

Class 2 – Bearers of the Tradition
Rabbi Moshe Davis

Class Outline

- 1. Meet the Rabbis of our tradition**
- 2. See the basis for their authority**

I. Review

1. There are four broad categories to the Oral Tradition: Law, Explanation of Written Torah, Philosophy, Mysticism
2. The Oral Tradition is divine
3. There are both scriptural and theoretical proofs for the existence of the Oral Tradition
4. There are many reasons why an oral tradition is necessary, one of which being the need for *mesorah* –

*The teaching of Torah from one generation to the next is not just the mechanism by which the Oral Tradition was transmitted but rather was the **reason** that the Oral Tradition was created.*

II. The First Teacher and his Students

Deuteronomy Chapter 5

19 And it came to pass, when ye heard the voice out of the midst of the darkness, while the mountain did burn with fire, that ye came near unto me, even all the heads of your tribes, and your elders; **20** and ye said: 'Behold, the LORD our God hath shown us His glory and His greatness, and we have heard His voice out of the midst of the fire; we have seen this day that God doth speak with man, and he liveth. **21** Now therefore why should we die? for this great fire will consume us; if we hear the voice of the LORD our God any more, then we shall die. **22** For who is there of all flesh, that hath heard the voice of the living God speaking out of the midst of the fire, as we have, and lived? **23** Go thou near, and hear all that the LORD our God may say; and thou shalt speak unto us all that the LORD our God may speak unto thee; and we will hear it and do it.'

- *Oral transmission of Torah was in fact the preferred method for teaching even the Written Torah (the Ten Commandments, etc.) during the time of Moshe.*
- *Whenever there is major upset in leadership, location or liberty, a tradition becomes at risk – and to survive must become oral. It is thus very meaningful that the chief mode of the transmission of Torah has always been oral, in both good times and bad. It is a well oiled machine.*

Rabbinic Tradition to Deuteronomy 5:21

Deuteronomy 11:22

For if you will observe this entire commandment that I command you, to perform it, to love the Lord, your God, to walk in all His ways, and to cleave to him.

Rashi ad loc.

And cleave to Him - Is it possible for man to accomplish this?! Behold it He not a consuming fire? Rather one should cleave to Torah scholars and that will be the means by which you cleave to God.

Eiruvim 54

Our Rabbis learned: What was the procedure of the instruction in the oral law? Moses learned from the mouth of the Omnipotent. Then Aaron entered and Moses taught him his lesson. Aaron then moved aside and sat down on Moses' left. Thereupon Aaron's sons entered and Moses taught them their lesson. His sons then moved aside, Eleazar taking his seat on Moses' right and Ithamar on Aaron's left. R. Judah stated: Aaron was always on Moses right. Thereupon the elders entered and Moses taught them their lesson, and when the elders moved aside all the people entered and Moses taught them their lesson. It thus followed that Aaron heard the lesson four times, his sons heard it three times, the elders twice and all the people once. At this stage Moses departed and Aaron taught them his lesson. Then Aaron departed and his sons taught them their lesson. His sons then departed and the elders taught them their lesson. It thus followed that everybody heard the lesson four times. From here R. Eliezer inferred: It is a man's duty to teach his pupil [his lesson] four times. For this is arrived at a *minori ad majus*: Aaron who learned from Moses who had it from the Omnipotent had to learn his lesson four times how much more so an ordinary pupil who learns from an ordinary teacher.

R. Akiba stated: Whence is it deduced that a man must go on teaching his pupil until he has mastered the subject? From Scripture where it says: And teach thou it to the children of Israel. And whence is it deduced that it must be taught until the students are well versed in it? From Scripture where it says. Put it in their mouths. And whence is it inferred that it is also his duty to explain to him the reasons? It has been said: Now these are the ordinances which thou shalt put before them.

But why did they not all learn direct from Moses? — In order to give a share of the honour to Aaron, his sons, and the elders. Then [why was not this procedure adopted:] Aaron might enter and learn from Moses, his sons might then enter and learn from Aaron, then the elders might enter and learn from his sons and these finally might teach all Israel? — As Moses learned from the mouth of the Omnipotent his own teaching was of greater value.

III. Character of the Bearers of the Tradition

- These are the men who were responsible for our tradition, and their trustworthiness and integrity are crucial as they literally had the ability to shape Judaism as we know it.
- Much of the wisdom/rebuke imparted in Avot could be read as being directed to the Leaders of the Jewish people as their character was of utmost importance.

IV. Anshei Keneset HaGedolah (500 B.C.E. – 70 C.E.)

Josephus, Antiquities XII 138-9

King Antiochus' Favorable Attitude to the Jews (223-187 B.C.E.)

King Antiochus to Ptolemy, sends greeting. Since the Jews, upon our first entrance into their country demonstrated their friendship towards us, and when we came to their city [Jerusalem], received us in a splendid manner and came to meet us with their senate, and gave abundance of provisions to our soldiers, and to the elephants and joined with us in ejecting the garrison of the Egyptians who were in the citadel, we have thought it fit to reward them and to receive the condition of their city which had been greatly depopulated by such accidents as have befallen its inhabitants and to bring those who have been scattered abroad back to the city..."

Maccabees 12: Letter to the Spartans (circa 150 B.C.E.)

This is a copy of the letter which Jonathan wrote to the Spartans: "Jonathan the high priest, the senate of the nation the priests, and the rest of the Jewish people to their brethren the Spartans, greeting. Already in time past a letter was sent to Onias the High Priest from Arius, who was among you..."

Babylonian Talmud, Tractate Yoma 69b

Rabbi Yehoshua Ben Levi said, "Why are they called the Men of the Great Assembly? — Because they restored the crown to its former glory. Moses had come and addressed 'The great, mighty and awesome G-d.'" Yirmehyahu came and said: "Foreigners are croaking in His Sanctuary! Where is His awesomeness? So he omitted 'awesomeness'. Daniel came and said: 'Foreigners are enslaving His sons! Where is his might?' So he omitted 'mighty.' Then came the Men of the Great Assembly and said: 'On the contrary, this is His

awesomeness – that he can restrain His will and tolerate the wicked. And this is His awesomeness – for if not for Him, how could one nation survive among all the nations?”

Nehemiah 8:6

And Ezra blessed the Lord, the great God. And all the people answered, Amen, Amen, lifting up their hands; and they bowed their heads, and worshipped the Lord with their faces to the ground.

Their Role in the Mesorah

Avot 1:1

Moses received the Law on Sinai and delivered it to Joshua; Joshua in turn handed it down to the Elders; from the Elders it descended to the prophets, and each of them delivered it to his successors until it reached the men of the Great Assembly. The Men of the Great Assembly originated three maxims: “Be deliberate in Law, develop many disciples and make a fence for the Torah.”

In other words...

- *Interpretation*
- *Pass on the Tradition*
- *Legislation*

Major Known Accomplishments

1. Fixed prayer (Berachot 33a, Megillah 17b)
2. Biblical canon (Bava Batra 15a)
3. Reading Megillah on Purim (Megillah 2a)
4. Destroyed Evil Inclination for Idolatry (Yoma 69b)
5. Fasted for Jewish Scribes (Pesachim 50b)

V. Pharisees (150 B.C.E. – 70 C.E.)

Zugot (200 B.C.E. – 30 C.E.)

Josephus, Antiquities XIII, 297

The Pharisees and the Sadducees on the Tradition of the Fathers

...What I would now explain is this, that the Pharisees have passed on to the people a great many observances handed down by their fathers, which are not written down in the law of Moses. For this reason the Sadducees reject them and say that we are to consider to be obligatory only those observances which are in the written word, but need not observe those which are derived from the tradition of our forefathers.

Babylonian Talmud, Menachot 65a

MISHNAH. WHAT WAS THE PROCEDURE? THE MESSENGERS OF THE BETH DIN USED TO GO OUT ON THE DAY BEFORE THE FESTIVAL AND TIE THE UNREAPED CORN IN BUNCHES TO MAKE IT THE EASIER TO REAP. ALL THE INHABITANTS OF THE TOWNS NEAR BY ASSEMBLED THERE,⁷ SO THAT IT MIGHT BE REAPED WITH MUCH DISPLAY. AS SOON AS IT BECAME DARK HE⁸ CALLED OUT, ‘HAS THE SUN SET?’ AND THEY ANSWERED. ‘YES.’

HAS THE SUN SET'? AND THEY ANSWERED, 'YES.' WITH THIS SICKLE'?9 AND THEY ANSWERED, 'YES'. 'WITH THIS SICKLE'? AND THEY ANSWERED, YES'. 'INTO THIS BASKET'? AND THEY ANSWERED, 'YES'. INTO THIS BASKET'? AND THEY ANSWERED. 'YES'. ON THE SABBATH HE CALLED OUT FURTHER, ON THIS SABBATH'? AND THEY ANSWERED. 'YES'. 'ON THIS SABBATH'? AND THEY ANSWERED. 'YES'. 'SHALL I REAP'?10 AND THEY ANSWERED, REAP'. 'SHALL I REAP'? AND THEY ANSWERED, 'REAP'. HE REPEATED EVERY MATTER THREE TIMES, AND THEY ANSWERED, 'YES.' 'YES.' 'YES'. AND WHY WAS ALL THIS? BECAUSE OF THE BOETHUSIANS¹¹ WHO MAINTAINED THAT THE REAPING OF THE 'OMER WAS NOT TO TAKE PLACE AT THE CONCLUSION OF THE [FIRST DAY OF THE] FESTIVAL.

Their role in the Mesorah

- Members of the Gerousia
- Middle/Lower class
- Not Hellenized
- Upheld the Oral Tradition
- Did not overemphasize Temple worship

Major Known Accomplishments

1. Defenders of the Oral Tradition, Judaism
2. Removed focus from Temple allowing for Jewish continuity after destruction
3. *Accomplishments of the Zugot: Too many to count*

Zugot

Name	Date	Position
Jose Ben Joezer	170 B.C.E. – 140 B.C.E.	Nasi
Jose Ben Johanan	Circa 155 B.C.E.	Av Beit Din
Joshua Ben Perachya	140 B.C.E. – 100 B.C.E	Nasi
Nittai of Arbela	Circa 134 B.C.E. – 104 B.C.E.	Av Beit Din
Judah Ben Tabbai	Circa 103 B.C.E. – 76 B.C.E.	Nasi
Simeon Ben Shetach	120 B.C.E. – 40 B.C.E.	Av Beit Din
Shemaya	Circa 65 B.C.E. – 31 B.C.E.	Nasi
Avtalyon	Circa 65 B.C.E. – 25 B.C.E.	Av Beit Din
Hillel	Circa 110 B.C.E. – 10 C.E.	Nasi
(Menachem)	(See Menachot 16b)	Av Beit Din
Shamai	50 B.C.E. – 30 C.E.	Av Beit Din

VI. Authority of the Rabbis

Mishnah Torah, Rambam Hilchot Mamrim Chapter 1

Halacha 1: The Supreme *Sanhedrin* in Jerusalem are the essence of the Oral Law. They are the pillars of instruction from whom statutes and judgments issue forth for the entire Jewish people. Concerning them, the Torah promises Deuteronomy 17:11: "You shall do according to the laws which they shall instruct you...." This is a positive commandment.

Whoever believes in Moses and in his Torah is obligated to make all of his religious acts dependent on this court and to rely on them.

Halacha 2: Any person who does not carry out their directives transgresses a negative commandment, as *Ibid.* continues: "Do not deviate from any of the statements they relate to you, neither right nor left."

...We are obligated to heed their words whether they:

a) learned them from the Oral Tradition, i.e., the Oral Law,
b) derived them on the basis of their own knowledge through one of the attributes of Biblical exegesis and it appeared to them that this is the correct interpretation of the matter,

c) instituted the matter as a safeguard for the Torah, as was necessary at a specific time. These are the decrees, edicts, and customs instituted by the Sages.

It is a positive commandment to heed the court with regard to each of these three matters. A person who transgresses any of these types of directives transgresses a negative commandment. This is derived from the continuation of the above verse in the following manner: "According to the laws which they shall instruct you" - this refers to the edicts, decrees, and customs which they instruct people at large to observe to strengthen the faith and perfect the world. "According to the judgment which they relate" - this refers to the matters which they derive through logical analysis employing one of the methods of Biblical exegesis. "From all things that they will tell you" - This refers to the tradition which they received one person from another.

A deeper understanding of Lo Tasur

Ramban, Sefer HaMitzvot Shoresh 1 (Spain 1194 – Israel 1270)

וכללו שלדבר שדברי סופרים חלוקים הם בכל דיניהם מדברי תורה להקל באלו ולהחמיר באלו. ואם היה העובר על דבריהם או שאינו מקיים מצות שלהם עובר על עשה ועל ל"ת היה חומר גדול בהם ולא היו ראויים לקולות הללו .

וכן מצינו שהם מחמירין בכל דבר שהוא מצוה מן הקב"ה אפילו על פה והלכו בדברים שהם הלכה למשה מסיני להחמיר בהן כשל תורה כמו שאמרו בפרק ראשון שלקדושין (לט א) ערלה בח"ל הל"מ והקשו והתניא ספק ערלה בארץ אסור ובסוריא מותר, לומר שאם היה הלכה למשה מסיני היה ספיקה אסור. ואולי תתקש ותאמר לדעת הרב כי מה שאמרו בכל מקום להקל בדברי סופרים הוא במחילה ובתנאי מאתם שהם התנו בגזירות ובסייגים שעשו לתורה וכן במצות שלהם שנהלך בהם לקולא כדי לחלק ולהפריש בין מה שהוא דבר תורה ובין מה שהוא מדבריהם אע"פ שבכל אנו מצוים מן התורה ולא היו ספיקות שבדבריהם ראויות להתיר אותן אלא מפני התנאי הזה שעשו בהם מתחלתן. ואין אלו דברים הגונים ולא שלעיקר .

ומכל מקום כללי הרב משתבשין. אבל הדבר הברור המנוקה מכל שבוש הוא שנודיע שאין הלאו הזה לא תסור אלא במה שאמרו בפירושי התורה כגון הדברים הנדרשים בתורה בגזרה שוה או בבנין אב ושאר שלש עשרה מדות שהתורה נדרשת בהן או במשמעות לשון הכתוב עצמו וכן במה שקבלו הלכה למשה מסיני תורה שבעל פה שאם יראו הם שזה הדבר אסור או מותר מן התורה לפי מדרש הכתוב או לפי פירושו או הלכה מפי השמועה ממשה רבינו ויראה הוא הפך חייב לבטל דעתו ולהאמין במה שאמרו הם.

Opinion of Rabbi Meir Simcha of Dvinsk (Lithuania 1843 – Latvia 1926)

Meshech Chachmah, Devarim 17:11

ואנכי עפר ואפר תחת רגליו, אומר כי לשיקול דעתי האמת כדברי הרמב"ם. והעיקר הוא זה: כי התורה רצתה אשר מלבד ענינים הנצחיים והקיימים לעד, יתחדש ענינים, סייגים, ואזהרות, וחומרות, אשר יהיו זמניים, היינו שיהיה ביד החכמים להוסיף על פי גדרים הנמסר להם [שבאופנים אלו ניתן להם רשות]. ואם יעמוד בית דין אחר גדול בחכמה ובמנין ובהסכם כלל ישראל כפי הגדרים שיש בזה, הרשות בידם לבטל. ולמען שלא ימצא איש אחד לאמר אני הרואה ואינני כפוף לחכמי ישראל, נתנה תורה גדר "לא תסור וכו'", שאם לא כן יהיה התורה מסורה ביד כל אחד, ויעשו אגודות אגודות, ויתפרד הקשר הכללי, מה שמתנגד לרצון השם, שיהיה עם אחד לשמוע לחכמים. ואם לא ישמעו עוברים ב"לא תסור מן הדבר אשר יגידו לך ימין ושמאל". ואם כן המצוה דוקא לשמוע מה שיאמרו. אבל הענין בעצמו שאמרו וחידשו, אפשר דאינו מתקבל אל רצון הבורא, ואם יעמוד בית דין אחר הגדול ויבררו טעותם, או שהוא דבר שאין הצבור יכול לעמוד, ויעשו היפך מזה, מותר.

Opinion of Rabbi Elchanan Wasserman (Lithuania 1874 – 1941)

Kuntres Divrei Sofrim p.6

Rabbinic legislation does express the will of G-d.

VII. From Moshe Rabbeinu to us

1. Moshe (1392-1272 BCE, Har Sinai - 1312 BCE)

Nevi'im

2. Yehoshua (1354-1244 BCE)

3. Pinechus

4. Eli (929 BCE)

5. Shemu'el (889 BCE)

6. David haMelekh (876 BCE)

7. Achiah (800 BCE)

8. Eliyahu (870-726 BCE)

9. Elishah (717 BCE)

10. Yehoyada (695 BCE)

11. Zekhariah (680 BCE)

12. Hoshea (575 BCE)

13. Amos (560 BCE)

14. Yeshaiah (548 BCE)

15. Mikhah (560 BCE)

16. Yoel (510 BCE)
17. Nachum (510 BCE)
18. Chavaquq (510 BCE)
19. Tzefaniah (460 BCE)
20. Yirmiyahu (462 BCE)

Anshei Keneset haGedolah

21. Barukh (347 BCE)
22. Ezra (348 BCE)
23. Shim'on haTzadiq (400-300 BCE)
24. Antignus ish Socho (305 BCE)

Zugot

25. Yosi ben Yoezer & Yosef ben Yochanon (280 BCE)
26. Yehoshua ben Prachya & Nitai haArbelli (243 BCE)
27. Yehuda ben Tabai & Shimon ben Shetach (198 BCE)
28. Shmaya & Avtalyon (140 BCE)
29. Hillel & Shammai (40 BCE)

Tanaim

30. Rabban Shim'on (10 BCE)
31. Rabban Gamliel haZaqein (20 CE)
32. Rav Shim'on ben Gamliel (50)
33. Rabban Gamliel (90)
34. Rabban Shim'on (140)
35. Rabbi Yehuda haNasi (Rebbe) (135-219)

Amoraim

36. Rav (160-248), Shemuel, & Rabbi Yochanon (230)
37. Rav Huna (270)
38. Rabbah (310)
39. Rava (270-350)
40. Rav Ashi (420)

Savoraim

41. Rafram (443)
42. Rav Sama berei deRava (476)
43. Rav Yosi (514)
44. Rav Simonia
45. Rav Ravo miRov (589)
46. Mar Chanan miAshkaya (608)
47. Rav Mari

Gaonim (Pumbedita)

48. Rav Chana Gaon
49. Mar Rav Rava
50. Rav Busai (689)
51. Mar Rav Huna Mari
52. Mar Rav Chiyah miMishan
53. Mar Ravyah
54. Mar Rav Natronai
55. Mar Rav Yebuda (739)
56. Mar Rav Yosef (748)
57. Mar Rav Avrohom Kahana (761)
58. Rav Malka (773)
59. Mar Rav Chaninah Gaon Kahana (785)
60. Mar Rav Kahanah Gaon (797)
61. Mar Rav Ibomai Gaon (814)
62. Mar Rav Yitzchak (839)
63. Mar Rav Poltoi (858)
64. Mar Rav Matisyahu (869)
65. Mar Rav Tzemach Gaon (891)
66. Mar Rav Hai Gaon (897)
67. Mar Rav Kimoi Gaon (905)
68. Mar Rav Yehuda (917)
69. Mar Rav Mevasser Kahana Gaon (926)
70. Mar Rav Tzemach Gaon (937)
71. Mar Rav Aharon haKohen (959)
72. Mar Rav Nechemiah (968)
73. Rav Sherirah Gaon (1006)
74. Rav Hai Gaon (939-1038)

Rishonim (Ashkenaz)

75. Rav Gershom (Rabbeinu Gershom Meor haGolah) (1040)
76. Rav Yaakov ben Yakar (Rib ben Yaqar) (1064)
77. Rav Shlomo Yitzchaki (Rashi) (1040-1105)
78. R' Shmuel ben Meir (Rashbam) (1174)
79. R' Yaakov ben Meir (Rabbenu Tam) (1171)
80. R' Eliezer miMetz (1175)
81. R' Elazar Rokeach (1238)
182. R' Yitzchak miVienna (Ohr Zaruah)
83. Rav Meir (Maharam miRutenberg) (1293)
84. R' Yitzchak miDuren (Shaarei Durah)
85. R' Alexander Zusiein haKohen (Agudah) (1348)
86. R' Meir bar Baruch haLevi (1390)
87. R' Sholom miNeustadt
88. R' Yaakov Moelin (Maharil) (1427)
89. R' Yisroel Isserlein (Terumas haDeshen) (1460)

90. R' Tavoli

91. Rabbi Yaakov Margolies (1501)

92. Rabbi Yaakov Pollak (1530)

Achronim

93. Rabbi Sholom Shachna (1558)

94. Rabbi Moshe Isserles (Rama) (1530-1572)

95. Rabbi Yehoshua Falk Katz (1614)

96. Rabbi Naftoli Hirsch ben Pesachya (1650)

97. Rabbi Moshe Rivkas (Be'er Hagolah) (1671)

98. Rabbi Avraham Gombiner (1682)

99. Rabbi Moshe Kramer (1688)

100. Rabbi Eliyahu Chassid (1710)

101. Rabbi Yissachar Ber (1740)

102. Rabbi Shlomo Zalman (1765)

103. Rabbi Eliyahu Kramer (Vilna Gaon) (1720-1797)

Volzhin – Brisk

104. Rabbi Chaim Volozhiner (1749-1821)

105. Rabbi Yitzchok Volozhiner (Reb Itzeleh Volozhiner) (1848)

106. Rabbi Yosef Dov Soloveitchik (Beis haLevi) (1820-1892)

107. Rabbi Chaim Soloveitchik (Reb Chaim Brisker) (1853-1918)

108. Rabbi Moshe Soloveitchik (1879-1941)

109. Rabbi Yosef Dov Soloveitchik (The Rav) (1903-1993)