

ENTERING THE GATES OF THE TALMUD: AN 18FORTY READER



“What makes the Talmud unique? The Jewish people, which is described in the Quran as the “people of the book,” did not write any book or work for hundreds of years. And it all developed into this organic discussion called the Talmud. The Talmud is a collective work for hundreds of years. It’s a book that does not have a beginning or an end, and it is not sequential. It’s a live debate, an understanding, and a process of thinking. It’s not a book of laws, it’s not a book of customs, it’s not narratives, it’s not stories; It’s a conversation. It’s a conversation of various generations, all brought in a very contemporary way, as if they were talking to each other, because they never faced each other, to create a process of thinking. I think of it as a process of understanding. It’s a bridge between a written law to an oral tradition, from a static oral tradition, to an organic evolving process of applying the law, and applying Judaism in the real sense.”

- Ari Bergmann, Author and 18Forty Guest

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From the Editor's Desk

Heinrich Heine, the great German poet, who was born Jewish but later converted to Lutheranism, famously called the Torah the “portable homeland of the Jews.” Like a snail, bearing its home, its shell, on its back, we carried our Torah, our home, on our backs throughout millennia of wandering in the Diaspora. This homeland has many layers, different cities: The Torah, later prophets, Mishnah, Gemara, Rishonim, Acharonim. But at the heart of Jewish learning in the diaspora is the Talmud, the Gemara. While we have studied the Torah, prophets, legal and philosophical literature, the vast literature of the Talmud has been at the center of it all.

This love is for more than content, or the message of the Talmud, but it's also about the medium, or style, of the Talmud and the way we learn it. Many Jews, religious and increasingly secular as well, study the Talmud daily, and it models a type of intense intellectual engagement and debate that has become deeply identified with Jewish learning. The media theorist Marshall McLuhan is famous for his argument that “the medium is the message,” which is to say that the way we talk about something is as fundamental to what we are saying as the actual content we are

communicating. This is clear when we think about the Talmud. For those that treasure the Talmud, the Talmud is far from a set of rules or guidelines, but is a style, a map rather than a blueprint, a reflection of a vast and ambitious project that culminated in the Jewish world that we have today.

Above all else, the Talmud is a living, breathing project, an ever-unfolding letter that continues to give life to the tens of thousands of people who study it on the daily, each of whom breathes life back into the words of the Talmud as they wonder and struggle over the words of the gemara. It's worthwhile to appreciate the sheer radicalism of the Talmud, and its dynamism. It's one thing to have a revelation of God as a holy work, canonized in our foundational library, but the Talmud in so many ways is eminently, breath-takingly human in its proceedings, *and yet* it is there that the Jewish people has found God for millenia. In the working-through of our people, of the greatest luminaries and shining lights of a time not-so-long-ago, we see the most powerful expression of the great path of Jewish engagement that we still walk to this day.

There's four sections to this reader. In the first, *Interviews: Words to Consider*,

we put together the questions about the Talmud that keep us up, which we asked our questions to some of the leading thinkers and scholars about the Talmud, on the 18Forty podcast. In the second, *Essays: Words from Friends*, we put together our favorite essays on the words and worlds of the Talmud, from the very fundamentals of rabbinic authority to the lives and legacies of Abbaye and Rava. The third section, *Texts: Words to Live By*, brings you our favorite Talmudic texts for navigating this challenging world. Read them, learn them with a friend or family member, and just have fun with them.

Along the way, we included some book recs, along with our favorite texts *in the margins*, thoughts, comments, and questions on the Talmud, to walk with you down the ancient and timeless path of Torah. As always, it's the process that matters, so whether you start from the beginning, the end, or the middle, we hope you learn something on the way. Our founder David Bashevkin closes us off with his thoughts on how the Talmud guides him through a messy world. Happy trails, and we hope you enjoy.

- *Yehuda Fogel*, Editor

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Why Is the Talmud So Complex?

—The Complexity of Talmud

In contemporary culture, if you read the word Talmudic in the New York Times, its likely referring to a complex, perhaps abstruse way of understanding a simple matter, which speaks to the sheer complexity of the Talmud. Everyone that has ever looked at a piece of gemara has had to ask: Why is it so confusing? Why couldn't it be simpler?

We put this question to Rabbi Dr. Ari Bergmann. Ari is a financier, scholar of Talmud at Yeshiva University, and Judaica collector. Ari is the founder and managing principal of Penso, and he has taught at Columbia University and the University of Pennsylvania. Ari's brilliance speaks for itself.

David Bashevkin: What were the values of the formation of the Talmud given such a maze and so much ambiguity? What were they trying to convey by preserving that structure? If the medium is this chaos, is this non-sequential disorderly book, what were they trying to convey by keeping it that way? Why is it that in the intellectual Jewish history, it takes until the Rambam, until we have a sequentially, formally written system, orderly, like an encyclopedia? Why did they preserve that structure?

Ari Bergmann: Because the rabbis believed, and I think that even Maimonides, that the more structured it is, you are basically putting it into some kind of ... You're limiting the text. If you want the text to be real, to evolve, the community to live, you need it to bring a process of thinking. It's important to give a process of understanding, of how to develop law, how to apply law. You cannot put the Talmud in a straight jacket. My motto is, if you put the Talmud in a straight jacket, and you create some kind of a rigid halakha system, a very clear number one, you make it obsolete the day you publish it. The Jews went through various situations. The communities were spread all over. We didn't have a national home, so that would never work. What's right in one circumstance is not right in a different circumstance. The Talmud fosters

debate, argument, it's diversity. The second you structure it, it's not diverse anymore. So that process, the rabbis are very much against it. I think when Maimonides came up with his very structured book, it became very controversial. It was an extremely controversial idea that in the end didn't take hold. Because they did to the Rambam the same thing they did to the Talmud, and to the Bible. They created various layers of interpretation, very far from the original intent, because even that was ambiguous enough.

Fascinatingly, Ari points out that preserving the chaos was in fact the best strategy for ensuring that the Talmud stands the test of time. This is a powerful point for all of us. Many of us feel that as teachers, as parents, and as students of the Torah, we have to present an unambiguous face to the public, to our friends, family, or students. We think that our students require a clear, straightforward approach to the messiness of life. This is often true, but Ari's words remind us that sometimes the full, honest truth, no matter how messy, is the one that lasts eternity.

We also turned to our friend Chaim Saiman for insight into this question. Chaim is a professor of law at Villanova University, scholar of Jewish law, and author of *Halakhah: The Rabbinic Idea of Law*, published with Princeton University Press. Chaim's answer, while echoing Ari's in some ways, diverges. Read on for his thought-provoking understanding.

David Bashevkin: Essentially all of Jewish law essentially derives from the Talmud. There are so many books that were written based on the Talmud that have assembled Jewish law on our modern day applications. But even the ones that were written – the books of Jewish law, like Maimonides, Rambam, the Shulchan Aruch of Rav Yosef Karo – all of these works, when you open them, they're very easy and clear to navigate. You know where you could find the laws of Sabbath, you know where you can find the laws of kosher. More or less,

the laws are written sequentially. Why is the original book of Jewish law, namely the Talmud, written so non-sequentially? Why is it such a maze? Why wasn't there a more sequential compendium of Jewish law written?

Chaim Saiman: All right... The Talmud of course is based on the Mishnah, so I think we ought to start there. The Mishnah is somewhat organized, right? Not perfectly in the way that we think we would do it, but there are six orders (Sedarim) in the Mishnah, and there's a whole bunch of tractates. And they largely, with some exceptions, stick to the topic at hand. The Talmud is, as you know, formerly a commentary in the Mishnah and often starts that way, but can then move around and get distracted pretty easily. So let's try to break down this question that you're asking. The first thing I say is, Jews have been studying the Talmud very intensively for thousands of years. But what exactly the Talmud is, nobody really knows, in part because there's nothing else like it. If we go backwards from the Talmud, so you get the Mishnah. The Mishnah is a little bit like the Talmud, not really. And before that you have Tanakh, nothing like the Talmud.

In the Talmud, there's no introduction. Not only is there no introduction, there's no beginning. In other words – and I write this in the book – on the very first page of the Talmud, you have one of the more well-known, mainstream Halachot, right at the beginning, which are the laws of Kriyat Shema.

Immediately, you have to be holding T'vul Yom, which is at the very opposite end of the spectrum. I think there's probably many people who've been learning for many years that don't know there's a Masechet called T'vul Yom, much less what it's about.

So right away, on page one it's telling you, not only is there no introduction, there's no real beginning. It's a circle, because at every point you can pick it up and you may or may not know what's going on. And in that way, it's a book in the sense of, we print it between two covers, but is it really a book? Now, you also said the word written. Remember we call this the Oral Torah, the "Torah She'be'al Peh". So we, today and for a while, have engaged with this as a written thing, but it clearly has a lot of Be'al Peh qualities. So to go back to our peripatetic walks, there's a way in which

the Talmud feels like it's a bunch of people walking and talking. And that I think, the oral-ness of it is very much retained in it in a bunch of ways.

Chaim lays out the fundamental distinction: There is a Written Torah and an Oral Torah, and the oral-ness of the Oral Torah preserve the dynamism of the process itself. The Oral Torah is not just a Torah that was taught by mouth, but one in which we still encounter the living back and forth to this day.

Chaim unpacks this for us by using law school as an analogy;

I'll tell you the analogy I use with my law students, who almost rarely grew up in the Jewish environment and understand it. So I said, "You can think of the Mishnah as the case that we're going to read today in class, and everybody prepares the case. And then there's a class discussion, and we might say, "Well, this case, yesterday we read a different case, it looks so different." And

we'll start going about this, around and about that, the professor might pose some hypotheticals and the class will discuss it.

One member of the class will start saying, "Oh, Justice Holmes. I know a story about Justice Holmes," And go on about that. "Now imagine someone taking notes. And then, that's year one. The next year as a professor, I say, "I'm assigning the case and I'm assigning the notes from last year. And now that's part of the text. And now the discussion can go off the case, or it can go off last year's notes." And some students said something in class, "Was that right, was that wrong?" And that was run through the cycle five, six, seven times where every time I'm assigning not just the case, but all the notes. So sometimes we won't even get to the case. Because it'll be the notes, something that came up in class, and it's a little less structured.

That's the Talmud. We're saying that in the process, is the law.

Chaim reminds us that the Talmud is first and foremost a recording of the back-and-forth of the study hall. It is the job of the later commentaries, the Rishonim, to "rifle through all of it and figure out the correct rules," he tells us. And we might add, it is on us to continue to rifle through all of it, finding meaning in it all, exploring the values and themes we find, becoming more through it all.

The complexity in many ways mirrors life itself, which can often feel more like a maze than a clearly delineated city street. Yet it is often this complexity itself that lends the Talmud its challenging beauty, its honesty.

Would we have it any other way?

Why Does the Talmud Look the Way It Does? —The Aesthetics of Talmud



Talmud have deconstructed this visual setup. Digital versions such as Sefaria have given us the text more directly and printed versions of the Talmud such as the Steinsaltz have developed a more visually clear explanatory approach to the page, each in an attempt at lowering the threshold of entry to the Talmud. These attempts have provoked controversy from some segments of the religious world, who hold the medium of the Talmud to share the sanctity that the message does.

But where does this medium come from? Where does the page of Talmud that we know and love come from? What is the history of the optics of the Talmud, and the history of the book that we know as the Talmud?

To understand these questions, we invited Michelle Chesner, Columbia University's Norman E. Alexander Librarian for Jewish Studies, to discuss the history of famous Jewish texts and how it has impacted the Jewish people. Michelle is a librarian and scholar of Jewish books, and has a special love and knowledge in the structure of Jewish books.

David Bashevkin: What I'm really fascinated by is how they structured the page of the Talmud. I mean, you had a leaf that originally just had the text itself, and we have a structure now that actually looks far different, they have commentaries on both sides. Recently, there was a great financier, Nassim Taleb, who was a financial writer, not Jewish as far as I know, who actually showed that he's structuring his class in the same way that looks like the handouts that he gives, and it looked exactly like a Talmud page. And he said, "I was influenced from the Talmud." Is that a uniquely Jewish structure? How did that evolve and why did that evolve?

Michelle Chesner: It's not a uniquely Jewish structure, it was Christian first. This was standard in medieval manuscripts, especially medieval Latin law manuscripts, you see the text in the center with the commentaries around the edges. With the inception of print and movable type, which meant that you had to physically lay out a page and figure out where to put all the letters to make it work on one page in order to write this book, that largely went away, but Gershom Soncino, who was of the first and is the most well known from the 15th century to print a Talmud text, decided to

continue with that style.

And that's really why the Talmud exists as it does. There are not a lot of complete manuscripts of the Talmud from the pre-print era, because there were two major burnings of the Talmud, one in the 13th century, one in the 16th century. The most well known one is in Munich, and that's actually what was used for the first full printing of the Talmud. But that's the only entire manuscript volume of the Talmud that we know of today. There are other manuscripts for individual masechtot that are quite important, but it was too large of a corpus to have, to create. If you think about how to write a book before print, a scribe had to hand write, usually he was trained to write in a certain hand. I don't know about you but my handwriting is not something that I would expect other people to be able to read.

Michelle points out that the structure of the Talmud that we tend to think of, with the text and its commentaries surrounding, is not per se originally or uniquely Jewish in its origins, begging the question: Should this change the way we think of the structure? The question is

louder than any answer we might easily offer, so like the sages did, ask your friend or study partner, argue about it with love, and see what you find out.

One of the most pressing aesthetic points about the page of the Talmud is the numbering system, the way we count the pages of the Talmud. The two-sided page of Talmud is referred to as a *daf*, and each side of this page is referred to as an *amud*. Michelle walks us through where this system came from:

Michelle Chesner: The Gemara is a very good example for learning about early print, in that the printed Talmud as it is today, has many, many aspects of an early printed book. And the first is this concept of leaves. A leaf and a folio is the same thing, that's one piece of paper, both sides, so a "daf" versus an "amud". An amud would be a page ... and a daf is what we would call a "leaf" or a "folio".

This system of a *daf* and an *amud*, which we see only in our Talmud, is the result of a more broad cultural background. Michelle adds a fascinating point; the first page of every portion of Talmud

begins with page 2, with *daf bet*. This has prompted delightful insights from a variety of thinkers, but Michelle has a more grounded answer for why the Talmud starts on the second page:

Michelle Chesner: The reason that we talk about daf bet amud alef, we start on daf bet because the way that the books were counted, it was technically the second leaf. But the first leaf was the title page, they weren't numbered ... And amud alef is simply what we would call, in library language, folio 2A or 2 recto, because it's the front side of the page as opposed to the verso, which is the back side of the page.

With a stunning simplicity, Michelle points out that Talmud starts on the second page because the first page was the title page. It's as easy as that. All of this begs the question: Should this change the way we think of the structure? The question is louder than any answer we might easily offer, so like the sages did, ask your friend or study partner, argue about it with love, and see what you find out.

Introduction to Talmud: Who Says?

—by David Bashevkin

There is circularity that underlies nearly all of rabbinic law. Open up the first page of Talmud and it already assumes that you read the rest of the book. As frustrating as that can be, the circularity of rabbinic law is even more vexing. At the heart of the Talmud is the question of rabbinic authority. Let's assume for a moment that the Bible was delivered directly from Moshe (Moses) on Mount Sinai. But who invested the rabbis with the authority to interpret and develop the laws that line the pages of the Talmud?

There are two typical forms of answers and both rely on some seemingly circular reasoning. The first approach minimizes the rabbinic contribution and emphasizes that the core of rabbinic law derived from God at Sinai. The rabbis are merely putting to paper what God said to Moshe. There are plenty of texts in the Talmud that emphasize this point of view. Moshe received everything (see Talmud Brachos 5a). Even contemporary ideas of Torah were first given to Moshe at Sinai (Talmud Megilah 19b). This approach can be deeply unsatisfying, and more importantly, not necessarily correct. You're left with the question as to why so little reference to any oral tradition exists in the written Torah. Some consider the very ambiguity of the written law as a proof for the existence of an oral tradition. Surely, all of the contradiction and ambiguity in the Torah point to some secondary more explanatory tradition. Personally, I never found that quite satisfying. It seems like it is more of a question about the composition of the written Torah, than an indication of the existence of an oral tradition. If I read an ambiguous passage in a book, would I immediately assume that there is a reader's companion?

There is a second approach. The second approach begins with the premise that much of the oral law was in fact developed by rabbis. This approach also leaves the reader with questions. If rabbis contributed so significantly to the interpretation of the Torah, why should

I listen to them? And who gave them such power? Such questions also lead to a different circulatory of sorts. While the Torah does give express authority to the High Court, known as the Sanhedrin, it is only later rabbinic texts that invest such power in later rabbinic authorities. A skeptic is certainly not going to rely on rabbis to interpret their own rabbinic authority. When a child asks a parent who made them the boss, should we listen to them when they say themselves?

These are difficult questions that are hard to express without a measure of irreverence. The question in most ways is easier to articulate than the answer. "Who gave you the right," is easier to express than the long-storied history of the rabbinic contribution to Jewish law. Proceeding without acknowledging the dissonance between the ease of the question and the complexity of the answer would be disingenuous at best.

There are whole books and countless articles written to address this question, which isn't surprising considering the question of the authority of rabbinic law is not a new one. It was articulated by the Karaites, it appears in the Talmud, and it later became common during the Enlightenment. Some approach the question historically by documenting the different strands and schools of interpretation that have existed throughout time. Others approach the question more legally, focusing instead on the legal philosophy underpinning the development of the Oral Law. Both are included in the further readings.

It is nearly impossible to extricate oneself from the circularity of the issue. It may be impossible to find a satisfying verse in the Torah to pin the corpus of written law. The question is magnified since rabbis instituted a blessing on rabbinic enactments that include the language "Blessed are you God who commanded us..." How can one say God commanded us to follow commandments that were instituted by Rabbis? The Talmud provides two verses:

מאי מברך מברך אשר קדשנו במצותיו וצונו להדליק
נר של חנוכה והיכן צונו רב אויאי אמר מלא תסור רב
נחמיה אמר שאל אביך ויגדך זקניך ויאמרו לך

And what blessing does one recite? He recites: Who has made us holy through His commandments and has commanded us to light the Hanukkah light. The Gemara asks: And where did He command us? The mitzva of Hanukkah is not mentioned in the Torah, so how is it possible to say that it was commanded to us by God? The Gemara answers that Rav Avya said: The obligation to recite this blessing is derived from the verse: "You shall not turn aside from the sentence which they shall declare unto you, to the right, nor to the left" (Deuteronomy 17:11). From this verse, the mitzva incumbent upon all of Israel to heed the statements and decrees of the Sages is derived. Therefore, one who fulfills their directives fulfills a divine commandment. Rav Nehemya said that the mitzva to heed the voice of the Elders of Israel is derived from the verse: "Ask your father, and he will declare unto you, your Elders, and they will tell you" (Deuteronomy 32:7).

If that's not enough to convince, it is hard to lay blame. In many ways, you will always be left with the same circularity: relying on rabbinic texts to bolster the authority of rabbinic law.

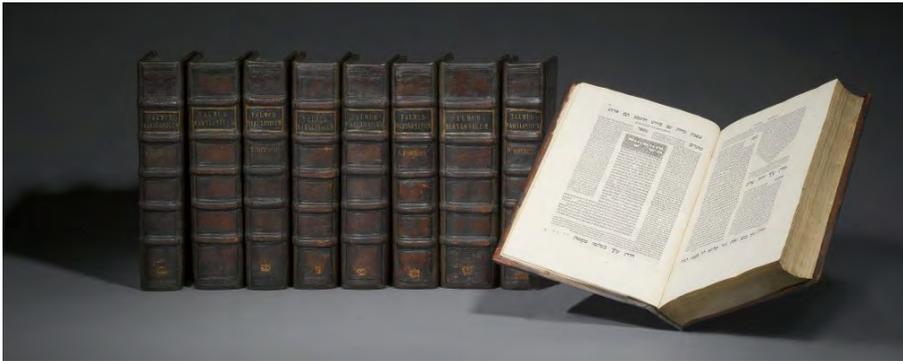
Instead, we may be asking the wrong question. Instead of trying to point to a verse that underlies all of rabbinic law, it may be more sensible to ask why such a system was set up in the first place. Meaning, why do we have a system with an ambiguous written Torah and a rabbinic law that emerges from their analysis? Why wasn't the Torah written more clearly? And why is the system of Jewish law and the Talmud set up in such a way that we have to rely so much on rabbinic interpretation?

These are living, breathing questions, in the sense that the pursuit of their answers are all a part of this dynamic conversation that has narrated the Jewish people for millennia. We're but the latest iteration of askers, doing our best to articulate our way to a deeper understanding of this confusing world of ours, and learning to live along the way.

Printing the Shas (Reprinted from Jewish Action)

—by Michelle Chesner

Jewish Action
THE MAGAZINE OF THE ORTHODOX UNION



The Westminister Talmud, printed by Daniel Bomberg. Courtesy of Sotheby's New York

Commemorating the 500th anniversary of the printing of the Bomberg Talmud, Columbia University librarian Michelle Chesner tells the story of the monumental printing of the Bomberg Talmud, the first complete set of Shas to ever be printed.

In December of 2015, as part of my many duties as the librarian for Jewish studies at Columbia University, I attended an auction at Sotheby's in New York. The sale included unique and precious items from the famed Valmadonna Trust Library, a collection that included Jack Lunzer's complete set of the so-called Bomberg Talmud. There was plenty of animated bidding on the lot, and the set finally sold for nearly \$10 million, breaking records for the highest price ever paid for a set of Jewish books.

The Bomberg Talmud contained a combination of the first and second complete editions of the Talmud, using the relatively new technology of moveable type. Printed in Venice by a Christian, this set was a rare complete copy of the volumes that set the standards for printed Talmudim still in place today. Daniel Bomberg started his monumental task of printing Shas 500 years ago, in the Hebrew year 5280, which began in the year 1519 of the modern era.

Even in an era when everyone has easy access to a computer and a printer, the magnitude of printing the Talmud is easy to understand. Creating the very first complete printed edition on a fully manual hand press was a monumental feat. The text of each of the nearly 3,500 leaves had to be laid out by hand, with each line of type carefully measured

and set into place. The unique format of the Talmud, with Rashi and Tosafot on either side of the Talmud text, meant that pages needed to be designed in advance to ensure an even distribution of the text.

Earlier Talmud Printings

The Bomberg Talmud was the first complete set of Shas to be printed, but it wasn't the first printing of Gemara. Individual masechtot were produced during the fifteenth century in both the Iberian and Italian peninsulas. At least nine volumes¹ were printed in Guadalajara, Spain, around 1480, with only Rashi's commentary, a scant decade after the beginning of Hebrew printing. Jewish printers in Spain would be expelled a dozen years later (along with the rest of the Jews), though, and so a set of Shas was not completed on the Iberian Peninsula.

There was a bit more freedom for Jews in Italy during the same time period. On December 19, 1483, Gershom Soncino printed his first volume of Talmud: Masechet Berachot with Rashi and Tosafot. This is the earliest dated volume of Talmud that we have today. Soncino determined the modern layout of the Talmud page, with Rashi on the inner margin and Tosafot on the outer, as well as the standard layout of four lines of commentary before the Talmud

text. Soncino and his heirs attempted to print a complete set over the next four decades,² but Daniel Bomberg's work effectively took over the market.

The Talmud was not Bomberg's first foray into Hebrew printing. In 1515, Bomberg applied to the authorities for a privilege to print Hebrew books in Venice.³ That same year, he produced a Latin Psalter with some Hebrew type, and his *Biblia Rabbinica* of 1517 (with nikud, commentary and cantillation marks) is possibly one of the most beautiful examples of early Hebrew printing from the period. By 1518, Bomberg had received the "exclusive right to print Hebrew books for ten years" in Venice, thus setting his grand plans into motion.⁴

Printing the Whole Shas

Before beginning the work, Bomberg sought manuscripts from around the world to ensure that his copy was as accurate as possible.⁵ Not only was the text of the Talmud and its main commentaries important, but he also added additional commentaries following the main text: the Piske Tosafot, Rambam on the Mishnah and the Rosh (Asher ben Yechiel).

Bomberg had significant funds at his disposal, and thus could afford the investment required for this huge project. The cost of paper alone would have been astronomical. But Bomberg had bigger plans. He hired expert editors and typesetters, and even requested a special privilege allowing his Jewish employees permission to walk through Venice without the yellow berets identifying them as Jews so they would not be accosted on their way to or from work.⁶

One of Bomberg's most important innovations in his printing of the Talmud was the concept of fixing the text on each page. The whole reason that a Daf Yomi cycle can be completed is because everyone, anywhere in the world, using any edition, can be studying the same page with the same text. Daniel Bomberg was also the first to add foliation (numbering leaves, or dapim) to the Talmud, and the vast majority of printers followed his layout of the text.

The reason that the Talmud text begins on 2a rather than 1a can be traced

to Bomberg—or simply understood as a relic from the early print era. During the 15th and 16th centuries, printers would sell texts printed on stacks of paper, which the new owner then brought to a binder to make the book “shelf ready.” The binding only took place after the book left the printshop. Printers numbered the pages to make the binder’s work easier, thereby ensuring that the text was in order (especially for non-Roman texts, such as Hebrew, which the binders most likely could not read). Thus the title page was not usually numbered because the binder recognized it as page 1, and the numeration began with page 2, as we see with the Talmud today.

Even the concept of *daf* and *amud* is a carryover from early print. Printers numbered folios (a single sheet of paper, or a *daf* in Gemara) rather than pages (each side of the page, or an *amud*) because they were guides to the binders, similar to the above. Because later printers were so careful to stay true to Bomberg’s printing style, this remained well after pagination was introduced in printed books.

Although moveable type made book production orders of magnitude easier than writing books by hand, printing illustrations was still a difficult and time-consuming process in the sixteenth century. The Talmud isn’t known for its many illustrations, but there are actually quite a large number of diagrams referenced in the main Talmud text as well as in the commentaries. Daniel Bomberg dealt with them the easy way—he left a blank square or rectangle next to text where an image was referenced. Perhaps he meant to have them filled in later, as with many early printed non-Jewish texts that left blank spaces for capital letters meant to be illuminated by hand. In most Bomberg editions, however, these spaces remain blank to this day. There are some notable exceptions, though, such as the one from the Jacob M. Lowy collection at the Library and Archives Canada [see illustrations on page 50].

Nearly every printer of the Talmud in the centuries that followed—until the modern era—followed the standards set by Bomberg in their printing of the Shas.

Later Additions

In looking at existing copies of the Bomberg Talmud today, one can see why later amendments were made to the Talmud page. Annotated copies, like an edition of *Masechet Shabbat* printed in 1522 now at Columbia University,⁷ show what is essentially the Masoret haShas, the citations to the references made in the text, added along the margin. Following demand, printers would print those citations in later editions.

A particularly interesting volume at Columbia University⁸ contains the entire text of the *Shitah Mekubetzet* by Rabbi Betzalel Ashkenazi. The owner of a copy of *Seder Kodashim* from the Bomberg Talmud wrote the entire text by hand within the margins of the book. Other volumes, conceivably owned by the same person, exist in other collections as well and are similarly annotated.

The Talmud and the Church

From the political-religious perspective, it was no simple project to print a Talmud, regardless of whether one was Christian or Jewish. Bomberg had initially been required to include a Christian response to the Talmud within his volumes, which would have alienated potential Jewish buyers. (This was a legitimate concern—Jews would later boycott the works of a printer in Prague who had converted from Judaism to Christianity in 1539.)⁹ With some luck and continuous advocacy, however, Bomberg was able to print the Talmud without the Christological inclusions.

The trouble with print, as the Catholic Church soon learned, was that it allowed the wide dissemination of texts that had the potential for heresy. The Talmud had long been seen as a problematic text that held the Jews back from seeing the “light” of Christianity, and once it was printed, it was referenced as banned in early editions of the *Index Librorum Prohibitorum*, the official Church volume of prohibited books.

On Rosh Hashanah in 1553, the Church ordered a public burning of the Talmud at Campo de’ Fiori in Rome. It was caused by a dispute between two printers of Hebrew books, and it decimated the remainder of Bomberg’s stock. In later years, the many persecutions and peregrinations

of the Jews in the centuries following meant that the survival of an original complete copy of the Bomberg Talmud is incredibly rare.

Only twelve complete copies exist whose history can be traced continuously (as a set) to the 16th century. All but the copy from the library of Rabbi David Oppenheim (now at the Bodleian Library at the University of Oxford) were owned by Christians, which no doubt played a critical role in their survival.¹⁰ There are collections that contain an example of each *masechet* printed by Bomberg, but those have been assembled in the centuries after Bomberg’s work by purchasing individual *masechtot* one by one.

The Bomberg Talmud Today

There are many volumes still in existence around the world, and for many Judaica collectors, completing a Bomberg Talmud set is an ideal goal. Costs for individual tractates thus vary significantly. In fact, in a sale at the end of 2018, a copy of *Keritot* (of the second edition, 1528) sold for just under \$7,000, while a *Chullin* (of the first, 1521) sold for more than ten times that at \$100,000. I learned very quickly when I first entered the field of rare Judaica as a professional that the cost of any book is simply what one person is willing to pay.

As we near the completion of the thirteenth cycle of the *Daf Yomi*, one can only wonder—was the original printing of the Shas ever used in its entirety? Was there anyone who completed the *Daf* (in this cycle or otherwise) using an edition of Daniel Bomberg’s Talmud? Who were the people who pored over these newly printed volumes in Italy (and beyond) 500 years ago? Regardless of which imprint one prefers today, every *mesayem* from 1519 to 2019 has been impacted by the monumental Talmud printed by Daniel Bomberg.

Notes

1. *Masechtot Chullin*, *Yoma*, *Chagigah*, *Beitza*, *Berachot*, *Mo’ed Katan*, *Kedushin*, *Ketubot*, *Ta’anit* and possibly others that have not survived.

2. Twelve different *masechtot* printed by Soncino are extant today, although more may have been printed and are now lost.

3. Piattelli, Angelo M. “New Documents Concerning Bomberg’s Printing of the

Talmud,” in Mehevah le-Menahem: Studies in Honor of Menahem Hayyim Schmelzer, ed. Shmuel Glick, Evelyn M. Cohen, Angelo M. Piattelli (Jerusalem, 2019), 176. There is some discussion as to when Bomberg established his press, but there are no extant copies of works that he printed before 1515.

4. Piattelli, “New Documents,” 178.

5. Marvin Heller, “Daniel Bomberg—The Editio Princeps,” *Printing the Talmud: A History of the Earliest Printed Editions of the Talmud* (Brooklyn, 1992), 145. He notes that Bomberg’s errors followed Soncino errors, and some text clearly removed for censorship purposes followed the Pesaro edition. So Bomberg certainly leaned on Soncino for some of his work.

6. Piattelli, “New Documents,” 177.

7. B893.1NI B20, v.22, containing Masechet Shabbat (printed 1522).

8. B893.1NI B20, v.16, containing Masechet Bechorot, Eruvin, Temurah (printed 1522), as well as Keritot (printed 1525). The same volume contains Mesechtot Me’ilah/Kinim/Tamid/Middot as well, but without manuscript notes.

9. See Magda Teter and Edward Fram, “Apostasy, Fraud, and the Beginnings of Hebrew Printing in Crakow,” *AJS Review* 30, no. 1 (2006): 47.

10. A complete listing of these copies and their provenance can be found in Sotheby’s New York sale catalog which includes the Valmadonna Talmud as Lot 12 (December 22,

2015) as well as in Milton McC. Gatch and Bruce E. Nielsen, “The Wittenberg Copy of the Bomberg Talmud,” *Gutenberg Jahrbuch* 78 (2003): 296–326.

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Abaya and Rava (Reprinted from Tablet Magazine)

—by Ari Bergmann

Tablet

How Two Babylonian Sages Started the Great Collective Conversation That Became the Talmud

I still remember the first time I noticed the massive volumes of the Babylonian Talmud that covered the bookshelves of my childhood synagogue. I was overwhelmed. The Talmud stretches to 63 tractates, for a total of about 2,000 folio pages. To a child, it seemed impenetrable, its length and format incomparable to any other work I knew. Despite the Talmud’s daunting size, once I started attending classes in Gemara (as religious Jews often call the Talmud), I was hooked. I discovered that it is not simply enormous; it is a fascinating and unique work. Perhaps most remarkable is the sheer excitement I felt. Although the Talmud’s discussions took place more than a thousand years ago, they somehow felt like a live debate—almost as if an imaginary academy of rabbis were pulling me into an ongoing, spirited argument.

I had to wonder: How did this incredibly original work get its start? What person (or persons) helped shape its formation?

The answers to these questions may surprise you, as they surprised me. But even more startling is the fact that no complete and authoritative account of the Talmud’s early history is widely available to the layperson. Although it

is central to both Jewish history and contemporary Jewish life—many Jews study it daily, and many more observe its laws—the Talmud still lacks a complete and accessible description of its early development. Scholarly work, like that of David Weiss Halivni, is an excellent resource for academics, but it remains rather opaque to someone without a background in source criticism or other approaches to academic Talmud.

What is the reason for this state of affairs? Mostly that it is very difficult to describe the Talmud’s formation unambiguously. The Babylonian Talmud itself never explicitly discusses either its process of formation or the key participants in that process. Moreover, for the majority of its existence, the Jewish community has had little interest in writing the history of the Talmud, as noted by the eminent historian Yosef Hayim Yerushalmi. That trend first began to change in Europe in the late 19th century, when Jewish scholars of various backgrounds and denominations decided that the time had come to tackle the problem of the Talmud’s history. The motivations behind this flowering of interest were diverse, and deeply embroiled in the politics of Judaism at the time. Here, I

would like to focus on the theories of one of the most remarkable participants in that historicizing trend: Yitzchak Isaac Halevy (1847–1914). For despite having no university education, this little-known Lithuanian scholar wrote the first definitive history of the Talmud from the Orthodox perspective.

Halevy’s pioneering work, *Dorot ha-Rishonim (The First Generations)*, combines his outstanding Talmudic erudition with academic, critical scholarship to describe the formation of the Talmud from its early pre-history through a detailed developmental process that Halevy deduces through his empirical study of the Gemara and its traditional commentaries by medieval Talmudists (*Rishonim*). Unfortunately, for over a century, *Dorot ha-Rishonim* has been largely dismissed as an apologetic work—another salvo in the fight between Orthodox Judaism and the reforming spirit of the Jewish Enlightenment and *Wissenschaft des Judentums*. A closer look, however, reveals the serious value of Halevy’s work. Using modern digital technologies, as well as recent scholarly work that explores Babylonia and Palestine during late antiquity, we can see that Halevy actually uncovered crucial historical insights, which remain important for any contemporary history of the Talmud.

Halevy’s greatest scholarly contribution was the unique role he uncovered for the early fourth-century Amoraic sages, Abbaye and Rava. Indeed, even a novice student of

the Talmud will recognize the names Abbaye and Rava. The student in Bialik's famous poem "*ha-Matmid*" intones: "Oi, Oi, amar Rava, amar Abbaye; Thus, Rava said, and thus Abbaye taught ...". In the Talmudic imagination, these two Babylonian rabbis of the fourth century (Abbaye died ca. 339, Rava ca. 351) have long captured the essence of religious learning throughout the ages. Ostensibly, this is because of their frequent invocation within the Talmudic text. As the renowned Talmudic scholar Rabbi Meir Zvi Bergman once quipped, no four consecutive folios of the Babylonian Talmud can pass without the name of one or the other cropping up.

That claim may be a slight exaggeration, as Bergman himself admitted. Nevertheless, the picture is clear: These rabbis are ubiquitous in the Talmud. However, the reason for their frequent contributions was not fully understood for a long time. Why was this pair of rabbis so active in contributing to the Talmud, far more than anyone before or after them? The issue becomes even more puzzling when we realize that, despite their regular appearance as interlocutors in the text, the real Abbaye and Rava rarely met or debated face-to-face. Abbaye was the head of the academy in Pumbedita, located on the bank of the Euphrates River, while Rava had his learning circle in Mahoza, a town on the Tigris.

Indeed, in many ways, the two could not have been more different. According to the Babylonian Talmud, Abbaye was orphaned at an early age, so his uncle, Rabbah bar Nachmani, along with a foster mother, raised him. Rava, by contrast, grew up ensconced in a family of rabbis renowned for their wisdom and wealth. As the Babylonian Talmud reports in *Mo'ed Katan* 28a, Rava requested "the wisdom of Rav Huna and the wealth of Rav Hisda" and received both. Abbaye, on the other hand, was at times excruciatingly poor, so that he wryly invoked the proverb: "a poor [man] is hungry but doesn't know it."

How, then, did these two, strikingly different but equally great men, come to connect with one another, with unparalleled frequency? The Gemara

often alludes to students bringing their opinions back and forth between them. And, indeed, messengers appear to have regularly traveled between Abbaye in Pumbedita and Rava in Mahoza, according to the Talmud in *Makkot* 6a. But the full extent of their interaction, and the significance of these frequent missives, remained unclear, until Rabbi Yitzchak Isaac Halevy came along.

Halevy theorized that Talmudic learning was decentralized during the first two generations of Amoraim (the Talmudic rabbis of Babylonia from ca. 220 CE). This meant that each small school followed its own particular traditions, based on the teachings of a single rabbi and his disciples. Scholars have called these schools "disciple circles," meaning that the students debated and preserved the traditions of one particular Amora. Halevy also claimed that the earliest amoraic debates dealt only with a single Amora's particular traditions. We should note, however, that early Amoraim did occasionally try to resolve various issues and reconcile traditions, in forums almost like (as we might say today) very early academic conferences.

Abbaye and Rava's revolutionary idea, however, was to advance one step beyond these impromptu fora. According to Halevy, they decided to collect teachings and traditions from across all the amoraic disciple circles, in the service of creating a common corpus of teachings and texts. This meant that the disciple circles (and, soon, the early Talmudic academies) began to study, discuss, and debate a shared set of traditions, texts, and problems. This ingathering of teachings also included traditions from many Palestinian sages who were in Babylonia at the time.

In short, according to Halevy's theory, during the first half of the fourth century CE, Abbaye and Rava revolutionized Talmud study by gathering the traditions of individual rabbis and transforming them into a collective body of knowledge. It was, in other words, largely due to the efforts of these two sages that students of the Talmud began to study a single curriculum and a unified body of traditions, rather than the particular teachings of specific rabbinic sages. That collective body of knowledge, discussed

and debated for hundreds of years, is what ultimately was preserved as our written Talmud. With their innovation, the great collective conversation that became the Talmud began.

Halevy was a traditional, Orthodox Jewish scholar (*talmid chakham*) and a former student at the prestigious Yeshiva of Volozhin. He also, however, had a keen interest in the history of the Talmud's formation, as well as a concern for the future of Jewish Orthodoxy in the face of modernity. At that time, Orthodox scholars, particularly in Germany, were debating how they could adapt some of the scholarly methods of *Wissenschaft des Judentums* to support the cause of tradition in the face of many Jews' serious religious doubts. The result was a religious academic movement called *Hokhmat Israel*, sometimes called "Orthodox *Wissenschaft*." Not surprisingly, Halevy became one of its greatest promoters. He personified *Hokhmat Israel's* ideal: the fusion of a traditional *talmid chakham* with a historian and critical scholar. With his keen sense of history, Halevy decided that the best way to meet his own historical moment was by investigating the history of the Talmud's past, which would vindicate the Orthodox tradition once and for all.

To this end, Halevy developed his massive *Dorot ha-Rishonim*, which detailed the reasons for investing Abbaye and Rava with profound historical significance. For Halevy, it seemed that there must also have been an institutional framework that supported Abbaye and Rava's enormous project of gathering disciple-circle traditions and creating a common Talmudic corpus. Therefore, and somewhat problematically, Halevy argued that the medieval Talmudic academies (or yeshivot) of the Geonim were already present in the cities of Pumbedita and Sura (near Mahoza) starting from the third century CE. In Halevy's institutional history, it was the growing importance of the yeshivot, around the beginning of the fourth century, that sparked Abbaye and Rava's curricular project. Consequently, Halevy dated Abbaye and Rava's innovative work to the time of the third and fourth generations of Amoraim (ca. 309-352), when the center of power

in Jewish Babylonia shifted from the academy (or yeshiva) in Sura to the one in Pumbedita, where Abbaye eventually came to be appointed headmaster (*rosh yeshiva*). This temporary consolidation of Jewish academic life around a single yeshiva provided the support necessary for Abbaye and Rava to create a common curriculum that would appeal to students of various disciple circles.

Contrary to Halevy's institutional history, we should note that the new curriculum that was studied in the nascent Babylonian academies seems to have developed slightly *before* the academies themselves. This is likely no coincidence: Abbaye and Rava's coordination of the various amoraic traditions may have been part of what allowed for the academies' eventual institutionalization. These early yeshivot later developed into the full-fledged academies that dominated the Jewish world at the time of the Geonim, during the eighth to 11th centuries.

While Halevy's institutional history of the Babylonian academy is speculative and flawed, his account of Abbaye and Rava's activities, and the interrelation of these activities with the development of the geonic yeshivot, is highly suggestive. The coordinated efforts of gathering and consolidation, led by Abbaye in Pumbedita and Rava in Mahoza, formed, in Halevy's account, the key element of the Talmud, or what we might call a "proto-Talmud," dating from the mid-fourth century. Halevy argued that this early skeleton of preserved amoraic rulings (*meimrot*) and debates eventually developed into the Talmud. This occurred when the traditions that Abbaye and Rava had gathered were later compared, contrasted, and debated as part of a conversation across multiple disciple circles. The consolidation of many particular traditions into a more generalized body of knowledge effectively created a single, standardized curriculum of rabbinic traditions, which was preserved and transmitted to future generations.

Thus, per Halevy, Abbaye and Rava's work represented a crucial first step toward the Talmud as we know it, by creating the format of a fixed proto-Talmud, which compiles and cross-references all the early amoraic

traditions. Indeed, it is obvious today that the Talmud's sui generis quality is, in fact, its virtual forum of collective conversation and debate. Amazingly, the Talmud stages debates among rabbis who were not even alive at the same time and who, even if they were, may never have met. This deliberate, literary stylization reflects the genius of the Talmud: The fact that its traditions are maintained in a shared curriculum, which places contrasting opinions in conversation with each other across generations and geographic boundaries.

Halevy also dated the first steps in a new Talmudic learning style to this time. He claimed that, after Abbaye and Rava, the focus of rabbinic learning shifted from the intimate, master-disciple relationship to the shared setting of what would become the early academies. In other words, the amoraic traditions were henceforth preserved and passed down to future students only as the collective wisdom of the Jewish tradition, with the locus of authority consequently shifting from the individual masters to the totality of Jewish tradition. Why did this happen? We can see the reason for the change in Halevy's identification of a massive pedagogical and epistemological shift in the conception of Jewish tradition in the work of Abbaye and Rava, which he felt constituted the most important stage in the Babylonian Talmud's formation. We can describe this shift as the recognition that knowledge and traditions do not belong to any particular individual, or the "heirs" of his school. Rather, they must be produced and legitimated through collective discourse and collaborative efforts.

Knowledge and traditions do not belong to any particular individual, or the 'heirs' of his school. Rather, they must be produced and legitimated through collective discourse and collaborative efforts.

Halevy provided only indirect and circumstantial evidence for his theory. But, with our current digital technologies, particularly a searchable digitized Talmud, we can observe an abrupt shift in Talmudic language that seems to vindicate Halevy's ideas about how, and by whom, traditions were transmitted, before and after Abbaye

and Rava. As has been discussed, prior to the mid-fourth century (the era of Abbaye and Rava), disciples preserved the teachings and traditions of their masters and passed them on to future generations. This type of transmission is reflected in the Talmud's frequent use of what I call "direct double attributions," in which the key word is *amar* (said). An example of this is *amar Rav Yehudah amar Rav*, or "Rav Yehudah [that] Rav said," where Rav Yehudah is the disciple and Rav the master. We can generalize the direct double attribution as: "Rabbi X [disciple] said [that] Rabbi Y [his master] said." Linguistically, the effect of this common locution is that of a ghostly echo, as if the master and student's voices are interchangeable, or intermingled. It represents the metaphorical fusion of master and student, a relationship also reflected in the Talmudic norm prohibiting a student from expressing a view contrary to his master's, unless he simultaneously reports his master's as well.

This type of double attribution appears more than 1,500 times in the Talmud according to the various search engines I used for this project, such as DBS. By contrast, there are around 760 instances of what I call "indirect double attribution," the other type of attribution prevalent in the first two generations of Amoraim. This attribution adds an additional term—usually *mishmei*, or "in the name of"—between the student's name and the master's, so that a generalized indirect double attribution would be "Rabbi X [student] said in the name of [*mishmei d'*] Rabbi Y [his master]." The effect of the additional term is to disrupt the linguistic equation of master and student. The classical commentators explain that these attributions reflect instances when disciples are not deemed precise transmitters of their masters' teachings and so are not being cited as authoritative transmitters of the given teaching.

How could this imprecision come about? Several hypotheses suggest themselves. Perhaps the students were not present when the master gave a particular ruling, as the medieval commentator Rashi suggested, or else they were not confident that they

accurately recalled it. Alternatively, Rashbam, Rashi's grandson and another of the classical commentators, suggests that the indirect attribution is used whenever the speaker is not chiefly a student of the master. A careful analysis of the Talmudic text, however, reveals a striking phenomenon: Although direct double attribution is by far the most frequent form for statements attributed to the first two generations of Amoraim (at least twice as common as the indirect form), it completely disappears after Abbaye and Rava's time. Although the Talmud records over 200 indirect double attributions of later sages, it has not even *one* direct double attribution of any of those sages. (The few exceptions are clearly printing errors, as comparison with manuscripts in these cases shows.) In those later times, even central students of a well-known master, such as Rav Papa (ca. 300-375), conveyed their teachings using *only indirect attributions*.

Halevy's argument about Abbaye and Rava's pedagogical revolution explains this otherwise mysterious phenomenon. Beginning in Abbaye and Rava's time (and intersecting the fourth-century Amoraim), rabbinic teachings were conserved and conveyed to later generations as part of a unified collection of traditions. Later, this was reflected in one of the institutional practices of the yeshivot: If an individual tradition needed to be preserved for transmission, it was conveyed by the student exclusively to the Tannaim, the official reciters of the *beit midrash*, to be memorized, which completely eliminated the responsibility (and, thus, the status) of the student as a preserver of his master's traditions. In other words, particular disciples no longer were key transmitters of traditions because the traditions of all the Amoraim were maintained as part of a collective corpus. (Confusingly, the official reciters of the early academy were given the same title as the rabbis of the Mishna, although the former are, of course, of a much later date.)

Further support for this change in the manner of transmission after Abbaye and Rava is found in the era's significantly new approach to Halachic determination. Most early rabbinic authorities ruled according to the principle of *ein halakhab ketalmid bimqom harav*, or "the law does

not follow the view of a disciple instead of the master." In other words, the law always follows the master. However, the Geonim later qualified this ruling by saying that, from Abbaye and Rava onward, the law follows the opinion of the later sages, even when masters and disciples disagree, under a principle called *hilkheta kebatra'ei*, or "the law follows the later ones." It seems clear that this change is a practical reflection of the changes in the disciple-master relationship that naturally followed Abbaye and Rava's revolution. Once there was a unified collection of traditions, students were no longer considered to be uniquely the disciples of an individual Amora. Instead, they were students of the rabbinic body as a whole, or, more accurately, of the entire amoraic tradition. Since this tradition grew and developed constantly, later generations were considered more authoritative than earlier ones.

In recent decades, academic scholars have studied the Talmud in the context of Sasanian (Persian/Iranian) Mesopotamia, where the Babylonian Talmud was formed. These studies give additional support for Halevy's theory that Abbaye and Rava's primary achievement was the creation of a unified corpus from the numerous traditions of the Babylonian and Palestinian Amoraim, which were then examined and debated in order to analyze any apparent contradictions among them. Scholars who have studied Sasanian Babylonia in the third and fourth centuries have noted the growth of cultural connections between Palestine and Babylonia, which reached a peak in the fourth century. The influx of Palestinian culture, and the increasing cultural openness of the general milieu, may have helped prompt Abbaye and Rava to collect traditions from the different disciple circles, including those in Palestine, and combine them into a single body of learning.

Furthermore, the gathering of rabbinic traditions in Sasanian Babylonia is paralleled by a similar activity on the part of local Zoroastrian priests. Upon founding their empire in Babylonia in the second quarter of the third century, the Sasanian Persians embarked on a project of centralization and religious renaissance. The first Sasanian king, Ardashir I (ruled ca. 227-242 CE),

gathered the Zoroastrian priests and tasked them with collecting and reviving their religious traditions and laws in order to revitalize Persian culture and religion. Shapur II, who ruled from 309 to 379, seems to have initiated a major Zoroastrian textual collation. As described in the *Dēnkard* (Acts of Religion), a compendium of Zoroastrian religion, legends, customs, and literature, a great council met during Shapur II's time, at which *kišwariḡān* (probably Zoroastrian theologians) analyzed and debated the available Zoroastrian material. It is very likely that such a major council of Zoroastrian scholars meeting for the purpose of canon-formation would have been noticed by nearby rabbis.

It is intriguing to ponder why Abbaye and Rava were so suited for the unique task of gathering traditions across the various disciple circles and in spite of geographical and cultural boundaries. Perhaps the contrasting backgrounds and personalities of these great sages enabled them to appreciate the value of diversity and debate. In any event, their innovation was so successful that it became the paradigm of Talmudic leaning in Babylonia for centuries, until the Talmud came to a close and was eventually committed to writing, toward the end of the eighth century. The impact of Abbaye and Rava's learning paradigm was such that, from their time in the mid-fourth century until the sealing of the Talmudic text, there were almost *no books written by individual rabbis*. This paucity of distinct works of literature is not the result of an impoverished Jewish intellectual life during the geonic period; on the contrary, it shows that the rabbis felt their teachings were part of a global conversation, in which all contributions could be incorporated orally into a collective discourse. That transgenerational conversation is precisely the genius of the Talmud, the intellectual efflorescence behind its rich structure of analysis and debate.

This article has been adapted from the author's book, The Formation of the Talmud: Scholarship and Politics in Yitzchak Isaac Halevy's Dorot Harishonim (De Gruyter, 2021). The electronic version of the book is available at Open Access.

How to Disagree: Three Talmudic Teachings for Our Time

The political landscape of today is deeply fractured. In a world in which the right and left have different representatives, ways of speaking, values, and media organizations to broadcast their messages, it can be hard to see the methods by which unity and real, meaningful dialogue can exist. Enter: The Talmud. Debate is more than a way of talking in Talmudic culture, it was a way of life. As such, the sages of the Talmud dedicated serious and sustained thought to cultivating the art of disagreement. Here are the three examples of the Talmudic art of disagreement that our society desperately needs.

1. Kiddushin 30b: Disagreeing with Love

What happens after the debate ends? In Kiddushin 30b, the sages discuss an enigmatic phrase that appears in Bamidbar (21:14): את והב בסופה. The meaning of these words “*Wahev in Supha*” are unclear, which leads the sages to get creative, putting it in conversation with a different verse, this one from Tehillim (127:5): “Happy is the man who has his quiver full of them; they shall not be put to shame when they speak with their enemies in the gate.” Read their words, and think about what our world would look like if we all loved each other more after disagreeing:

מאי את אויבים בשער אמר רבי תיבא בר אבא אפילו האב ובנו הרב ותלמידו שעוסקין בתורה בשער אחד נעשים אויבים זה את זה ואינם זזים משם עד שנעשים אוהבים זה את זה שנאמר את והב בסופה אל תקרי בסופה אלא בסופה

The Gemara asks: What is the meaning of the phrase “enemies in the gate” with regard to Torah study? Rabbi Hiyya bar Abba says: Even a father and his son, or a rabbi and his student, who are engaged in Torah together in one gate become enemies with each other due to the intensity of their studies. But they do not leave there until they love each other, as it is stated in the verse discussing the places the Jewish people engaged in battle in the wilderness: “Therefore it is said in the book of the wars of the Lord, *Vahev in Suphah* [*beSufa*], and the valleys of Arnon” (Numbers 21:14). The word “*vahev*” is interpreted as related to the word for love, *ahava*. Additionally, do not read this as “in *Suphah* [*beSufa*]”; rather, read it as “at its end [*besufa*],” i.e., at the conclusion of their dispute they are beloved to each other.

2. Eruvin 13b: Disagreeing with Respect and Restraint

Hillel and Shammai, and their respective schools of study, Beit Hillel and Beit Shammai, are the headquarters of Jewish dispute. Their divergent schools of thought resulted in differing views in almost every realm of Jewish law imaginable, and had far-reaching consequences. Given the intensity and duration of this schism, the Talmudic texts that surround this debate are particularly fascinating. Consider this one, from Eruvin 13b:

אמר רבי אבא אמר שמואל: שלש שנים נחלקו בית שמאי ובית הלל, הללו אומרים: הלכה כמותנו, והללו אומרים: הלכה כמותנו. יצאה בת קול ואמרה: אלו ואלו דברי אלהים חיים הן, והלכה כבית הלל

Rabbi Abba said that Shmuel said: For three years Beit Shammai and Beit Hillel disagreed. These said: The halakha is in accordance with our opinion, and these said: The halakha is in accordance with our opinion. Ultimately, a Divine Voice emerged and proclaimed: Both these and those are the words of the living God. However, the halakha is in accordance with the opinion of Beit Hillel.

וכי מאחר שאלו ואלו דברי אלהים חיים, מפני מה זכו בית הלל לקבוע הלכה כמותנו? מפני שנזונו ועלובין היו, ושזונו דבריהן ודברי בית שמאי, ולא עוד אלא שמקדימין דברי בית שמאי לדבריהן

The Gemara asks: Since both these and those are the words of the living God, why were Beit Hillel privileged to have the halakha established in accordance with their opinion? The reason is that they were agreeable and forbearing, showing restraint when affronted, and when they taught the halakha they would teach both their own statements and the statements of Beit Shammai. Moreover, when they formulated their teachings and cited a dispute, they prioritized the statements of Beit Shammai to their own statements, in deference to Beit Shammai.

It is the restraint and respect that Beit Hillel showed in disagreement that leads us to follow the opinion of Beit Hillel. This offers a sharp counterpoint to our contemporary culture: How many of us show restraint when disagreeing with someone else? How many of us let our conversational partners talk first, when we know that we will disagree with them?

3. Yevamot 13b: Disagreeing with Boundaries

Do you have to vote the same way to love each other? For many people seeking love in the 21st century, this is a highly germane question (“*If you vote right swipe left*” and its inverse, for those *who know*), as our societies try to negotiate the lines between the political and the personal. If our opinions reflect our beliefs, and our beliefs our values, then can we truly eat and love and dine with those we disagree with? Once again, enter the houses of Hillel and Shammai. This text is discussing the permissibility of a specific law of marriage, though the message speaks for generations:

אעייפ שאלו אוסרים ואלו מתירין אלו פוסלין ואלו מכשירין לא נמנעו בית שמאי מלישא נשים מבית הלל ולא בית הלל מבית שמאי כל הטהרות והטמאות שהיו אלו מטהרים ואלו מטמאין לא נמנעו עושין טהרות אלו על גבי אלו

The mishna comments: Although Beit Hillel prohibit and Beit Shammai permit them, and although these disqualify and those deem them fit, Beit Shammai did not refrain from marrying women from Beit Hillel, nor did Beit Hillel refrain from marrying women from Beit Shammai. Furthermore, with regard to all of the disputes concerning the halakhot of ritual purity and impurity, where these rule that an article is ritually pure and those rule it ritually impure, they did not refrain from handling ritually pure objects each with the other, as Beit Shammai and Beit Hillel frequently used each other’s vessels.

Postscript: Living with Disagreement

After the Talmud sets the stage for the millennia of debate and disputation that centered Jewish life in the diaspora, the question of the purpose and challenge of eternal debate were argued by many later thinkers. In one particularly interesting debate, medieval thinkers such as the Rambam weighed in on if debate is the result of errors of omission in the masorah, or the result of differing viewpoints that constitute the totality of the masorah. For some thinkers, the variety of opinions must be the result of something going wrong, information and perspective lost as the world moves forward from Sinai. For others, this diversity in perspective is part and

parcel of the unfolding revelation that began in Sinai. Either way you see it, we can appreciate how deep and vast the question of debate is in the field of Jewish literature, and the self-awareness around the cultural mores and challenges of this endeavor.

In the 18th century, chassidic great Rabbi Nachman of Breslov, who lived amidst great disputes, spoke some of the most intriguing formulations we have on the nature of disagreement in Jewish thought. Hear his words:

If all Torah scholars were as one, there would not be space for the creation of the world, but only through the mahloket between them, as they disagree with each other, and each draws himself to a different side, through this an empty space is created between them.

In this mystical perspective, distance in opinion between scholars creates an empty space, similar to God's creation

of empty space in the beginnings of the universe. From a human standpoint, creative tension often comes from the space between people, and when we appreciate the differences in our perspectives, we are often able to come to a more deep and original understanding.

In a radical teaching with far-reaching implications, R. Yaakov Moshe Charlop, in his *Mei Marom* (5, Parshat Noach) wonders at the sheer delusion of the builders of the Tower of Bavel; why would they think that they could think that they could have a chance at fighting God? R. Charlop explains that they had a sort of premonition of the eventual occurrence of the Talmud Bavli, in which humans would argue with God and be victorious. This is the Talmud Bavli - where the nation of God-struggles question our way to the truth.

The contemporary Israeli poet

Yehuda Amichai brings this issue to today with timeless words. No matter how much we debate, disagree, and argue, in the end flowers will only grow from where the "doubts and loves / dig up the world." In his words:

The Place Where We Are Right - Yehuda Amichai

From the place where we are right
flowers will never grow
in the Spring.

The place where we are right
is hard and trampled
like a yard.

But doubts and loves
dig up the world
like a mole, a plough.
And a whisper will be heard in the place
where the ruined
house once stood.

How to Live With a Broken Heart: Three Talmudic Teachings for Our Time

The experience of loss, heartbreak, and struggle are ancient and eternal aspects of the human condition. While the Jewish story throughout time has taught us how to rejoice, it has also taught us how to deal with the misfortunes and challenges of life, large and small. Historian Salo Baron formulated the notion of the 'lachrymose view of Jewish history,' that view that identifies the epochal moments in Jewish narrative history as points of juncture, for good reason: there is much suffering in our past. Here are three times that the Talmud reflects and engages with the heartbreak of life, reflecting the human heart of this great work.

Chagigah 5b: God Cries One of the most eternal moments in Jewish textual history is *Tehillim* (91:15), where we read: "I will be with him in distress." Suffering is often a highly isolating experience, in which we feel ultimately and utterly alone in our pain. In this text, the sages of the Talmud tell us that God too cries, but in a place of mystery, of secrecy. No matter how hard it might be to hear, this gemara tells us, God cries for us, and with us.

"ואם לא תשמעוהו במסתרים תבכה נפשי מפני גוה",
אמר רב שמואל בר אינאי משמיה דרב: מקום יש לו
להקדוש ברוך הוא ומסתרים שמו. מאי "מפני גוה"?
אמר רב שמואל בר יצחק: מפני גאותן של ישראל
שניטלה מהם ונתנה לגוים. רבי שמואל בר נחמני אמר:
מפני גאותה של מלכות שמיים

The verse states: "But if you will not hear it, my soul shall weep in secret [bemistarim] for your pride" (Jeremiah 13:17). Rav Shmuel bar Inya said in the name of Rav: The Holy One, Blessed be He, has a place where He cries, and its name is *Mistarim*. What is the meaning of "for your pride"? Rav Shmuel bar Yitzhak said: God cries due to the pride of the Jewish people, which was taken from them and given to the gentile nations. Rav Shmuel bar Nahmani said: He cries due to the pride of the kingdom of Heaven, which was removed from the world.

ומי איכא בכה קמיה הקדוש ברוך הוא? והאמר רב
פפא: אין עציבות לפני הקדוש ברוך הוא שנאמר: "הוד
והדר לפני עוז וחדוה במקומו!" לא קשיא: הא בבתי
גואי, הא בבתי בראי

The Gemara asks: But is there crying before the Holy One, Blessed be He? Didn't Rav Pappa say: There is no sadness before the Holy One, Blessed be He, as it is stated: "Honor and majesty are before Him; strength and gladness are in His place" (I Chronicles 16:27)? The Gemara responds: This is not difficult. This statement, that God cries, is referring to the innermost chambers, where He can cry in

secret, whereas this statement, that He does not cry, is referring to the outer chambers.

Menachot 99a: Brokenness and Wholeness Together

Suffering does not just isolate us from our loved ones, but from ourselves. We often push away the hurt in our life, in our friends' lives, hoping to find joy instead, but we know that pain + resistance = suffering. In this text, the Talmud tells us that brokenness too has a place in the holiest of places: In the Ark, right alongside wholeness does. Both tablets, the broken and the whole, the suffering and the healthy, the love and the heartbreak, are in the Ark together.

דברים י' (ב) אשר שברת ושמתם בארון תני רב יוסף
מלמד שהלוחות ושברי לוחות מונחין בארון מכאן
לתלמיד חכם ששכח תלמודו מחמת אונסו שאין נוהגין
בו מנהג בזיון

The verse states: "At that time the Lord said to me: Hew for yourself two tablets of stone like the first...And I will write on the tablets the words that were on the first tablets, which you broke, and you shall put them in the Ark" (Deuteronomy 10:1-2). Rav Yosef teaches a baraita: This verse teaches that both the tablets of the Covenant and the pieces of the broken tablets are placed in the Ark. One should learn

from here that with regard to a Torah scholar who has forgotten his Torah knowledge due to circumstances beyond his control, e.g., illness, one may not behave toward him in a degrading manner. Although the first tablets were broken it is prohibited to treat them with disrespect, due to their sanctity. A Torah scholar who forgot the Torah knowledge he once possessed is likened to these broken tablets.

Talmud Yerushalmi Megillah 3:7:6:

This is the most radical of these texts, for this text tells us not how our suffering changes the way we see ourselves, but how it changes the way we see God. There is a strength in this passage, one that tells us that God's silence cannot and should not be ignored, and that it takes greatness to acknowledge the suffering caused by the silence of God in our lives.

רבי סימון בשם רבי יהושע בן לוי. למה נקראו אנשי כנסת הגדולה? שהחזירו את הגדולה ליושנה. אמר רבי פינחס. משה התקין מטביעה שלתפילה. האל הגדול הגבור והנורא. ורמיה אמר. האל הגדול הגיבור. ולא אמר נורא. ולמה הוא גיבור. לזה נאה להיקרות גיבור. שהוא רואה חורבן ביתו ושונתק. ולמה לא אמר נורא. אין נורא אלא בית המקדש. דכתיב נורא אלהים ממקדשיך. דניאל אמר. האל הגדול והנורא. ולמה לא אמר גיבור. בניו מסורין בקולרין. איכן היא גבורתו. ולמה הוא אמר נורא. לזה נאה להיקרות נורא. בנראות שעשה עמו בכבשן האש. וכיון שעמדו אנשי כנסת הגדולה החזירו את הגדולה ליושנה.

Rebbi Simon in the name of Rebbi Joshua ben Levi: Why are they called the men of the Great Assembly? Because they re-instituted the grandeur to its old glory. Rebbi Phineas said, Moses instituted the prayer formula, the God, the Great, the Strong, and the Awesome. Jeremiah said, the Great and Strong God; he did not mention "the Awesome". Why is He strong? He is appropriately called strong since He sees the destruction of His Temple and is silent. Why did he not mention "Awesome"? Awesome is only the Temple, as it is written, God Awesome in Your Sanctuary. Daniel said

the Great and Awesome God. Why did he not mention "the Strong"? His sons are delivered to iron collars; where is His strength? But why does he say, Awesome? He is appropriately called awesome by the awesome deeds he made for us in the fiery oven. But when the men of the Great Assembly arose they re-instituted the grandeur to its old glory.

Postscript: Living with a Broken Heart

It can be easy to sometimes think of religious life as existing in the good moments, for the smachot, the bat mitzvah pictures, the weddings and brides and rest of it. While these are important parts of the life of faith, there is another aspect: when things go wrong, religion helps us cope. And when our heart breaks, for any one of the thousand reasons that can break it, our ancient Jewish wisdom can help us come to terms with what we lost, and find a way forward.

Way before the Talmud ever taught us how to live with suffering, Tehillim (51:19) said it best:

זבחי אלהים רוח נשברה לב-נשבר ונדכה אלהים לא תבזה

True sacrifice to God is a contrite spirit; God, You will not despise a contrite and crushed heart.

More than any sacrifice, donation, or prayer, God never turns away the broken heart. R. Moshe Chaim Ephraim of Sudilkov (1748 - 1800), the great Chassidic sage known as the Degel Machane Efraim, penned these stunningly moving words, that can guide us in a challenging world. He says:

So we see, the heart was only created in order to be a dwelling place for God, and God refuses to dwell anywhere but in a smashed and broken

heart. That's why the wholeness of a heart is defined by the extent of its brokenness inside the person. Then when it possesses wholeness it is known as Jerusalem the Holy City, and it is said to have its King in residence. In contrast, God forbid, to the opposite, when a person has pride of heart, and it is known as haughty.

The broken heart is a dwelling place for God, and who among us does not have a broken heart? Rabbi Abraham Isaac Kook (1865 - 1935) put it differently, utilizing a language of internal contradiction that may be more familiar to us:

"Anyone that says 'my soul is torn,' speaks well. For of course they are torn! It is impossible for us to imagine someone whose soul is not torn. Only the inanimate is whole. But a person has many aspirations and reversals, an inner battle that is eternally within. A person's entire work is to unite the torn piece of the soul through a broad vision, through which in the greatness and loftiness of its entirety will encompass all, and bring harmony."

For Rav Kook, it is not only broken-heartedness but also cognitive dissonance, inner contradictions that tear us apart. But we need not fret, as this is endemic to the human condition, Rav Kook reminds us, and part of what makes us who we are.

So let's learn to live with broken hearts, and close with the words that we pray in the days of Tishrei:

רחמנא דעני לעני ענינא. רחמנא דעני לתבירי לבא ענינא

"Merciful one that answers the broken-hearted, answer us."

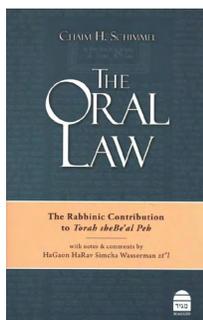
Where to Go from Here: Additional Readings

The Talmud is a chaotic text with a few frustrations. When you open to the first page, it assumes that you've already read the whole thing. Its logical path is a non-linear patchwork of discussion across time and space. Some of its resolutions feel like *deus ex machinis*. While the Talmud has many possible interpretations, the structure (or lack of) may provide meaning to our own lives, if we approach it openly. Here are some of our favorite books and articles for those curious to learn more about the Talmud, for beginners and old-timers alike.

Halacha and Aggadah Chaim Nahman Bialak

This essay, by poet-scholar Chaim Nachman Bialak, is a truly classic exploration of the deep and reciprocal relationship between the two aspects of the Talmud. Bialak urges us to see the relationship between Halacha and Aggadah with a richer texture, as he shows by moving back and forth between the legal and narrative spirits of the Talmud. This is a work that sticks and lingers, and will forever change the way you experience the Talmud, and maybe even life.

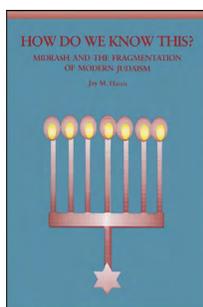
The shafts of aggadah are uncertain in their aim, and come with a swerve, as though shot from a loose bowstring; those of Halacha fly straight and true, with the strength and directness imparted by the well-drawn bow. Aggadah gives us air to breath; Halacha gives us solid ground to stand on. The one provides the element of fluidity and motion, the other that of fixity and stability. Where aggadah has no aftermath of halacha in the national life, the nation will wander endlessly in the vague, and will be in danger of forgetting the straight and only way from will to action, from aspiration to achievement. Halacha linked with aggadah means assurance of health and a certificate of national maturity, but wherever you find Aggadah in isolation, be sure that the nation's power to act and instruments of action are weak and need medicine.



The Oral Law H. Chaim Schimmel

This book starts with the premise that the oral tradition was given to Moshe at Sinai and discusses, if so, what aspects of rabbinic law were developed afterwards. It's a nice introduction, though the development of the premise may be wanting for some.

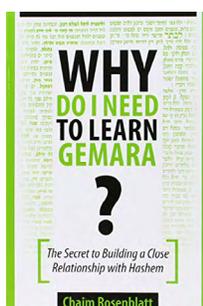
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How Do We Know This? Midrash and the Fragmentation of Modern Judaism Jay M. Harris

This is an academic book that approaches a fairly simple question. As its title suggest, the book aims to understand, "How do we know this?" Harris states the question more emphatically in his introduction: "Who could honestly believe that Scripture intended to prohibit selling cheeseburgers when it said, 'Do not seethe a kid in its mother's milk.'" The book discusses the different responses to this question throughout rabbinic history, as well as the underlying textual assumptions of those who responded to this issue. The book remains fairly agnostic about which approach is correct but **does an admirable job of outlining the various approaches.**

The question, "How do we know this [law]?" is asked on almost every page of the Talmuds. Knowing the source of laws was obviously of great importance to the creators of these Talmuds. Despite the answers they provided, the question continued to reverberate throughout the fifteen centuries or so that separate us from the completion of these documents. For some Jews in some times and places the answer was obviously that provided in the Talmuds; for others at other times and places the answer was obviously not that provided in the Talmuds. Either way, providing a coherent response to the question "How do we know this?" has remained an important aspect of Jewish cultural history. That is the story this work seeks to tell.



Why Do I Need to Learn Gemara? Chaim Rosenblatt

Educators have long debated how to introduce Talmud to first time students. Some call it "the mind of God." I think it's probably closer to "the mind of the Jewish people." This book approaches the question with an idiosyncratic approach laden with traditional theological terminology. I don't always love the way he interprets or expresses the answer, but I love the underlying question. It's a worthwhile read.