeed, Rabban Yohanan remarked that "if all the Sages of Israel were on one side of the scale and Eliezer ben Hyrcanus on the other, he would outweigh them all."

Rabbi Eliezer was known for his remarkable memory, and was famed for faithfully reporting and following the traditions of others without altering them. He himself leaned towards the views of Bet Shammai, even though he studied with Rabban Yohanan ben Zakkai, who was a follower of Bet Hillel. Rabbi Eliezer's principal opponent, Rabbi Yehoshua ben Hananyah, generally followed the views of Bet Hillel, and many basic Halakhic disputes between these scholars are reported in the Mishnah.

Because of his staunch and unflinching adherence to tradition, Rabbi Eliezer was unwilling to accede to the majority view where his own views were based on tradition. Indeed, Rabbi Eliezer's conduct generated so much tension among the Sages that his own brother-in-law, Rabban Gamliel, eventually excommunicated him, to prevent controversy from proliferating. This ban was lifted only after Rabbi Eliezer's death.

All the Sages of the next generation were Rabbi Eliezer's students. Most prominent among them was Rabbi Akiva. Rabbi Eliezer's son, Hyrcanus, was also a Sage.

## TRANSLATION AND COMMENTARY

flowed. <sup>1</sup>The Sages said to him: 'Proof cannot be brought from a channel of water either.' <sup>2</sup>Rabbi Eliezer then said to the Sages: 'If the Halakhah is in accordance with me, let the walls of the House of Study prove it.' The walls of the House of Study then leaned and were about to fall. <sup>3</sup>Rabbi Yehoshua, one of Rabbi Eliezer's chief opponents among the Sages, rebuked the falling walls, saying to them: 'If Talmudic scholars argue with one another in their discussions about the Halakhah, what affair is it of yours?' <sup>4</sup>The walls did not fall down, out of respect for Rabbi Yehoshua, nor did they straighten, out of respect for Rabbi Eliezer, and indeed those walls still remain leaning to this day. <sup>5</sup>Rabbi Eliezer then said to the Sages: 'If the Halakhah is in accordance with me, let it be proved directly from Heaven.' <sup>6</sup>Suddenly a heavenly voice went forth and said to the Sages: 'Why are you disputing with Rabbi Eliezer? The Halakhah is in accordance with him in all circumstances!' <sup>7</sup>Rabbi Yehoshua rose to his feet and quoted a portion of a verse (Deuteronomy 30:12), saying: 'The Torah is not in heaven!'

## LITERAL TRANSLATION

backward. <sup>1</sup>They said to him: 'One does not bring proof from a channel of water.' <sup>2</sup>He then said to them: 'If the Halakhah is in accordance with me, let the walls of the House of Study prove [it]. The walls of the House of Study leaned to fall. <sup>3</sup>Rabbi Yehoshua rebuked them, [and] said to them: 'If Talmudic Sages argue with one another about the Halakhah, what affair is it of yours (lit., "what is your nature")?' <sup>4</sup>They did not fall, out of respect for Rabbi Yehoshua; but they did not straighten, out of respect for Rabbi Eliezer, and they still remain leaning. <sup>5</sup>He then said to them: 'If the Halakhah is in accordance with me, let it be proved from Heaven.' <sup>6</sup>A [heavenly] voice went forth and said: 'Why are you [disputing] with Rabbi Eliezer, for the Halakhah is in accordance with him everywhere?' <sup>7</sup>Rabbi Yehoshua rose to his feet and said: 'It is not in heaven.'

הַמִּינִים לְאַחֲרֵיהֶם. <sup>1</sup>אָמְרוּ לוֹ: 'אֵין מְבִיאִין רָאִיָּה מֵאֵמֶת הַמִּינִים.' <sup>2</sup>חֹזֵר וְאָמַר לָהֶם: 'אִם הַלֵּכָה כְּמוֹתַי, כּוֹתְלֵי בֵּית הַמִּדְרָשׁ יוֹכִיחוּ.' הָטוּ כּוֹתְלֵי בֵּית הַמִּדְרָשׁ לִיפּוֹל. <sup>3</sup>נָעַר בָּהֶם רַבִּי יְהוֹשֻעַ, אָמַר לָהֶם: 'אִם תִּלְמִידֵי חֻכְמִים מִנְּצָחִים זֶה אֵת זֶה בְּהִלָּכָה, אַתֶּם מָה שִׁיבֶכֶם?' <sup>4</sup>לֹא נָפְלוּ, מִפְּנֵי כְבוֹדוֹ שֶׁל רַבִּי יְהוֹשֻעַ, וְלֹא זָקְפוּ, מִפְּנֵי כְבוֹדוֹ שֶׁל רַבִּי אֱלִיעֶזֶר, וַעֲדִין מִטֵּין וְעוֹמְדִין. <sup>5</sup>חֹזֵר וְאָמַר לָהֶם: 'אִם הַלֵּכָה כְּמוֹתַי, מִן הַשָּׁמַיִם יוֹכִיחוּ.' <sup>6</sup>יֵצְאָתָּה בֵּת קוֹל וְאָמְרָה: 'מָה לָּכֶם אֶצֶל רַבִּי אֱלִיעֶזֶר שֶׁהֵלְכָה כְּמוֹתוֹ בְּכָל מְקוֹם?' <sup>7</sup>עָמַד רַבִּי יְהוֹשֻעַ עַל רַגְלָיו וְאָמַר: 'לֹא בַּשָּׁמַיִם הִיא.'

## NOTES

the righteous in every generation, just as He did in Biblical times for the Prophets. Accordingly, God demonstrated His agreement with Rabbi Eliezer's view by performing these wonders (see *Rabbenu Hananel* and *Rabbenu Nissim Gaon*). *Rabbenu Hananel*, however, maintains that these miracles did not actually occur. Rather, they took place in a dream witnessed by one of Rabbi Eliezer's contemporaries (which was nevertheless taken seriously by the Rabbis).

The commentators suggest various explanations as to why Rabbi Eliezer appealed to a carob tree, to a stream of water, and to the walls of the House of Study to prove that he was correct (see *Maharsha* and others). *Rabbi Shlomo Molkho* explains that these items symbolized the various elements of which the world is composed.

**A heavenly voice went forth.** The commentators attempt to explain how the heavenly voice could be wrong (as shown by the fact that the Rabbis

refused to accept it). *Rabbenu Nissim Gaon* suggests that, since the heavenly voice declared that "the Halakhah is in accordance with Rabbi Eliezer everywhere," without specifically mentioning the case of the "oven of Akhnai," the Sages felt that this case might be an exception. Moreover, the heavenly voice might have been a divine attempt to test the Rabbis, to see whether they could be induced to deviate from their original decision, which was binding (because it was arrived at by majority rule).

*Rabbi Shlomo Molkho* claims that the disputed oven was indeed ritually pure, as Rabbi Eliezer had said. But the Rabbis declared it impure, so as to prevent confusion with other types of ovens, which are susceptible to ritual impurity according to all opinions. The Sages' ruling thus constituted a "protective measure" intended to prevent inadvertent violation of the law.

## HALAKHAH

**It is not in heaven.** "The Torah states of itself: 'It is not in heaven,' and from here we learn that a prophet is not authorized to introduce new laws which do not appear in the Torah. Even if a prophet performed signs

and wonders, declaring that God sent him to introduce new laws or cancel existing ones, or to suggest novel Halakhic interpretations, he is a false prophet." (*Rambam, Sefer HaMada, Hilkhoh Yesodei HaTorah* 9:1.)

## TRANSLATION AND COMMENTARY

<sup>1</sup>The Gemara interrupts the Baraita and asks for a clarification: What did Rabbi Yehoshua mean when he quoted the Scriptural verse that "the Torah is not in heaven"?

<sup>2</sup>Rabbi Yirmeyah said in reply: Since God already gave the Torah to the Jewish people on Mount Sinai, we no longer pay attention to heavenly voices that attempt to intervene in matters of Halakhah. For You, God, already wrote in the Torah at Mount Sinai (Exodus 23:2), "After the majority to incline." From this verse we learn that Halakhic disputes must be resolved by majority vote of the Rabbis. God could not contradict His own decision to allow Torah questions to be decided by free debate and majority vote.

אשכחיה רבי נתן לאלהיו

<sup>3</sup>The Gemara relates that generations later Rabbi Natan met the Prophet Elijah. (Several of the Talmudic Sages had visions of Elijah the Prophet, and discussed Halakhic questions with him.) Rabbi Natan asked Elijah about the debate between Rabbi Eliezer and Rabbi

Yehoshua. He said to him: "What did the Holy One, blessed be He, do at that time when Rabbi Yehoshua refused to heed the heavenly voice?" <sup>4</sup>In reply, Elijah said to Rabbi Natan: "God smiled and said: 'My sons have defeated Me, My sons have defeated Me!'" God's sons "defeated Him" with their arguments. Rabbi Yehoshua was correct in his contention that a view confirmed by majority vote must be accepted, even where God Himself holds the opposite view.

<sup>5</sup>The Rabbis who related this story in the Baraita continued and said: "That day, Rabbi Eliezer would not accept the Sages' decision. They, therefore, decided to make a public demonstration of their decision. They brought all the foodstuffs that had been prepared in an Akhnai oven and which Rabbi Eliezer had declared ritually pure, and burned them in a fire, to show that Rabbi Eliezer's position was rejected by the Halakhah. Afterwards they met and took a vote and excommunicated Rabbi Eliezer ('blessed' here is a euphemism for 'excommunicated') for refusing to accept the majority view." The Baraita continues to describe the consequences of this momentous act. Even though the Sages thought they were justified, they could expect Rabbi Eliezer to be sorely offended. They wished to mitigate the anguish he would feel as much as possible, in view of the gravity of hurting the feelings of another person. (It is because of this section of the Baraita that this story is related here.) <sup>6</sup>"The Sages said: 'Who will go and inform Rabbi Eliezer that he has been excommunicated?'"

<sup>7</sup>Rabbi Akiva said to them: 'I will go, since I am his student and I will inform him in the most tactful

## LITERAL TRANSLATION

<sup>1</sup>What does "it is not in heaven" [mean]?

<sup>2</sup>Rabbi Yirmeyah said: That the Torah was already given on Mount Sinai, [and] we do not pay attention to a [heavenly] voice, for You already wrote in the Torah at Mount Sinai: "After the majority to incline."

<sup>3</sup>Rabbi Natan met Elijah [and] said to him: "What did the Holy One, blessed be He, do at that time?" <sup>4</sup>He said to him: "He smiled and said: 'My sons have defeated Me, My sons have defeated Me.'"

<sup>5</sup>They said: "That day they brought all the objects that Rabbi Eliezer had declared ritually pure and burned them in a fire, and they voted (lit., 'were counted') about him and they excommunicated (lit., 'blessed') him." And they said: 'Who will go and inform him?' <sup>7</sup>Rabbi Akiva said to them: 'I will go, lest

## RASHI

כל טהרות שטיהר רבי אליעזר — על ידי מעשה שאירע נשאלה הלכה זו

נצית המדרש, שנפלה טומאה לאויר תנור זה, וחזרו ועשאו על גבינו טהרות, וטיהרם רבי אליעזר. והניחום ושרפום לפניו.

## BACKGROUND

A heavenly voice. The Hebrew expression employed here (בית קול) has two different meanings: (1) An echo (literally, בית קול means "daughter of a voice"), and (2) a heavenly voice, i.e., a quasi-prophetic voice which a person hears within himself, although he perceives it as coming from outside himself. Hearing such a "heavenly voice" was regarded as a type of revelation, albeit of lesser clarity and force than actual prophecy. Hence the expression בית קול, because such a voice is an "echo" of true prophecy.

It is not in heaven. Even though it is explicitly forbidden to deviate from Torah law (and indeed, a prophet who advocates the abrogation of Torah law is punishable by death), the Torah itself recognized the outstanding Torah scholars of each generation as the authoritative interpreters of the law, and hence the Gemara's statement that the Torah is "not in heaven."

## NOTES

My sons have defeated Me. The commentators attempt to explain why God smiled when "His sons defeated Him." Some authorities explain that God was happy because the Sages, by refusing to accept the heavenly voice, affirmed their belief in the eternity of the Torah, demonstrating that even a prophet is not authorized to alter Torah laws (see Rambam's introduction to *Mishneh Torah*).

They excommunicated him. Rashi explains that a ban of *niddui* — "ostracism" — was pronounced against

Rabbi Eliezer, such ostracism being the standard penalty for people who treated other scholars disrespectfully. A person ostracized in this manner was not permitted to wear leather shoes or cut his hair, and other people were required to keep at least four cubits away from him.

Ramban and other commentators, however, explain that a more severe type of ban, *herem* — "excommunication" — was pronounced against Rabbi Eliezer. Unlike *niddui*, *herem* entails a prohibition against doing business with the

## Rabbinic Responses to Cataclysm

### *Bava Batra 60b*

#### *Ritualizing the pain....*

ת"ר כשחרב הבית בשניה רבו פרושין בישראל שלא לאכול בשר ושלא לשתות יין נטפל להן ר' יהושע אמר להן בני מפני מה אי אתם אוכלין בשר ואין אתם שותין יין אמרו לו נאכל בשר שממנו מקריבין על גבי מזבח ועכשיו בטל נשתה יין שמנסכין על גבי המזבח ועכשיו בטל אמר להם אי"כ לחם לא נאכל שכבר בטלו מנחות אפשר בפירות פירות לא נאכל שכבר בטלו בכורים אפשר בפירות אחרים מים לא נשתה שכבר בטל ניסוך המים שתקו אמר להן בני בואו ואומר לכם שלא להתאבל כל עיקר אי אפשר שכבר נגזרה גזרה ולהתאבל יותר מדאי אי אפשר שאין גוזרין גזירה על הצבור אי"כ רוב צבור יכולין לעמוד בה דכתיב במארה אתם נארים ואותי אתם קובעים הגוי כולו אלא כך אמרו חכמים סד אדם את ביתו בסיד ומשייר בו דבר מועט וכמה אמר רב יוסף אמה על אמה אמר רב חסדא כנגד הפתח עושה אדם כל צרכי סעודה ומשייר דבר מועט מאי היא אמר רב פפא כסא דהרסנא עושה אשה כל תכשיטיה ומשייר דבר מועט מאי היא אמר רב בת צדעא שנאמר אם אשכחך ירושלים תשכח ימיני תדבק לשוני לחכי וגוי מאי על ראש שמחתי אמר רב יצחק זה אפר מקלה שבראש חתנים אי"ל רב פפא לאביי היכא מנח לה במקום תפילין שנאמר לשום לאבלי ציון לתת להם פאר תחת אפר וכל המתאבל על ירושלים זוכה ורואה בשמחתה שנאמר שמחו את ירושלים וגוי תניא אמר ר' ישמעאל בן אלישע מיום שחרב בית המקדש דין הוא שנגזור על עצמנו שלא לאכול בשר ולא לשתות יין אלא אין גוזרין גזרה על הצבור אי"כ רוב צבור יכולין לעמוד בה ומיום שפסטה מלכות הרשעה שגזרת עלינו גזירות רעות וקשות ומבטלת ממנו תורה ומצות ואין מנחת אותנו ליכנס לשבוע הבן ואמרי לה לישוע הבן דין הוא שנגזור על עצמנו שלא לישא אשה ולהוליד בנים ונמצא זרעו של אברהם אבינו כלה מאליו אלא הנח להם לישראל מוטב שיהיו שוגגין ואל יהיו מזידין:

Our masters taught: When the Temple was destroyed the second time,<sup>2</sup> large numbers in Israel became ascetics, binding themselves neither to eat meat nor to drink wine. R. Joshua got into conversation with them and said, "My sons, why do you eat no meat and drink no wine?" They replied, "Shall we eat meat, which formerly was brought as an offering on the altar, now that the altar has ceased to be? Shall we drink wine, which formerly was poured as a libation on the altar, now that it is poured no longer?" He said to them, "If so, we should eat no bread, because the meal offerings have ceased." They: "Perhaps we will manage with fruit."

"We should not eat fruit either, because firstfruits are offered no more."

"Perhaps we will manage with other fruits."<sup>3</sup>

He: "Well, then, we should not drink water, because the rite of pouring water<sup>4</sup> is no longer observed. [Since they had no answer] they kept silent. So he said to them, "My sons, come and let me advise you. Not to mourn at all is impossible, because the decree that the Temple be destroyed has been executed [and requires mourning]. But to mourn too much is also impossible, because we may not impose a hardship on the community unless the majority can endure it. Therefore the sages have ordained the following: A man may plaster his house, but he should leave a small space uncovered. A man who is preparing all that is needed for a feast should leave out some small ingredient. And if a woman is putting on all her ornaments, she must omit one of them. For it is said, 'If I forget thee, O Jerusalem . . . let my tongue cleave to the roof of my

mouth' [Ps. 137:5-6]. He who mourns for Jerusalem will merit seeing the renewal of her joy, as is said, 'Rejoice ye with Jerusalem . . . join in her jubilation, all ye that have mourned for her' " (Isa. 66:10).

It is taught that R. Ishmael ben Elisha said: Since the day of the destruction of the Temple, we should by rights bind ourselves to eat no meat and drink no wine. However, we may impose no hardship on the community unless the majority can endure it. And from the day that a foreign government has come into power, which issues cruel decrees against us and forbids us to observe the Torah and its precepts, and does not allow us to enter into the "week of the son"<sup>5</sup>—some say, "the deliverance of the son"<sup>6</sup>—we ought by rights to bind ourselves not to marry nor to beget children. But the result would be that the seed of our father Abraham would of itself come to an end. Rather, let Israel go their way—it is better that they should err in ignorance than in presumptuousness.<sup>7</sup>

*Sanhedrin 104b**Reliving (and relieving) the pain...*

...שתי בכיות הללו למה אמר רבה אמר רבי יוחנן אחד על מקדש ראשון ואחד על מקדש שני בלילה על עסקי לילה שנאמר ותשא כל העדה ויתנו את קולם ויבכו העם בלילה ההוא אמר רבה א"ר יוחנן אותו (היום) ליל ט' באב היה אמר להן הקב"ה לישראל אתם בכיתם בכיה של חנם ואני אקבע לכם בכיה לדורות ד"א בלילה שכל הבוכה בלילה קולו נשמע ד"א בלילה שכל הבוכה בלילה כוכבים ומזלות בוכין עמו ד"א בלילה שכל הבוכה בלילה השומע קולו בוכה כנגדו מעשה באשה אחת שכנתו של רבן גמליאל שמת בנה והיתה בוכה עליו בלילה שמע רבן גמליאל קולה ובכה כנגדה עד שנשרו ריסי עיניו למחר הכירו בו תלמידיו וחוציאוה משכונתו

"She weepeth, yea, she weepeth in the night" (Lam. 1:2).<sup>11</sup> Why this double weeping? Rabbah said in the name of R. Yohanan: Once for the First Temple and once for the Second. "In *the* night"—because of the goings-on during a particular night, the night of which it is written, "All the congregation lifted up their voice, and cried, and the people wept that night" (Num. 14:1).<sup>12</sup> The Holy One said to Israel, "You wept without cause; and so I will make for you an occasion for weeping that will continue throughout the generations." Another interpretation: "In the night"—when a man weeps at night, his voice is heard better.<sup>13</sup> And another interpretation: When a man weeps at night, the stars and planets weep with him. Still another interpretation: When a man weeps at night, whoever hears him weeps [in sympathy.]

A story of a woman who was a neighbor of Rabban Gamaliel: When her child died, she wept for him during the night. On hearing her, Rabban Gamaliel was reminded of the destruction of the Temple and wept in sympathy with her, so much that his eyelids seemed to disappear. The next day, when his disciples noticed how swollen his eyes were, they removed the woman from his neighborhood.<sup>1</sup>

*Eruvin 18b**God is Shattered*

ואמר רבי ירמיה בן אלעזר מיום שחרב בית המקדש דיו לעולם שישתמש בשתי אותיות שנאמר כל הנשמה תהלל יה הללויה

R. Jeremiah ben Eleazar said: Ever since the Temple was destroyed,<sup>8</sup> it is enough for the world to use only two letters<sup>9</sup> [of the tetragrammaton], *yod* and *he*, as is said, "Let everything that hath breath praise by saying *Yah*" (Ps. 150:6).<sup>10</sup>

*Ketubot 62a**Numb to tragedy?*

אמר רב אנחה שוברת חצי גופו של אדם שנאמר ואתה בן אדם האנח בשברון מתנים ובמרירות תאנח ורבי יוחנן אמר אף כל גופו של אדם שנאמר והיה כי יאמרו אליך על מה אתה נאנח ואמרת אל שמועה כי באה ונמס כל לב ורפו כל ידים וכהתה כל רוח וכל ברכים תלכנה מים ורבי יוחנן נמי הכתיב בשברון מתנים ההיא דכי מתחלא ממתנים מתחלא ורב נמי הכתיב ונמס כל לב ורפו כל ידים וכהתה כל רוח שאני שמועה דבית המקדש דתקיפא טובא ההוא ישראל ועובד כוכבים דהוו קאזלי באורחא בהדי חדדי לא אימצי עובד כוכבים לסגויי בהדי ישראל אדכריה חורבן בית המקדש נגיד ואיתנח ואפי"ה לא אימצי עובד כוכבים לסגויי בהדיה אי"ל לאו אמריתו אנחה שוברת חצי גופו של אדם אי"ל ה"מ מילתא חדתי אבל הא דשנן בה לא דאמרי אינשי דמלפי תכלי לא בהתה :

Rav said: A sigh breaks down half of the human body [as witness this story]: A Jew and an idolater were once walking together on the same road, and the idolater could not keep pace with the Jew. When the idolater reminded him of the destruction of the Temple, the Jew [grew faint] and sighed, but still the idolater was unable to keep pace with him. "Do you Jews not say," the idolater asked, "that a sigh breaks down half of a person's body?" "This applies only," the Jew replied, "to a fresh calamity, not to one with which we are already familiar. As people say: A woman accustomed to miscarriages is not alarmed when another occurs."<sup>3</sup>

*Various Passages on "Since the Temple Was Destroyed"*

29. Since the day the Temple was destroyed, there is no laughter for the Holy One, nor does the firmament appear in its full clarity.

R. Eleazar said: Since the day the Temple was destroyed, a wall of iron has been interposed between Israel and their Father in heaven.

R. Phinehas ben Yair said: Since the Temple was destroyed, sages and freemen are put to shame and walk with covered heads, and men of good deeds have grown feeble, while men of violence and men given to slander prevail. Nobody inquires [about Israel's plight]; nobody prays [in Israel's behalf]; and nobody asks [about the welfare of his neighbor]. Upon whom then are we to rely? Upon our Father in heaven.

The elder R. Eliezer said: Since the day the Temple, our beloved house, was destroyed, the sages began to be like schoolteachers, schoolteachers like synagogue sextons, synagogue sextons like disciples, and disciples like common people; and common people are becoming more and more debased. And there is none to inquire [about Israel's plight] and none to pray [in Israel's behalf]. Upon whom then are we to rely? Upon our Father in heaven.

Rabban Simeon ben Gamaliel said in the name of R. Joshua: Ever since the Temple was destroyed, there is no day without a curse.

Rava said: And the curse of each day is greater than that of the preceding day.<sup>7</sup>

*Makkot 24 a-b**Akiva the Optimist*

וכבר היה ר"ג ורבי אלעזר בן עזריה ורבי יהושע ורבי עקיבא מהלכין בדרך ושמעו קול המונה של רומי מפלטה [ברחוק] מאה ועשרים מיל והתחילו בוכין ורבי עקיבא משחק אמרו לו מפני מה אתה משחק אמר להם ואתם מפני מה אתם בוכים אמרו לו הללו כושיים שמשתחוים לעצבים ומקטרים לעבודת כוכבים יושבין בטח והשקט ואנו בית הדום רגלי אלהינו שרוף באש ולא נבכה אמר להן לכך אני מצחק ומה לעוברי רצונו כך לעושי רצונו על אחת כמה וכמה שוב פעם אחת היו עולין לירושלים כיון שהגיעו להר הצופים קרעו בגדיהם כיון שהגיעו להר הבית ראו שועל שיצא מבית קדשי הקדשים התחילו הן בוכין ור"ע מצחק אמרו לו מפני מה אתה מצחק אמר להם מפני מה אתם בוכים אמרו לו מקום שכתוב בו והזר הקרב יומת ועכשיו שועלים הלכו בו ולא נבכה אמר להן לכך אני מצחק דכתיב ואעידה לי עדים נאמנים את אוריה הכהן ואת זכריה בן יברכיהו וכי מה ענין אוריה אצל זכריה אוריה במקדש ראשון וזכריה במקדש שני אלא תלה הכתוב נבואתו של זכריה בנבואתו של אוריה באוריה כתיב לכן בגללכם ציון שדה תחרש [וגו'] בזכריה כתיב עוד ישוב זקנים וזקנות ברחובות ירושלם עד שלא נתקיימה נבואתו של אוריה הייתי מתיירא שלא תתקיים נבואתו של זכריה עכשיו שנתקיימה נבואתו של אוריה בידוע שנבואתו של זכריה מתקיימת בלשון הזה אמרו לו עקיבא ניחמתנו עקיבא ניחמתנו :

As Rabban Gamaliel, R. Eleazar ben Azariah, R. Joshua, and R. Akiva were walking on the road at Puteoli,<sup>1</sup> they could hear the noise of the crowds in Rome, one hundred and twenty *mil* away. Three of the sages burst into weeping, but R. Akiva continued to be cheerful. They asked him: Why are you so cheerful? He replied: Why are you weeping? They: These heathen, who bow down to images and burn incense to idols, live in safety and tranquility, whereas we—whose Temple, the “footstool” of our God,<sup>2</sup> is burned down by fire—are we not to weep? He replied: For that very reason, I am cheerful. If they who offend Him fare thus, how much better by far will fare those who please Him!

Another time, the same sages were coming up to Jerusalem together, and when they reached Mount Scopus they rent their garments. When they got to the Temple Mount and saw a jackal emerging from the Holy of Holies, they began to weep, but R. Akiva laughed. Why, they asked him, are you laughing? He replied: Why are you weeping? They: The place of which Scripture says, “The common man that draweth nigh shall be put to death”

(Num. 1:51), is now become the haunt of jackals. Should we not weep? He said to them: For that very reason, I am laughing. For it is written, “And I call reliable witnesses, Uriah the Priest and Zechariah the son of Jeberechiah” (Isa. 8:2).<sup>3</sup> Now what connection is there between Uriah and Zechariah? Did not Uriah live during First Temple, while Zechariah [lived and prophesied] during the Second Temple? Still, Scripture links the [later] prophecy of Zechariah with the [earlier] prophecy of Uriah. In the [earlier] prophecy, [in the days] of Uriah, it is written, “Because of you, Zion shall be plowed as a field, Jerusalem shall become heaps of ruins, and the Temple Mount a shrine in the woods” (Mic. 3:12),<sup>4</sup> and in Zechariah, it is written, “Thus saith the Lord of hosts: There shall yet old men and old women sit in the broad places of Jerusalem” (Zech. 8:4). So long as Uriah’s [dire] prophecy had not yet had its fulfillment, I feared that Zechariah’s prophecy would not be fulfilled; now that Uriah’s prophecy has been fulfilled, it is quite certain that Zechariah’s prophecy also is to be fulfilled. They said to him: Akiva, you have comforted us! Akiva, you have comforted us!<sup>5</sup>

This passage is from another portion of the Talmud. It talks about how a person can be like God. It will help us understand another one of the meanings of the גבורות.

Rabbi Hama son of Rabbi Hanina said:

What is the meaning of Deuteronomy 8.5: YOU SHALL WALK AFTER יהוה YOUR GOD?

Isn't it dangerous for a person walk after God? Doesn't the Torah also teach in Deuteronomy 4.24: יהוה, YOUR GOD, IS A CONSUMING FIRE?

When the Torah teaches: "YOU SHALL WALK AFTER יהוה YOUR GOD," it really means to walk after the good qualities of The Holy-One-Who-is-to-Be-Blessed.

Just as God clothed the naked (as we learned in Genesis 3.21: AND THE GOD יהוה CLOTHED THEM, MAKING COATS OF SKIN FOR ADAM AND HIS WIFE)—so you should also clothe the naked.

The Holy-One-Who-is-to-Be-Blessed visited the sick (as we are taught that God visited Abraham after his circumcision in Genesis 18.1: AND יהוה APPEARED TO HIM BY THE OAKS OF MAMRE)—so you should also visit the sick.

The Holy-One-Who-is-to-Be-Blessed comforts mourners (as we are taught in Genesis 25.11: AND IT WAS AFTER THE DEATH OF ABRAHAM, THAT GOD BLESSED ISAAC)—so you should also comfort mourners.

The Holy-One-Who-is-to-Be-Blessed buries the dead (as it is taught in Deuteronomy 34.6: AND GOD BURIED HIM (MOSES) IN THE VALLEY)—so you should also bury the dead...

Rabbi Simlai:

The Torah begins with an act of גְּמִילוּת חֲסָדִים. It also ends with an act of גְּמִילוּת חֲסָדִים. It begins "AND THE GOD יהוה CLOTHED THEM, MAKING COATS OF SKIN FOR ADAM AND HIS WIFE" and it ends "AND GOD BURIED HIM IN THE VALLEY."

Sotah 14b

- According to this passage, what does "WALKING AFTER GOD" really mean?
- Compare the description of God found in this Talmudic passage with the one found in the גבורות.
- Because every person is created in God's image, one of our goals is to treat other people in a Godly manner. Based on the examples in the גבורות, what is the Jewish way to become a hero?

### CONCEPT: דְּמִילּוּת חֲסָדִים

גְּמִילוּת חֲסָדִים means "deeds" of lovingkindness. These are things which God does for people such as feeding the hungry, sheltering the homeless, comforting people who are unhappy, taking care of the sick and so on. גְּמִילוּת חֲסָדִים are also deeds which people should do for one another—the best kinds of human actions.

# HOW TORAH COMES TO US

Before us is the most important, but also the most difficult chapter of Avot, covering many names and sayings. To make the chapter accessible, I offer first a rapid view of its principal parts, followed by a second look to review the chapter as a whole. By doing things this way, we can make the details familiar and see how the larger structure incorporates these details. What are the principal parts? The answer may be seen if we simply notice the three groups into which the names of the authorities fall: an opening set of three single names given three sayings apiece; then an intermediate set of five pairs of names, also given three sayings each; then a concluding group of three individual names, each again given three sayings.

**א** משה קבל תורה מסיני ומסרה ליהושע, ויהושע לזקנים, וזקנים לנביאים, ונביאים מסרוה לאנשי כנסת הגדולה. הם אמרו שלשה דברים:   
היו מתונים בדין.   
והעמידו תלמידים הרבה.   
ועשו סגל לתורה.

**ב** שמעון הצדיק היה משגיח בנסת הגדולה. הוא היה אומר:   
על שלשה דברים העולם עומד:

על התורה,  
ועל העבודה,  
ועל גמילות חסדים.

אנטונינוס איש סוכו קבל משמעון הצדיק. הוא היה אומר:   
אל תהיו כעבדים, המשמשין את הרב על מנת לקבל פנס,   
אלא הווי כעבדים, המשמשין את הרב שלא על מנת לקבל פנס.   
ויהי מורא שמים עליכם.

1 Moses received Torah at Sinai and handed it on to Joshua Joshua to elders, and elders to prophets. And prophets handed it on to the men of the great assembly. They said three things:

Be prudent in judgment.  
Raise up many disciples.  
Make a fence for the Torah.

2 Simeon the Righteous was one of the last survivors of the great assembly. He would say:  
On three things does the world stand:

On the Torah,  
and on the Temple service,  
and on deeds of lovingkindness.

3 Antigonus of Sokho received [the Torah] from Simeon the Righteous. He would say:

Do not be like servants who serve the master on condition of receiving a reward,  
but [be] like servants who serve the master not on condition of receiving a reward.  
And let the fear of Heaven be upon you.

Judges and  
Disciples

The first question is, To whom are the sayings addressed? Without establishing the context in the minds of the authorities at hand, we surely cannot interpret what those authorities



וְדָלָא מוֹסִיף יִסּוּף.  
וְדָלָא גִלְיָף קִטְלָא חֵיב.  
וְדִשְׁתַּמֵּשׁ בְּתַגָּא חֵלְף.

יֵד הוּא הָיָה אוֹמֵר:

אִם אֵין אָנִי לִי, מִי לִי?  
וּבְשֹׂאנִי לְעַצְמִי, מָה אָנִי?  
וְאִם לֹא עֲבָדְשִׁי, אֵימַתִּי?

טו שְׂמַאי אוֹמֵר:

עֲשֵׂה תוֹרָתְךָ קִבֵּעַ.  
אָמַר מַעֲשֵׂה וְעֲשֵׂה הֲרֵבָה.  
וְהָיִי מְקַבֵּל אֶת כָּל הָאָדָם בְּסֶכֶר פָּנִים יְפוֹת.

4 Yose ben Yoezer of Zeredah and Yose ben Yohanan of Jerusalem received [the Torah] from them. Yose ben Yoezer says:

Let your house be a gathering place for sages.  
And wallow in the dust of their feet,  
And drink in their words with gusto.

5 Yose ben Yohanan of Jerusalem says:

Let your house be open wide.  
And seat the poor at your table ["make the poor members of your household"].  
And don't talk too much with women.

(He referred to a man's wife, all the more so is the rule to be applied to the wife of one's fellow. In this regard did sages say: So long as a man talks too much with a woman, he brings trouble on himself, wastes time better spent on studying Torah, and ends up an heir of Gehenna.)

6 Joshua ben Perahyah and Nittai the Arbelite received [the Torah] from them. Joshua ben Perahyah says:

Set up a master for yourself.  
And get yourself a companion-disciple.  
And give ever<sup>וְהוֹדוּ</sup> the benefit of the doubt.

7 Nittai the Arbelite says:

Keep away from a bad neighbor.  
And don't get involved with a bad person.  
And don't give up hope of retribution.

8 Judah ben Tabbai and Simeon ben Shetah received [the Torah] from them. Judah ben Tabbai says:

Don't make yourself like one of those who advocate before judges [while you yourself are judging a case].  
And when the litigants stand before you, regard them as guilty.

But when they leave you, regard them as acquitted (when they have accepted your judgment).

9 Simeon ben Shetah says:

Examine the witnesses with great care.  
And watch what you say,  
lest they learn from what you say how to lie.

10 Shemaiah and Avtalyon received [the Torah] from them. Shemaiah says:

Love work.  
Hate authority.  
Don't get friendly with the government.

11 Avtalyon says:

Sages, watch what you say,  
lest you become liable to the punishment of exile, and go into exile to a place of bad water, and disciples who follow you drink bad water and die, and the name of Heaven be thereby profaned.

12 Hillel and Shammai received [the Torah] from them. Hillel says:

Be disciples of Aaron,  
loving peace and pursuing grace,  
loving people and drawing them near to the Torah.

13 He would say [in Aramaic]:

A name made great is a name destroyed,  
And one who does not add, subtracts.  
And who does not learn is liable to death.  
And the one who uses the crown, passes away.

21 Whoever possesses these three qualities is numbered among the disciples of our father Abraham, and those who possess the three opposite qualities are found among the disciples of wicked Balaam:

A generous spirit, a humble soul, a modest appetite—such a one is a disciple of our father Abraham;

A grudging spirit, an arrogant soul, an insatiable appetite—such a one is a disciple of wicked Balaam.

What difference does it make if one is a disciple of our father Abraham or of the wicked Balaam?

The disciples of our father Abraham enjoy this world and inherit the world-to-come, as it is written, "That I may give an inheritance of abundance to those who love Me and that I may fill their treasures" (Proverbs 8:21).

The disciples of the wicked Balaam inherit Gehenna and descend into the pit of destruction, as it is written, "You, O God, will bring them down into the pit of destruction; violent and deceitful men, they shall not live out half their days, while I put my trust in You" (Psalm 55:24).

## 22 Yehudah ben Tema taught:

Be bold as the leopard, swift as the eagle, fleet as the deer, mighty as the lion, to perform the will of your Father in Heaven.

This was a favorite teaching of his:

The insolent are destined for Gehenna; the shy are headed for Heaven.

May it be Your will, Lord our God, to rebuild Your city speedily, in our day. May our portion be with those who study Your Torah.

## 23 This was another favorite teaching of his:

At five years of age—the study of Bible, at ten—the study of Mishnah, at thirteen—responsibility for the mitzvot, at fifteen—the study of Talmud, at eighteen—marriage, at twenty—pursuit of a livelihood, at thirty—the peak of one's powers, at forty—the age of understanding, at fifty—the age of counsel, at sixty—old age, at seventy—the hoary head, at eighty—the age of "strength," at ninety—the bent back, at one hundred—as one dead and out of this world.

כא פלמי שיש בו שלשה דברים הקלו מתלמידיו של אברהם אבינו, ושלשה דברים אחרים, מתלמידיו של בלעם הרשע.

עין טובה, ורוח נמוכה, וגפש שפלה, מתלמידיו של אברהם אבינו;

עין רעה, ורוח גבוהה, וגפש רכה, מתלמידיו של בלעם הרשע.

מה בין תלמידיו של אברהם אבינו לתלמידיו של בלעם הרשע?

תלמידיו של אברהם אבינו אוכלין בעולם הזה ונוהלין בעולם הבא, שנאמר: להנחיל אהבי יש, ואצרחיהם אמלא. אבל תלמידיו של בלעם הרשע יורשין גיהנם ויורדין לבאר שחת, שנאמר: ואמה, אלהים, תורדם לבאר שחת, אנשי דמים ומרמה, לא יחצו ימיהם, ואני אבטח בך.

כב יהודה בן-תמא אומר:

הוי עז פומר, וקל פנשר,

ורץ פצבי, וגבור פארי,

לעשות רצון אביו שבשמים.

הוא היה אומר:

עז פונים לגיהנם, ובשח פנים לגן עדן.

יהי רצון מלפניך, יהוה אלהינו, שתבנה עירך במקרה

בדמינו, ותן חלקנו בתורתך.

כג הוא היה אומר:

בחרמש שנים למקרא, בראשור למשנה, בן-שלש עשרה למצות, בן-חמש עשרה לתלמוד, בן-שמונה עשרה לחפה, בן-עשרים לרדוף, בן-שלשים לבס, בן-ארבעים לבניה, בן-חמשים לעצה, בן-ששים לזונה, בן-שבעים לשיבה, בן-שמונים לגבורה, בן-תשעים לשוח, בן-מאה כאלו מת ועבר ובטל מן העולם.

24 Ben Bag-Bag taught:

Study it and review it: You will find everything in it.

Scrutinize it, grow old and gray in it, do not depart from it: There is no better portion in life than this.

25 Ben Hay-Hay taught:

The reward is proportionate to the suffering.

כד בן־בג בג אומר:

הפך זה והפך זה דכלא בה,

ויבה מחזי, וסיב וכלה בה, ומנה לא תוע,

שאין לך מדה טובה הימנה.

כה פריהא הא אומר:

לפם צערא אגרא.

One which is easy to provoke and easy to appease—  
here the gain is canceled by the loss;  
One which is difficult to provoke and difficult to appease—  
here the loss is canceled by the gain;  
One which is difficult to provoke and easy to appease—  
this is a saintly person;  
One which is easy to provoke and difficult to appease—  
this is a wicked person.

14 There are four types of students:

One who is quick to understand but quick to forget—  
his gain is canceled by his loss;  
One who understands with difficulty but forgets with difficulty—  
his loss is canceled by his gain;  
One who is quick to understand and forgets with difficulty—  
this is a wise person;  
One who understands with difficulty and is quick to forget—  
this one has bad fortune.

15 There are four types among those who give tzedakah:

One who wants to give but does not want others to give—  
he begrudges the mitzvah to fellow human beings;  
One who wants others to give but does not himself give—  
he begrudges the mitzvah to himself.  
One who wants to give and wants others to give—  
this is a saintly person;  
One who does not want others to give and does not himself give—  
this is a scoundrel.

16 There are four types among those who attend the House of Study:

One who attends but does not practice the mitzvot—  
he receives a reward for his attendance;  
One who practices the mitzvot but does not attend regularly—  
he receives a reward for his performance;  
One who attends and practices the mitzvot—  
this is a saintly person;  
One who neither attends nor practices the mitzvot—  
this is a scoundrel.

גוֹחַ לְכַעֲוֹס וְגוֹחַ לְרַצוֹת, יֵצֵא שְׂכָרוֹ בְּהִפָּסְדוֹ,  
קָשָׁה לְכַעֲוֹס וְקָשָׁה לְרַצוֹת, יֵצֵא הִפָּסְדוֹ בְּשִׂכְרוֹ.  
קָשָׁה לְכַעֲוֹס וְגוֹחַ לְרַצוֹת, חֲסִיד,  
גוֹחַ לְכַעֲוֹס וְקָשָׁה לְרַצוֹת, רָשָׁע.

יֵד אֶרְבַּע מַדּוּת בְּתַלְמִידִים:  
מִיָּה לְשִׂמּוּץ וּמִיָּה לְאַבֵּד, יֵצֵא שְׂכָרוֹ בְּהִפָּסְדוֹ.  
קָשָׁה לְשִׂמּוּץ וְקָשָׁה לְאַבֵּד, יֵצֵא הִפָּסְדוֹ בְּשִׂכְרוֹ.  
מִיָּה לְשִׂמּוּץ וְקָשָׁה לְאַבֵּד, חֲכָם.  
קָשָׁה לְשִׂמּוּץ וּמִיָּה לְאַבֵּד, זֶה חֶלֶק רָע.

טו אֶרְבַּע מַדּוּת בְּנוֹתְנֵי עֲדָקָה:  
הַרוֹצֵה שְׂוִיתָן וְלֹא יִתְּנוּ אֲחֵרִים, עֵינָיו רָעָה בְּשַׁל אֲחֵרִים.  
יִתְּנוּ אֲחֵרִים וְהוּא לֹא יִתֵּן, עֵינָיו רָעָה בְּשַׁל.  
יִתֵּן וְיִתְּנוּ אֲחֵרִים, חֲסִיד.  
לֹא יִתֵּן וְלֹא יִתְּנוּ אֲחֵרִים, רָשָׁע.

טז אֶרְבַּע מַדּוּת בְּהוֹלְכֵי לְבֵית הַמִּדְרָשׁ:  
הוֹלֵךְ וְאֵינוֹ עוֹשֶׂה, שְׂכָר הַלִּיכָה בְּיָדוֹ.  
עוֹשֶׂה וְאֵינוֹ הוֹלֵךְ, שְׂכָר מַעֲשֵׂה בְּיָדוֹ.  
הוֹלֵךְ וְעוֹשֶׂה, חֲסִיד.  
לֹא הוֹלֵךְ וְלֹא עוֹשֶׂה, רָשָׁע.

17 There are four types among those who study with me sages. The sponge, the funnel, the strainer, the sifter.

The sponge—absorbs everything.

The funnel—in one end and out the other.

The strainer—passes the wine, retains the dregs.

The sifter—removes the chaff, retains the groats.

18 When love depends on achieving a certain goal, love vanishes when that goal is achieved; but a love which is not dependent on any goal, never vanishes.

What is an example of a love which is conditional? The love of Amnon for Tamar.<sup>41</sup> What is an example of an unconditional love? The love of David and Jonathan.<sup>42</sup>

19 A controversy for Heaven's sake will have lasting value, but a controversy not for Heaven's sake will not endure.

What is an example of a controversy for Heaven's sake? The debates of Hillel and Shammai.<sup>43</sup>

What is an example of a controversy not for Heaven's sake? The rebellion of Korah and his associates.<sup>44</sup>

20 If one leads many people to a life of righteousness, no transgression will derive from him, but if one leads many people into a life of sin, no amount of repentance can avail him.

Thus Moses, who was righteous, led his people to a life of righteousness; therefore, the merit of the people is attributed to him, as it is written: "He achieved the righteousness of the Lord and His ordinances with Israel" (Deuteronomy 33:21).

Yarovam (ben Nevat) was a sinner and led his people into a life of sin; therefore the sin of the people is attributed to him, as it is written, "For the sins of Yarovam which he committed and caused Israel to sin" (I Kings 15:30).

הן יש דע דעוונות דיו שגרים ודגמ'ם ודגמ'ם: טעווג, ומשפך, משמרת, ונפה.

ספוג, שהוא סופג את-הכל.

משפך, שמכניס בזו ומוציא בזו.

משמרת, שמוציאה את-הגין וקלטת את-השמרים.

נפה, שמוציאה את-הקמח וקלטת את-הסלת.

יח כל-אהבה שהיא תלויה בדבר, בטל דבר בטלה אהבה, ושאינה תלויה בדבר, אינה בטלה לעולם.

איוז היא אהבה התלויה בדבר? זו אהבת אמנון ותמר.

ושאינה תלויה בדבר? זו אהבת דוד ויהונתן.

יט כל-מחלוקת שהיא לשם שמנים, סופה להתקיים, ושאינה לשם שמנים, אין סופה להתקיים.

איוז היא מחלוקת שהיא לשם שמנים?

זו מחלוקת הלל ושפאי.

ושאינה לשם שמנים? זו מחלוקת קרח וכל-עדתו.

כ כל-המזכה את-הרבים, אין חטא בא על ידו, וכל-המחטיא את-הרבים, אין מספיקין בידו לעשות תשובה.

משה זכה וזכה את-הרבים, וכות הרבים תלויה בו, שנאמר: צדקת יהוה עשה, ומשפטיו עם ישראל.

ירבעם (בדגמט) חטא והחטיא את-הרבים, חטא הרבים תלוי בו, שנאמר: על חטאות ירבעם אשר חטא נאשר החטיא את-ישראל.