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The Oral [Law](law.html) (Torah Shebaal Peh)

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hline**This paper was written to show that the scripture assumes that there is an oral** [**law**](law.html)**, and that without the oral** [**law**](law.html)**, the scriptures are incomplete.**

Oral Torah preceded the Written Torah. When the [Jewish](gen-jew.html) people stood at Mount [Sinai](stages.html) 3,300 years ago, [HaShem](hashem.html) revealed Himself to the entire [nation](nations.html). He then gave Moses the 613 [commandments](cmds613.html) along with a detailed explanation of how to fulfill them. At that point in [time](time.html), the teachings were entirely oral. It wasn’t until 40 years later, just prior to Moses’ death and the [Jewish](gen-jew.html) people’s entering the [Land of Israel](city.html), that the Written Torah as we [know](daat.html), was given to the [Jewish](gen-jew.html) people.

In many respects, the Oral Torah is **more important than the Written Torah**. It is a foundation of our faith to believe that God gave Moses an oral explanation of the Torah along with the written text. This oral tradition is now essentially preserved in the Talmud and Midrashim. We thus [speak](mashal.html) of [two](two.html) Torahs. There is the Written Torah (Torah SheBiKetav) and the Oral Torah (Torah SheB’Al Peh). Both are alluded to in [HaShem](hashem.html)‘s statement to Moses[[1]](#footnote-1):

***Shemot (***[***Exodus***](exodus.html)***) 24:12*** *And* [*HaShem*](hashem.html) *said unto Moses: ‘Come up to Me into the mount and be there; and I will give thee the tables of stone, and the Torah* ***and*** *the* [*commandments*](cmds613.html)*, which I have written, that thou mayest* [*teach*](teacher.html) *them.’*

[HaShem](hashem.html) told Moses, in the above pasuk, that he will give him “the Torah and the [commandments](cmds613.html).” Why did [HaShem](hashem.html) add the word “[commandments](cmds613.html)?” Are there any [commandments](cmds613.html) which are not included in the Torah? This verse (amongst others) is a clear inference to the existence of the Oral Torah.

The [Jewish](gen-jew.html) Encyclopedia tells us that Rabbinic [authority](authority.html), the ability to make oral [law](law.html), was invested in men, and that this [authority](authority.html) was validated by [Yeshua](yeshua.html):

*It is* [*known*](daat.html) *that from the beginning of the* [*third*](three.html) *century before the common era, rabbinical authorization by the patriarch consisted in the bestowal of* [*authority*](authority.html) *and power (“reshut”) to* [*teach*](teacher.html)*, to judge, and to grant permission regarding “the forbidden* [*first*](one.html)*-born among animals” (“yore yore, yadin yadin, yattir bekorot,” Sanh. 5a). But it is obvious that this is no longer the original form of rabbinical authorization. Far more significant and expressive of the idea of Rabbinical* [*Authority*](authority.html) *are the words used by* [*Yeshua*](yeshua.html) *when ordaining Peter as chief apostle, or his disciples as his successors, and undoubtedly taken from pharisaic usage: “I will give unto thee the keys of the kingdom of* [*heaven*](heaven.html)*: and whatsoever thou shalt bind on earth shall be bound in* [*heaven*](heaven.html)*; and whatsoever thou shalt loose on earth shall be loosed in* [*heaven*](heaven.html)*“ (Matt. xvi. 19, xviii. 18). This corresponds exactly with what Josephus, or rather his source, tells of the Pharisees in the* [*time*](time.html) *of Queen Alexandra: “They were the real administrators of the public affairs; they removed and readmitted whom they pleased; they bound and loosed [things] at their pleasure” (“B. J.” i. 5, § 2). The terms “bind” and “loose” (“asar we-hittir”), employed by the Rabbis in their legal terminology, point indeed to a sort of supernatural power claimed by the Pharisees for their prohibitory or permissory decrees, probably because they could place both men and things under the ban, or “Cherem.”*

The greatest Torah scholars (Hakhamim) were empowered with the ability to apply the principles of Torah, both oral[[2]](#footnote-2) and written, and utilizing these principles as [new](new.html) cases presented themselves, or where confusion arose regarding existing [law](law.html). Despite the attributes of the judges who possessed the combination of intellectual prowess with superior personal moral standards, the possibility of an error remained. In such cases the question would arise: Do the sages retain their [authority](authority.html) in the [event](feasts.html) that they are mistaken?

The textual basis for the question revolves around the Torah statement:

***Devarim (Deuteronomy) 17:8-12*** *If there arises a matter too hard for you in judgment, between* [*blood*](body.html) *and* [*blood*](body.html)*, between plea and plea, and between* [*plague*](plagues.html) *and* [*plague*](plagues.html)*, being matters of controversy inside your gates, then shall you arise, and get to the place which* [*HaShem*](hashem.html) *your God shall choose. And you shall come to the* [*priests*](priests.html) *the Levites, and to the judge who shall be in those days, and inquire. And they shall declare to you the sentence of judgment. And you shall do according to the sentence, which they of that place which* [*HaShem*](hashem.html) *shall choose shall declare to you. And you shall take care to do according to all that they inform you. According to the sentence of the Torah which they shall* [*teach*](teacher.html) *you, and according to the judgment which they shall tell you, you shall do; you shall not deviate from the sentence which they shall declare to you, to the right* [*hand*](mashal.html)*, nor to the left. And the man who will act presumptuously, and will not listen to the* [*priest*](priests.html) *who stands to minister there before* [*HaShem*](hashem.html) *your God, or to the judge, that man shall die; and you shall put away the evil from Israel.*

The same idea is found in the Midrash Shir HaShirim:

***Midrash Rabbah - The Song of Songs 1:18*** *You shall not turn aside from the sentence which they shall declare to you to the right* [*hand*](mashal.html) *nor to the left. If they tell you that the right* [*hand*](mashal.html) *is right and the left* [*hand*](mashal.html) *left, listen to them, and even if they shall tell you that the right* [*hand*](mashal.html) *is left and the left* [*hand*](mashal.html) *right.*

This concept of absolute [authority](authority.html) of the sages is quite disturbing especially in cases where is appears that they are mistaken. The [Jerusalem](city.html) Talmud records a dissenting opinion:

***Yerushalmi Horiot 2b*** *Is it possible that if they told you right is left and left is right you would have to listen to them? The verse* [*teaches*](teacher.html) *we must follow [the sages] “left and right” only when they tell you right is right, and left is left.*

This approach is comforting, for the individual is not obligated to follow the sages astray, yet the normative [law](law.html) follows the approach of Rashi.

**Rashi** in the [name](name.html) of the Sifri: Even if they tell you that what you think is the right is really the left or visa versa, and it goes without saying that you must listen if they inform you that this is right and this is left [and you do not [know](daat.html) otherwise].

**Nachmanides** elaborates: Even when you are convinced that they are in error, and the matter is as clear to you as the difference between your right [hand](mashal.html) and your left, do as they tell you. And do not say to yourself, “How can I [eat](eating.html) this [food](food.html) when it is clearly fat [a forbidden substance], or how can I execute this clearly innocent person?” Rather say to yourself, **“My Master who commanded me to observe His** [**commandments**](cmds613.html)**, instructed me to observe them as the Hakhamim dictate.”**

Thus, according to this doctrine, we are commanded to follow what the Hakhamim tell us with blind faith, even if we [know](daat.html) that what they are telling us is clearly wrong. But how can the Torah [command](cmds613.html) us to do such a thing?

Nachmanides explains that the injunction to follow the rulings of the Sanhedrin (Hakhamim) even when it is clear to you that they are mistaken has no relation to blind faith. Mistaken or not, what the Sanhedrin (Hakhamim) decides determines the shape that the reality in the Torah adopts.

In passing, Nachmanides refers to a famous argument between [two](two.html) of the leading sages of the era of the Mishna. Rabbi Yehoshua and Raban Gamliel had arrived at different conclusions regarding the dates of [Rosh HaShana](teruah.html)h. This argument had serious ramifications including what day would be observed as the Day of [Atonement](kippur.html) – Yom [HaKippurim](kippur.html):

[***Rosh Hashana***](teruah.html)***h 25a*** *Thereupon Rabban Gamaliel sent for him saying, “I enjoin upon you to appear before me with your* [*staff*](staff.html) *and your money on the day which according to your reckoning should be the Day of* [*Atonement*](kippur.html)*.” ... He [Rabb Yehoshua] then went to Rabbi Dosa ben Harkinas, who said to him: “If we call in question [the decisions of] the House of Rabban Gamaliel, we must call in question the decisions of every House of Judgment which has existed since the days of Moses up to the present* [*time*](time.html)*. For it says, then went up Moses and Aaron, Nadab and Abihu and* [*seventy*](seventy.html) *of the elders of Israel. Why were not the names of the elders mentioned? To show that every group of* [*three*](three.html) *which has acted as a House of Judgment over Israel is on a level with the House of Moses.” He [Rabbi Yehoshua] thereupon took his* [*staff*](staff.html) *and his money and went to Yavneh to Rabban Gamaliel on the day on which the Day of* [*Atonement*](kippur.html) *fell according to his reckoning. Rabban Gamaliel rose and kissed him on his* [*head*](body.html) *and said to him: “Come in peace, my* [*teacher*](teacher.html) *and my disciple — my* [*teacher*](teacher.html) *in wisdom and my disciple because you have accepted my decision.”*

Nachmanides explains the perspective of Rabbi Yehoshua. Even though Rabbi Yehoshua [knew](daat.html) that his position was correct, he accepted the court’s decision.

[One](one.html) issue that is intriguing about this case is the fact that the Sanhedrin was no longer functioning. The [Temple](temple.html) had been destroyed, and as the text had stated, now the court resided in Yavneh. This would explain the hesitation of Rabbi Yehoshua to acquiesce to the position of the court, and why he was not concerned with the label of “rebellious elder”, whose punishment is death.

Now we understand the argument put forward by Rabbi Dosa. The rejection of this court in Yavneh is tantamount to the rejection of every court which has ever existed, it will produce the same result, religious anarchy.

## The Meaning of Words Without Vowels.

I believe that [one](one.html) of the most telling arguments for the requirement of an oral [law](law.html), other than the [command](cmds613.html) of Torah, is the tradition that gives us the pronunciation of the words of the Torah.

The words written in a [Torah scroll](letters.html) are written without any vowel markings. This means that any word in the Torah has potentially many meanings, depending on what vowels are applied to the consonants to form the sounds of the word. We have a tradition which [teaches](teacher.html) us how the words are pronounced. This tradition, found in the oral [law](law.html), defines the meaning of each word in the Torah!

Thus, all the Christian and [Jewish](gen-jew.html) translations of the Torah rely on this tradition for their translations. Without this tradition it would be impossible to make a translation of the Torah. Without this tradition there would be anarchy in the translations and in the pronunciation of the words. Without this tradition it would be impossible to [know](daat.html) what [HaShem](hashem.html) is telling us through His Torah.

Each word, in the Torah, can be read and made to mean almost anything, depending on the vowels [one](one.html) introduces. The [first](one.html) verse in chapter [two](two.html) of Genesis reads: “Thus the [heavens](heaven.html) and the earth were finished.” It can also be read as: “Thus the [heavens](heaven.html) and the earth were destroyed.” Thus we see that without an oral tradition to [teach](teacher.html) us the vowels and the sounds of the words, it would be impossible for us to understand their meaning.

\* \* \*

What then is the oral [law](law.html), the words of our Hakhamim? The Encyclopedia Britannica will give us some [insights](insights.html):

**The Age Of The Tannaim (135-c. 200): The making of the Mishna**

Although the promulgation of an official corpus represented a break with Rabbinic precedent, Judah’s Mishna did have antecedents. During the 1st and 2nd centuries CE, Rabbinic schools had compiled for their own reference collections in which the results of their exegesis and application of Scripture to problematic situations (Midrash, “investigation” or “interpretation”; plural Midrashim) had been recorded in terse legal form. By 200 CE several such compilations were circulating in [Jewish](gen-jew.html) schools and were being utilized by judges. While adhering to the structural form of these earlier collections, Judah compiled a [new](new.html) [one](one.html) in which universally accepted views were recorded alongside those still in dispute, thereby largely reducing the margin for individual discretion in the interpretation of the [law](law.html). Although his action aroused opposition, and some rabbis continued to invoke their own collections, the [authority](authority.html) of his office and the obvious advantages of a unified system of [law](law.html) soon outweighed centrifugal tendencies, and his Mishna attained quasi-canonical status, becoming [known](daat.html) as “**The Mishna**” or “**Our Mishna**.” For all its clarity and comprehensiveness, its phraseology was often obscure or too terse to satisfy all [needs](needs.html), and a companion [known](daat.html) as **Tosefta (“Additions”)** was compiled shortly thereafter in which omitted traditions and explanatory notes were recorded. Since, however, neither compilation elucidated the processes by which their decisions had been elicited, various authorities set about collecting the midrashic discussions of their schools and recording them in the order of the verses of Scripture. During the 3rd and 4th centuries the tannatic Midrashim on the Pentateuch were compiled and introduced as school texts. Fundamentally legal in character, this literature was designed to regulate every aspect of life--the [six](six.html) divisions of the Mishna on agriculture, [festivals](festivals.html), family life, civil [law](law.html), sacrificial and dietary [laws](law.html), and [purity](purity.html) encompass virtually every area of [Jewish](gen-jew.html) [experience](experience.html)--and, accordingly, also recorded the principal Pharisaic and Rabbinic definitions and goals of the religious life. [One](one.html) tract of the **Mishna, (“Sayings of the** [**Fathers**](fathers.html)**“**), treated the meaning and posture of a life according to Torah, while other passages made reference to the mystical studies into which only the most advanced and religiously worthy were initiated; the activities of the Merkava, or divine “Chariot,” and the doctrines of [creation](bara.html) (see below). The Rabbinic program of a life dedicated to [study](study.html) and fulfillment of the will of [HaShem](hashem.html) was thus a graded structure in which the canons of morality and piety were attainable on various levels, from the popular and practical to the esoteric and metaphysical. Innumerable sermons and homilies preserved in the midrashic collections, liturgical compositions for daily and [festival](festival.html) services, and mystical tracts circulated among initiates all testify to the deep spirituality that informed Rabbinic Judaism.

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## The Mishna

Our Sages [teach](teacher.html) us that each [Hebrew](hebrew.html) [letter](letters.html) has a particular meaning such that an unfamilar word can be understood by adding together the meanings of the [letters](letters.html). With this background it is instructive to note that the [letters](letters.html) of the Mishna (vban) can be rearranged to form the word vnab (neshama which means soul). Thus we learn that the Mishna is the soul of the Written Torah. As the soul is intangible, so the Mishna is oral and intangible.

[Mashiach](mashiach.html) is the written Torah, with the oral Torah being His soul. That is why it says that:

***Yochanan (John) 1:1*** *In the beginning was the Word, and the Word was with God, and the Word was God.*

This is the intangible part, the soul. The tangible part, the [body](body.html) is defined in:

***Yochanan (John) 1:14*** *And the Word was made flesh, and dwelt among us, (and we beheld his glory, the glory as of the only begotten of the Father,) full of* [*grace*](grace.html) *and truth.*

The Mishna is divided into [six](six.html) orders (sedarim), each order into tractates (massekhtot), and each tractate into chapters (peraqim). The [six](six.html) orders are: **Zera’im, Mo’ed, Nashim, Neziqin, Qodashim**, and **Tohorot**

**Zera’im** (“[Seeds](flower.html)“) consists of [eleven](eleven.html) tractates: Berakhot, Peah, Demai, Kilayim, Shevi’it, Terumot, Ma’aserot, Ma’aser [sheni](sheni.html), Halla, ‘Orla, and Bikkurim. Except for Berakhot (“Blessings”), which treats of daily [prayers](prayer.html) and [grace](grace.html), this order deals with [laws](law.html) related to agriculture in Palestine. It includes prohibitions against mixtures in plants (hybridization), legislation relating to the [sabbatical](shmita.html) year (when land lies fallow and debts are remitted), and regulations concerning the portions of harvest given to the poor, the Levites, and the [priests](priests.html).

**Mo’ed** (“Season” or “[Festival](festival.html)“) consists of [twelve](twelve.html) tractates: [Shabbat](sabbath.html), ‘Eruvin, Pesachim, Sheqalim, Yoma, [Succah](succoth.html), Betza, [Rosh Hashana](teruah.html), Ta’anit, Megillah, Mo’ed katan, and Chaggigah. This order deals with ceremonies, rituals, observances, and prohibitions relating to special days of the year, including the [Sabbath](sabbath.html), holidays, and fast days. Since the half-shekel [Temple](temple.html) contribution was collected on specified days, tractate Sheqalim, regarding this practice, is included.

**Nashim** (“Women”) consists of [seven](seven.html) tractates: Yevamot, Ketubbot, Nedarim, Nazir, Sota, Gittin, and Qiddushin. This order deals with [laws](law.html) concerning [betrothal](betroth.html), [marriage](mashal.html), sexual and financial relations between husband and wife, adultery, and divorce. Since Nazirite (ascetic) and other vows may affect marital relations, Nedarim (“Vows”) and Nazir (“Nazirite”) are included here.

**Neziqin** (“Damages”) consists of [ten](ten.html) tractates, the [first](one.html) [three](three.html) of which were originally considered [one](one.html) (the Bava qamma, Bava metzia, Bava batra, Sanhedrin, Makkot, Shevu’oth, ‘Eduyyot, ‘Avodah zara, Avot, and Horayot. This order deals with civil and criminal [law](law.html) concerning damages, theft, labour relations, usury, real estate, partnerships, tenant relations, [inheritance](inherit.html), court composition, jurisdiction and testimony, erroneous decisions of the Sanhedrin, and capital and other [physical](physical.html) punishments. Since [idolatry](idolatry.html), in the literal sense of worship or veneration of material images, is punishable by death, ‘Avodah zara (“[Idolatry](idolatry.html)“) is included.

**Avot** (“[Fathers](fathers.html)“), commonly called “Ethics of the [Fathers](fathers.html)“ in English, seems to have been included to [teach](teacher.html) a moral way of life that precludes the transgression of [law](law.html).

**Qodashim** (“Sacred Things”) consists of [eleven](eleven.html) tractates: Zevahim, Menachoth, Hullin, Bekhorot, ‘Arakhin, Temura, Keretot, Me’ila, Tamid, Middot, and Qinnim. This order incorporates some of the oldest Mishnaic portions. It treats of the [Temple](temple.html) and includes regulations concerning sacrifices, offerings, and donations. It also contains a detailed description of the [Temple](temple.html) complex.

**Tohorot** (“Purifications”) consists of [twelve](twelve.html) tractates: Kelim, Ohalot, Nega’im, Para, Tohorot, Miqwa`ot, Nidda, Makhshirin, Zavim, Tevul yom, Yadayim, and ‘Uqtzin. This order deals with [laws](law.html) governing the ritual [impurity](purity.html) of vessels, dwellings, [foods](food.html), and persons, and with purification processes.

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**The Age Of The Amoraim**

**The Making Of The Talmuds**

(3RD-6th Centuries)

The promulgation of the Mishna initiated the period of the amoraim (lecturers or interpreters), those teachers who made the Mishna the basic text of legal exegesis. The curriculum now centered on the elucidation of the text of the standard compilation, harmonization of its decisions with extra-Mishnaic traditions recorded in other collections, and the application of its principles to [new](new.html) situations. The records of these Amoraic studies have been preserved in the form of [two](two.html) running commentaries on the Mishna [known](daat.html) as the Palestinian (or [Jerusalem](city.html)) Talmud (“[Teaching](teacher.html)“) and the [Babylonian](bavel.html) Talmud, reflecting the [study](study.html) and legislation of the academies of the [two](two.html) principal centers of [Jewish](gen-jew.html) concentration in the Roman and Persian empires of that [time](time.html). (Talmud is also the comprehensive term for the whole collections, Palestinian and [Babylonian](bavel.html), containing Mishna, commentaries, and other matter. The principal agencies mediating the rabbinic way of life and literature to the masses were the schools, ranging from the primary school to the advanced “house of [study](study.html)“ and more formal academy (yeshiva), the [synagogue](synagog.html), and the [Jewish](gen-jew.html) courts, which not only adjudicated litigations but also decided on ritual problems. Primary schools had long been available in the villages and cities of Palestine, and Tannaitic [law](law.html) made education of [male](male+female.html) children a religious duty. Introduced at the age of [five](five.html) or [six](six.html) to Scripture, the student advanced at the age of [ten](ten.html) to Mishna and finally in mid-adolescence to Talmud or the processes of legal reasoning. Regular reading of Scripture in the [synagogue](synagog.html) on Mondays, Thursdays, the Sabbaths, and [festivals](festivals.html), coupled with concurrent translations into the Aramaic vernacular and frequent sermons, provided for lifelong instruction in the literature and the values elicited from it. The Amoraic emphasis on the moral and [spiritual](physical.html) aims of Scripture and its ritual is reflected in their midrashic collections, which are predominantly homiletical (sermonic) rather than legal in content. An Amoraic sermon conceded that of every thousand beginners in primary school only [one](one.html) would be expected to continue as far as Talmud. In the 4th century, however, there were enough advanced students to warrant academies in Lydda, Caesarea, Sepphoris, and Tiberias (in Palestine), where leading scholars trained disciples for communal service as teachers and judges. In Caesarea, the principal port and seat of the Roman administration of Palestine, where pagans, Christians, and Samaritans maintained renowned cultural institutions, the [Jews](gen-jew.html), too, established an academy that was singularly free of patriarchal control. The outstanding rabbinic scholar there, Abbahu (279-320), wielded great influence with the Roman authorities and, because he combined learning with personal wealth and political power, attracted some of the most gifted students of the day to the [city](city.html). In 350, the studies and decisions of the authorities in Caesarea were compiled as a tract on the civil [law](law.html) of the Mishna. Half a century later, the academy of Tiberias issued a similar collection on other tracts of the Mishna, and this compilation, in conjunction with the Caesarean material, constituted the Palestinian Talmud. Despite increasing tensions between some rabbinic circles and the patriarch, his office was the agency providing a basic unity to the [Jews](gen-jew.html) of the Roman Empire. Officially recognized as a Roman prefect, a government official, the patriarch at the same [time](time.html) delegated apostles to [Jewish](gen-jew.html) [communities](community.html) to inform them of the [Jewish](gen-jew.html) [calendar](calendar.html) and of other decisions of general concern and to collect an [annual](annual.html) tax of a half shekel paid by [male](male+female.html) [Jews](gen-jew.html) for his treasury. As titular [head](body.html) of the [Jewish](gen-jew.html) [community](community.html) of the mother country and as a vestigial heir of the Davidic monarchy, the patriarch was a reminder of a glorious past and of a hope for a brighter [future](future.html). How enduring these hopes were may be seen from the efforts to gain permission to rebuild the [Temple](temple.html) in [Jerusalem](city.html). Although the emperor Julian (reigned 361-363) actually authorized the reconstruction, the project came to naught as a consequence of a disastrous [fire](fire.html) on the sacred site and the subsequent death of the Emperor. The adoption of Christianity as the religion of the empire had no direct effect on the religious [freedom](freedom.html) of the [Jews](gen-jew.html); i.e., on their [freedom](freedom.html) to worship and observe their life rules. The ever-mounting hostility between the [two](two.html) religions, however, resulted in severe curtailment of [Jewish](gen-jew.html) disciplinary rights over their co-religionists, interference in the collection of patriarchal taxes, restriction of the right to build [synagogues](synagog.html), and, finally, upon the death of the patriarch Gamaliel VI in 425, the abolition of the patriarchate and the diversion of the [Jewish](gen-jew.html) tax to the imperial treasury. Though Mediterranean Jewry was now fragmented into disjointed [communities](community.html) and [synagogues](synagog.html), the principles of the regulation of the [Jewish](gen-jew.html) [calendar](calendar.html) had been committed to writing by the patriarch Hillel II, and this, coupled with the widespread presence of rabbis, ensured continuity of [Jewish](gen-jew.html) adherence. Even the emperor Justinian’s (reigned 527-565) restrictions on [synagogue](synagog.html) worship and preaching apparently had no devastating effect. A [new](new.html) genre of liturgical poetry, combining ecstatic [prayer](prayer.html) with didactic motifs, developed in this period of political decline and won acceptance in [synagogues](synagog.html) in Asia Minor as well as beyond the Euphrates.

## Basic History of the Oral [Law](law.html) [Authority](authority.html)

The oral [law](law.html) reaches back to Moshe (Moses) for it’s beginnings:

**Shemot (**[**Exodus**](exodus.html)**) 18:13-16** The next day Moshe *took his seat to serve as judge for the people, and they stood around him from morning till evening. When his father-in-*[*law*](law.html) *saw all that Moshe was doing for the people, he said, “What is this you are doing for the people? Why do you alone sit as judge, while all these people stand around you from morning till evening?” Moshe answered him, “Because the people come to me to seek* [*HaShem*](hashem.html)*‘s will. Whenever they have a dispute, it is brought to me, and I decide between the parties and inform them of* [*HaShem*](hashem.html)*‘s decrees and* [*laws*](law.html)*.”*

Moshe is telling the people about [HaShem](hashem.html)‘s [laws](law.html) and decrees before the written Torah is given. The written Torah will be given in Shemot ([Exodus](exodus.html)) 20. That which Moshe began is made sure in the written Torah:

***Devarim (Deuteronomy) 17:8-13*** *If cases come before your courts that are too difficult for you to judge--whether bloodshed, lawsuits or assaults--take them to the place* [*HaShem*](hashem.html) *your* [*HaShem*](hashem.html) *will choose. Go to the* [*priests*](priests.html)*, who are Levites, and to the judge who is in office at that* [*time*](time.html)*. Inquire of them and they will give you the verdict. You must act according to the decisions they give you at the place* [*HaShem*](hashem.html) *will choose. Be careful to do everything they direct you to do. Act according to the* [*law*](law.html) *they* [*teach*](teacher.html) *you and the decisions they give you. Do not turn aside from what they tell you, to the right or to the left. The man who shows contempt for the judge or for the* [*priest*](priests.html) *who stands ministering there to* [*HaShem*](hashem.html) *your* [*HaShem*](hashem.html) *must be put to death. You must purge the evil from Israel. All the people will hear and be afraid, and will not be contemptuous again.*

That oral [law](law.html) which Moshe began, is perpetuated in the oral [law](law.html) delivered by the Levites and the judges. This oral [law](law.html) is literally the [law](law.html) from [HaShem](hashem.html)! Somehow, [HaShem](hashem.html) has guaranteed that what our Hakhamim (Rabbis) decide, is what [HaShem](hashem.html) has decided! Another[[3]](#footnote-3) put it very eloquently:

*Many who have devoted themselves to the act* of *Talmud torah see the human voice engaged in* [*study*](study.html) *as a supplement, albeit a necessary* [*one*](one.html)*, to the divine voice in the text being* [*studied*](study.html)*. Even the oral* [*law*](law.html) *is envisioned as “divine” in the sense that its origins stem from the theophany at* [*Sinai*](stages.html)*. On this reading the human voice serves merely as a vehicle or cipher for expressing the divine voice of Torah. Perhaps we should re-consider the differences between the divine and the human and, in doing so, make room for the divine in the human voice, that is, the divinity of the human voice as the voice of Torah. Once the human voice takes on a divine valence, even as an expression of human brokenness and frailty, it must be heard in the* [*study*](study.html) *house even if it comes from outside the* [*study*](study.html) *house. This is because, as I will argue, the voice of the human is not outside the text but embedded in the brokenness of the text that exists only in shards - the shattered tablets of the* [*first*](one.html)[*covenant*](covenant.html)*. These shattered tablets are not, as* [*one*](one.html) *might think, discarded, but are placed side by side with the Tablets of the* [*Law*](law.html) *and serve as its foundation (“the tablets and the shards of the broken tablets are placed in the Holy* [*Ark*](ark.html)*“). What I will argue is that the human voice, when heard, makes the divine voice audible and, more strikingly, makes the divine voice understandable.*

This description encapsulates Chazal’s (our Sages) understanding that our Hakhamim literally stand in the place of [HaShem](hashem.html) when they make their judgments.

Moshe is burdened day and night making Oral [Law](law.html) rulings, [HaShem](hashem.html) relieves this burden by setting up a council of 70 Elders who have the [authority](authority.html) of Moshe.

***Shemot (***[***Exodus***](exodus.html)***) 18:13-24*** *The next day Moshe took his seat to serve as judge for the people, and they stood around him from morning till evening. When his father-in-*[*law*](law.html) *saw all that Moshe was doing for the people, he said, “What is this you are doing for the people? Why do you alone sit as judge, while all these people stand around you from morning till evening?” Moshe answered him, “Because the people come to me to seek* [*HaShem*](hashem.html)*‘s will. Whenever they have a dispute, it is brought to me, and I decide between the parties and inform them of* [*HaShem*](hashem.html)*‘s decrees and* [*laws*](law.html)*.” Moshe’ father-in-*[*law*](law.html) *replied, “What you are doing is not good. You and these people who come to you will only wear yourselves out. The work is too heavy for you; you cannot handle it alone. Listen now to me and I will give you some advice, and may* [*HaShem*](hashem.html) *be with you. You must be the people’s representative before* [*HaShem*](hashem.html) *and bring their disputes to him.* [*Teach*](teacher.html) *them the decrees and* [*laws*](law.html)*, and show them the way to live and the duties they are to perform. But select capable men from all the people--men who* [*fear*](fear.html)[*HaShem*](hashem.html)*, trustworthy men who hate dishonest gain--and appoint them as officials over thousands, hundreds, fifties and tens. Have them serve as judges for the people at all times, but have them bring every difficult case to you; the simple cases they can decide themselves. That will make your load lighter, because they will share it with you. If you do this and* [*HaShem*](hashem.html) *so* [*commands*](cmds613.html)*, you will be able to stand the strain, and all these people will go home satisfied.” Moshe listened to his father-in-*[*law*](law.html) *and did everything he said.*

***Bamidbar (***[***Numbers***](nchart.html)***) 11:16-17***[*HaShem*](hashem.html) *said to Moshe: “Bring me* [*seventy*](seventy.html) *of Israel’s elders who are* [*known*](daat.html) *to you as leaders and officials among the people. Have them come to the Tent of Meeting, that they may stand there with you. I will come down and* [*speak*](mashal.html) *with you there, and I will take of the Spirit that is on you and put the Spirit on them. They will help you carry the burden of the people so that you will not have to carry it alone.*

***Bamidbar (***[***Numbers***](nchart.html)***) 11:24*** *So Moshe went out and told the people what* [*HaShem*](hashem.html) *had said. He brought together* [*seventy*](seventy.html) *of their elders and had them stand around the Tent.*

***Devarim (Deuteronomy) 17:8-12*** *If cases come before your courts that are too difficult for you to judge--whether bloodshed, lawsuits or assaults--take them to the place* [*HaShem*](hashem.html) *your* [*HaShem*](hashem.html) *will choose. Go to the* [*priests*](priests.html)*, who are Levites, and to the judge who is in office at that* [*time*](time.html)*. Inquire of them and they will give you the verdict. You must act according to the decisions they give you at the place* [*HaShem*](hashem.html) *will choose. Be careful to do everything they direct you to do. Act according to the* [*law*](law.html) *they* [*teach*](teacher.html) *you and the decisions they give you. Do not turn aside from what they tell you, to the right or to the left. The man who shows contempt for the judge or for the* [*priest*](priests.html) *who stands ministering there to* [*HaShem*](hashem.html) *your* [*HaShem*](hashem.html) *must be put to death. You must purge the evil from Israel.*

The Council of Elders replaces itself with a king. Under the [seventy](seventy.html) Elders, [HaShem](hashem.html) was king.

***I Shmuel (Samuel) 8:4-6*** *So all the elders of Israel* [*gathered*](gather.html) *together and came to Shmuel at Ramah. They said to him, “You are old, and your sons do not* [*walk*](walking.html) *in your ways; now appoint a king to lead us, such as all the other* [*nations*](nations.html) *have.” But when they said, “Give us a king to lead us,” this displeased Shmuel; so he* [*prayed*](prayer.html) *to* [*HaShem*](hashem.html)*.*

Upon the return from the [exile](galuyot.html), Nehemiah re-establishes the council of Elders. They make Halachic decisions.

***Ezra-Nechemiah (Nehemiah) 7:25-28*** *And you, Nehemiah, in accordance with the wisdom of* [*HaShem*](hashem.html)*, which you possess, appoint magistrates and judges to administer justice to all the people of Trans-Euphrates--all who* [*know*](daat.html) *the* [*laws*](law.html) *of* [*HaShem*](hashem.html)*. And you are to* [*teach*](teacher.html) *any who do not* [*know*](daat.html) *them. Whoever does not obey the* [*law*](law.html) *of* [*HaShem*](hashem.html) *and the* [*law*](law.html) *of the king must surely be punished by death, banishment, confiscation of property, or imprisonment. Praise be to* [*HaShem*](hashem.html)*, the G-d of our* [*fathers*](fathers.html)*, who has put it into the king’s* [*heart*](body.html) *to bring honor to the House of* [*HaShem*](hashem.html) *in* [*Jerusalem*](city.html) *in this way And who has extended his good favor to me before the king and his advisers and all the king’s powerful officials. Because the* [*hand*](fourteen.html) *of* [*HaShem*](hashem.html) *my G-d was on me, I took courage and* [*gathered*](gather.html) *leading men from Israel to go up with me.*

***Ezra-Nechemiah (Nehemiah) 10:10-17*** *Then Nehemiah the* [*priest*](priests.html) *stood up and said to them, “You have been unfaithful; you have married foreign women, adding to Israel’s guilt. Now make confession to* [*HaShem*](hashem.html)*, the G-d of your* [*fathers*](fathers.html)*, and do his will. Separate yourselves from the peoples around you and from your foreign wives.” The whole assembly responded with a loud voice: “You are right! We must do as you say. But there are many people here and it is the rainy season; so we cannot stand outside. Besides, this matter cannot be taken care of in a day or* [*two*](two.html)*, because we have sinned greatly in this thing. Let our officials act for the whole assembly. Then let everyone in our towns who has married a foreign woman come at a set* [*time*](time.html)*, along with the elders and judges of each town, until the fierce anger of our G-d* *in this matter is turned away from us.” Only Jonathan son of Asahel and Jahzeiah son of Tikvah, supported by Meshullam and Shabbethai the Levite, opposed this. So the* [*exiles*](galuyot.html) *did as was proposed. Nehemiah the* [*priest*](priests.html) *selected men who were family heads,* [*one*](one.html) *from each family division, and all of them designated by* [*name*](name.html)*. On the* [*first*](one.html) *day of the tenth month they sat down to investigate the cases, And by the* [*first*](one.html) *day of the* [*first*](one.html) *month they finished dealing with all the men who had married foreign women.*

At [time](time.html) of [Yeshua](yeshua.html) the Sanhedrin still existed and [Yeshua](yeshua.html) endorsed it:

***Matitiyahu (Matthew) 5:21-22*** *“You have heard that it was said to the people long ago, ‘Do not murder, and anyone who murders will be subject to judgment.’ But I tell you that anyone who is angry with his brother will be subject to judgment. Again, anyone who says to his brother, ‘Raca,’ is answerable to the Sanhedrin. But anyone who says, ‘You fool!’ will be in danger of the* [*fire*](fire.html) *of hell.*

***Matitiyahu (Matthew) 23:2-3*** *“The teachers of the* [*law*](law.html) *and the Pharisees sit in Moshe’ seat. So you must obey them and do everything they tell you. But do not do what they do, for they do not practice what they preach.*

Note that Matt 23:3 is a paraphrase from:

***Devarim (Deuteronomy) 17:9-10*** *Go to the* [*priests*](priests.html)*, who are Levites, and to the judge who is in office at that* [*time*](time.html)*. Inquire of them and they will give you the verdict. You must act according to the decisions they give you at the place* [*HaShem*](hashem.html) *will choose. Be careful to do everything they direct you to do.*

[Yeshua](yeshua.html) gives Oral [Law](law.html) [authority](authority.html) to his Talmidim, probably the 70, and they utilize it to make Halachic decisions (II Luqas (Acts) 15)

***Matitiyahu (Matthew) 18:15-18*** *“If your brother* [*sins*](sin.html) *against you, go and show him his fault, just between the* [*two*](two.html) *of you. If he listens to you, you have won your brother over. But if he will not listen, take* [*one*](one.html) *or* [*two*](two.html) *others along, so that ‘every matter may be established by the testimony of* [*two*](two.html) *or* [*three*](three.html) *witnesses.’ If he refuses to listen to them, tell it to the* [*church*](church.html)*; and if he refuses to listen even to the* [*church*](church.html)*, treat him as you would a pagan or a tax collector. “I tell you the truth, whatever you bind on earth will be bound in* [*heaven*](heaven.html)*, and whatever you loose on earth will be loosed in* [*heaven*](heaven.html)*.*

***Luqas (***[***Luke***](luke.html)***) 10:1*** *After this the Lord* [*appointed*](settimes.html)[*seventy*](seventy.html) *others and sent them* [*two*](two.html) *by* [*two*](two.html) *ahead of him to every town and place where he was about to go.*

***II Luqas (Acts) 15:1-2*** *Some men came down from Judea to Antioch and were* [*teaching*](teacher.html) *the brothers: “Unless you are* [*circumcised*](circumcz.html)*, according to the custom* [*taught*](teacher.html) *by Moshe, you cannot be saved.” This brought Paul and Barnabas into sharp dispute and debate with them. So Paul and Barnabas were* [*appointed*](settimes.html)*, along with some other believers, to go up to* [*Jerusalem*](city.html) *to see the apostles and elders about this question...*

***II Luqas[[4]](#footnote-4) (Acts) 15:19-21*** *“Wherefore my judgment is that we trouble not them which from among the* [*Gentiles*](gen-jew.html) *turn to God: but that we enjoin on them to abstain from the pollutions of idols, and from fornication, and from* [*blood*](body.html)*: and that whatsoever they would not should be done to them ye do not to others.**For Moses from* [*generations*](toldot.html) *of old has in every* [*city*](city.html) *them that proclaim him, being read in the* [*synagogues*](synagog.html) *every* [*Sabbath*](sabbath.html)*.”*

My [teacher](teacher.html) has likened the oral [law](law.html) to the decisions rendered by secular courts. These decisions become the precedents upon which [future](future.html) judgments are rendered.

Our halachic incisors who state [*new*](new.html) halachot in response to [new](new.html) situations are not adding to the Torah any more than state legislators are adding to the [physical](physical.html) [law](law.html) when they make a [law](law.html) requiring certain safety standards concerning, for example, toxic waste dumps. The [laws](law.html) didn’t exist 100 years ago because the situation didn’t exist 100 years ago. But the fact that such [laws](law.html) would have to be made would have been [known](daat.html) 100 (and more) years ago.

## [Adam](adam.html) and Eve

The oral [law](law.html) preceeded the written [law](law.html) as we can see in the written [law](law.html). The [first](one.html) oral [law](law.html) was given to [Adam](adam.html) and Eve in the [Garden of Eden](eden.html). The oral [command](cmds613.html) was:

***Bereshit (Genesis) 2:15-17***[*HaShem*](hashem.html) *took the man and put him in the* [*Garden of Eden*](eden.html) *to work it and take care of it. And* [*HaShem*](hashem.html) *commanded the man, “You are free to* [*eat*](eating.html) *from any tree in the garden; But you must not* [*eat*](eating.html) *from the tree of the* [*knowledge*](knowledge.html) *of good and evil, for when you* [*eat*](eating.html) *of it you will surely die.”*

Not only was this an *oral* [command](cmds613.html), but it also was a *chok*, a [command](cmds613.html) without a reason, and for which we can not even deduce a reason.[[5]](#footnote-5) This [first](one.html) oral [command](cmds613.html) declared all fruit to be kosher except the fruit of the Tree of the [Knowledge](knowledge.html) of Good and Evil.

## [Avraham](avraham.html)

Consider that ALL of the [commands](cmds613.html) given By [HaShem](hashem.html) prior to [Sinai](stages.html), were all oral. This includes the [command](cmds613.html) for the [first](one.html) [Passover](passover.html), the [command](cmds613.html) to build [Noah](noachide.html)‘s [ark](ark.html), and all of the [commands](cmds613.html) kept by [Abraham](avraham.html):

***Bereshit (Genesis) 26:5*** *Because* [*Abraham*](avraham.html) *obeyed me and kept my requirements, my* [*commands*](cmds613.html)*, my decrees and my* [*laws*](law.html)*.”*

Here we have [Abraham](avraham.html) keeping all of [HaShem](hashem.html)‘s [laws](law.html), more than [four](four.html) hundred years before the written Torah was given!

## The [Temple](temple.html)

To emphasize the requirement that we must have an oral [law](law.html), I would like to give a few examples to illustrate that the Torah can not stand alone. There can be no *sola scriptura*!

The [Temple](temple.html) buildings are not described in enough detail to build [one](one.html) without the oral [law](law.html)!

In the making of the [tabernacle](mikdash.html) the size and shape of many items is not sufficiently described in [Exodus](exodus.html) to reproduce them; however [HaShem](hashem.html) told Moshe in:

***Shemot (***[***Exodus***](exodus.html) ***25:8*** *And let them make me a* [*sanctuary*](mikdash.html)*; that I may* [*dwell*](dwelling.html) *among them.*

*9 According to all that I shew thee, after the pattern of the* [*tabernacle*](mikdash.html)*, and the pattern of all the instruments thereof, even so shall ye make it.*

And again in:

***Shemot (***[***Exodus***](exodus.html)***) 25: 31*** *And thou shalt make a candlestick of pure gold: of beaten work shall the candlestick be made: his shaft, and his branches, his bowls, his knops, and his flowers, shall be of the same. 32 And* [*six*](six.html) *branches shall come out of the sides of it;* [*three*](three.html) *branches of the candlestick out of the* [*one*](one.html) *side, and* [*three*](three.html) *branches of the candlestick out of the other side: 33* [*Three*](three.html) *bowls made like unto almonds, with a knop and a* [*flower*](flower.html) *in* [*one*](one.html) *branch; and* [*three*](three.html) *bowls made like almonds in the other branch, with a knop and a* [*flower*](flower.html)*: so in the* [*six*](six.html) *branches that come out of the candlestick. 34 And in the candlestick shall be* [*four*](four.html) *bowls made like unto almonds, with their knops and their flowers. 35 And there shall be a knop under* [*two*](two.html) *branches of the same, and a knop under* [*two*](two.html) *branches of the same, and a knop under* [*two*](two.html) *branches of the same, according to the* [*six*](six.html) *branches that proceed out of the candlestick. 36 Their knops and their branches shall be of the same: all it shall be* [*one*](one.html) *beaten work of pure gold. 37 And thou shalt make the* [*seven*](seven.html) *lamps thereof: and they shall light the lamps thereof, that they may give light over against it. 38 And the tongs thereof, and the snuffdishes thereof, shall be of pure gold. 39 Of a talent of pure gold shall he make it, with all these vessels. 40 And look that thou make them after their pattern, which was shewed thee in the mount.*

There would have to be an oral description given to the workmen if they were to produce the items according to the pattern. The written description in the Torah is not sufficient for reproduction of size and shape. This oral description is said to have been handed down to the next [generation](toldot.html) by the [seventy](seventy.html) elders.

## The [Sabbath](sabbath.html)

[HaShem](hashem.html) has forbidden us to work on [Shabbat](sabbath.html):

***Shemot (***[***Exodus***](exodus.html)***) 20:9***[*Six*](six.html) *days shalt thou labour, and do all thy work:10 But the* [*seventh*](seven.html) *day is the* [*sabbath*](sabbath.html) *of* [*HaShem*](hashem.html) *thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates:11 For in* [*six*](six.html) *days* [*HaShem*](hashem.html) *made* [*heaven*](heaven.html) *and earth, the sea, and all that in them is, and rested the* [*seventh*](seven.html) *day: wherefore* [*HaShem*](hashem.html) *blessed the* [*sabbath*](sabbath.html) *day, and hallowed it.*

The problem, of course, is that the Torah does NOT define what work is. So, without an oral [law](law.html), we do not [know](daat.html) whether we can mow the lawn or tend our garden. Yet, with an oral [law](law.html), we [know](daat.html) that both are forbidden. The oral [law](law.html) defines work as:

|  |
| --- |
| **The** [**Thirty**](thirty.html)**-**[**nine**](nine.html) **Melachot (works) Forbidden on** [**Shabbat**](sabbath.html) |

1

|  |  |
| --- | --- |
| 1. Sowing  2. Plowing  3. Reaping  4. Binding sheaves  5. Threshing  6. Winnowing  7. Selecting  8. Grinding  9. Sifting  10. Kneading  11. Baking  12. Shearing wool  13. Washing wool  14. Beating wool  15. Dyeing wool  16. Spinning  17. Weaving  18. Making [two](two.html) loops  19. Weaving [two](two.html) threads  20. Separating [two](two.html) threads  21. Tying  22. Untying | 23. Sewing [two](two.html) stitches  24. Tearing  25. Trapping  26. Slaughtering  27. Flaying  28. Salting meat  29. Curing hide  30. Scraping hide  31. Cutting hide up  32. Writing [two](two.html) [letters](letters.html)  33. Erasing [two](two.html) [letters](letters.html)  34. Building  35. Tearing a building down  36. Extinguishing a [fire](fire.html)  37. Kindling a [fire](fire.html)  38. Hitting with a hammer  39. Taking an object from the private domain to the public, or transporting an object in the public domain. |

2

**Shabbath 73a** MISHNAH. THE PRIMARY LABOURS ARE [FORTY](forty.html) LESS [ONE](one.html), [VIZ.:] SOWING, PLOUGHING, REAPING, BINDING SHEAVES, THRESHING, WINNOWING, SELECTING, GRINDING, SIFTING, KNEADING, BAKING, SHEARING WOOL, BLEACHING, HACKLING, DYEING, SPINNING, STRETCHING THE THREADS, THE MAKING OF [TWO](two.html) MESHES, WEAVING [TWO](two.html) THREADS, DIVIDING [TWO](two.html) THREADS, TYING [KNOTTING] AND UNTYING, SEWING [TWO](two.html) STITCHES, TEARING IN ORDER TO SEW [TWO](two.html) STITCHES, CAPTURING A DEER, SLAUGHTERING, OR FLAYING, OR SALTING IT, CURING ITS HIDE, SCRAPING IT [OF ITS [HAIR](hair.html)], CUTTING IT UP, WRITING [TWO](two.html) [LETTERS](letters.html), ERASING IN ORDER TO WRITE [TWO](two.html) [LETTERS](letters.html) [OVER THE ERASURE], BUILDING, PULLING DOWN, EXTINGUISHING, KINDLING, STRIKING WITH A HAMMER, [AND] CARRYING OUT FROM [ONE](one.html) DOMAIN TO ANOTHER: THESE ARE THE [FORTY](forty.html) PRIMARY LABOURS LESS [ONE](one.html).

Thus we see that it is impossible to fulfill the requirements of the Torah without the oral [law](law.html).

In the Prophets we see that [HaShem](hashem.html) acknowledges the oral [law](law.html) and explicitly restates it as a [command](cmds613.html):

***Yirmeyahu (Jeremiah) 17:21*** *Thus saith* [*HaShem*](hashem.html)*; Take heed to yourselves, and bear no burden on the* [*sabbath*](sabbath.html) *day, nor bring it in by the gates of* [*Jerusalem*](city.html)*; 22 Neither carry forth a burden out of your houses on the* [*sabbath*](sabbath.html) *day, neither do ye any work, but hallow ye the* [*sabbath*](sabbath.html) *day, as I commanded your* [*fathers*](fathers.html)*.*

To understand this pasuk, please recall that Yirmeyahu was written about 800 years AFTER the Torah was given on Mt. [Sinai](stages.html). This means that [HaShem](hashem.html) could have included this [command](cmds613.html) in the written Torah. The question is, why did He give it orally? The answer is found in the understanding that EVERY [one](one.html) of the Torah’s 613 [commands](cmds613.html) require the oral [law](law.html) to [teach](teacher.html) us HOW to obey the written [command](cmds613.html). Thus the Torah tells us not to work on [Shabbat](sabbath.html) and the oral [law](law.html) comes to tell us HOW not to work.

The Torah never [commands](cmds613.html) us not to buy or sell on the [Sabbath](sabbath.html), however, it was obviously a prohibition in:

***Ezra-Nechemiah (Nehemiah) 13:15-22*** *In those days I saw men in Judah treading winepresses on the* [*Sabbath*](sabbath.html) *and bringing in grain and loading it on donkeys, together with wine, grapes,* [*figs*](bethphag.html) *and all other kinds of loads. And they were bringing all this into* [*Jerusalem*](city.html) *on the* [*Sabbath*](sabbath.html)*. Therefore I warned them against selling* [*food*](food.html) *on that day. Men from Tyre who lived in* [*Jerusalem*](city.html) *were bringing in fish and all kinds of merchandise and selling them in* [*Jerusalem*](city.html) *on the* [*Sabbath*](sabbath.html) *to the people of Judah. I rebuked the nobles of Judah and said to them, “What is this* [*wicked*](wicked.html) *thing you are doing--desecrating the* [*Sabbath*](sabbath.html) *day? Didn’t your forefathers do the same things, so that our* [*HaShem*](hashem.html) *brought all this calamity upon us and upon this* [*city*](city.html)*? Now you are stirring up more wrath against Israel by desecrating the* [*Sabbath*](sabbath.html)*.” When evening shadows fell on the gates of* [*Jerusalem*](city.html) *before the* [*Sabbath*](sabbath.html)*, I ordered the doors to be shut and not opened until the* [*Sabbath*](sabbath.html) *was over. I stationed some of my own men at the gates so that no load could be brought in on the* [*Sabbath*](sabbath.html) *day. Once or twice the merchants and sellers of all kinds of goods spent the night outside* [*Jerusalem*](city.html)*. But I warned them and said, “Why do you spend the night by the wall? If you do this again, I will lay* [*hands*](fourteen.html) *on you.” From that* [*time*](time.html) *on they no longer came on the* [*Sabbath*](sabbath.html)*. Then I commanded the Levites to* [*purify*](purity.html) *themselves and go and guard the gates in order to keep the* [*Sabbath*](sabbath.html) *day holy. Remember me for this also, O my G-d, and show mercy to me according to your great love.*

In this next passage we see some women preparing spices and resting on the [Sabbath](sabbath.html). The Torah does not forbid us to prepare a [body](body.html) for burial on the [Sabbath](sabbath.html); so, why do these women rest?

***Luqas (***[***Luke***](luke.html)***) 23:56 - 24:1*** *Then they went home and prepared spices and perfumes. But they rested on the* [*Sabbath*](sabbath.html) *in obedience to the* [*commandment*](cmds613.html)*. On the* [*first*](one.html) *day of the week, very early in the morning, the women took the spices they had prepared and went to the tomb.*

***Baba Bathra 100b*** *An objection was raised: [It has been stated that] they said unto him, ‘If so, such [procedure] should be permitted on the* [*Sabbath*](sabbath.html) *also’. Now, if it is said [that the ceremonial is to take place] in the graveyard and on the* [*first*](one.html) *day [only], [for] what [purpose] is the graveyard required on the* [*Sabbath*](sabbath.html)*? — In [the case of] a town which is near a graveyard [and the dead] was brought [to burial] at twilight.*

***Shabbath 73a*** *MISHNAH. THE PRIMARY LABOURS ARE* [*FORTY*](forty.html) *LESS* [*ONE*](one.html)*, [VIZ.:] SOWING, PLOUGHING, REAPING, BINDING SHEAVES, THRESHING, WINNOWING, SELECTING, GRINDING, SIFTING, KNEADING, BAKING, SHEARING WOOL, BLEACHING, HACKLING, DYEING, SPINNING, STRETCHING THE THREADS, THE MAKING OF* [*TWO*](two.html) *MESHES, WEAVING* [*TWO*](two.html) *THREADS, DIVIDING* [*TWO*](two.html) *THREADS,TYING [KNOTTING] AND UNTYING, SEWING* [*TWO*](two.html) *STITCHES, TEARING IN ORDER TO SEW* [*TWO*](two.html) *STITCHES, CAPTURING A DEER, SLAUGHTERING, OR FLAYING, OR SALTING IT, CURING ITS HIDE, SCRAPING IT [OF ITS* [*HAIR*](hair.html)*], CUTTING IT UP, WRITING* [*TWO*](two.html)[*LETTERS*](letters.html)*, ERASING IN ORDER TO WRITE* [*TWO*](two.html)[*LETTERS*](letters.html) *[OVER THE ERASURE], BUILDING, PULLING DOWN, EXTINGUISHING, KINDLING, STRIKING WITH A HAMMER, [AND] CARRYING OUT FROM* [*ONE*](one.html) *DOMAIN TO ANOTHER: THESE ARE THE* [*FORTY*](forty.html) *PRIMARY LABOURS LESS* [*ONE*](one.html)*.*

So, the women observed the oral [law](law.html) and rested on the [Sabbath](sabbath.html) rather than preparing [Yeshua](yeshua.html)‘s [body](body.html). Notice that they rested “in obedience to the [commandment](cmds613.html)“.

## A [Sabbath](sabbath.html) Day’s [Journey](stages.html)

A [Sabbath](sabbath.html) day’s [journey](stages.html) is not found in the Tanach, yet it is clearly part of the oral [law](law.html):

***II Luqas (Acts) 1:4-12*** *On* [*one*](one.html) *occasion, while he was* [*eating*](eating.html) *with them, he gave them this* [*command*](cmds613.html)*: “Do not leave* [*Jerusalem*](city.html)*, but wait for the gift my Father promised, which you have heard me* [*speak*](mashal.html) *about. For Yochanan (John) baptized with water, but in a few days you will be baptized with the Holy Spirit.” So when they met together, they asked him, “Lord, are you at this* [*time*](time.html) *going to restore the kingdom to Israel?” He said to them: “It is not for you to* [*know*](daat.html) *the times or dates the Father has set by his own* [*authority*](authority.html)*. But you will receive power when the Holy Spirit comes on you; and you will be my witnesses in* [*Jerusalem*](city.html)*, and in all Judea and Samaria, and to the ends of the earth.” After he said this, he was taken up before their very* [*eyes*](body.html)*, and a* [*cloud*](important.html) *hid him from their sight. They were looking intently up into the sky as he was going, when suddenly* [*two*](two.html) *men dressed in white stood beside them. “Men of Galilee,” they said, “why do you stand here looking into the sky? This same* [*Yeshua*](yeshua.html)*, who has been taken from you into* [*heaven*](heaven.html)*, will come back in the same way you have seen him go into* [*heaven*](heaven.html)*.” Then they returned to* [*Jerusalem*](city.html) *from the hill called the* [*Mount of Olives*](east.html)*, a* [*Sabbath*](sabbath.html) *day’s* [*walk*](walking.html) *from the* [*city*](city.html)*.*

***Eiruvin 42a*** *R. Nahman stated in the* [*name*](name.html) *of Shmuel: If a man was* [*walking*](walking.html) *and did not* [*know*](daat.html) *where the* [*Sabbath*](sabbath.html) *limit ended he may* [*walk*](walking.html) *a distance of* [*two*](two.html) *thousand moderate paces; and this constitutes for him the* [*Sabbath*](sabbath.html) *limit.*

## Morrow after the [Shabbat](sabbath.html)

The Torah tells us something to do without giving us a definitive [time](time.html) to do it:

***Vayikra (Leviticus) 23:9-16***[*HaShem*](hashem.html) *said to Moshe, “*[*Speak*](mashal.html) *to the Israelites and say to them: ‘When you enter the land I am going to give you and you reap its harvest, bring to the* [*priest*](priests.html) *a sheaf of the* [*first*](one.html) *grain you harvest. He is to wave the sheaf before* [*HaShem*](hashem.html) *so it will be accepted on your behalf; the* [*priest*](priests.html) *is to wave it on the day after the* [*Sabbath*](sabbath.html)*. On the day you wave the sheaf, you must* [*sacrifice*](korbanot.html) *as a* [*burnt offering*](korbanot) *to* [*HaShem*](hashem.html) *a lamb a year old without defect, Together with its grain* [*offering*](korbanot) *of* [*two*](two.html)*-tenths of an ephah of fine flour mixed with oil--an* [*offering*](korbanot) *made to* [*HaShem*](hashem.html) *by* [*fire*](fire.html)*, a pleasing aroma--and its drink* [*offering*](korbanot) *of a quarter of a hin of wine. You must not* [*eat*](eating.html) *any bread, or roasted or* [*new*](new.html) *grain, until the very day you bring this* [*offering*](korbanot) *to your* [*HaShem*](hashem.html)*. This is to be a lasting ordinance for the* [*generations*](toldot.html) *to come, wherever you live. “‘From the day after the* [*Sabbath*](sabbath.html)*, the day you brought the sheaf of the wave* [*offering*](korbanot)*, count off* [*seven*](seven.html) *full weeks. Count off fifty days up to the day after the* [*seventh*](seven.html)[*Sabbath*](sabbath.html)*, and then present an* [*offering*](korbanot) *of* [*new*](new.html) *grain to* [*HaShem*](hashem.html)*.*

Notice that we are to wave this grain, but it does not tell us what grain. Nowhere in Torah are we ever told what grain to wave. Further, the Torah does not tell us which [Sabbath](sabbath.html) is the beginning of our count! This has led to the classic argument of the Pharisees and the Sadducees over the meaning of this enigmatic [command](cmds613.html). The Sadducees say that it means that we begin on Sunday during [Passover](passover.html) week. The Pharisees tell us to start on the day after [Passover](passover.html), a high [Sabbath](sabbath.html). Many Christians follow the Sadducees, but nearly all [Jews](gen-jew.html) follow the Pharisees. At any rate, both positions have to have some reason for what they do. The Pharisaic position relies on the oral [law](law.html).

## [Circumcision](circumcz.html) vs. [Shabbat](sabbath.html)

Does the [command](cmds613.html) to keep the [Sabbath](sabbath.html) take precedence over the [command](cmds613.html) to [circumcise](circumcz.html) a boy on the [eighth](eight.html) day? The ruling[[6]](#footnote-6) on [Circumcision](circumcz.html) vs. [Sabbath](sabbath.html) conflict is found in the Talmud and in:

***Yochanan (John) 7:21-23***[*Yeshua*](yeshua.html) *said to them, “I did* [*one*](one.html) *miracle, and you are all astonished. Yet, because Moshe gave you* [*circumcision*](circumcz.html) *(though actually it did not come from Moshe, but from the patriarchs), you* [*circumcise*](circumcz.html) *a child on the* [*Sabbath*](sabbath.html)*. Now if a child can be* [*circumcised*](circumcz.html) *on the* [*Sabbath*](sabbath.html) *so that the* [*law*](law.html) *of Moshe may not be broken, why are you angry with me for healing the whole man on the* [*Sabbath*](sabbath.html)*?*

## Fasting

The Oral [law](law.html) says**:**

There are [four](four.html) fast days: [Tammuz](tamuz17.html) 17, [Av](feasts.html) 9, [Tishri](feasts.html) 3, and [Tevet 10](tevet10.html). The entire Talmud tractate of Taanit contains the details of these fasts. The Tanach records these fasts as though they were contained in the written Torah:

***Zechariah 7:2-5*** *The people of Bethel had sent Sharezer and Regem-Melech, together with their men, to entreat* [*HaShem*](hashem.html) *By asking the* [*priests*](priests.html) *of the* [*house of G-d*](housegod.html) *Almighty and the prophets, “Should I* [*mourn*](mourning.html) *and fast in the* [*fifth*](five.html) *month, as I have done for so many years?” Then the word of* [*HaShem*](hashem.html) *Almighty came to me: “Ask all the people of the land and the* [*priests*](priests.html)*, ‘When you fasted and mourned in the* [*fifth*](five.html) *and* [*seventh*](seven.html) *months for the past* [*seventy*](seventy.html) *years, was it really for me that you fasted?*

None of these [four](four.html) fasts is mentioned anywhere in the Tanach, except here. Yet no [one](one.html) disputes that they are required to fast on these [four](four.html) days, because they understand the validity of the oral [law](law.html).

The only fast in the Torah concerned Yom [HaKippurim](kippur.html) in the [seventh](seven.html) month. Note how [HaShem](hashem.html) will change the meaning of this oral [law](law.html):

***Zechariah 8:19*** *This is what* [*HaShem*](hashem.html) *Almighty says: “The fasts of the* [*fourth*](four.html)*,* [*fifth*](five.html)*,* [*seventh*](seven.html) *and tenth months will become joyful and glad occasions and happy* [*festivals*](festivals.html) *for Judah. Therefore love truth and peace.”*

Thus we see that the oral [law](law.html) is accepted by the [Jewish](gen-jew.html) people and that these fasts are assumed to be true by the prophet Zechariah.

Now lets look at our most solemn fast of the year. We see this fast in the Nazarean Codicil:

***II Luqas (Acts) 27:5-10*** *When we had sailed across the open sea off the coast of Cilicia and Pamphylia, we landed at Myra in Lycia. There the centurion found an Alexandrian ship sailing for Italy and put us on board. We made slow headway for many days and had difficulty arriving off Cnidus. When the wind did not allow us to hold our course, we sailed to the lee of Crete, opposite Salmone. We moved along the coast with difficulty and came to a place called Fair Havens, near the town of Lasea. Much* [*time*](time.html) *had been lost, and sailing had already become dangerous because by now it was after the Fast. So Paul warned them, “Men, I can see that our voyage is going to be disastrous and bring great loss to ship and cargo, and to our own lives also.”*

The Torah never [commands](cmds613.html) a fast. How then do we [know](daat.html) that there is a day of fasting which is so great as to be [known](daat.html) as “the fast”? The Torah says:

***Vayikra (Leviticus) 16:29*** *“This is to be a lasting ordinance for you: On the tenth day of the* [*seventh*](seven.html) *month you must deny yourselves and not do any work--whether native-born or an* [*alien*](aliens.html) *living among you--*

***Vayikra (Leviticus) 23:27*** *“The tenth day of this* [*seventh*](seven.html) *month is the Day of* [*Atonement*](kippur.html)*. Hold a* [*sacred assembly*](rehearse.html) *and deny yourselves, and present an* [*offering*](korbanot) *made to* [*HaShem*](hashem.html) *by* [*fire*](fire.html)*.*

***Bamidbar (***[***Numbers***](nchart.html)***) 29:7*** *“‘On the tenth day of this* [*seventh*](seven.html) *month hold a* [*sacred assembly*](rehearse.html)*. You must deny yourselves and do no work.*

The Mishna says:

Yoma Chapter 8, Mishna 1: On the Day of [Atonement](kippur.html) [eating](eating.html), drinking, washing, anointing, putting on sandals, and sexual [intercourse](marriageact.html) are forbidden...

It is the Torah Shebaal Peh, the Oral Torah that supplies the details. These are but a few examples of why, without the Oral [Law](law.html), the Written Torah has no meaning.

Moshe spent those [forty](forty.html) days and nights receiving the Oral [Law](law.html), in its entirety, with all the details and nuances, so that in [future](future.html) [generations](toldot.html), should there be an outstanding scholar who might extrapolate and infer from what he has received by the Mesorah, (the transmission of the Torah),.....that, too, was what Moshe learned on [Sinai](stages.html) from [HaShem](hashem.html).

## Do it [HaShem](hashem.html)‘s way!

The Torah [commands](cmds613.html) the [Jewish](gen-jew.html) people to perform a [number](nchart.html) of different [commandments](cmds613.html), the violation of which could lead to severe punishment, including a death penalty. Yet, even with the severity of [laws](law.html) such as the refraining from work on the [Sabbath](sabbath.html), no details are given as to the practical applications of correct compliance. This can be problematic. If the [law](law.html) does not stipulate what is permitted and what is forbidden, how can it possibly be observed? Already in the days of Moshe it is recorded [Bamidbar ([Numbers](nchart.html)).15:32-36] that a man, who went out to pick up sticks on the [Sabbath](sabbath.html), was punished by stoning. This is quite a sentence. Where do we read in the Torah that the ‘work’ that this man did was forbidden? We don’t find it. The Torah doesn’t say it. Nonetheless, when he performed his forbidden deed it was recognized by everyone as a violation of the [Sabbath](sabbath.html). He was imprisoned awaiting response to an inquiry to [HaShem](hashem.html) as to what should be this man’s punishment. The penalty came back and it was most severe. This man DIED for disobeying the oral [law](law.html), and the death penalty was explicitly handed down by [HaShem](hashem.html)!

## After The Manner

In the Torah there are times that the word “manner” means “kind” or “like,” as “no manner of [blood](body.html)“ “any manner of beast” etc. There are other times when this word means “according to the prescribed custom.” Lets look at this in the Torah:

***Shemot (***[***Exodus***](exodus.html)***) 21:7*** *And if a man sell his daughter to be a maidservant, she shall not go out as the menservants do. 8 If she please not her master, who hath betrothed her to himself, then shall he let her be* [*redeemed*](redemption.html)*: to sell her unto a strange* [*nation*](nations.html) *he shall have no power, seeing he hath dealt deceitfully with her. 9 And if he have betrothed her unto his son, he shall deal with her after the manner of daughters. 10 If he take him another wife; her* [*food*](food.html)*, her raiment, and her duty of* [*marriage*](mashal.html)*, shall he not diminish.*

What is the “manner of daughters”?

And in:

***Vayikra (Leviticus) 5:7*** *And if he be not able to bring a lamb, then he shall bring for his trespass, which he hath committed,* [*two*](two.html) *turtledoves, or* [*two*](two.html) *young pigeons, unto* [*HaShem*](hashem.html)*;* [*one*](one.html) *for a* [*sin*](sin.html)[*offering*](korbanot)*, and the other for a* [*burnt offering*](korbanot)*.8 And he shall bring them unto the* [*priest*](priests.html)*, who shall offer that which is for the* [*sin*](sin.html)[*offering*](korbanot)[*first*](one.html)*, and wring off his* [*head*](body.html) *from his* [*neck*](body.html)*, but shall not divide it asunder: 9 And he shall sprinkle of the* [*blood*](body.html) *of the* [*sin*](sin.html)[*offering*](korbanot) *upon the side of the altar; and the rest of the* [*blood*](body.html) *shall be wrung out at the bottom of the altar: it is a* [*sin*](sin.html)[*offering*](korbanot)*. 10 And he shall offer the second for a* [*burnt offering*](korbanot)*, according to the manner: and the* [*priest*](priests.html) *shall make an* [*atonement*](atonemen.html) *for him for his* [*sin*](sin.html) *which he hath sinned, and it shall be forgiven him.*

And in:

***Vayikra (Leviticus) 9:8*** *Aaron therefore went unto the altar, and slew the calf of the* [*sin*](sin.html)[*offering*](korbanot)*, which was for himself. 9 And the sons of Aaron brought the* [*blood*](body.html) *unto him: and he dipped his finger in the* [*blood*](body.html)*, and put it upon the horns of the altar, and poured out the* [*blood*](body.html) *at the bottom of the altar: 10 But the fat, and the* [*kidneys*](body.html)*, and the caul above the* [*liver*](body.html) *of the* [*sin*](sin.html)[*offering*](korbanot)*, he burnt upon the altar; as* [*HaShem*](hashem.html) *commanded Moshe. 11 And the flesh and the hide he burnt with* [*fire*](fire.html) *without the* [*camp*](stages.html)*. 12 And he slew the* [*burnt offering*](korbanot)*; and Aaron’s sons presented unto him the* [*blood*](body.html)*, which he sprinkled round about upon the altar. 13 And they presented the* [*burnt offering*](korbanot) *unto him, with the pieces thereof, and the* [*head*](body.html)*: and he burnt them upon the altar. 14 And he did wash the inwards and the* [*legs*](body.html)*, and burnt them upon the* [*burnt offering*](korbanot) *on the altar. 15 And he brought the people’s* [*offering*](korbanot)*, and took the goat, which was the* [*sin*](sin.html)[*offering*](korbanot) *for the people, and slew it, and offered it for* [*sin*](sin.html)*, as the* [*first*](one.html)*. 16 And he brought the* [*burnt offering*](korbanot)*, and offered it according to the manner. 17 And he brought the meat* [*offering*](korbanot)*, and took an handful thereof, and burnt it upon the altar, beside the burnt* [*sacrifice*](korbanot.html) *of the morning.*

In just what manner was the [burnt offering](korbanot) offered? Only the oral [law](law.html) contains the correct answer. And again we see same wording in:

***Bamidbar (***[***Numbers***](nchart.html)***) 9:14*** *And if a stranger shall sojourn among you, and will keep the* [*passover*](passover.html) *unto* [*HaShem*](hashem.html)*; according to the ordinance of the* [*passover*](passover.html)*, and according to the manner thereof, so shall he do: ye shall have* [*one*](one.html) *ordinance, both for the stranger, and for him that was born in the land.*

I have already explained that we have a record of the ordinance but not of the “manner.” This clearly marks the presence of an oral [law](law.html) which was clearly understood by Moshe and the [priests](priests.html) in the [Temple](temple.html).

The [sin](sin.html) of ignorance has its manner:

***Bamidbar (***[***Numbers***](nchart.html)***) 15:22*** *And if ye have erred, and not observed all these* [*commandments*](cmds613.html)*, which* [*HaShem*](hashem.html) *hath spoken unto Moshe, 23 Even all that* [*HaShem*](hashem.html) *hath commanded you by the* [*hand*](fourteen.html) *of Moshe, from the day that* [*HaShem*](hashem.html) *commanded Moshe, and henceforward among your* [*generations*](toldot.html)*; 24 Then it shall be, if ought be committed by ignorance without the* [*knowledge*](knowledge.html) *of the congregation, that all the congregation shall offer* [*one*](one.html) *young bullock for a* [*burnt offering*](korbanot)*, for a sweet savour unto* [*HaShem*](hashem.html)*, with his meat* [*offering*](korbanot)*, and his drink* [*offering*](korbanot)*, according to the manner, and* [*one*](one.html) *kid of the goats for a* [*sin*](sin.html)[*offering*](korbanot)*.*

The [offering](korbanot) for the [sin](sin.html) of ignorance has its own manner for the “*drink* [*offering*](korbanot)*, according to the manner*.” And in Num. 29 there is a different manner for a great many different kinds of offerings. What was the manner or prescribed form for the [offering](korbanot) of these sacrifices? Some “manners” of course are given but not all. All of these offerings and their manner was given to Moshe and from Moshe they were given to the [priests](priests.html). Without such an authoritative transmission, we would be left in a lurch. In fact, even this transmission is detailed in the oral [law](law.html):

**Avot Chapter 1 MISHNAH 1.** MOSES RECEIVED THE TORAH AT [SINAI](stages.html) AND TRANSMITTED IT TO JOSHUA, JOSHUA TO THE ELDERS, AND THE ELDERS TO THE PROPHETS, AND THE PROPHETS TO THE MEN OF THE GREAT [SYNAGOGUE](synagog.html).

There is an interchange of terms in the Mishna. It speaks of Moshe “receiving” and then “transmitting” to Yahoshua (Joshua), to the elders, the prophets, etc. Why the change in format? It could have stated either that each [one](one.html) “received” or each [generation](toldot.html) *transmitted*.

1. The message here is that the Torah that Moshe received from [HaShem](hashem.html), by its very nature of having been given by [HaShem](hashem.html), is infinite in quantity and depth. No human can fathom its intensity. Notwithstanding what [HaShem](hashem.html) was prepared to transmit to Moshe, Moshe could only receive what he, as a human, was capable of receiving. Having received the Torah from [HaShem](hashem.html), Moshe could then transmit it to the next [generation](toldot.html), ad infinitum.

The Torah recognizes the finiteness of man and suggests that the “understanding” of Torah is something that each individual will attain in different measure according to his capacity. The *fulfillment* of the [mitzvot](cmds613.html) of the Torah, however, are independent of a complete understanding of their infinite nature and value. Can a finite mind comprehend the infinite wisdom?

2. The term *kibayl*, *received* suggests something which he earned. Indeed, this is hinted at by the use of this word. There is a famous Midrash which describes Moshe’s ascent onto Mt [Sinai](stages.html), and engaging in a debate with the [angels](angels.html) about [HaShem](hashem.html)‘s granting the Torah to Israel. The [angels](angels.html) argued before [HaShem](hashem.html): Who is Man that you find him worthy to receive such a Divine document? How can You give such a Go-dly document to flesh and [blood](body.html)?

Moshe parried their argument: Do you have need of a Torah? You are [angels](angels.html); by definition, you have no [desires](needs.html), no lusts no avarices. What would you do with the [commands](cmds613.html) ‘Do not steal’, ‘Do not murder’, ‘Do not commit adultery’? YOU don’t need Torah! The function of Torah is to [purify](purity.html) man and to elevate him out of the flesh and [blood](body.html) mentality. The function of Torah is to show man that his soul is a part of [HaShem](hashem.html), and to strive for communion with [HaShem](hashem.html), by living in an ethical and G-d fearing way.

Moshe won! He “received” the Torah.

## The [Calendar](calendar.html)

Did Chazal[[7]](#footnote-7) have supernatural knowledge of the natural world? Do their statements prove Torah MiSinai? One "proof" to this effect is regarding the length of the lunar month.

The argument goes as follows: In the Gemara, Rabban Gamliel says that the average length of the lunar month is 29.530594 days.

NASA, with years of research using satellites, telescopes, laser beams and supercomputers, calculated the mean length of the lunar month as 29.530588 days. The difference between this figure and that used by the Sages is only 0.000006!

How could Chazal have calculated it to such accuracy? They must have had supernatural sources of knowledge.

This is amazing!

Our Sages knew the exact length of a lunar month from the oral law.

***Rosh HaShanah 25a*** *Our Rabbis taught: Once the heavens were covered with clouds and the likeness of the moon was seen on the twenty-ninth of the month. The public were minded to declare New Moon, and the Beth din wanted to sanctify it, but Rabban Gamaliel said to them: I have it on the authority of the house of my father's father that the renewal of the moon takes place after not less than twenty-nine days and a half and two-thirds of an hour and seventy-three halakin.[[8]](#footnote-8) On that day the mother of Ben Zaza died, and Rabban Gamaliel made a great funeral oration over her, not because she had merited it, but so that the public should know that the Beth din had not sanctified the month.[[9]](#footnote-9)*

\* \* \*

The [two](two.html) verse-fragments “This month shall be for you the [first](one.html) of all the months” and “Observe the month of Spring” (Devarim 16:1), determine all the [laws](law.html) of the [festivals](festivals.html), including the paschal lamb, and the Day of [Atonement](kippur.html). In his commentary on the former verse, Ibn Ezra ponders this. “The Torah did not explain how from here the years and months are set, and if [Nissan] does not fall in Spring, then what are we to do? This is very obscure; how the Torah explained in detail all the afflictions of the *metzora’*, which pertain to a single individual and only in specific periods, while bypassing the matter of the [festivals](festivals.html), which all Israel must keep, and whereby the punishment for [eating](eating.html) [leavened](chametz.html) [food](food.html) on [Passover](passover.html) and [eating](eating.html) on [Yom Kippur](kippur.html) is most severe (‘cutting off’)”.

All the specifications concerning the sanctification of the [new](new.html) month are preserved in the oral [law](law.html). On these [two](two.html) verse-fragments, Rambam wrote 19 chapters in the [Laws](law.html) of Sanctifying the [New](new.html) [Moon](chodesh.html), all via the Oral [Law](law.html). The Mishna says**:**

[***Rosh Hashana***](teruah.html)***h chapter 1, Mishna 1****: There are* [*four*](four.html)[*new*](teruah.html) *years. On the* [*first*](one.html) *of* [*Nisan*](feasts.html) *is the* [*New*](teruah.html) *Year for Kings and for* [*Festivals*](festivals.html)*; on the* [*first*](one.html) *of* [*Elul*](elul.html) *is the* [*New*](teruah.html) *Year for the tithe of animals - R.Eliezer and R.Simon say, on the* [*first*](one.html) *of* [*Tishri*](feasts.html) *- on the* [*first*](one.html) *of* [*Tishri*](feasts.html) *is the* [*New*](teruah.html) *Year for the years, for* [*Sabbatical*](shmita.html) *Years, for* [*Jubilee*](yovel.html) *Years, for planting and for vegetables; and on the* [*first*](one.html) *of* [*Shevat*](feasts.html) *is the* [*New*](teruah.html) *Year for Trees, according to the view of the School of Shammai, but the School of Hillel say, On the* [*fifteenth*](fifteen.html) *thereof.*

The Torah says: *‘This* (zeh) month ([Nisan](feasts.html)) is the [head](body.html) of all the months’.

When [HaShem](hashem.html) uses the term ‘zeh’, “this”, which is a demonstrative word, what does he refer to? How did Moshe [know](daat.html) the basis for the calculation of the month? What determined it? It is nowhere written in the Torah. It is written in the oral Torah:

[***Rosh HaShana***](teruah.html) ***20a*** *Is all this correct, seeing that Rabbah b. Shmuel has learnt: I might think that just as the year is prolonged in case of emergency, so the month may be prolonged to meet an emergency; therefore it says, This month is for you the* [*head*](body.html) *of months, [which implies], See [the* [*moon*](chodesh.html)*] like this and then sanctify! Raba replied: There is no contradiction: in the once case we* [*speak*](mashal.html) *of prolonging the month, in the other of sanctifying it, and what [the above* [*teaching*](teacher.html)*] meant is this: I might say that just as the year is prolonged to meet an emergency, so the month may be sanctified to meet an emergency, therefore it says, ‘This month is for you’; See [the* [*moon*](chodesh.html)*] like this, and then sanctify. This is illustrated by the dictum of R. Joshua b. Levi: ‘Witnesses can be intimidated [to withhold the report of] the* [*new*](new.html)[*moon*](chodesh.html) *which has appeared in its due* [*time*](time.html) *in order that the month may be prolonged, but they may not be intimidated into reporting the* [*new*](new.html)[*moon*](chodesh.html) *which has not appeared in its proper* [*time*](time.html) *in order that a* [*New*](new.html)[*Moon*](chodesh.html) *may be sanctified [on the* [*thirtieth*](thirty.html)*]’. Is this so? Did not R. Judah the Prince send to R. Ammi a message saying:* [*Know*](daat.html) *that when R. Johanan was alive he used to* [*teach*](teacher.html) *us that witnesses may be intimidated into reporting [on the* [*thirtieth*](thirty.html) *day] the* [*new*](new.html)[*moon*](chodesh.html) *which has not appeared in its due* [*time*](time.html)*, in order that the* [*New*](new.html)[*Moon*](chodesh.html) *may be sanctified, and even though they have not seen it they may say, We have seen it? — Abaye said: There is no contradiction: the* [*one*](one.html) *rule holds good for* [*Nisan*](feasts.html) *and* [*Tishri*](feasts.html)*, the other for the other months of the year. Raba said: This* [*teaching*](teacher.html) *which Rabbah b. Samuel learnt follows the ‘Others’, as it has been* [*taught*](teacher.html)*: ‘Others say that between* [*one*](one.html)[*Pentecost*](shavuot.html) *and another and between* [*one*](one.html)[*New*](teruah.html) *Year and ‘another there are always* [*four*](four.html) *days [of the week] difference, or, if it was a leap year,* [*five*](five.html)*‘. R. Dimi from Nehardea reports the* [*teaching*](teacher.html) *in the reverse form: ‘Witnesses can be intimidated to report [on the* [*thirtieth*](thirty.html) *day] the appearance of the* [*moon*](chodesh.html) *which has not appeared in its proper* [*time*](time.html)*, in order that the month may be sanctified, but they may not be intimidated to withhold the report of the* [*new*](new.html)[*moon*](chodesh.html) *which has been seen at its proper* [*time*](time.html) *in order that the month may be prolonged. What is the reason?*

[HaShem](hashem.html) commanded Moshe to:

***Shemot (***[***Exodus***](exodus.html)***) 12:1***[*HaShem*](hashem.html) *said to Moshe and Aaron in Egypt, “This month is to be for you the* [*first*](one.html) *month, the* [*first*](one.html) *month of your year.*

***Devarim (Deuteronomy) 16:1*** *Observe the month of* [*Abib*](feasts.html)*, and keep the* [*passover*](passover.html) *unto* [*HaShem*](hashem.html) *thy God: for in the month of* [*Abib*](feasts.html)[*HaShem*](hashem.html) *thy God brought thee forth* [*out of Egypt*](thebirth.html) *by night.*

However, we later see that that another [time](time.html) is also called “[Rosh Hashana](teruah.html)h”:

***Yechezkel (Ezekiel) 40:1*** *In the* [*twenty*](twenty.html)*-*[*fifth*](five.html) *year of our* [*exile*](galuyot.html)*, at the beginning of the year, on the tenth of the month, in the* [*fourteenth*](fourteen.html) *year after the fall of the* [*city*](city.html)*--on that very day the* [*hand*](fourteen.html) *of* [*HaShem*](hashem.html) *was upon me and he took me there.*

This verse is referring to Yom [HaKippurim](kippur.html) which is the tenth day of the [seventh](seven.html) month. In Shemot ([Exodus](exodus.html)) 12, [HaShem](hashem.html) says that the [first](one.html) month is the beginning of the year. The Mishna then clears up the confusion by indicating that there are [four](four.html) [new](teruah.html) years. (In the [Jubilee](yovel.html) year the slaves stopped work on the [first](one.html) day of the [seventh](seven.html) month and spent the [ten](ten.html) days packing, while the owners spent [ten](ten.html) days getting together the wealth for the slaves.)

Having multiple [new](teruah.html) years is something that we are all familiar with. We have a [new](teruah.html) year for school, in September; a [new](teruah.html) year for counting years, in January; and a [new](teruah.html) year for fiscal matters set whenever we want it to be.

The Torah never forbids us to buy and sell on the [New](new.html) [Moon](chodesh.html), yet it is obviously a [sin](sin.html), as we can see in:

***Amos 8:3-7*** *“In that day,” declares the Sovereign* [*HaShem*](hashem.html)*, “the songs in the* [*temple*](temple.html) *will turn to wailing. Many, many* [*bodies*](body.html)*--flung everywhere! Silence!” Hear this, you who trample the needy and do away with the poor of the land, Saying, “When will the* [*New*](new.html)[*Moon*](chodesh.html) *be over that we may sell grain, and the* [*Sabbath*](sabbath.html) *be ended that we may market wheat?”--skimping the measure, boosting the price and cheating with dishonest scales, Buying the poor with silver and the needy for a pair of sandals, selling even the sweepings with the wheat.* [*HaShem*](hashem.html) *has sworn by the Pride of* [*Jacob*](israelja.html)*: “I will never forget anything they have done.*

## [Marriage](mashal.html) and Divorce

The Torah has clear [laws](law.html) to define divorce:

***Devarim (Deuteronomy) 24:1-4*** *If a man marries a woman who becomes displeasing to him because he finds something indecent about her, and he writes her a certificate of divorce, gives it to her and sends her from his house, And if after she leaves his house she becomes the wife of another man, And her second husband dislikes her and writes her a certificate of divorce, gives it to her and sends her from his house, or if he dies, Then her* [*first*](one.html) *husband, who divorced her, is not allowed to marry her again after she has been defiled. That would be detestable in the* [*eyes*](body.html) *of* [*HaShem*](hashem.html)*. Do not bring* [*sin*](sin.html) *upon the land* [*HaShem*](hashem.html) *your G-d is giving you as an* [*inheritance*](inherit.html)*.*

There are no rules, however, to define [marriage](mashal.html) which is a prerequisite to divorce. The Mishna gives us some [insights](insights.html) into [marriage](mashal.html)**:**

***Taanit 4, Mishna 8****: Rabban Simon ben Gamaliel said, There were no happier days for Israel than the* [*fifteenth*](fifteen.html) *of* [*Av*](feasts.html) *and the Day of* [*Atonement*](kippur.html)*, for on them the daughters of* [*Jerusalem*](city.html) *used to go out dressed in white garments which were borrowed in order not to shame the* [*one*](one.html) *who had none. All the garments required immersion. And the daughters of* [*Jerusalem*](city.html) *used to go forth to dance in the vineyards. And what did they say? ‘Young man, lift up thine* [*eyes*](body.html) *and see what thou wilt select for thyself; set not thine* [*eyes*](body.html) *on beauty but fix thine* [*eyes*](body.html) *on family; for* [*Grace*](grace.html) *is deceitful and beauty is vain, but a woman who feareth the Eternal she shall be praised; and it says further, Give to her the fruit of her* [*hands*](fourteen.html) *and let her deeds praise her in the gates; and it says moreover, Go forth, ye daughters of Zion, and gaze upon King Solomon, even upon the crown wherewith his mother hath crowned him in the day of his* [*espousals*](betroth.html) *and in the day of the gladness of his* [*heart*](body.html)*. In the day of his* [*espousals*](betroth.html) *- this is ‘the giving of the* [*Law*](law.html)*‘; and in the day of the gladness of his* [*heart*](body.html) *- this is ‘the building of the* [*Temple*](temple.html)*‘. May it be rebuilt speedily in our days! Amen!*

The Tanach records [one](one.html) of these [events](feasts.html) as though it were [law](law.html):

***Shoftim (Judges) 21:15-22*** *The people grieved for* [*Benjamin*](benyamin.html)*, because* [*HaShem*](hashem.html) *had made a gap in the* [*tribes*](tribes.html) *of Israel. And the elders of the assembly said, “With the women of* [*Benjamin*](benyamin.html) *destroyed, how shall we provide wives for the men who are left? The Benjamite survivors must have heirs,” they said, “so that a* [*tribe*](tribes.html) *of Israel will not be wiped out. We can’t give them our daughters as wives, since we Israelites have taken this oath: ‘Cursed be anyone who gives a wife to a Benjamite.’ But look, there is the* [*annual*](annual.html)[*festival*](festival.html) *of* [*HaShem*](hashem.html) *in Shiloh, to the north of Bethel, and* [*east*](east.html) *of the road that goes from Bethel to* [*Shechem*](city.html)*, and to the south of Lebonah.” So they instructed the Benjamites, saying, “Go and hide in the vineyards And watch. When the girls of Shiloh come out to join in the dancing, then rush from the vineyards and each of you seize a wife from the girls of Shiloh and go to the land of* [*Benjamin*](benyamin.html)*. When their* [*fathers*](fathers.html) *or brothers complain to us, we will say to them, ‘Do us a kindness by helping them, because we did not get wives for them during the war, and you are innocent, since you did not give your daughters to them.’”*

## [Ruth](ruth.html) the Moabite

The story of [Ruth](ruth.html) is read at the [time](time.html) of the giving of the Torah so that we might [know](daat.html) that the written Torah and the oral Torah, are together [one](one.html) Torah, and [one](one.html) is not possible without the other. For David, the anointed of [HaShem](hashem.html) unto all [generations](toldot.html), was descended from a Moabite woman, and his legitimacy depended on the oral Torah, which declared that only a Moabite man was prohibited from entering the fold of Israel, but not a Moabite woman. On the foundations of the House of David, the whole people of Israel is supported. All this could only come about through the [authority](authority.html) of the oral Torah.

***Devarim (Deuteronomy) 23:3*** *No Ammonite or Moabite or any of his descendants may enter the assembly of* [*HaShem*](hashem.html)*, even down to the tenth* [*generation*](toldot.html)*.*

The Talmud gives us some [insight](insights.html) into the problem that a Moabite brings:

***Yevamot 77b*** *As, however, Doeg submitted to them all those objections and they eventually remained silent, he desired to make a public announcement against him. Presently [an incident occurred]: Now Amasa was the son of a man, whose* [*name*](name.html) *was Ithna the Israelite, that went in to Abigal the daughter of Nahash, but elsewhere it is written, Jether the Ishmaelite! This* [*teaches*](teacher.html)*, Raba explained, that he girded on his sword like an Ishmaelite and exclaimed, ‘Whosoever will not obey the following halachah will be stabbed with the sword; I have this tradition from the Beth din of Samuel the Ramathite: An Ammonite but not an Ammonitess; A Moabite, but not a Moabitess’! Could he, however, be trusted? Surely R. Abba stated in the* [*name*](name.html) *of Rab: Whenever a learned man gives directions on a point of* [*law*](law.html)*, and such a point comes up [for a practical decision], he is obeyed if his statement was made before the* [*event*](feasts.html)*; but if it was not so made he is not obeyed! Here the case was different, since Samuel and his Beth din were still living.*

***Yevamot 69a*** *‘R. Simeon b. Gamaliel said: Whenever you may marry his daughter, you may marry his widow etc.’ What is the practical difference between R. Jose and R. Simeon b. Gamaliel? ‘Ullah replied: The difference between them is the case of an Ammonite and a Moabite proselyte. And both of them derived their respective views from none other than [the disqualification] of a widow by a* [*High Priest*](priests.html)*. R. Jose reasons thus: As with a* [*High Priest*](priests.html) *who married a widow, his* [*seed*](flower.html) *is disqualified and he himself causes disqualification, so does any other person cause disqualification only when his* [*seed*](flower.html) *is disqualified. R. Simeon b. Gamaliel, however, reasons thus: As with a* [*High Priest*](priests.html) *who married, a widow, all his* [*seed*](flower.html)*[[10]](#footnote-10) is disqualified and he himself causes disqualification, so does only such a person cause disqualification, all whose* [*seed*](flower.html) *is disqualified; an Ammonite and a Moabite are, therefore, excluded since not all their* [*seed*](flower.html) *are disqualified.[[11]](#footnote-11) For a Master said: An Ammonite,[[12]](#footnote-12) but not an Ammonitess; a Moabite, but not a Moabitess.[[13]](#footnote-13)*

And:

***Yevamot 76b*** *Whence are these* [*laws*](law.html) *inferred? — R. Johanan replied: Scripture stated, And when Sail saw David go forth against the Philistine, he said into Abner, the captain of the host: ‘Abner, whose son is this youth’? And Abner said: ‘As thy soul liveth, O King, I cannot tell’. But did he not* [*know*](daat.html) *him? Surely it is written, And he loved him greatly; and he became his armour bearer! He rather made the inquiry concerning his father. But did he not* [*know*](daat.html) *his father? Surely it is written, And the man was an old man in the days of Saul, stricken in years among them; and Rab or, it might be said, R. Abba, stated that this referred to the father of David, Jesse, who came in with an army and went out with an army! — It is this that Saul meant: Whether he descended from Perez, or from Zerah. If he descended from Perez he would be king, for a king breaks for himself a way and no* [*one*](one.html) *can hinder him. If, however, he is descended from Zerah he would only be an important man. What is the reason why he gave instructions that enquiry be made concerning him? Because it is written, And Saul clad David with his apparel. being of the same size as his, and about Saul it is written, From his* [*shoulders*](body.html) *and upward he was higher than any of the people. Doeg the Edomite then said to him, ‘Instead of enquiring whether he is fit to be king or not, enquire rather whether he is permitted to enter the assembly or not’! ‘What is the reason’? ‘Because he is descended from* [*Ruth*](ruth.html) *the Moabitess’. Said Abner to him, ‘We learned: An Ammonite, but not an Ammonitess; A Moabite, but not a Moabitess! But in that case a bastard would’ imply: But not a* [*female*](male+female.html) *bastard?’ — ‘It is written mamzer [Which implies] anyone objectionable’. ‘Does then Egyptian exclude the Egyptian woman’? — ‘Here it is different, since the reason for the Scriptural text is explicitly stated: Because they met you not with bread and with water; it is customary for a man to meet [wayfarers]; It is not, however, customary for a woman to meet [them]’.*

The story of [Ruth](ruth.html) also contains the application of the oral [law](law.html) to the Kinsman-Redeemer. Lets [first](one.html) read what the written Torah says about the Kinsman-Redeemer:

***Devarim (Deuteronomy) 25:5-10*** *If brothers are living together and* [*one*](one.html) *of them dies without a son, his widow must not marry outside the family. Her husband’s brother shall take her and marry her and fulfill the duty of a brother-in-*[*law*](law.html) *to her. The* [*first*](one.html) *son she bears shall carry on the* [*name*](name.html) *of the dead brother so that his* [*name*](name.html) *will not be blotted out from Israel. However, if a man does not want to marry his brother’s wife, she shall go to the elders at the town gate and say, “My husband’s brother refuses to carry on his brother’s* [*name*](name.html) *in Israel. He will not fulfill the duty of a brother-in-*[*law*](law.html) *to me.” Then the elders of his town shall summon him and talk to him. If he persists in saying, “I do not want to marry her,” His brother’s widow shall go up to him in the presence of the elders, take off* [*one*](one.html) *of his sandals, spit in his* [*face*](body.html) *and say, “This is what is done to the man who will not build up his brother’s family line.” That man’s line shall be* [*known*](daat.html) *in Israel as The Family of the Unsandaled.*

The written Torah relates the Kinsman-Redeemer to a “brother” only. We find the application of the oral [law](law.html) in [Ruth](ruth.html):

[***Ruth***](ruth.html) ***4:1-13*** *Meanwhile Boaz went up to the town gate and sat there. When the kinsman-redeemer he had mentioned came along, Boaz said, “Come over here, my friend, and sit down.” So he went over and sat down. Boaz took* [*ten*](ten.html) *of the elders of the town and said, “Sit here,” and they did so. Then he said to the kinsman-redeemer, “Naomi, who has come back from* [*Moab*](stages.html)*, is selling the piece of land that belonged to our brother Elimelech. I thought I should bring the matter to your attention and suggest that you buy it in the presence of these seated here and in the presence of the elders of my people. If you will* [*redeem*](redemption.html) *it, do so. But if you will not, tell me, so I will* [*know*](daat.html)*. For no* [*one*](one.html) *has the right to do it except you, and I am next in line.” “I will* [*redeem*](redemption.html) *it,” he said. Then Boaz said, “On the day you buy the land from Naomi and from* [*Ruth*](ruth.html) *the Moabitess, you acquire the dead man’s widow, in order to maintain the* [*name*](name.html) *of the dead with his property.” At this, the kinsman-redeemer said, “Then I cannot* [*redeem*](redemption.html) *it because I might endanger my own estate. You* [*redeem*](redemption.html) *it yourself. I cannot do it.” (Now in earlier times in Israel, for the* [*redemption*](redemption.html) *and transfer of property to become final,* [*one*](one.html) *party took off his sandal and gave it to the other. This was the method of legalizing transactions in Israel.) So the kinsman-redeemer said to Boaz, “Buy it yourself.” And he removed his sandal. Then Boaz announced to the elders and all the people, “Today you are witnesses that I have bought from Naomi all the property of Elimelech, Kilion and Mahlon. I have also acquired* [*Ruth*](ruth.html) *the Moabitess, Mahlon’s widow, as my wife, in order to maintain the* [*name*](name.html) *of the dead with his property, so that his* [*name*](name.html) *will not disappear from among his family or from the town records. Today you are witnesses!” Then the elders and all those at the gate said, “We are witnesses. May* [*HaShem*](hashem.html) *make the woman who is* [*coming*](coming.html) *into your home like Rachel and Leah, who together built up the house of Israel. May you have* [*standing*](mashal.html) *in Ephrathah and be famous in* [*Bethlehem*](bethlehem.html)*. Through the offspring* [*HaShem*](hashem.html) *gives you by this young woman, may your family be like that of Perez, whom Tamar bore to Judah.” So Boaz took* [*Ruth*](ruth.html) *and she became his wife. Then he went to her, and* [*HaShem*](hashem.html) *enabled her to conceive, and she gave* [*birth*](birth.html) *to a son.*

The application of the oral [law](law.html) shows that any relative can perform the act that the Torah specifies only a brother can perform.

## Kosher Slaughter

The existence of the oral tradition is alluded to in the Written [Law](law.html) in numerous places. For example: The Torah says:

*Debarim (Deuteronomy) 12:20-21 When* [*HaShem*](hashem.html) *expands your borders as He promised you, and your natural* [*desire*](needs.html) *to* [*eat*](eating.html) *meat asserts itself, so that you say; ‘I wish to* [*eat*](eating.html) *meat’, you may* [*eat*](eating.html) *as much meat as you wish, you need only slaughter your cattle and small animals, in the manner I have commanded you.*

This passage informs us that even when we will live far away from the [Temple](temple.html), we will still be able to enjoy meat (for the entire 40 years in the wilderness the [Jews](gen-jew.html) [ate](eating.html) meat only from [Temple](temple.html)/[Tabernacle](mikdash.html) offerings). Simply take an animal from your own herd or flock and slaughter it…”**as He has commanded you**”. Now, you can search the Bible from beginning to end, but you won’t find any instructions or [command](cmds613.html) concerning the technique of animal slaughter that would [justify](justification.html) the words “as He has commanded you.” It’s simply not there. Either the author of this Torah forgot to tell us or else He gave us an Oral [Law](law.html) to go with the written.

Rashi puts it this way:

**you may slaughter... as I have commanded you** We learn [from here] that there is a [commandment](cmds613.html) regarding slaughtering, how [one](one.html) must slaughter. [Since this [commandment](cmds613.html) is not written in the Torah we deduce that] these are the [laws](law.html) of ritual slaughtering given orally to Moses on [Mount] [Sinai](stages.html).[[14]](#footnote-14)

Though the [laws](law.html) of slaughtering cattle are not explained in the Written Torah, they are described in detail in the Oral [Law](law.html). The written [law](law.html) can be understood ONLY in conjunction with the oral [law](law.html).

Nowhere in the Torah do we find [HaShem](hashem.html) commanding Moshe about the [laws](law.html) of Shechita (slaughter).

**Q.** Why does the Torah specify that the [laws](law.html) of [Shmita](shmita.html) were [taught](teacher.html) on Har [Sinai](stages.html)?

**A.** To [teach](teacher.html) us that just as [Shmita](shmita.html) was [taught](teacher.html) in detail on Har [Sinai](stages.html), so too, all the [mitzvot](cmds613.html) were [taught](teacher.html) in detail on Har [Sinai](stages.html).

The [Jewish](gen-jew.html) Encyclopedia, on the oral [law](law.html), lends us some [insight](insights.html) into this oral [law](law.html):

*Judah ha-Nasi infers (‘ul. 28a) from the sentence “Thou shalt slaughter” (“we-zaba’ta”; Deut. xii. 21), in which is no reference to any description of the ritual connected with slaughtering, that God* [*taught*](teacher.html) *Moses orally the place and method of the act. This proof of Judah ha-Nasi’s of the existence of an oral tradition regarding the ritual of slaughtering was generally but erroneously interpreted as though he had inferred from “ka-asher ‘iwitika” (= “as I have commanded thee”), the words following “we-zabahta,” that God verbally instructed Moses how to slaughter. This proof was, therefore, attacked on the ground that the words “as I have commanded thee” refer to ib. xii. 15. Judah ha-Nasi actually drew his inference, however, merely from the words “we-zaba’ta,” since the term “slaughter” implies a certain ritual in the performance; and as this was not given to Moses in writing it must have been given to him by word of* [*mouth*](body.html)*. The following examples of Mosaic* [*laws*](law.html) *are held to require some explanation or supplement not given in the written* [*law*](law.html)*, and consequently to presuppose the existence of an oral* [*law*](law.html) *to furnish the explanation or supplement in question.*

The [law](law.html) that a shochet’s knife must be examined before slaughtering is derived from the Book of Joshua, but found only in the oral [law](law.html).

## The [Creation](bara.html) Of Water

Nowhere does the Torah tell us when the water was created. He told us that He separated it, but, He never tells us when He created it. The oral [law](law.html) tells us when the water was created.

## An Eye for an Eye

The Torah says:

‘Ayin ta-chas ayin. Shayne ta-chas shayne’

‘An eye for an eye. a tooth for a tooth’

No [Jewish](gen-jew.html) court has ever blinded or otherwise inflicted [physical](physical.html) injury as revenge or retribution. The phrase is interpreted to mean what the perpetrator of a crime deserves, not what he should get.

Consider the implication of literally carrying out this [command](cmds613.html). Now [two](two.html) people cannot work because [two](two.html) people are blind. Rather, with monetary compensation, the blind man can be sustained by the labor of the sighted man who injured him.

Torah [Law](law.html) at ALL TIMES meant that as monetary compensation; never literally. Where can see find that in the written Torah? It’s not there.

## Blessing for [Food](food.html)

The Torah says nothing about what we do with [food](food.html) before we [eat](eating.html). The Torah says:

***Devarim (Deuteronomy) 8:10*** *When you have* [*eaten*](eating.html) *and are satisfied, praise* [*HaShem*](hashem.html) *your* [*HaShem*](hashem.html) *for the good land he has given you.*

Yet, notice what happens:

***Matitiyahu (Matthew) 26:26*** *And as they were* [*eating*](eating.html)*,* [*Yeshua*](yeshua.html) *took bread, and blessed [it], and brake [it], and gave [it] to the disciples, and said, Take,* [*eat*](eating.html)*; this is my* [*body*](body.html)*.*

***Luqas (***[***Luke***](luke.html)***) 24:30-31*** *And it came to pass, as he sat at meat with them, he took bread, and blessed [it], and brake, and gave to them. And their* [*eyes*](body.html) *were opened, and they* [*knew*](daat.html) *him; and he vanished out of their sight.*

The oral [law](law.html) [commands](cmds613.html) us to bless [HaShem](hashem.html), for our [food](food.html), before we [eat](eating.html):

***Berachot 33a*** *R. AKIBA SAYS: HE SAYS IT AS A* [*FOURTH*](four.html) *BLESSING, etc. R. Shaman b. Abba said to R. Johanan: Let us see: It was the Men of the Great* [*Synagogue*](synagog.html)*[[15]](#footnote-15) who instituted for Israel blessings and* [*prayers*](prayer.html)*, sanctifications and Havdallah.[[16]](#footnote-16)*

[Yeshua](yeshua.html), therefore, followed that oral [law](law.html).

## [Succoth](succoth.html)

The Torah says:

‘[Seven](seven.html) days shall you [dwell](dwelling.html) in a [succah](succoth.html)‘

Where is the source of how to build the [succah](succoth.html), it’s height, its size, the acceptable materials that may be used and the definition of the essential parts of the [succah](succoth.html)? The Written Torah is silent on all this, and yet every [Jew](gen-jew.html) knows what a [succah](succoth.html) should look like.

The Torah says:

***Vayikra (Leviticus) 23:40*** *and ye have taken to yourselves on the* [*first*](one.html) *day the fruit of a beautiful tree, branches of palms, and boughs of thick trees, and willows of a brook, and have rejoiced before* [*HaShem*](hashem.html) *your God* [*seven*](seven.html) *days.*

‘And you shall take for yourselves the fruit of a beautiful tree’

What fruit does the Torah mean? Where is there any reference in the Torah to the citron, the etrog? There is none, and yet [Jews](gen-jew.html) the [world](worlds.html) over [know](daat.html) what an etrog is!

[***Succah***](succoth.html) ***35a.*** *Our Rabbis have* [*taught*](teacher.html)*, ‘The fruit of a goodly tree’ implies a tree the taste of whose ‘fruit’ and ‘wood’ is the same. Say then that it is the etrog. Might it not be said to be pepper, as it has been* [*taught*](teacher.html)*. ‘R. Meir used to say, From the implication of the text, And ye have planted all manner of trees, do I not* [*know*](daat.html) *that the reference is to a tree for* [*food*](food.html)*? What then does Scripture* [*teach*](teacher.html) *by the [next phrase] “for* [*food*](food.html)*“? [That the reference is to] a tree the taste of whose fruit and wood is the same. Say then that it is pepper. This is to* [*teach*](teacher.html) *you that the pepper tree is subject to the* [*law*](law.html) *of ‘orlah and that the* [*Land of Israel*](city.html) *lacks nothing, as it is said, Thou shalt not lack anything in it’? — There [pepper is excluded] since it is impossible [to use it], For how shall he proceed? If he take* [*one*](one.html) *[pepper* [*seed*](flower.html)*], it is unrecognizable; if he takes* [*two*](two.html) *or* [*three*](three.html)*, the Divine* [*Law*](law.html) *surely said,* [*one*](one.html) *‘fruit’ and not* [*two*](two.html) *or* [*three*](three.html) *fruits. [Its use] therefore is impossible.*

*Rabbi said, Read not hadar but ha-dir; just as the stable contains large and small [animals], perfect and blemished ones, so also [the fruit spoken of must have] large and small, perfect and blemished. Have not then other fruits large and small, perfect and blemished? — It is this rather that was meant: Before the small ones come, the large are still existent [on the tree].*

*R. Abbahu said, Read not hadar, but ha-dar, a fruit which remains upon its tree from year to year. Ben ‘Azzai said, Read not hadar, but hudor for in Greek water is called hudor. Now what fruit is it that grows by every water? Say, of course, it is the etrog.*

## [HaShem](hashem.html)‘s [Name](name.html)

Throughout the Nazarean Codicil we NEVER see the proper [name](name.html) of [HaShem](hashem.html) used. This is in keeping with the oral [law](law.html):

***Pesachim 50a*** *And* [*HaShem*](hashem.html) *shall be King over all the earth; in that day shall* [*HaShem*](hashem.html) *be* [*One*](one.html)*, and His* [*name*](name.html)[*one*](one.html)*: is He then not* [*One*](one.html) *now? — Said R. Aha b. Hanina: Not like this* [*world*](worlds.html) *is the* [*future*](future.html)[*world*](worlds.html)*. In this* [*world*](worlds.html)*, for good tidings* [*one*](one.html) *says, ‘He is good, and He doeth good’, while for evil tidings he says, ‘Blessed be the true Judge’; [whereas] in the* [*future*](future.html)[*world*](worlds.html) *it shall be only ‘He is good and He doeth good’. ‘And His* [*name*](name.html)[*one*](one.html)*‘: what does ‘*[*one*](one.html)*‘ mean? Is then now His* [*name*](name.html) *not* [*one*](one.html)*? — Said R. Nahman b.* [*Isaac*](isaac.html)*; Not like this* [*world*](worlds.html) *is the* [*future*](future.html)[*world*](worlds.html)*. [In] this* [*world*](worlds.html) *[His* [*name*](name.html)*] is written with a yod he and read as alef daleth; but in the* [*future*](future.html)[*world*](worlds.html) *it shall all be* [*one*](one.html)*: it shall be written with yod he and read as yod he. Now, Raba thought of lecturing it at the session, [whereupon] a certain old man said to him, It is written, le’alem. R. Abina pointed out a contradiction: It is written, this is my* [*name*](name.html)*, to be hidden; [and it is also written], and this is my memorial unto all* [*generations*](toldot.html)*? The Holy* [*One*](one.html)*, blessed be He, said: Not as I [i.e., My* [*name*](name.html)*] and written am I read: I am written with a yod he, while I am read as alef daleth.*

[***Rosh HaShana***](teruah.html) ***18b***[*HaShem*](hashem.html)*‘s* [*name*](name.html) *by the Israelites, and when the Government of the Hasmoneans became strong and defeated them, they ordained that they should mention the* [*name*](name.html) *of* [*HaShem*](hashem.html) *even on bonds, and they used to write thus: ‘In the year So-and-so of Johanan,* [*High Priest*](priests.html) *to the Most High* [*HaShem*](hashem.html)*‘, and when the Sages heard of it they said, ‘To-morrow this man will pay his debt and the bond will be thrown on a dunghill’, and they stopped them, and they made that day a feast day. Now if you maintain that the Megillat Ta’anit has been annulled, [is it possible that] while the former [prohibitions of fasting] have been annulled,* [*new*](new.html) *ones should be added? — With what are we here dealing? With the period when the* [*Temple*](temple.html) *was still* [*standing*](mashal.html)

***Kiddushin 40a*** *R. Abbahu said on R. Hanina’s* [*authority*](authority.html)*: Better had a man secretly transgress than publicly profane* [*HaShem*](hashem.html)*‘s* [*name*](name.html)*, for it is said: As for you, O house of Israel, thus saith* [*HaShem*](hashem.html)*: Go ye, serve every* [*one*](one.html) *his idols, and hereafter also, if ye will not hearken unto me: but my holy* [*name*](name.html) *shall ye not profane.*

## The Nazirite Vow

2171 euche, yoo-khay’; from 2172; prop. a wish, expressed as a petition to [HaShem](hashem.html), or in votive obligation:-[prayer](prayer.html), vow.

This Greek word “euche” is properly translated “vow”. I have heard a rumor that the oral [law](law.html) indicates that a Nazirite vow was taken to beseech [HaShem](hashem.html) to cure someone. Consider the following verses:

[***Yaaqov***](israelja.html) ***(James) 5:14-15*** *Is any* [*one*](one.html) *of you sick? He should call the elders of the* [*church*](church.html) *to* [*pray*](prayer.html) *over him and anoint him with oil in the* [*name*](name.html) *of* [*HaShem*](hashem.html)*. And the vow of faith will make the sick person well;* [*HaShem*](hashem.html) *will raise him up. If he has sinned, he will be forgiven.*

There are only [two](two.html) other places in the Nazarean Codicil where we find this word:

***II Luqas (Acts) 18:18*** *Paul stayed on in Corinth for some* [*time*](time.html)*. Then he left the brothers and sailed for Syria, accompanied by Priscilla and Aquila. Before he sailed, he had his* [*hair*](hair.html) *cut off at Cenchrea because of a vow he had taken.*

***II Luqas (Acts) 21:19-25*** *Paul greeted them and reported in detail what* [*HaShem*](hashem.html) *had done among the* [*Gentiles*](gen-jew.html) *through his ministry. When they heard this, they praised* [*HaShem*](hashem.html)*. Then they said to Paul: “You see, brother, how many thousands of* [*Jews*](gen-jew.html) *have believed, and all of them are zealous for the* [*law*](law.html)*. They have been informed that you* [*teach*](teacher.html) *all the* [*Jews*](gen-jew.html) *who live among the* [*Gentiles*](gen-jew.html) *to turn away from Moshe, telling them not to* [*circumcise*](circumcz.html) *their children or live according to our customs. What shall we do? They will certainly hear that you have come, So do what we tell you. There are* [*four*](four.html) *men with us who have made a vow. Take these men, join in their purification rites and pay their expenses, so that they can have their heads shaved. Then everybody will* [*know*](daat.html) *there is no truth in these reports about you, but that you yourself are living in obedience to the* [*law*](law.html)*.*

Note that this vow (Nazirite) involved cutting the [hair](hair.html). Additionally, it also involved living according to the oral [law](law.html) (custom). In this pasuk, [Yaaqov](israelja.html) is showing Hakham Shaul how to clearly prove that he obeys Moshe AND the oral [law](law.html). Hakham Shaul goes on to pay the vow and thereby prove that he kept the Torah and the oral [law](law.html)!

## [Chanukah](chanukah.html)

[Chanukah](chanukah.html) is a Rabbinic feast with an historical account in the apocryphal books of [first](one.html) and second Maccabees. There is no mention of this feast in the Tanach, yet [Yeshua](yeshua.html) observed [Chanukah](chanukah.html). Clearly, [Yeshua](yeshua.html) observed the oral [law](law.html):

***Yochanan (John) 10:22-23*** *Then came the Feast of Dedication (*[*Chanukah*](chanukah.html)*) at* [*Jerusalem*](city.html)*. It was winter, And* [*Yeshua*](yeshua.html) *was in the* [*temple*](temple.html) *area* [*walking*](walking.html) *in Solomon’s Colonnade.*

The observing and celebrating of [Chanukah](chanukah.html) is based solely on the oral [law](law.html) as delivered by our judges. Yet, [Jews](gen-jew.html) worldwide, for [two](two.html) millenniums have faithfully carried out the decree of the judges. It should be noted that we have an accurate written record of this oral [law](law.html) in:

***1 Maccabees 4:58-59*** *Then Judah, his brothers, and the whole congregation of Israel decreed that the rededication of the altar should be observed with joy and gladness at the same season each year, for* [*eight*](eight.html) *days, beginning on the* [*twenty*](twenty.html)*-*[*fifth*](five.html) *of* [*Kislev*](feasts.html)*.*

It is a [mitzva](cmds613.html) to kindle the [Chanukah](chanukah.html) lights in [one](one.html)‘s home with the appropriate blessing.[[17]](#footnote-17)

It is customary to place the chanukiyah ([Chanukah](chanukah.html) menorah) where it’s lights will be visible from the outside.[[18]](#footnote-18)

## [Yeshua](yeshua.html) and The Oral [Law](law.html)

Many folks see [Yeshua](yeshua.html)‘s condemnation of the hearts of some Pharisees and Scribes, as a condemnation of the whole oral [law](law.html). Nothing could be further from the truth. Note the word SOME in the following passage. Note, carefully, what [Yeshua](yeshua.html) actually condemned:

***Marqos (Mark) 7:1*** *Then came together unto him the Pharisees, and certain of the scribes, which came from* [*Jerusalem*](city.html)*. 2 And when they saw* ***some*** *of his disciples* [*eat*](eating.html) *bread with defiled, that is to say, with unwashen,* [*hands*](fourteen.html)*, they found fault. 3 For the Pharisees, and all the* [*Jews*](gen-jew.html)*, except they wash their* [*hands*](fourteen.html) *oft,* [*eat*](eating.html) *not, holding the tradition of the elders. 4 And when they come from the market, except they wash, they* [*eat*](eating.html) *not. And many other things there be, which they have received to hold, as the washing of cups, and pots, brasen vessels, and of tables. 5 Then the Pharisees and scribes asked him, Why* [*walk*](walking.html) *not thy disciples according to the tradition of the elders, but* [*eat*](eating.html) *bread with unwashen* [*hands*](fourteen.html)*? 6 He answered and said unto them, Well hath Esaias prophesied of you hypocrites, as it is written, This people honoureth me with their lips, but their* [*heart*](body.html) *is far from me. 7 Howbeit in vain do they worship me,* [*teaching*](teacher.html) *for doctrines the* [*commandments*](cmds613.html) *of men. 8 For laying aside the* [*commandment*](cmds613.html) *of God, ye hold the tradition of men, as the washing of pots and cups: and many other such like things ye do. 9 And he said unto them, Full well ye reject the* [*commandment*](cmds613.html) *of God, that ye may keep your own tradition.*

Here we see that SOME of [Yeshua](yeshua.html)‘s talmidim did not properly wash their [hands](fourteen.html), as prescribed by the oral [law](law.html). This suggests that MOST of His Talmidim DID wash their [hands](fourteen.html) before they [ate](eating.html) bread. So why did SOME not wash? Perhaps we could explain it as the situation of those who are newly observant, or those who were [Gentiles](gen-jew.html) and NOT required to wash their [hands](fourteen.html), or it could be simple forgetfulness. I personally suggests that they were [Gentiles](gen-jew.html) who were not obligated. In [Yeshua](yeshua.html)‘s response we see Him ignoring their complaint entirely! In fact, He castigates them for their additional strictness that was not required by the oral [law](law.html), and in doing so, they ignored what was Torah, and a weighty matter at that. In short, it appears that they were picking on others to find fault with [Yeshua](yeshua.html), whilst they themselves were deficient. Never the less, [Yeshua](yeshua.html) AND MOST of His talmidim DID wash their [hands](fourteen.html) before they [ate](eating.html) bread! [Yeshua](yeshua.html) and MOST of His Talmidim did observe the oral [law](law.html).

The following chart comes from the document, “Not Subject to the [Law](law.html) of God?” found at www.yashanet.com/library/underlaw.htm. It shows that rather than [teaching](teacher.html) contrary to the Pharisees (a common misconception) [Yeshua](yeshua.html) supported much of what they [taught](teacher.html), as he often quoted from the Mishnah (the early portion of the Talmud) which is an entirely Pharisaic document.

|  |  |
| --- | --- |
| **Teachings of** [**YESHUA**](yeshua.html) **the Pharisee** (Summaries in *italics*) | **TALMUDIC Teachings of the Pharisees**  (Summaries in *italics*) |
| The [Sabbath](sabbath.html) was made for man, not man for the [Sabbath](sabbath.html). - ***Mark 2:27*** | Rabbi Jonathan ben [Joseph](joseph.html) said: For it is holy unto you; I.e., it [the [Sabbath](sabbath.html)] is committed to your [hands](fourteen.html), not you to its [hands](fourteen.html). - ***Talmud: Yoma 85b*** |
| Then shall he answer them, saying, Verily I say unto you, Inasmuch as ye did it not to [one](one.html) of the least of these, ye did it not to me. - ***Matthew 25:45*** | [*One*](one.html) *who betrays his fellow, it is as if he has betrayed God*. - ***Tosefta Sh’vuot, ch. 3*** |
| *Insulting someone is like murder.-* ***Matthew 5:21-22*** | He who publicly shames his neighbour is as though he shed [blood](body.html).- ***Talmud: Bava Mezia 58b*** |
| But I say unto you, That whosoever looketh on a woman to lust after her hath committed adultery with her already in his [heart](body.html). - ***Matthew 5:28*** | [*One*](one.html) *who gazes lustfully upon the small finger of a married woman, it is as if he has committed adultery with her.*- ***Kallah, Ch. 1*** |
| That ye may be the children of your Father which is in [heaven](heaven.html): for he maketh his [sun](hachama.html) to rise on the evil and on the good, and sendeth rain on the just and on the unjust.- ***Matthew 5:45*** | Rabbi Abbahu said: The day when rain fails is greater than [the day of] the Revival of the Dead, for the Revival of the Dead is for the righteous only whereas rain is both for the righteous and for the [wicked](wicked.html) *-* ***Talmud: Taanit 7a*** |
| Take heed that ye do not your alms before men, to be seen of them: otherwise ye have no reward of your Father which is in [heaven](heaven.html). - ***Matthew 6:1*** | In the case of the recital of the [Shema](shema.html)‘, since everybody else recites, and he also recites, it does not look like showing off on his part; but in the case of the month of Ab, since everybody else does work and he does no work, it looks like showing off*.*- ***Talmud: Berachot 17b*** |
| But when thou doest alms, let not thy left [hand](mashal.html) [know](daat.html) what thy right [hand](mashal.html) doeth*.* - ***Matthew 6:3*** | What kind of charity is that which delivers a man from an unnatural death? When a man gives without knowing to whom he gives. and the beggar receives without knowing from whom he receives. *-* ***Talmud: Bava Batra 10a - 10b*** |
| But when ye [pray](prayer.html), use not vain repetitions, as the heathen do: for they think that they shall be heard for their much [speaking](mashal.html)*.*- ***Matthew 6:7*** | If [one](one.html) draws out his [prayer](prayer.html) and expects therefore its fulfilment, he will in the end suffer vexation of [heart](body.html), as it says, Hope deferred maketh the [heart](body.html) sick*. -* ***Talmud: Berachot 55a*** |
| Do not worry about where your [food](food.html) will come from tomorrow, or your drink. - ***Matthew 6:25-31*** | Rabbi Eliezer the Great declares: Whoever has a piece of bread in his basket and Says. ‘What shall I [eat](eating.html) tomorrow?’ belongs only to them who are little in faith*.* - ***Talmud:*** [***Sotah***](hair.html) ***48b*** |
| Take therefore no thought for the morrow: for the morrow shall take thought for the things of itself. Sufficient unto the day is the evil thereof*.* - ***Matthew 6:34*** | A parable: [They were] like a man who was kept in prison and people told him: Tomorrow, they will release you from the prison and give you plenty of money. And he answered them: I [pray](prayer.html) of you, let me go free today and I shall ask nothing more! - ***Talmud: Berachot 9b*** |
| *Let your Yes be Yes and your No be No*. - ***Matthew 5:34-37*** | *A righteous yes is a Yes; a righteous no is No.* - ***Talmud: Bava Batra 49b***  Let your yes be yes, and your no be no. --R. Abaye, ***Baba Metzia 49a*** |
| At that [time](time.html) [Yeshua](yeshua.html) answered and said, I thank thee, O Father, Lord of [heaven](heaven.html) and earth, because thou hast hid these things from the wise and prudent, and hast revealed them unto babes*.* - ***Matthew 11:25*** | Rabbi Johanan said: Since the [Temple](temple.html) was destroyed, prophecy has been taken from prophets and given to fools and children. - ***Talmud: Bava Batra 12b*** |
| And if thy right eye offend thee, pluck it out, and cast it from thee: for it is profitable for thee that [one](one.html) of thy members should perish, and not that thy whole [body](body.html) should be cast into hell. And if thy right [hand](mashal.html) offend thee, cut it off, and cast it from thee: for it is profitable for thee that [one](one.html) of thy members should perish, and not that thy whole [body](body.html) should be cast into hell*.* - ***Matthew 5:29-30*** | Come and hear what was [taught](teacher.html): Rabbi Tarfon said, ‘If his [hand](fourteen.html) touched the membrum let his [hand](fourteen.html) be cut off upon his belly’. ‘But’, they said to him, ‘would not his belly be split’? ‘It is preferable’, he replied, ‘that his belly shall be split rather than that he should go down into the pit of destruction’. *-* ***Talmud: Niddah 13b*** |
| But be not ye called Rabbi: for [one](one.html) is your Master, even [Mashiach](mashiach.html); and all ye are brethren. - ***Matthew 23:8*** | Shemaiah used to say: love work, hate acting the superior, and do not bring thyself to the [knowledge](knowledge.html) of the ruling [authority](authority.html). - ***Mishnah: Avot 1:10*** |
| Therefore be ye also ready: for in such an hour as ye think not the Son of man cometh. - ***Matthew 24:44*** | Even as R. Zera, who, whenever he chanced upon scholars engaged thereon [I.e., in calculating the [time](time.html) of the [Mashiach](mashiach.html)‘s [coming](coming.html)], would say to them: I beg of you, do not postpone it, for it has been [taught](teacher.html): [Three](three.html) come unawares: [Mashiach](mashiach.html), a found article and a scorpion. - ***Talmud: Sanhedrin 97a*** |
| [*Yeshua*](yeshua.html)[*taught*](teacher.html) *in a parable that they can please the king (God) by pleasing* [*one*](one.html) *another*. - ***Matthew 25:40***  And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto [one](one.html) of the least of these my brethren, ye have done it unto me. - ***Matthew 25:40*** | Rabbi simeon said: if [three](three.html) have [eaten](eating.html) at [one](one.html) table and have not spoken thereat words of torah, [it is] as if they had [eaten](eating.html) sacrifices [offered] to the dead, for [of such persons] it is said, for all tables are full of filthy vomit, [they are] without the All-Present. But, if [three](three.html) have [eaten](eating.html) at [one](one.html) table, and have spoken thereat words of torah, [it is] as if they had [eaten](eating.html) at the table of the All-Present, blessed be he, as it is said, this is the table before [HaShem](hashem.html). - ***Mishnah: Avot 3:3*** |
| *Love your enemy.* - ***Matthew 5:43***  Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy. But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and [pray](prayer.html) for them which despitefully use you, and persecute you; - ***Matthew 5:43*** | *They who are insulted but insult not back; who hear themselves reproached but answer not; who serve out of love and rejoice in their affliction--of them it is written in Scripture: They that love God are as the going forth of the* [*sun*](hachama.html) *in its might.* - ***Talmud: Yoma 23a, Gitin 36b, Shabat 88b*** |
| For in the [resurrection](techiyat.html) they neither marry, nor are given in [marriage](mashal.html), but are as the [angels](angels.html) of God in [heaven](heaven.html)*. -* ***Matthew 22:23-30*** | *There will be no marital union in the* [*world*](futures.html) *to come. -* ***Ma’asrot 4:5-6*** |
| Therefore if thou bring thy gift to the altar, and there rememberest that thy brother hath aught against thee; Leave there thy gift before the altar, and go thy way; [first](one.html) be reconciled to thy brother, and then come and offer thy gift. - ***Matthew 5:23-24*** | If a man said, “I will [sin](sin.html) and repent, and [sin](sin.html) again and repent”, he will be given no chance to repent. [If he said,] “I will [sin](sin.html) and the Day of [Atonement](kippur.html) will effect [atonement](atonemen.html)“, then the Day of [Atonement](kippur.html) effects no [atonement](atonemen.html). For transgressions that are between man and God the Day of [Atonement](kippur.html) effects [atonement](atonemen.html), but for transgressions that are between a man and his fellow the Day of [Atonement](kippur.html) effects [atonement](atonemen.html) only if he has appeased his fellow - ***Mishnah: Yoma 8:9*** |
| ***Matthew 5:45*** ... sendeth rain on the just and on the unjust. | ***Talmud, Taanit 7a*** - God causes it to rain for the [wicked](wicked.html) as well as for the righteous. |
| ***Matthew 5:43*** Love thine neighbor and hate thine enemy | ***Talmud, Yoma 23a, Gitin 36b,*** [***Shabbat***](sabbath.html) ***88b*** - They who are insulted but insult not back; who hear themselves reproached but answer not; who serve out of love and rejoice in their affliction--of them it is written in Scripture: They that love God are as the going forth of the [sun](hachama.html) in its might. |
| ***Matthew 5:23-24***... [first](one.html) be reconciled to thy brother | ***Talmud, Yoma 85b*** - [Yom Kippur](kippur.html) atones for all [sins](sin.html), but [first](one.html) you must reconcile your conflict with others. |
| ***Matthew 6:14-15*** For if ye [forgive](forgive.html) men their trespasses ... | ***Talmud,*** [***Rosh Hashana***](teruah.html)***h 17a*** - Only if you [forgive](forgive.html) others will God [forgive](forgive.html) you.  ***Talmud, Shabat 151b*** - [One](one.html) who is merciful toward others, God will be merciful toward him |
| ***Matthew 6:19*** Lay not up for yourselves treasures upon earth ... | [***Jerusalem***](city.html) ***Talmud, Pe’ah 15b*** - It happened that manobaz had squandered his father’s wealth to charity. His brothers admonished him: “Your father [gathered](gather.html) treasure and you wasted it all!” He replied: “My father laid up treasure where human [hands](fourteen.html) control it; I laid it up where no [hands](fourteen.html) control it. My father laid up a treasure of money; I laid up a treasure of souls. My father laid up treasure for this [world](worlds.html); I laid up treasure for the heavenly [world](worlds.html).” |
| ***Matthew 7:1*** Do not judge, or you too will be judged ... | ***Avot 2:14*** - Do not judge your fellow until you have been in his place.  ***Avot 4:10*** - Do not be a judge of others, for there is no judge but the [one](one.html) (God). |
| ***Matthew 7:2*** ... with what measure ye mete, it shall be measured to you again | ***Mishnah*** [***Sotah***](hair.html) ***1:7*** - By a person’s standard of measure, is he, too, measured.  ***Shabat 127b*** - How you judge others, does God judge you.  ***Sanhedrin 100a***, attributes to Rabbi Meir the saying: “The measure which [one](one.html) measures will be measured out to him.” |
| ***Matthew 7:3-5*** Why do you look at the speck of sawdust in your brother’s eye ... | ***Er’chin 16b*** - Rabbi Tarfon said, “I wonder if there be anyone in this era who will allow himself to be reproved. If someone says to another, ‘Cast out the speck that is in your eye!’ he will retort, Cast out [first](one.html) the beam that is in your own eye!’”  ***Kidushin 70a*** - He who condemns others, sees in them his own faults.  ***Bava Mezia 59a*** - Do not rebuke your fellow with your own blemish. |
| ***Matthew 7:6*** Give not that which is holy unto the dogs | ***Ketubot. 111a*** - R. Levi said: “God made Israel swear that they should not reveal the [Messianic] end, and should not reveal the secrets of [of the Torah] to the idolators.” |
| ***Matthew 7:12*** Do to others what you would have them do to you ... | [***Shabbat***](sabbath.html) ***31a*** - What is hateful to you, do it not unto others -- this is the entire Torah, and the rest is commentary. |
| ***7:26*** every [one](one.html) that heareth these sayings of mine, and doeth them not ... | ***Avot 3:17*** - [One](one.html) who studies Torah but does not do good deeds is likened to [one](one.html) who builds with a foundation of straw, so that even a minor flow of water will destroy it. |
| 10:21 ... brother shall deliver up the brother to death | Talmud 49b - In the footsteps of the [Mashiach](mashiach.html), insolence will increase and honour dwindle; the vine will yield its fruit [abundantly] but wine will be dear; the government will turn to heresy and there will be none [to offer them] reproof; the meeting-place [of scholars] will be used for immorality; galilee will be destroyed, gablan desolated, and the dwellers on the frontier will go about [begging] from place to place without anyone to take pity on them; the wisdom of the learned will degenerate, fearers of [sin](sin.html) will be despised, and the truth will be lacking; youths will put old men to shame, the old will stand up in the presence of the young, a son will revile his father, a daughter will rise against her mother, a daughter-in-[law](law.html) against her mother-in-[law](law.html), and a man’s enemies will be the members of his [household](househld.html); the [face](body.html) of the [generation](toldot.html) will be like the [face](body.html) of a dog, a son will not feel ashamed before his father. So upon whom is it for us to rely? Upon our father who is in [heaven](heaven.html). |
| Blessed are the merciful, for they shall obtain mercy. --***Matthew 5:7*** | He who is merciful to others, shall receive mercy from [Heaven](heaven.html). - [***Shabbat***](sabbath.html) ***151b*** |
| Freely you receive, freely give. --***Matthew 10:8*** | Just as I [teach](teacher.html) gratuituously, so you should [teach](teacher.html) gratuitously. - ***Bekoroth 29a*** |
| Whoever exalts himself will be humbled, and whoever humbles himself will be exalted. --***Matthew 23:12*** | He who humbles himself for the Torah in this [world](worlds.html) is magnified in the next; and he who makes himself a servant to the Torah in this [world](worlds.html) becomes free in the next. - ***Baba Metzia 85b*** |
| Why do you see the speck that is in your brother’s eye, but do not notice the beam that is in your own eye? --***Matthew 7:3*** | Do they say, take the splinter out of your eye, he will retort: “Remove the beam out of your own eye.”  ***Baba Bathra 15b*** |
| The harvest is plentiful, but the laborers are few. --***Matthew 9.37*** | The day is short, and the work is much; and the workmen are indolent, but the reward is much; and the Master of the House is insistent. ***Avot 2:15*** |
|  | Sifri, Ekev No. 49 - As God is, so shall you be: As God is merciful, so shall you too, be merciful. |

I have listed several examples of Oral [Law](law.html) found in the Nazarean Codicil. The following list illustrative: The argument of [Yeshua](yeshua.html), in which he defends the manner in which His disciples fast, is based upon a recognized halakha that it is improper to fast in the presence of a bridegroom. This is not found in the written Torah.[[19]](#footnote-19)

***Matityahu (Matthew) 9:14-15*** *“Then the disciples of Yochanan came to Him, asking, “Why do we and the Pharisees fast, but Your disciples do not fast?” And* [*Yeshua*](yeshua.html) *said to them, “The attendants of the bridegroom cannot* [*mourn*](mourning.html) *as long as the bridegroom is with them, can they? But the days will come when the bridegroom is taken away from them, and then they will fast. “*

The [teaching](teacher.html) or halakha which states that the [priests](priests.html) break the [Sabbath](sabbath.html) but are innocent is not found in the written Torah. - [Shabbat](sabbath.html) 132b. For other instances where [Sabbath](sabbath.html) may be profaned.

***Matityahu (Matthew) 12:5*** *Or have you not read in the* [*Law*](law.html)*, that on the* [*Shabbat*](sabbath.html) *the* [*priests*](priests.html) *in the* [*temple*](temple.html) *break the* [*Shabbat*](sabbath.html) *and are innocent?”*

Pharisees are inquiring about the disciples of [Yeshua](yeshua.html): Why do they transgress the traditions of the elders by not washing their [hands](fourteen.html) according to halakha before [eating](eating.html)? [Yeshua](yeshua.html) rebukes them, citing also their use of [korban](korbanot.html) to “hide” their wealth from aging parents who needed their support. In both cases, it is clear that the Pharisees consider the halakha, based on oral Torah, as binding. - Haggigah 2.5; [Shabbat](sabbath.html) 13b-14a; [Shabbat](sabbath.html) 1.3d; Yoma 87a

***Matityahu (Matthew) 15:1-3*** *Then some Pharisees and scribes came to* [*Yeshua*](yeshua.html) *from* [*Jerusalem*](city.html) *and said, “Why do Your disciples break the tradition of the elders? For they do not wash their* [*hands*](fourteen.html) *when they* [*eat*](eating.html) *bread.” And He answered and said to them, “Why do you yourselves transgress the* [*commandment*](cmds613.html) *of God for the sake of your tradition?”*

There is nothing in the written Torah about giving thanks before [eating](eating.html). Saying the blessing before [eating](eating.html) is part of the oral Torah.

***Matityahu (Matthew) 15:36*** *and He took the* [*seven*](seven.html) *loaves and the fish; and giving thanks, He broke them and started giving them to the disciples, and the disciples gave them to the people.*

The Pharisees found a way to deny certain oaths (those sworn by the [Temple](temple.html)) and to allow others (those sworn by the gold of the [Temple](temple.html)), cf. M. Nedarim 1.3, 4; b. Tem 32a-33b. [Yeshua](yeshua.html) argues that the [Temple](temple.html) actually sanctifies the gold. This is not found in the written Torah.

***Matityahu (Matthew) 23:16-17*** *Woe to you, blind guides, who say, ‘ Whoever swears by the* [*temple*](temple.html)*, that is nothing; but whoever swears by the gold of the* [*temple*](temple.html) *is obligated.’ You fools and blind men! Which is more important, the gold or the* [*temple*](temple.html) *that sanctified the gold?*

This is not in the written Torah.

***II Luqas (Acts) 23:3*** *Then Paul said to him, “God is going to strike you, you whitewashed wall! Do you sit to try me according to the* [*Law*](law.html)*, and in violation of the* [*Law*](law.html) *order me to be struck?*

## The Half-Shekel

The half-shekel [Temple](temple.html) tax was another oral [law](law.html) which is described in the Talmud:

***Beitzah 39b*** *[if he said,] Behold, thou art herem, to thee, the vower is forbidden; [if he said,] Behold, I am [herem] to thee, and thou to me, both are forbidden to benefit from* [*one*](one.html) *another; but [to both] is permitted the use of things that belong to them that came up from* [*Babylon*](bavel.html)*, but the use of things that belong to the citizens of that town is forbidden to both. And the following are the things which belong to them that came up from* [*Babylon*](bavel.html)*: The* [*Temple*](temple.html) *Mount, the [*[*Temple*](temple.html)*] Chambers, the [*[*Temple*](temple.html)*] Courts, and a well in the middle of the road. The following belong to [the citizens of] that town: The market-square, the* [*Synagogue*](synagog.html)*, and the bath-house. Now if you say that a well is held jointly, then why is it permitted? Surely we have learnt: Partners who vowed not to derive benefit from* [*one*](one.html) *another may not enter their [common] court-yard to bathe in the well! — To bathe in it is indeed [not allowed], but we are treating here of drawing [water]; the* [*one*](one.html) *draws of his own and the other draws of his own. Does then R. Nahman hold the rule of bererah, but we have learnt: Brothers who are [also] partners, when they are liable to surcharge they are exempt from cattle-tithe, and when they are liable to cattle-tithe they are exempt from the surcharge. And in this* [*connection*](connection.html) *R. ‘Anan said: This was* [*taught*](teacher.html) *only in the case when they divided goats for lambs and lambs for goats; but if they divided goats for goats and lambs for lambs, we say, each receives his share which was designated for him at the very beginning. While R. Nahman said: Even if they divided goats for goats and lambs for lambs, we do not say each receives his share which was designated for him at the very beginning! Rather, all agree that the well is ownerless, but they dispute here with respect to the case of* [*one*](one.html) *who picks up a lost article on behalf of his neighbour;* [*one*](one.html) *is of the opinion that he [the neighbour] acquires title [to it], and the other is of the opinion that he does not acquire [it]. MISHNAH. IF* [*ONE*](one.html) *HAS HIS PRODUCE IN ANOTHER TOWN, THE INHABITANTS OF WHICH HAVE MADE AN ‘ERUB IN ORDER TO BRING TO HIM SOME OF HIS PRODUCE, THEY MAY NOT BRING IT TO HIM; BUT IF HE HIMSELF MADE AN ‘ERUB, HIS PRODUCE IS LIKE HIMSELF.*

[Yeshua](yeshua.html) paid this tax:

***Matityahu (Matthew) 17:24-27*** *After* [*Yeshua*](yeshua.html) *and his disciples arrived in Capernaum, the collectors of the* [*two*](two.html)*-drachma tax came to Tzefet (Peter) and asked, “Doesn’t your* [*teacher*](teacher.html) *pay the* [*temple*](temple.html) *tax?” “Yes, he does,” he replied. When Tzefet (Peter) came into the house,* [*Yeshua*](yeshua.html) *was the* [*first*](one.html) *to* [*speak*](mashal.html)*. “What do you think, Simon?” he asked. “From whom do the kings of the earth collect duty and taxes--from their own sons or from others?” “From others,” Tzefet (Peter) answered. “Then the sons are exempt,”* [*Yeshua*](yeshua.html) *said to him. “But so that we may not offend them, go to the lake and throw out your line. Take the* [*first*](one.html) *fish you catch; open its* [*mouth*](body.html) *and you will find a* [*four*](four.html)*-drachma coin. Take it and give it to them for my tax and yours.”*

## Associating With [Gentiles](gen-jew.html)

The oral [law](law.html) forbids [eating](eating.html) and associating with [Gentiles](gen-jew.html):

***Avodah Zarah 35b*** *THEIR BREAD. R. Kahana said in the* [*name*](name.html) *of R. Johanan: Their bread was not permitted by the Court. Is it to be deduced from this statement that anybody does allow it? Yes, because when R. Dimi came [from Palestine] he said: On* [*one*](one.html) *occasion Rabbi went out into the field, and a heathen brought before him a loaf baked in a large oven from a se’ah of flour. Rabbi exclaimed: How beautiful is this loaf; why should the Sages have thought fit to prohibit it! ‘Why should the Sages have thought fit to prohibit it?’ As a safeguard against intermarriages! No, what he meant was: Why should the Sages have thought fit to prohibit it in a field! [As the result of this remark] people imagined that Rabbi permitted the loaf [of a heathen] but it was not so; Rabbi did not permit it. R.* [*Joseph*](joseph.html) *according to another version, R. Shmuel (Samuel) b. Judah said: The incident was not so; but it is said that Rabbi once went to a certain place and observed that his disciples experienced difficulty in obtaining bread; so he asked, ‘Is there no baker here?’ people imagined that his inquiry was for a* [*Gentile*](gen-jew.html) *baker, but he really intended an Israelite baker. R. Helbo said: Even according to those who maintain [that he inquired for] a* [*Gentile*](gen-jew.html) *baker, [the permission] would only apply where there was no Israelite baker and not where such was to be found. R. Johanan, however, said: Even according to those who maintain [that he inquired for] a* [*Gentile*](gen-jew.html) *baker, [the permission] only holds good in a field, and not in a* [*city*](city.html) *as a safeguard against intermarriages. Aibu used to bite and* [*eat*](eating.html) *[*[*Gentiles*](gen-jew.html)*‘] bread at the boundaries [of the fields]; but Raba-according to another version, R. Nahman b.* [*Isaac*](isaac.html)*-said to the people, ‘Hold no converse with Aibu because he* [*eats*](eating.html) *the bread of* [*Gentiles*](gen-jew.html)*.’*

The Apostles clearly obeyed this oral [law](law.html):

***II Luqas (Acts) 10:27-29*** *Talking with him, Tzefet (Peter) went inside and found a large gathering of people. He said to them: “You are well aware that it is against our* [*law*](law.html) *for a* [*Jew*](gen-jew.html) *to associate with a* [*Gentile*](gen-jew.html) *or visit him. But* [*HaShem*](hashem.html) *has shown me that I should not call any man impure or unclean. So when I was sent for, I came without raising any objection. May I ask why you sent for me?”*

## [Prayers](prayer.html)

The oral [law](law.html) [commands](cmds613.html) that we should [pray](prayer.html) particular [prayers](prayer.html), [three](three.html) times a day:

***Shevu’oth 39a*** *What is the meaning of: it also may be said in any language? — As we learnt: These may be recited in any language: The scriptural text of the* [*Sotah*](hair.html)*, confession when giving the tithe, the* [*Shema*](shema.html)*‘, Tefillah,* [*Grace*](grace.html) *after meals, the oath of testimony, and the oath of deposit. And now it says also, ‘The oath of the judges may also be said in any language.’*

***Shabbath 24a*** *The scholars propounded: Is* [*New*](new.html)[*Moon*](chodesh.html) *to be mentioned in* [*grace*](grace.html) *after meals? Should you say that it is unnecessary in the case of Hanukkah, which is only Rabbinical, then on* [*New*](new.html)[*Moon*](chodesh.html)*, which is Biblical,[[20]](#footnote-20) it is necessary; or perhaps since the performance of work is not forbidden, it is not mentioned? Rab said: It is mentioned; R. Hanina said: It is not mentioned. R. Zerika said: Hold fast to Rab’s [ruling], because R. Oshaia supports him. For R. Oshaia* [*taught*](teacher.html)*: On those days when there is an additional* [*offering*](korbanot)*, viz.,* [*New*](new.html)[*Moon*](chodesh.html) *and the weekdays of* [*Festivals*](festivals.html) *at the Evening, Morning and Afternoon [services] the* [*Eighteen*](eighteen.html) *[Benedictions] are recited, and the nature of the occasion is inserted in the ‘Abodah; and if* [*one*](one.html) *does not insert it, he is turned back; and there is no Sanctification over wine, and mention thereof is made in* [*grace*](grace.html) *after meals. On those days when there is no additional* [*offering*](korbanot)*, viz., Mondays, Thursdays, Fasts, and Ma’amadoth -What business have Mondays and Thursdays [here]? -Rather [say thus:] on the Mondays, Thursdays and the [following] Mondays of Fasts - and of Ma’amadoth — at the Evening, Morning and Afternoon [Services] the* [*Eighteen*](eighteen.html) *[Benedictions] are recited, and the nature of the occasion is inserted in ‘Thou hearkenst unto* [*Prayer*](prayer.html)*‘; yet if* [*one*](one.html) *does not insert it he is not made to repeat it, and no reference is made on these [days] in* [*grace*](grace.html) *after meals.*

We see Daniel obeying in:

***Daniel 6:10*** *Now when Daniel learned that the decree had been published, he went home to his upstairs room where the windows opened toward* [*Jerusalem*](city.html)*.* [*Three*](three.html) *times a day he got down on his knees and* [*prayed*](prayer.html)*, giving thanks to his* [*HaShem*](hashem.html)*, just as he had done before.*

We see the Apostles obeying this oral [law](law.html) in:

***II Luqas (Acts) 2:42*** *They devoted themselves to the apostles’* [*teaching*](teacher.html) *and to the fellowship, to the breaking of bread and to* [*prayer*](prayer.html)*.*

## [Tefillin](tefillin.html)

The precept of [tefillin](tefillin.html) depends on the oral [law](law.html). The Torah [commands](cmds613.html):

***Devarim (Deuteronomy) 6:4-9*** *Hear, O Israel:* [*HaShem*](hashem.html) *our God,* [*HaShem*](hashem.html) *is* [*one*](one.html)*. Love* [*HaShem*](hashem.html) *your God with all your* [*heart*](body.html) *and with all your soul and with all your strength. These* [*commandments*](cmds613.html) *that I give you today are to be upon your hearts. Impress them on your children. Talk about them when you sit at home and when you* [*walk*](walking.html) *along the road, when you lie down and when you get up. Tie them as symbols on your* [*hands*](fourteen.html) *and bind them on your foreheads. Write them on the doorframes of your houses and on your gates.*

The description of [tefillin](tefillin.html), the binding of these [laws](law.html), can only be found in the oral torah. They are nowhere described in the Torah. [Yeshua](yeshua.html), then, followed the oral Torah when he wore [tefillin](tefillin.html). The Talmud contains many details of [tefillin](tefillin.html) in Shabbath 28b.

In the Written Torah it is stated,[[21]](#footnote-21) “And you shall bind them for a [sign](signs.html) on your [hand](fourteen.html), and they shall be for frontlets between your [eyes](body.html).”

This is an indistinct and obscure statement, for Scripture did not explain how and what to bind, nor what frontlets are, nor where is “between your [eyes](body.html)“ or “on your [hand](fourteen.html),” until the Oral Torah explicates[[22]](#footnote-22) that [one](one.html) [needs](needs.html) to bind a single box on the [hand](fourteen.html), and [four](four.html) boxes on the [head](body.html), containing [four](four.html) Scriptural passages.

Moreover, the boxes are to be made of prepared leather, and necessarily square, and to be tied by means of leather straps which need to be black,[[23]](#footnote-23) with all the other detailed rulings governing the making of [tefillin](tefillin.html), that were stated orally, [i.e., that are found in the Oral Torah].

Also, “on your [hand](fourteen.html)“ refers only to the arm, and not to the palm of the [hand](fourteen.html);[[24]](#footnote-24) and “between your [eyes](body.html)“ refers to the scalp, and not to the [forehead](body.html).[[25]](#footnote-25)

[It is thus only the detailed halachot of the Oral Torah that enable us to perform this [mitzva](cmds613.html) in keeping with the Supernal Will].

## [Tzitzith](tzitzith.html)

The Torah [commands](cmds613.html):

***Bamidbar (***[***Numbers***](nchart.html)***) 15:37-40***[*HaShem*](hashem.html) *said to Moshe, “*[*Speak*](mashal.html) *to the Israelites and say to them: ‘Throughout the* [*generations*](toldot.html) *to come you are to make tassels on the corners of your garments, with a blue cord on each tassel. You will have these tassels to look at and so you will remember all the* [*commands*](cmds613.html) *of* [*HaShem*](hashem.html)*, that you may obey them and not prostitute yourselves by going after the lusts of your own hearts and* [*eyes*](body.html)*. Then you will remember to obey all my* [*commands*](cmds613.html) *and will be consecrated to your God.*

The [Hebrew](hebrew.html) for *tassels*, is [tzitzith](tzitzith.html). We see [Yeshua](yeshua.html) wearing tzitzit in:

***Matityahu (Matthew) 9:19-22***[*Yeshua*](yeshua.html) *got up and went with him, and so did his disciples. Just then a woman who had been subject to bleeding for* [*twelve*](twelve.html) *years came up behind him and touched the edge of his cloak. She said to herself, “If I only touch his cloak, I will be healed.”* [*Yeshua*](yeshua.html) *turned and saw her. “Take* [*heart*](body.html)*, daughter,” he said, “your faith has healed you.” And the woman was healed from that moment.*

The *edge of his cloak*, is the tzitzit. The Greek word that the King James translators rendered “hem” is *kraspedon*. This is the same word that is used in the Septuagint, to translate [tzitzith](tzitzith.html). It is found [three](three.html) times in Bamidbar ([Numbers](nchart.html)) 15:37-41, where the wearing of [*tzitzith*](tzitzith.html) is commanded.

Malachi talks about the healing to be found in the [tzitzith](tzitzith.html):

***Malachi 4:1-2*** *“Surely the day is* [*coming*](coming.html)*; it will burn like a* [*furnace*](furnace.html)*. All the arrogant and every evildoer will be stubble, and that day that is* [*coming*](coming.html) *will set them on* [*fire*](fire.html)*,” says* [*HaShem*](hashem.html) *Almighty. “Not a root or a branch will be left to them. But for you who revere my* [*name*](name.html)*, the* [*sun*](hachama.html) *of righteousness will rise with healing in its wings. And you will go out and leap like calves released from the stall.*

His wings are the wings formed in the talit which contains the [tzitzith](tzitzith.html). The way [tzitzith](tzitzith.html) are made is only contained in the oral [law](law.html), it is not found in the Torah:

***Baba Bathra 74a*** *They slept on their backs; and the knee of* [*one*](one.html) *of them was raised, and the Arab merchant passed under the knee, riding on a camel with spear erect, and did not touch it. I cut off* [*one*](one.html) *corner of the purple-blue shawl1 of* [*one*](one.html) *of them; and we could not move away. He said unto me: ‘[If] you have, peradventure, taken something from them, return it; for we have a tradition that he who takes anything from them cannot move away.’ I went and returned it; and then we were able to move away. When I came before the Rabbis they said unto me: Every Abba is an* [*ass*](chamor.html) *and every Bar Hana is a fool. For what purpose did you do that? Was it in order to ascertain whether [the* [*Law*](law.html)*] is in accordance with the [decision of] Beth Shammai or Beth Hillel? You should have counted the threads and counted the joints.*

The oral [law](law.html) has an extensive treatment of the [laws](law.html) pertaining to the [tzitzith](tzitzith.html) in: Menachoth 38b

So, since [Yeshua](yeshua.html) obeyed all of the Torah, he was wearing [tzitzith](tzitzith.html) and they were tied according to the oral [law](law.html).

## Torah Reading

[Yeshua](yeshua.html) followed the oral [law](law.html) when he read the Torah in the [synagogue](synagog.html) in:

***Luqas (***[***Luke***](luke.html)***) 4:14-20***[*Yeshua*](yeshua.html) *returned to Galilee in the power of the Spirit, and news about him spread through the whole countryside. He* [*taught*](teacher.html) *in their* [*synagogues*](synagog.html)*, and everyone praised him. He went to Nazareth, where he had been brought up, and on the* [*Sabbath*](sabbath.html) *day he went into the* [*synagogue*](synagog.html)*, as was his custom. And he stood up to read. The scroll of the prophet Yeshayahu (Isaiah) was handed to him. Unrolling it, he found the place where it is written: “The Spirit of the Lord is on me, because he has anointed me to preach* [*good news*](mishna1.html) *to the poor. He has sent me to proclaim* [*freedom*](freedom.html) *for the prisoners and recovery of sight for the blind, to release the oppressed, To proclaim the year of the Lord’s favor.” Then he rolled up the scroll, gave it back to the attendant and sat down. The* [*eyes*](body.html) *of everyone in the* [*synagogue*](synagog.html) *were fastened on him, And he began by saying to them, “Today this scripture is fulfilled in your* [*hearing*](mashal.html)*.”*

[Yeshua](yeshua.html) read this portion of the Haftorah:

***Yeshayahu (Isaiah) 61:1-2*** *The Spirit of the Sovereign* [*HaShem*](hashem.html) *is on me, because* [*HaShem*](hashem.html) *has anointed me to preach* [*good news*](mishna1.html) *to the poor. He has sent me to bind up the brokenhearted, to proclaim* [*freedom*](freedom.html) *for the captives and release from darkness for the prisoners, To proclaim the year of* [*HaShem*](hashem.html)*‘s favor and the day of vengeance of our God, to comfort all who* [*mourn*](mourning.html)*,*

This is the exact Haftorah portion of the [triennial](shmita.html) [cycle](cycles.html) of Torah readings.

The oral [law](law.html) says:

***Megilah 29b*** *The following was then cited in objection: ‘If it [the* [*New*](new.html)[*Moon*](chodesh.html) *of* [*Adar*](feasts.html)*] falls on the portion next to it [the portion of* [*Shekalim*](shekalim.html)*], whether before or after, they read it and repeat it’. Now this creates no difficulty for* [*one*](one.html) *who holds that ‘When thou takest’ is read because [the regular portion containing this passage] falls about that* [*time*](time.html)*. But according to the* [*one*](one.html) *who says that ‘My* [*food*](food.html) *which is presented to ‘me’ is read does [the portion containing that passage] fall about that* [*time*](time.html)*? Yes, for the people of Palestine, who complete the reading of the Pentateuch in* [*three*](three.html) *years.*

So, we [know](daat.html) that [Yeshua](yeshua.html) followed the oral [law](law.html) in His reading and in His fulfillment of the scripture. Now lets see how Paul followed the oral [law](law.html) in this regard:

***II Luqas (Acts) 19:8*** *Paul entered the* [*synagogue*](synagog.html) *and* [*spoke*](mashal.html) *boldly there for* [*three*](three.html) *months, arguing persuasively about the kingdom of* [*HaShem*](hashem.html)*.*

If Paul was allowed to [speak](mashal.html) in the [synagogue](synagog.html), he would have had to observe many parts of the oral [law](law.html). He would have read the Torah according to the [triennial](shmita.html) Torah [cycle](cycles.html). He would have lain his [tefillin](tefillin.html) and worn his talit. These articles could only have been made in accordance with the oral [law](law.html) because the manufacture of these items is not described in the written Torah.

## [Passover](passover.html)

Another example of insufficient information without an oral explanation is the preparation and observance of the [Passover](passover.html). Keeping the feast according to a strict pattern would not be possible without an oral tradition of details not found Shemot ([Exodus](exodus.html)) 12, Devarim (Deuteronomy) 16, or elsewhere in the Torah. The fruit of the vine, present in the [Passover](passover.html), and drunk at the [Passover](passover.html) by [Yeshua](yeshua.html), is not mentioned in the Torah. Without an oral tradition, the validity of using fruit of the vine in the [Passover](passover.html) could not be established. Our tradition required [four](four.html) cups of wine at spaced intervals in the [passover](passover.html):

***Pesachim 99b*** *ON THE EVE OF* [*PASSOVER*](passover.html) *CLOSE TO MINHAH A MAN MUST NOT* [*EAT*](eating.html) *UNTIL NIGHTFALL. EVEN THE POOREST MAN IN ISRAEL MUST NOT* [*EAT*](eating.html) *[ON THE NIGHT OF* [*PASSOVER*](passover.html)*] UNTIL HE RECLINES; AND THEY SHOULD GIVE HIM NOT LESS THAN* [*FOUR*](four.html) *CUPS [OF WINE], AND EVEN [IF HE RECEIVES RELIEF] FROM THE CHARITY PLATE.*

By drinking the fruit of the vine, which is still a part of [Jewish](gen-jew.html) observance, at the [Passover](passover.html) [seder](haggada.html), [Yeshua](yeshua.html) confirmed the validity of the oral [law](law.html):

***Matityahu (Matthew) 26:26*** *And as they were* [*eating*](eating.html)*,* [*Yeshua*](yeshua.html) *took bread, and blessed it, and brake it, and gave it to the disciples, and said, Take,* [*eat*](eating.html)*; this is my* [*body*](body.html)*. 27 And he took the cup, and gave thanks, and gave it to them, saying, Drink ye all of it; 28 For this is my* [*blood*](body.html) *of the* [*new*](new.html) *testament, which is shed for many for the remission of* [*sins*](sin.html)*. 29 But I say unto you, I will not drink henceforth of this fruit of the vine, until that day when I drink it* [*new*](new.html) *with you in my Father’s kingdom.*

[Unleavened](chametz.html) bread and bitter herbs are mentioned, but the kind of herbs are not detailed in the [Law](law.html) of Moshe. These are defined in the oral [law](law.html) (Talmud):

***Pesachim 95a*** *WHAT IS THE DIFFERENCE BETWEEN THE* [*FIRST*](one.html)[*PASSOVER*](passover.html) *AND THE SECOND? THE* [*FIRST*](one.html) *IS SUBJECT TO THE PROHIBITION OF [*[*LEAVEN*](chametz.html)*] SHALL NOT BE SEEN AND [*[*LEAVEN*](chametz.html)*] SHALL NOT BE FOUND; WHILE AT THE SECOND [A MAN MAY HAVE]* [*LEAVENED*](chametz.html) *AND* [*UNLEAVENED*](chametz.html) *BREAD IN THE HOUSE WITH HIM. THE* [*FIRST*](one.html) *REQUIRES [THE RECITING OF] HALLEL WHEN IT [THE PASCHAL LAMB] IS* [*EATEN*](eating.html)*, WHEN THE SECOND DOES NOT REQUIRE HALLEL WHEN IT IS* [*EATEN*](eating.html)*. BUT BOTH REQUIRE [THE RECITING OF] HALLEL WHEN THEY ARE SACRIFICED, AND THEY ARE* [*EATEN*](eating.html) *ROAST WITH* [*UNLEAVENED*](chametz.html) *BREAD AND BITTER HERBS, AND THEY OVERRIDE THE* [*SABBATH*](sabbath.html)*.*

At the [Passover](passover.html) [Seder](haggada.html): How did [Yeshua](yeshua.html) [know](daat.html) that he was to dip? How did He [know](daat.html) to take [four](four.html) cups of wine?

***Matityahu (Matthew) 26:20-30*** *When evening came,* [*Yeshua*](yeshua.html) *was reclining at the table with the* [*Twelve*](twelve.html)*. And while they were* [*eating*](eating.html)*, he said, “I tell you the truth,* [*one*](one.html) *of you will betray me.” They were very sad and began to say to him* [*one*](one.html) *after the other, “Surely not I,* [*HaShem*](hashem.html)*?”* [*Yeshua*](yeshua.html) *replied, “The* [*one*](one.html) *who has dipped his* [*hand*](fourteen.html) *into the bowl with me will betray me. The Son of Man will go just as it is written about him. But woe to that man who betrays the Son of Man! It would be better for him if he had not been born.” Then Judas, the* [*one*](one.html) *who would betray him, said, “Surely not I, Rabbi?”* [*Yeshua*](yeshua.html) *answered, “Yes, it is you.” While they were* [*eating*](eating.html)*,* [*Yeshua*](yeshua.html) *took bread, gave thanks and broke it, and gave it to his disciples, saying, “Take and* [*eat*](eating.html)*; this is my* [*body*](body.html)*.” Then he took the cup, gave thanks and offered it to them, saying, “Drink from it, all of you. This is my* [*blood*](body.html) *of the* [*covenant*](covenant.html)*, which is poured out for many for the* [*forgiveness*](forgive.html) *of* [*sins*](sin.html)*. I tell you, I will not drink of this fruit of the vine from now on until that day when I drink it anew with you in my Father’s kingdom.” When they had sung a hymn, they went out to the* [*Mount of Olives*](east.html)*.*

## Water Libation

The [Succoth](succoth.html) Water Libation (Sukkoth 4:9) was obviously going on when [Yeshua](yeshua.html) said these words:

***Yochanan (John) 7:37-38*** *On the last and greatest day of the Feast,* [*Yeshua*](yeshua.html) *stood and said in a loud voice, “If anyone is thirsty, let him come to me and drink. Whoever believes in me, as the Scripture has said, streams of living water will flow from within him.”*

What does this [Succoth](succoth.html) [event](feasts.html) have to do with Oral [Law](law.html)? The water libation ceremony which [Yeshua](yeshua.html) identifies himself with is from the Oral [Law](law.html) ([Succoth](succoth.html) 4:9) not the written.

The Mishna has this to say about the water libation:

[***Succah***](succoth.html) ***4, Mishna 9:*** *The water-libation; How so? A golden flagon holding* [*three*](three.html) *log was filled from the pool of Shiloah. When they arrived at the Water Gate they sounded a prolonged blast, (and) a quavering note, and a prolonged blast. He went up the ramp and turned to his left where there were* [*two*](two.html) *silver bowls. R. Juday says, They were of plaster, but their surfaces were blackened because of the wine. And they each had a hole like a narrow spout,* [*one*](one.html) *wide and the other narrow, so that both were emptied out together, the* [*one*](one.html) *to the west was for water and that to the* [*east*](east.html) *for wine. If* [*one*](one.html) *emptied out that for the water into the* [*one*](one.html) *for wine or that for wine into the* [*one*](one.html) *for water, it is valid. R. Judah says, With* [*one*](one.html) *log they could carry out the libations all the* [*eight*](eight.html) *days. To him who performed the libation they used to say, ‘Raise thy* [*hand*](fourteen.html)*!’, for on* [*one*](one.html) *occasion he poured it over his* [*feet*](heel.html) *and all the people pelted him with their citrons.*

## Abel’s [Passover](passover.html) [Sacrifice](korbanot.html) of higher quality than Cain’s[[26]](#footnote-26)

[***Bereans***](bereans.html) ***(***[***Hebrews***](bereans.html)***) 11:4*** *By faith Abel offered* [*HaShem*](hashem.html) *a better* [*sacrifice*](korbanot.html) *than Cain did. By faith he was commended as a righteous man, when* [*HaShem*](hashem.html)[*spoke*](mashal.html) *well of his offerings. And by faith he still speaks, even though he is dead.*

Yeshayahu (Isaiah) was martyred by sawing in half. This is not mentioned in the Tanach, but it is recorded in the Talmud (Yeb. 49b):

[***Bereans***](bereans.html) ***(***[***Hebrews***](bereans.html)***) 11:32-39*** *And what more shall I say? I do not have* [*time*](time.html) *to tell about Gideon, Barak, Samson, Jephthah, David, Shmuel (Samuel) and the prophets, Who through faith conquered kingdoms, administered justice, and gained what was promised; who shut the* [*mouths*](body.html) *of lions, Quenched the fury of* *the flames, and escaped the edge of the sword; whose weakness was turned to strength; and who became powerful in battle and routed foreign armies. Women received back their dead, raised to life again. Others were tortured and refused to be released, so that they might gain a better* [*resurrection*](techiyat.html)*. Some faced jeers and flogging, while still others were chained and put in prison. They were stoned; they were sawed in* [*two*](two.html)*; they were put to death by the sword. They went about in sheepskins and goatskins, destitute, persecuted and mistreated-- The* [*world*](worlds.html) *was not worthy of them. They wandered in deserts and mountains, and in caves and holes in the ground. These were all commended for their faith, yet none of them received what had been promised.*

## Miriam’s Well

Any allusion to water is really a reference to Torah, it is understandable that Miriam’s well was no ordinary well. The Mechilta says that, just like the *manna* could taste like any [food](food.html), the water from Miriam’s well could taste like any drink. More importantly, anytime *be’er* (well) is written in the masculine form, it alludes to Torah Shebiktav (written); when it is written *b’era*, in its feminine form, it alludes to Torah ShebaalPeh (oral). (Pri Tzadik, Parashat Chukkat, 15) Thus, *B’era shel Miriam* alludes to Torah ShebaalPeh.

The well of Miriam that provided water in the wilderness (Parashat Chukkat 20:1b-2a) is not mentioned in the Tanach, but it is recorded in:

***I Corinthians 10:1-6*** *For I do not want you to be ignorant of the fact, brothers, that our forefathers were all under the* [*cloud*](important.html) *and that they all passed through the sea. They were all baptized into Moshe in the* [*cloud*](important.html) *and in the sea. They all* [*ate*](eating.html) *the same* [*spiritual*](physical.html)[*food*](food.html) *And drank the same* [*spiritual*](physical.html) *drink; for they drank from the* [*spiritual*](physical.html)[*rock*](rock.html) *that accompanied them, and that* [*rock*](rock.html) *was HaMashiach. Nevertheless,* [*HaShem*](hashem.html) *was not pleased with most of them; their* [*bodies*](body.html) *were scattered over the desert. Now these things occurred as examples to keep us from setting our hearts on evil things as they did.*

## Called a Nazarean

Where does it ever say that [Mashiach](mashiach.html) will be called a Nazarene? It is not found any where in the Tanach!

***Matityahu (Matthew) 2:19-23*** *After Herod died, an* [*angel*](angels.html) *of* [*HaShem*](hashem.html) *appeared in a* [*dream*](dreams.html) *to* [*Joseph*](joseph.html) *in Egypt And said, “Get up, take the child and his mother and go to the* [*land of Israel*](city.html)*, for those who were trying to take the child’s life are dead.” So he got up, took the child and his mother and went to the* [*land of Israel*](city.html)*. But when he heard that Archelaus was reigning in Judea in place of his father Herod, he was afraid to go there. Having been warned in a* [*dream*](dreams.html)*, he withdrew to the district of Galilee, And he went and lived in a town called Nazareth. So was fulfilled what was said through the prophets: “He will be called a Nazarene.”*

## Hakham Shaul Obeys The Oral [Law](law.html)

Paul never did anything against the CUSTOMS OF OUR [FATHERS](fathers.html) [Halachah]. This would have included obedience to the oral [law](law.html):

***II Luqas (Acts) 28:16-17*** *When we got to Rome, Paul was allowed to live by himself, with a soldier to guard him.* [*Three*](three.html) *days later he called together the leaders of the* [*Jews*](gen-jew.html)*. When they had assembled, Paul said to them: “My brothers, although I have done nothing against our people or against the customs of our ancestors, I was arrested in* [*Jerusalem*](city.html) *and handed over to the Romans.*

Paul states he has kept the customs of the [Jews](gen-jew.html). Strong’s [number](nchart.html) for the word translated “customs” is #1485. Thayer’s definition is a “custom or a usage prescribed by [law](law.html), institute, prescription or rite.” From a [Jewish](gen-jew.html) point of view, he is talking about the Oral [Law](law.html).

At the end of his life, Paul reiterates that he has not done anything against the [law](law.html) of the [Jews](gen-jew.html). The [Jews](gen-jew.html) considered the oral and the written [law](law.html) to be of equal validity:

***II Luqas (Acts) 25:8*** *Then Paul made his defense: “I have done nothing wrong against the* [*law*](law.html) *of the* [*Jews*](gen-jew.html) *or against the* [*temple*](temple.html) *or against Caesar.”*

The Oral [Law](law.html) provides the details or fine points of how to perform a [Commandment](cmds613.html). The Oral [Law](law.html) will not be found in Torah. An example would be how to keep the [Sabbath](sabbath.html). [HaShem](hashem.html) says, “do no work” on the [Sabbath](sabbath.html), with no further explanation (Shemot 20:10). It was up to the oral [law](law.html) to define *work*. Defining what *work* is would be an example of the Oral [Law](law.html). Moshe also received these Oral [Laws](law.html) (Devarim 5:30-31) as well as the Written Torah at Mount [Sinai](stages.html).

Paul did NOT [teach](teacher.html) against the [HALACHA](walking.html).

***II Luqas (Acts) 21:17-26*** *When we arrived at* [*Jerusalem*](city.html)*, the brothers received us warmly. The next day Paul and the rest of us went to see James, and all the elders were present. Paul greeted them and reported in detail what* [*HaShem*](hashem.html) *had done among the* [*Gentiles*](gen-jew.html) *through his ministry. When they heard this, they praised* [*HaShem*](hashem.html)*. Then they said to Paul: “You see, brother, how many thousands of* [*Jews*](gen-jew.html) *have believed, and all of them are zealous for the* [*law*](law.html)*. They have been informed that you* [*teach*](teacher.html) *all the* [*Jews*](gen-jew.html) *who live among the* [*Gentiles*](gen-jew.html) *to turn away from Moshe, telling them not to* [*circumcise*](circumcz.html) *their children or live according to our customs. What shall we do? They will certainly hear that you have come, So do what we tell you. There are* [*four*](four.html) *men with us who have made a vow. Take these men, join in their purification rites and pay their expenses, so that they can have their heads shaved. Then everybody will* [*know*](daat.html) *there is no truth in these reports about you, but that you yourself are living in obedience to the* [*law*](law.html)*. As for the* [*Gentile*](gen-jew.html) *believers, we have written to them our decision that they should abstain from* [*food*](food.html) *sacrificed to idols, from* [*blood*](body.html)*, from the meat of strangled animals and from sexual immorality.” The next day Paul took the men and* [*purified*](purity.html) *himself along with them. Then he went to the* [*temple*](temple.html) *to give notice of the date when the days of purification would end and the* [*offering*](korbanot) *would be made for each of them.*

Paul [taught](teacher.html) oral [law](law.html) to [Gentiles](gen-jew.html).

***II Thessalonians 2:15*** *So then, brothers, stand firm and hold to the traditions we passed on to you, whether by word of* [*mouth*](body.html) *or by* [*letter*](letters.html)*.*

Again, Strong’s [number](nchart.html) for “traditions” is #3862. Paul is writing to the [Gentile](gen-jew.html) cities of Corinth and Thessalonica. He is addressing [synagogues](synagog.html) that included many [Gentiles](gen-jew.html). Notice that he particularly mentions traditions that were delivered by “word of [mouth](body.html)“.

What instructions did Paul give regarding dealings with people who did not keep the “traditions” or Oral [Law](law.html):

***II Thessalonians 3:6*** *In the* [*name*](name.html) *of the Lord* [*Yeshua*](yeshua.html) *HaMashiach, we* [*command*](cmds613.html) *you, brothers, to keep away from every brother who is idle and does not live according to the traditions you received from us.*

You guessed it. Again the word for traditions is the same, Strong’s #3862.

***I Corinthians 5:6-8*** *Your* [*boasting*](chametz.html) *is not good. Don’t you* [*know*](daat.html) *that a little* [*yeast*](chametz.html) *works through the whole batch of dough? Get rid of the old* [*yeast*](chametz.html) *that you may be a* [*new*](new.html) *batch without* [*yeast*](chametz.html)*--as you really are. For HaMashiach, our* [*Passover*](passover.html) *lamb, has been sacrificed. Therefore let us keep the* [*Festival*](festival.html)*, not with the old* [*yeast*](chametz.html)*, the* [*yeast*](chametz.html) *of malice and* [*wickedness*](wicked.html)*, but with bread without* [*yeast*](chametz.html)*, the bread of sincerity and* truth.

Paul makes it clear he not only kept the Written [Law](law.html) but the Oral [Law](law.html) as well:

***1 Corinthians 11:1-2*** *Follow my example, as I follow the example of* [*Mashiach*](mashiach.html)*. I praise you for remembering me in everything and for holding to the traditions, just as I passed them on to you.*

Strong’s [number](nchart.html) for the word translated “traditions” is #3862. Thayer’s second definition states “of the [body](body.html) of precepts, esp. ritual, which in the opinion of the [Jews](gen-jew.html) were orally delivered by Moshe and orally transmitted in unbroken succession to subsequent [generations](toldot.html), which precepts, both illustrating and expanding the Written [Law](law.html), as they did, were to be obeyed with equal reverence.”

What does Paul say to Believers about those who try to prevent people from observing the traditions of the [Jews](gen-jew.html)?

***Romans 16:17*** *I urge you brothers, to watch out for those who cause divisions and put obstacles in your way that are contrary to the* [*teaching*](teacher.html) *you have learned. Keep away from them.*

Have we not learned what Paul has been [teaching](teacher.html)? Is it not the traditions and [laws](law.html) of the [Jews](gen-jew.html)? Beware of those who state the [Law](law.html) is not to be obeyed! Keep away from them.

Paul, in his second [letter](letters.html) to Timothy, quotes from the oral [law](law.html) to [name](name.html) those who opposed Moshe:

***II Timothy 3:8*** *Just as Jannes and Jambres opposed Moshe, so also these men oppose the truth--men of depraved minds, who, as far as the faith is concerned, are rejected.*

The Torah records this incident, but it does not [name](name.html) the names:

***Shemot (***[***Exodus***](exodus.html)***) 7:11-12*** *Pharaoh then summoned wise men and sorcerers, and the Egyptian magicians also did the same things by their* [*secret*](sod.html) *arts: Each* [*one*](one.html) *threw down his* [*staff*](staff.html) *and it became a snake. But Aaron’s* [*staff*](staff.html) *swallowed up their staffs.*

In the Talmud we have this note:

***Menachoth 85a*** *ALL [OFFERINGS] MUST BE OFFERED FROM THE CHOICEST PRODUCE etc. Johana[[27]](#footnote-27) and Mamre said to Moshe, ‘Wouldst thou carry straw to Hafaraim?’[[28]](#footnote-28) He answered them, ‘There is a common saying. “Bring herbs to Herbtown”.’[[29]](#footnote-29)*

Another part of the oral [law](law.html), the Zohar, also names these men:

***Soncino Zohar, Shemoth, Section 2, Page 191a*** *‘AND WHEN THE PEOPLE SAW THAT MOSES DELAYED (boshesh) TO COME DOWN OUT OF THE MOUNT. The word “people” denotes the “mixed multitude”. And who were the “mixed multitude”? Were they Lydians, Ethiopians, or Cyprians? Were they not all Egyptians, and did they not all come* [*from Egypt*](thebirth.html)*? If they had consisted of a mixture of many different* [*nations*](nations.html)*, would not the plural verb ‘alu (went up) have been used instead of the singular ‘ala (Ex. XII, 38)? In fact, however, the “mixed multitude” consisted entirely of* [*one*](one.html) *people all the members of which* [*spoke*](mashal.html)[*one*](one.html) *language: namely, all the sorcerers of Egypt and all its magicians, as it is written, “And the magicians of Egypt, they also did in like manner with their enchantments” (Ex. VII, 11); for they wanted to oppose the wonderful works of the Holy* [*One*](one.html)*, blessed be He. When they beheld the* [*signs*](signs.html) *and the wonders which Moshe wrought in Egypt they came to Moshe to be converted. Said the Holy* [*One*](one.html) *to Moshe: “Do not receive them!” Moshe, however, replied: “Sovereign of the universe, now that they have seen Thy power they* [*desire*](needs.html) *to accept our Faith, let them see Thy power every day and they will learn that there is no God like unto Thee.” And Moshe accepted them. And why, then, were they called “mixed multitude”? Because they consisted of all the grades of the Egyptian magicians, at their* [*head*](body.html) *being Jannes and Jambres.[Tr. note: Cf. Targum Jonathan, Ex. VII, 1l] During the hours of the day these wizards practiced their unholy arts, and from the* [*time*](time.html) *of the setting of the* [*sun*](hachama.html)*, the beginning of the second half of the* [*sixth*](six.html) *hour to the commencement of the second half of the* [*ninth*](nine.html) *hour, they made observations of the* [*heavens*](heaven.html)*: the middle of the* [*ninth*](nine.html) *hour being the “great evening” (ereb rab, which means both “great multitude” and “great evening”). The lesser magicians, however, did not thus: they made observation from the middle of the* [*ninth*](nine.html) *hour until midnight. The chief wizards began at the* [*time*](time.html) *mentioned above because the* [*nine*](nine.html) *hundred and ninety-*[*five*](five.html) *grades begin then to roam upon the mountains of darkness, and their spirit moved upon all those magicians in virtue of their witchcraft, and they did all that the latter asked of them, so that all the Egyptians had complete faith in them and called them “large evening”, in contrast to the “small evening”, which began from the middle of the tenth hour.*

Thus we see that not only was Hakham Shaul conversant with the oral [law](law.html), but that he used this oral [law](law.html) to [teach](teacher.html) about [Yeshua](yeshua.html). Hakham Shaul, matter of factly, accepts the oral [law](law.html) as authoritative!

Paul remained a Pharisee (in favor of Oral [Law](law.html)) as a believer.

***II Luqas (Acts) 23:6*** *Then Paul, knowing that some of them were Sadducees and the others Pharisees, called out in the Sanhedrin, “My brothers, I am a Pharisee, the son of a Pharisee. I stand on trial because of my hope in the* [*resurrection*](techiyat.html) *of the dead.”*

Paul kept all the [Law](law.html), but perhaps most importantly, he told the people to follow his example as he follows the [Messiah](mashiach.html)‘s example, verse 1. Does not the [Messiah](mashiach.html) have to be a [Law](law.html)-observant [Jew](gen-jew.html)? If he was not an observant [Jew](gen-jew.html), then he would be disqualified from being the [Messiah](mashiach.html). Since the [Messiah](mashiach.html) was observant and Paul followed his example, then Paul was instructing all [Jews](gen-jew.html), whether they believed [Yeshua](yeshua.html) was the [Messiah](mashiach.html) or not, to keep the [Law](law.html). This is the [Messiah](mashiach.html)‘s example. Keep in mind that Paul stated this after [Messiah](mashiach.html)‘s death. Paul is misunderstood repeatedly because he wrote in [Jewish](gen-jew.html) terms and at a high level of presumptive understanding. Paul wrote with the assumption that the person reading his [letter](letters.html) knows Written and Oral Torah.

[Yeshua](yeshua.html) endorsed Pharisaic [teaching](teacher.html) (Oral [Law](law.html)).

***Matityahu (Matthew) 23:2-3*** *“The teachers of the* [*law*](law.html) *and the Pharisees sit in Moshe’ seat. So you must obey them and do everything they tell you. But do not do what they do, for they do not practice what they preach.*

[Yeshua](yeshua.html) apparently attached great importance to the Oral Torah (unwritten in his day), and it seems he considered it to be authoritative. When he admonished his disciples to “do and observe everything they [the scribes and Pharisees] [command](cmds613.html) you” he was referring to the Pharisees’ oral traditions and interpretations of the Written Torah. The Written Torah itself could not have been in question, for it was accepted by all sects of Judaism. Notice that [Yeshua](yeshua.html) is giving this [command](cmds613.html) just days before He is to die by the [hands](fourteen.html) of the court of Pharisees!

## Slaves and Their Family

The [law](law.html) given in Shemot 18:2 says that a [Hebrew](hebrew.html) slave acquired by any person shall serve for [six](six.html) years; but it does not state why and how such a slave may be acquired. The [law](law.html) furthermore provides that if such a slave has served for [six](six.html) years, his wife, if he has [one](one.html), shall go free with him; but it does not state that the wife of the slave accompanies him to his master’s house, nor does it define her relation to the master.

The Oral Explains The Written

Without an oral [law](law.html), even the text of the written Torah becomes frought with problems The most outrageous example I have seen is using the [Shema](shema.html) to prove that there are many gods:

“Hear O Israel, [the [one](one.html) called] [HaShem](hashem.html) is our g-d, [HaShem](hashem.html) is [[number](nchart.html)] [one](one.html) [among the gods]”. Could the [Hebrew](hebrew.html) sentence be read and interpreted that way? Sure. Is that the intent? Most decidedly not, yet without an oral [law](law.html), it becomes a possibility.

**\* \* \***

**Oral** [**Law**](law.html) **Terms used in the** [**New**](new.html) **Testament, and their Greek equivalents**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Judaic Term** | **Greek Word** | **KJV English** | **Strong’s #** | **Examples** |
|  |  |  |  |  |
| Mishna/Gemara | Paradosis | Tradition | 3862 | Mt 15;Mk 7  Gal 1:4  2Th 2:15;3:6 |
| Aggadah | Parabolay | Parable | 3850 | Mt 13 Mt 15:15 |
| Midrash | Allegoreo | Allegory | 238 | Gal 4:24 |
| Halachah | Ethos | Customs | 1485 | II Luqas (Acts) 21:21  II Luqas (Acts) 28:17 |
| Halachah | Hodos | Way | 3598 | Mt 22:16 Jn 14:6  II Luqas (Acts) 18:25-26  II Luqas (Acts) 22:4 |

## Miscellaneous Oral Implications

I will cite some examples of [Laws](law.html) from the Written Torah that are completely incomprehensible without [knowledge](knowledge.html) of the Oral Tradition.

When the Bible tells us[[30]](#footnote-30) to take together [four](four.html) species on the [first](one.html) day of [Succoth](succoth.html), which [four](four.html) species are meant, and what are we supposed to do with them?

The prohibition of Chelev - fat, in Vayikra (Leviticus) 7:24, leaves us uninformed as to which fat is included in the category of Chelev, and which are Shumin (fat) and therefore permitted.

Which [blood](body.html) is forbidden, in Vayikra (Leviticus) 7:26, and how do we purge the meat of it?

What are Totaphot?[[31]](#footnote-31) If that means [Tefillin](tefillin.html), what exactly are [Tefillin](tefillin.html)? How are they made, and how are they “bound as a [sign](signs.html) upon your [hand](fourteen.html)?”

Which work is forbidden on the [Sabbath](sabbath.html), and which is permitted?

“You shall not cook a young animal in its mother’s milk” is stated [three](three.html) times in the Torah. Why? The Oral [Law](law.html) explains why. It also explains the seemingly odd wording of the [commandment](cmds613.html).

Most [Hebrew](hebrew.html) words change their meaning when pronounced differently. Without the Oral Tradition, how can we determine the true meaning of the words of the [Hebrew](hebrew.html) Scriptures, written as they were without vowels? Indeed, without an oral [law](law.html) we would not even understand the meaning of the [letters](letters.html), much less the words.

These are just a few examples of why the Oral Torah is necessary. And if you consider all that the Torah includes, you will realize that the entire [body](body.html) of Torah, the instructions on how to live our lives, is too vast to be confined to a few small books.

The Talmud tells the story of a [Gentile](gen-jew.html) who went to Hillel the Elder and said to him, “I want to [convert](aliens.html), but I want to accept only the Written Torah, and not the Oral Torah. I don’t wish to accept the words of the Hakhamim. So [teach](teacher.html) me only the Written Torah, and not the Oral Torah.”

But Hillel [knew](daat.html) that the man wanted to do the right thing. He simply didn’t understand the purpose of the Oral Torah. So he began to [teach](teacher.html) him the Aleph Bet.[[32]](#footnote-32) The [first](one.html) day, Hillel the Elder [taught](teacher.html) him the [first](one.html) [two](two.html) [letters](letters.html), *aleph*, and *bet*.

The next day, Hillel the Elder [taught](teacher.html) him the same [two](two.html) [letters](letters.html) in reverse. He showed him the [letter](letters.html) *aleph*, and called it “*bet*.” The man objected, “But yesterday you [taught](teacher.html) it the other way!”

“Well, then, you need me, a Hakham, to [teach](teacher.html) you the *Aleph Bet*? So you have to trust my [knowledge](knowledge.html) of the tradition of the [letters](letters.html). What I tell you is the Oral Tradition. You can’t read the alphabet if no [one](one.html) tells you what it means. And you think you don’t need the Hakhamim [knowledge](knowledge.html) of [Jewish](gen-jew.html) Tradition in order to understand the words of the Torah? Those are much more difficult! Without an Oral Tradition you will **never** be able to learn the Torah.”

## In the Nazarean Codicil

Matthew 9:14, 15 – The argument of [Yeshua](yeshua.html), in which He defends the manner in which His disciples fast, is based upon a recognized [halakah](walking.html) that it is improper to fast in the presence of a bridegroom. This is not found in the written Torah. Cp. b. Sukka 25b; t. Ber. 2.10.

\* \* \*

***Matthew 12:5*** *Or have ye not read in the* [*law*](law.html)*, how that on the* [*sabbath*](sabbath.html) *days the* [*priests*](priests.html) *in the* [*temple*](temple.html) *profane the* [*sabbath*](sabbath.html)*, and are blameless?*

The [teaching](teacher.html) or [halakah](walking.html) which states that the [priests](priests.html) break the [Sabbath](sabbath.html) but are innocent is not found in the written Torah. Cp. b. [Shabbat](sabbath.html) 132b. For other instances where the [Sabbath](sabbath.html) may be profaned, cp. m. Ned. 3.11 ([circumcision](circumcz.html)); m.Pesah 6.1-2; t. Pesah 4.13 ([Passover](passover.html) sacrifices).

\* \* \*

***Matthew 15:1*** *Then came to* [*Jesus*](yeshua.html) *scribes and Pharisees, which were of* [*Jerusalem*](city.html)*, saying, 2 Why do thy disciples transgress the tradition of the elders? for they wash not their* [*hands*](fourteen.html) *when they* [*eat*](eating.html) *bread.*

Pharisees are inquiring about the disciples of [Yeshua](yeshua.html): why do they transgress the traditions of the elders by not washing their [hands](fourteen.html) according to [halakah](walking.html) before [eating](eating.html)? [Yeshua](yeshua.html) rebukes them, citing also their use of [korban](korbanot.html) to “hide” their wealth from aging parents who needed their support. In both cases, it is clear that the Pharisees consider the [halakah](walking.html), based on oral Torah, as binding. Cf. m. Hag. 2.5; b.Sabb. 13b-14a; y. Sabb. 1.3d; b. Yoma 87a.

Matt. 15:36 – There is nothing in the written Torah about giving thanks before [eating](eating.html). Saying the berakah before [eating](eating.html) is part of the oral Torah.

Matt. 22:40 – [Yeshua](yeshua.html) quotes the [Shema](shema.html) and Lev. 19:18, stating that upon these [two](two.html) preceptshang (krevmatai, krematai)[55] the [Law](law.html) and Prophets. The terminology of the [Law](law.html) and Prophets hanging from something is derived from oral Torah, cp. m. Hagiga 1.8; b. Ber. 63a.

Matt. 23:16, 17 – The Pharisees found a way to deny certain oaths (those sworn by the [temple](temple.html)) and to allow others (those sworn by the gold of the [temple](temple.html)), cf. M. Nedarim 1.3, 4;[56] cp. alsob.Tem. 32a-33b. [Yeshua](yeshua.html) argues that the [Temple](temple.html) actually sanctifies the gold. This is not found in written Torah.

Matt. 23:23 – The matter of tithing very small amounts of produce from volunteer seedlings is not taken up in the written Torah, but is part of the oral Torah, cp. m. Maasarot 1.1; b. Yoma 83b;b.Nidah 5a; b. [Rosh HaShana](teruah.html)h 12a; b.[Shabbat](sabbath.html) 68a.

Matt. 24:20 – The whole issue of [travel](mashal.html) on the [Sabbath](sabbath.html) is defined in oral Torah, not written Torah. There are no specific prohibitions in the written Torah restricting [travel](mashal.html) on the [Sabbath](sabbath.html). [The prohibition of Ex. 16:29 cannot mean that [one](one.html) is restricted to stay within his [dwelling](dwelling.html) (the [Hebrew](hebrew.html) has אִישׁ מִמְּקֹמוֹ, “each man from his place” not אִישׁ מִבֵּיתוֹ, “each man from his house”). Yet the written Torah does not define the dimensions of [one](one.html)‘s “place.” It was the oral Torah that developed, for instance, a “[Sabbath](sabbath.html)-day’s [journey](stages.html).”] cf. b. Erubin 4.5; Acts 1:12. Jer. 17:19-22prohibits the carrying of loads out of [one](one.html)‘s house, but this is clearly defined as “work.”

Matt. 26:20 – Reclining is the position of [eating](eating.html) at the [Pesach](passover.html) meal, but is not prescribed in the written Torah. Cf. m. Pesachim 10:1. Reclining is an halakic requirement before [one](one.html) can [eat](eating.html) the [Passover](passover.html).

Matt. 27:6 – The written Torah prohibits the wages of a [temple](temple.html) prostitute to come into the [Temple](temple.html) treasury (Deut. 23:19). Of interest is b. Aboda Zera 17a where [Jacob](israelja.html), a disciple of [Yeshua](yeshua.html) of Nazareth, is said to have had an interaction with R. Eliezer over a saying of [Yeshua](yeshua.html) based onDeut. 23:19. The oral Torah expanded this to include any money obtained for unlawful hire (cf.b.Temurah. 29b).

Lk. 6:9 – Cp. m.[Shabbat](sabbath.html) 22.5. The issues of healing (see the parallel in Matt. 12:10) on the [Sabbath](sabbath.html) are part of the oral Torah, to which [Yeshua](yeshua.html) no doubt refers.

Lk. 11:44 – The written Torah declares that a person is unclean from a corpse if he touches it or is in the same room with it (Nu. 19:11-15). The Pharisees extended the communication of [impurity](purity.html) to any object overshadowed by a corpse (or part of a corpse) or any object whose shadow contacts a corpse or tomb (m.Oholot 16.1,2). The oral Torah further elaborates the means by which [impurity](purity.html) is transmitted from a corpse to an object. It appears that [Yeshua](yeshua.html) accepted at least some of this oral Torah as grounds for His illustration of the Pharisees as concealed tombs that rendered those who overshadowed them unclean.

Jn. 7:51 – The written Torah suggests that a matter of [law](law.html) be carefully examined, but does not specifically say that the accused must be given the right to [speak](mashal.html) (cp. Ex 23:1; Deut. 1:16; 17:4). Oral Torah, however, required that the accused be given the opportunity to [speak](mashal.html) for himself (Ex. Rabbah 23.1)

Ac. 18:13 – Paul is accused of [teaching](teacher.html) the [Jewish](gen-jew.html) [community](community.html) to worship contrary to the [law](law.html), but by his own testimony he did not [teach](teacher.html) contrary to the written Torah (Ac 21:24; 22:3). He is accused of bringing Greeks into the [Temple](temple.html) (Ac 21:28), and the issue in Ac 18:13ff consists of issues relating to “words and names and your own [law](law.html)“ (v. 15). This must be oral Torah, not written.

Ac. 21:21 – The phrase “[walk](walking.html) according to the customs” (toi`~ e[qesin peripatei`n) is the equivalent of [halakah](walking.html)—life regulated by issues of oral Torah.

Ac. 23:3 – What [law](law.html) was violated when Paul was struck? The idea that a person was innocent until proven guilty is a function of oral Torah, not written Torah.

Ac. 25:8 – The threefold designation, “[law](law.html) of the [Jews](gen-jew.html), or against the [Temple](temple.html) or against Caesar” seems to define the [three](three.html) most powerful [arms](body.html) of [law](law.html): Pharisees ([law](law.html) of the [Jews](gen-jew.html)), Sadduccees (against the [Temple](temple.html)) and Rome (against Caesar). Each of these is referred to by the term “[Law](law.html)“ in this instance.

## Comments

It’s “Nit picking.”-- This is the problem of Christianity, when a disagreement arises they start a [new](new.html) sect! In Judaism we have an open forum and air out the issue in an orderly manner, preserving unity... I prefer “Nit picking” to Sectarianism any day. We either care about [HaShem](hashem.html)‘s word (Torah) or we don’t. If we care then its not “Nit picking”, if we don’t care, then that is a problem in itself.

The Talmud was penned by those who rejected [Messiah](mashiach.html). True to an extent, though [Jacob](israelja.html) the Min, the Judge of Shabbat116a and Nakdimon (Nicodemus) were believers, and Gamaliel was somewhat open minded about it.

Some say that the Oral [Law](law.html) made some drastic change between the close of the Nazarean Codicil (c. 100 CE) and the Mishna (c.200 CE). -- There is no evidence of this, the accounts we have of the Pharisees from the Apostolic period (those made by Josephus) match up quite well with those made in the [fourth](four.html) century by Epiphanius! Epiphanius even said in the [fourth](four.html) century, well AFTER the Mishna was penned, that the Nazarenes were exactly like the other [Jews](gen-jew.html) except for the acceptance of [Yeshua](yeshua.html) as [Messiah](mashiach.html). (Nazarenes = [Jews](gen-jew.html)).

The Nazarean Codicil shows that [Yeshua](yeshua.html) condemned the practices of the Pharisees. True, but, only their practices, because of hypocrisy, just as He will do to the rest of the congregation... He was very careful to endorse Pharisaic [teaching](teacher.html) as opposed to Pharisaic actions, as we saw in Matityahu (Matthew) 23:2-3.

## Rabbinic commentary on the Talmud

[Know](daat.html) that it is your duty to understand that whoever propounds a certain theory or idea and expects that theory or idea to be accepted merely out of respect for the author without proving its truth and reasonableness pursues a wrong method prohibited by both the Torah and human intelligence... According to this preamble, then, we are not duty bound to defend the opinions of the sages of the Talmud, concerning medicine, physics and astrology, as right in every respect simply because we [know](daat.html) the sages to be great men with a full [knowledge](knowledge.html) of all things regarding the Torah, in its various details...

\* \* \*

MOSHE RECEIVED (kibayle) TORAH FROM [SINAI](stages.html) AND TRANSMITTED IT (u’m’sa-ra) TO JOSHUA, AND JOSHUA TO THE ELDERS, AND THE ELDERS TO THE PROPHETS, AND THE PROPHETS TRANSMITTED IT TO THE MEN OF THE GREAT ASSEMBLY.

The beginning of the [first](one.html) Mishna begs for some understanding. If the purpose of the statement above is to tell us the location it should have said AT or ON [Sinai](stages.html), a very definable place. Why the use of the word ‘from’?

We are not interested in “location” here; our concern is a relationship, which the word ‘from’ connotes. We are emphasizing the resource from whence these ethics derive. They are G-d given; they stem from the same source as all the other religious [laws](law.html). They have the same validity as the [laws](law.html) of [Shabbat](sabbath.html), Kashrut, and Family [Purity](purity.html) (Taharat Hamishpocha) because they were given to Moshe by [HaShem](hashem.html) on [Sinai](stages.html). This is fundamental!

True, the human mind is rational and [one](one.html) can argue that even if we were not given the ethical [laws](law.html) on [Sinai](stages.html), a decent human being would perforce observe them nonetheless. Who could [justify](justification.html) killing? Who could [justify](justification.html) stealing, cheating? Who cannot see the ‘morality’ of honoring father and mother or helping the poor? It’s axiomatic!

We offer [two](two.html) responses:

1. The Torah view is that even what we accept axiomatically as ‘good’ and ‘evil’ is something that [HaShem](hashem.html) implanted in us. This idea is expressed in the Midrash (Bereshit Rabbah 2:5)

Rebbe Abavhu said: At the beginning of the [world](worlds.html)‘s [creation](bara.html), The Holy [One](one.html), Blessed be He, gazed at the deeds of the righteous and at the deeds of the [wicked](wicked.html). The [world](worlds.html) was ‘tohu v’vaohu’ (Bereshit 1:3) refers to the deeds of the [wicked](wicked.html). “and [HaShem](hashem.html) said Let there be light” refers to the deeds of the righteous. But still I would not [know](daat.html) which of them He [desires](needs.html).... the deeds of these of the deeds of those. However, once Torah writes, “And [HaShem](hashem.html) saw the light that it was Good (Bereshit 1:4), it is the deeds of the righteous that He [desires](needs.html) and He does not [desire](needs.html) the deeds of the [wicked](wicked.html).

2. Who could [justify](justification.html) killing? Look at the holocaust. It happened. A society created a [new](new.html) ‘morality’ where genocide became acceptable, where selection based on racial qualities was the ideal, and where dishonor to parents, by spying and reporting on them to authorities became the norm. Look at the Socratian concept of ‘Justice is in the interest of the stronger’ and Hobbes’ ‘dog [eat](eating.html) dog’ pessimism about human nature, and you question how inviolate some of our basic concepts of ‘good’ and ‘evil’ are.

The Mishna establishes that ethics are from [Sinai](stages.html), and are absolute. Man has no [authority](authority.html) to tamper with it lest he destroy himself and the [world](worlds.html).

The messages and the codes of conduct what will be henceforth [taught](teacher.html) are not arbitrary, man-made rationalizations.

As a corollary, having acknowledged [HaShem](hashem.html)‘s authorship of Ethics, it follows that [Fear](fear.html) of [Heaven](heaven.html) must precede the [study](study.html) of Torah. Later in the Mishna we learn that he whose [fear](fear.html) of [Heaven](heaven.html) and [fear](fear.html) of [sin](sin.html) precedes his [study](study.html) of Torah, his Torah will be sustained. But he whose [study](study.html) of Torah is not predicated on [fear](fear.html) of [Heaven](heaven.html), his Torah will dissipate. There are teachers of ethics in the universities whose lives have double standards, [one](one.html) in the classroom and the other on the outside, both in opposition. [One](one.html) who is truly enveloped by Torah is a whole personality and his life by example as well as precept is the message.

**\* \* \***

Moshe received Torah from [Sinai](stages.html). The chronology of that [event](feasts.html) is as follows:

After having heard the Aseret Hadibrot, the [Ten](ten.html) [Commandments](cmds613.html) from [Sinai](stages.html), Moshe ascended onto the mountain and remained there for [forty](forty.html) days and nights. The Torah describes that he [ate](eating.html) no bread nor drank no water.

WHAT DID MOSHE DO ON [SINAI](stages.html) FOR [FORTY](forty.html) DAYS AND NIGHTS ?

He received the Torah on [Sinai](stages.html). Now this can’t be the Written Torah, as we [know](daat.html) it as the [Five](five.html) Books of Moshe, since we [know](daat.html) that some [mitzvot](cmds613.html), like [Shabbat](sabbath.html), were given prior to [Sinai](stages.html), and most were recorded after the [event](feasts.html) at [Sinai](stages.html). There is a debate in the Talmud as to whether the Torah was written all at [one](one.html) [time](time.html) by Moshe, or section by section throughout the [forty](forty.html) year trek through the desert.

But [one](one.html) thing is certain that the text of the Written [Law](law.html) was “not” given on [Sinai](stages.html), with the exception of the [Ten](ten.html) [Commandments](cmds613.html), which were oral and which were then given to Moshe engraved by [HaShem](hashem.html) in stone. So, the question “what” was given to Moshe on [Sinai](stages.html) during those [forty](forty.html) days?

Moshe received the Oral [Law](law.html) on [Sinai](stages.html). The Oral [Law](law.html) is the basis for the Written [Law](law.html). Without the Oral [Law](law.html), the Written [Law](law.html), that what we all see in the Holy [Ark](ark.html) in the [synagogue](synagog.html), is meaningless. The Written [Law](law.html) is merely a set of cryptic notes, symbols, shorthand abbreviations for a more expansive, fundamental and complete system of a blueprint for the [world](worlds.html) and life.

Let me illustrate. The basis for our liberty in these United States is the Constitution. Can a short concise document like the Constitution contain all the [laws](law.html) that cover every facet of a [nation](nations.html)‘s life? It is absurd to think so. It is a compendium of all the values upon which our freedoms and rights are built. It abstracts the values of the Torah, the Magna Carta, and the vision of our founding [Fathers](fathers.html). It is a blueprint which guides the designers and the builders of the [nation](nations.html) in each [generation](toldot.html).

In effect, then, the Written Torah is an abstract of a fuller expanded gift that [HaShem](hashem.html) gave Israel, the Torah shebaal peh, the Oral [Law](law.html). The Oral [Law](law.html) is the underpinnings of the Written [Law](law.html) and by its very nature of being oral, it could not be frozen in stone or parchment.

**Why Did** [**HaShem**](hashem.html) **Create an Oral** [**Law**](law.html)**?**

This section is from a former web site with an anonymous author:

**Question:** If there is an Oral [Law](law.html), why didn’t [HaShem](hashem.html) or Moses write it down? What benefit could there be in the details of the [Law](law.html) being Oral?

**Answer:** There are actually many reasons why the Torah [needs](needs.html) an oral component. I will, [HaShem](hashem.html) willing, try to explain a few in this article.

The Rabbis make a very interesting statement in the Midrash Rabbah (sermons of the Rabbis taken from the Oral Tradition, and later collected and published by a student of Rabbi Judah the Prince, Rabbi Oshayah, circa 200 C.E.). The Midrash is discussing some of the deeper meanings of the sacrificial offerings brought by the leaders of the [Tribes](tribes.html) of Israel when the Holy [Tabernacle](mikdash.html) was built and dedicated:

“And for the peace [sacrifice](korbanot.html), [two](two.html) oxen...” Because [HaShem](hashem.html) gave Israel [two](two.html) Torahs: The Written Torah and the Oral Torah. He gave them the Written Torah that has the 613 [Commandments](cmds613.html), to fill them up with [merits](merit.html) and to [purify](purity.html) them, as it says “[HaShem](hashem.html) [wants](needs.html) His righteous people, so He increased and strengthened the Torah.”

He gave them the Oral Torah so that they would, by the Oral Torah, be distinct from all other [nations](nations.html). For this reason it was not given in writing, so that the [Gentiles](gen-jew.html) could not forge it or claim it for their own, and then claim that ***they*** are the true Israel, as they did with the Written Torah.

-- Midrash Bamidbar Rabbah 14:10, s.v. “On the Eleventh Day”

The Oral Torah is our unique property, our special possession, our glory and source of joy. It is what makes us what we are, and enables us to fulfill [HaShem](hashem.html)‘s will.

The Torah is more vast than most people imagine. In the Book of Job, Tzofer Hana’amasi ([one](one.html) of Job’s friends) tells us about the wisdom of [HaShem](hashem.html), the Torah, that “Its measurement is longer than the land, and wider than the sea” (Job 11:9). But if you unroll a copy of every Book of the Torah and stretch them out end to end, starting from the [Five](five.html) Books of Moses until Malachi, the entire length is not likely to reach even [one](one.html) mile. Tzofer Hana’amasi is not referring to the Books of the Written Torah, which have a specific limit, but to the wisdom of [HaShem](hashem.html) as manifest in the Oral Torah, and as alluded to in the Written Torah.

Similarly, we find in the Midrash as follows:

May the [Name](name.html) of the King of all emperors be blessed, for having chosen Israel from all the [seventy](seventy.html) [nations](nations.html), as it says, “For [HaShem](hashem.html)‘s portion is His [nation](nations.html), [Jacob](israelja.html) is the essence of His [inheritance](inherit.html)“ (Deut. 32:9). And He gave us the Written Torah that contains hidden and concealed allusions, and He explained them in the Oral Torah, and revealed them to Israel.

Moreover, the Written Torah has the general rules, and the Oral Torah has the details. The Oral Torah is vast, and the Written Torah is small. Concerning the Oral Torah, it says, “Its measurement is longer than the land, and wider than the sea.” ....

For [HaShem](hashem.html) ratified His pledge with Israel only because of the Oral Torah, as it says: “Through these words I have set forth my pledge with you...” The actual words used by the Torah there mean, literally, “By the [mouth](body.html) of these words I have set forth my pledge with you....” ([Exodus](exodus.html) 34:27) [This is the literal translation]. The Torah means “through these words,” but instead uses the phrase “By the [mouth](body.html) of these words....”

The Torah could have said, “Because of these words....” or “For the sake of these words....” or “For these words...” or “through these words...”, but instead the Torah used the phrase “By the [mouth](body.html) of these words....” This refers to the Oral Torah, hence the use of the phrase “**by the** [**mouth**](body.html) of these words...”

Only those who love [HaShem](hashem.html) with all their hearts, all their souls, and all their might, [study](study.html) the Oral Torah.

-- Midrash Tanchumah, [Noach](noachide.html) 3:3, s.v. These are the Chronicles.

The Talmud is not the entire Oral Torah. The Talmud is the basic skeleton of the Oral Torah, as much as was absolutely necessary for the preservation of the Torah. But it is by far not the entire Oral Torah. That wouldn’t be possible.

The Oral Torah is limitless. This is not hyperbole, or exaggeration, in any way. I mean this precisely and literally. The greatness of the Oral Torah is that no matter how much is [taught](teacher.html), no matter how much is learned, there is always more true Torah to be discovered. [HaShem](hashem.html) created the Torah that way. The Talmud tells us, “Every Torah [teaching](teacher.html) that any conscientious Torah student is destined to extrapolate was already [taught](teacher.html) to Moses at Mount [Sinai](stages.html)“ (Midrash Rabbah: Leviticus 22:1; ibid. Eccl. 1:2 and 5:2). (This does not mean, by the way, that every interpretation anyone makes up is true.)

And absolutely every single element of the Oral Torah is alluded to in the Written Torah. This adds yet another dimension to the [study](study.html), and helps make the learning even more glorious and meaningful.

Incidentally, this is why the Written Torah had to be written in [Hebrew](hebrew.html), the language that [HaShem](hashem.html) created specifically for that purpose.

The Oral Torah contains the details of the general [Laws](law.html) found in the Written Torah. Without those details, we could never fulfill the [Laws](law.html). For example, the Torah [commands](cmds613.html) the [Jewish](gen-jew.html) Supreme Court to declare when a [new](new.html) month has begun, and the Oral Torah gives us all the necessary details. We find, therefore, that the Talmud ([Rosh Hashana](teruah.html)h 25b) tells us that the [time](time.html) between each appearance of a [new](new.html) [moon](chodesh.html) can be no less than 29.53059 days. This information, reported Rabbi Gamliel in the Talmud, is part of the Oral Torah.

Only this century did anyone else in the [world](worlds.html) have a calculation of that nature. Carl Sagan has stated that the period of [time](time.html) from [new](new.html) [moon](chodesh.html) to [new](new.html) [moon](chodesh.html) is 29.53058 days, only 100 thousandth of a day less! That’s within 0.864 of a ***second*** of what the Talmud says! Scientists in Berlin later revised it to 29.530588 days, which is 0.6912 thousandths of a second ***closer*** to what the Talmud says (and the scientists are still not absolutely positive). That is how close they are to the [number](nchart.html) given by our Oral Torah. We needed this information, in order to properly observe a [mitzva](cmds613.html) in the Torah, so [HaShem](hashem.html) [taught](teacher.html) that to Moses.

The Oral Torah is needed in order to maintain the context of the Written Torah. It therefore contains much more information than the Written Torah. The Written Torah [needs](needs.html) the Oral Torah to make certain that the correct meaning is conveyed and understood.

In the simple act of relaying information, the spoken word can employ so many means that are unavailable to the written word. Tone of voice is [one](one.html) example. Another example is which words we stress, and how strongly we accent them. [Hand](fourteen.html) gestures and [body](body.html) language convey a great deal more than the simple spoken word conveys, and far more than the written word.

There is an old Yiddish story about the man in a small town in Europe who sent his son to an out-of-town school. A month or so later, the son wrote the father a [letter](letters.html). The father could not read, so he walked around town looking for someone who could read the [letter](letters.html) to him. He came across the baker. In Europe, bakers were [known](daat.html) for their lack of scholarship. They usually had poor reading skills, if any at all. This baker was no exception. But the baker was a good man, and he decided he would do this favor for this man.

The baker opened the [letter](letters.html), and read it to the father. The [letter](letters.html) was a rather simple [letter](letters.html), in which the son tells the father about how busy he is with his courses, how he has found a simple place to live in the big and confusing [city](city.html). Unfortunately, it is rather distant from the school, but it was all he could afford. As a result he [needs](needs.html) to take a bus to and from school every day. And so on and so forth. He ended the [letter](letters.html) with a polite plea to his father to send him some money. “*Tatteh, shik gelt*.” (“Father, send money.”)

Unfortunately, the baker was not very adept at reading, and moreover, did not [know](daat.html) of the close relationship between the father and his son. The baker perceived the [letter](letters.html) as being nasty and full of demands. He was certainly unable to render the flowery phrases of affection interspersed throughout the [letter](letters.html).

“He complains that you sent him to this difficult school that gives him a lot of work to do,” said the baker, “how terrible the [city](city.html) is, and how he is not happy with his apartment. He demands that you send him money!” That was how the baker interpreted the [letter](letters.html).

The father grew incensed. “After all I did for him! That lousy ingrate! How ***dare*** he [speak](mashal.html) to me that way!”

He took the [letter](letters.html), and rushed off to the town Rabbi to show it to him.

The Rabbi took the [letter](letters.html), the evidence of the son’s chutzpah, and read it. Raising an eyebrow, he asked the father what harm there was in the [letter](letters.html).

The father, sputtering, reiterated his outrage against his son’s chutzpah, all the while pointing to the [letter](letters.html).

The Rabbi smiled patiently, and told the man to sit down. He offered him something to [eat](eating.html) and drink, and then said to him, “Let me read this [letter](letters.html) to you.” He read the [letter](letters.html) out loud, in a soft and loving voice, ending with the impassioned plea of “*Tatteh, shik gelt*.”

By the [time](time.html) the Rabbi was finished, the man was red in the [face](body.html) with embarrassment. “I can’t understand it, “ he muttered. “The baker must have read the wrong [letter](letters.html).”

A written record is needed, but it takes an educated person to read it properly! That is why we need Rabbis and scholars to delve into each matter and make sure the Torah is properly and fully understood.

In addition, words themselves change their meanings over [time](time.html). Here’s an interesting example. In *Alice in Wonderland* by Lewis Carroll, we find the expression “Stuff and nonsense!” I once read a work in which the author mused that the [two](two.html) words, “stuff” and “nonsense,” made an odd juxtaposition. After all, the word “stuff” means, more or less, “something of substance.” “Nonsense,” of course, means the opposite. Using the [two](two.html) words to describe [one](one.html) thing makes no sense.

But if you read Charles Dickens’ works, you will also come across the word “stuff,” and he used it to mean “nonsense!” In other words, “stuff and nonsense” was not an odd juxtaposition at all, back then. Back then, in the nineteenth century, when Dickens and Dodgson (Lewis Carroll’s real [name](name.html)) lived, the word “stuff” had almost precisely the opposite meaning that it does today, barely 150 years later!

So when the Torah gives us instruction, we must be clear as to the original meaning of the instruction. This, the Oral Torah keeps alive for us.

Let me cite an example of a changing idiom.

The Torah [commands](cmds613.html) [Jewish](gen-jew.html) men to wear [tefillin](tefillin.html) on their [head](body.html). Where on the [head](body.html)? Above the hairline, in a straight line between [one](one.html)‘s [two](two.html) [eyes](body.html) (no, it does not have to be precise, but near enough). How does the Torah phrase it? The Torah says, “Let them be as insignia between your [eyes](body.html)“ (Deut. 11:18). The Torah does not mean literally between your [eyes](body.html), but on your [head](body.html) in that position.

How do we [know](daat.html) this? The Torah uses the phrase “between your [eyes](body.html)“ in at least [one](one.html) other place. The Torah [commands](cmds613.html) us not to imitate pagan practices, among them the practice of pulling out [one](one.html)‘s [hair](hair.html) in [mourning](mourning.html). The Torah says, “You are children of [HaShem](hashem.html) your G-d. Do not mutilate yourselves, and do not make a bald patch ***between your*** [***eyes***](body.html) as a [sign](signs.html) of [mourning](mourning.html)“ (Deut. 14:1).

Where, precisely, are we not to make a bald patch? Between our [eyes](body.html)? Do you have that much [hair](hair.html) between your [eyes](body.html)? How can you make yourself bald in a place that has practically no [hair](hair.html), if any at all? What does the Torah mean here?

Well, back in the early Biblical days, there was a [Hebrew](hebrew.html) phrase “between your [eyes](body.html)“ that really meant “on your [head](body.html) above your hairline, between your [eyes](body.html).”

So when the Torah tells us to place [tefillin](tefillin.html) “between your [eyes](body.html),” the Torah really means on [one](one.html)‘s [head](body.html), in a direct line above the area between [one](one.html)‘s [eyes](body.html).

How do I [know](daat.html) this? Because the Talmud tells us so (Menachot 37b). I would not have made this [connection](connection.html) on my own. Our Oral Tradition, however, [teaches](teacher.html) us the meaning of the Written Torah.

Thus we see that the Oral Torah maintains the integrity and original meaning of the Written Torah. Today, no [one](one.html) uses the phrase “between your [eyes](body.html).” If they do, they don’t mean it the way the Torah uses it. That’s why we need the Oral Torah!

The truth is that the Oral Torah and Written Torah work together, and each can exist only with the other. The Written Torah is needed as an anchor for the Oral Torah. It contains, in brief and in hidden allusion, the Oral Torah as well.

So we need both the Oral Torah ***and*** the Written Torah to maintain each other, and bring us the full instruction that [HaShem](hashem.html) has given us.

Furthermore, the Torah ***must*** be passed along from [generation](toldot.html) to [generation](toldot.html) by direct oral transmission. Just as in every field, we [Jews](gen-jew.html) also have specialists. These are our Hakhamim, who have the responsibility to [teach](teacher.html) and keep Judaism alive that way. And they, too, must [teach](teacher.html) by example as well as by direct [teaching](teacher.html).

The Torah therefore exhorts each of us, “Ask your father and he will relate it to you; your elders (alternatively, your grandfathers) and they will tell you” (Deut. 32:7).

We must [study](study.html) the Torah constantly, but that is not enough. Torah must be absorbed, it must be internalized through day-to-day exposure. Yes, it must be [studied](study.html) constantly. But even more so, it must be soaked up through total immersion, like a tea bag in hot water. The tea in the bag becomes completely wet, and the water around the bag turns into tea. When we live a life of Torah, the Torah elevates and improves us, and the entire Torah-observant [world](worlds.html) is enriched through our personal example, and [future](future.html) [generations](toldot.html) look to us as a role model. Therefore, to truly internalize the Torah within us, we must be part of and interact with the Torah [world](worlds.html).

For that, and for the reasons mentioned above, and for many more reasons besides, we need direct Oral [Teaching](teacher.html). We could never rely on the Written Word alone.

**The Indispensable Oral** [**Law**](law.html)

“Safeguard and keep (these rules) since that is your wisdom and understanding in the [eyes](body.html) of the [nations](nations.html). They will hear all these rules and say, ‘this great [nation](nations.html) is certainly a wise and understanding people’”. Deut. 4:6

Throughout history, in almost every country, the [Jews](gen-jew.html) have led the intelligentsia. Through the worst of the “Dark Ages”, when the only men capable of reading were the clergy and some nobility, just about every [Jewish](gen-jew.html) [male](male+female.html) [knew](daat.html) how to read [Hebrew](hebrew.html), and many were equally proficient in the language of the land. [Jews](gen-jew.html) have been at the forefront of every civil movement, every intellectual movement, and have been [known](daat.html) as scholars throughout all of history.

Even non-[Jews](gen-jew.html) have recognized this, and you can find mention of it in numerous places, and in the writings of many cultures.

What is the source of our wisdom? The Torah tells us, the Torah is the source!

It is amazing that so few people take the [time](time.html) to think about what this really means. Consider: The Christians claim that they now have the Torah. Yet no [one](one.html) calls the Christians a wise people. What do we have that they don’t?

The answer is obvious to anyone who has ever learned the Torah. We have the Oral [Law](law.html), which is the Traditional accompaniment to the Written Tradition many refer to as the Bible. Anyone who has ever tried to learn the Scriptures alone knows that they are a closed book, full of confusing and difficult-to-understand statements. The Torah is generally briefly worded, and lacks detailed directions. Obviously, commentary is necessary. This commentary is the Oral Tradition, also [known](daat.html) as the Oral [Law](law.html), or the Oral Torah. The Written Bible is completely incomprehensible without the Oral Tradition.

To demonstrate, I will cite some examples of [Laws](law.html) from the Written Torah that are completely incomprehensible without [knowledge](knowledge.html) of the Oral Tradition.

When the Bible tells us (Lev. 20:14) to take together [four](four.html) species on the [first](one.html) day of [Succoth](succoth.html), which [four](four.html) species are meant, and what are we supposed to do with them?

The prohibition of Chelev (fat) (Lev. 7:24) leaves us uninformed as to which fat is included in the category of Chelev, and which are Shumin (fat) and therefore permitted.

Which [blood](body.html) is forbidden, (Lev. 7:26) and how do we purge the meat of it?

What are Totaphot? (Ex. 13:16) If that means [Tefillin](tefillin.html), what exactly are [Tefillin](tefillin.html)? How are they made, and how are they “bound as a [sign](signs.html) upon your [hand](fourteen.html)?”

Which work is forbidden on the [Sabbath](sabbath.html), and which is permitted?

“You shall not cook a young animal in its mother’s milk” is stated [three](three.html) times in the Torah. Why? The Oral [Law](law.html) explains why. It also explains the seemingly odd wording of the [commandment](cmds613.html).

Most [Hebrew](hebrew.html) words change their meaning when pronounced differently. Without the Oral Tradition, how can we determine the true meaning of the words of the [Hebrew](hebrew.html) Scriptures, written as they were without vowels? Indeed, without an oral [law](law.html) we would not even understand the meaning of the [letters](letters.html), much less the words.

These are just a few examples of why the Oral Torah is necessary. And if you consider all that the Torah includes, you will realize that the entire [body](body.html) of Torah, the instructions on how to live our lives, is too vast to be confined to a few small books.

The Talmud tells the story of a [Gentile](gen-jew.html) who went to Hillel the Elder and said to him, “I want to [convert](aliens.html), but I want to accept only the Written Torah, and not the Oral Torah. I don’t wish to accept the words of the Hakhamim. So [teach](teacher.html) me only the Written Torah, and not the Oral Torah.”

But Hillel [knew](daat.html) that the man wanted to do the right thing. He simply didn’t understand the purpose of the Oral Torah. So he began to [teach](teacher.html) him the Aleph Bet ([Hebrew](hebrew.html) alphabet). The [first](one.html) day, Hillel the Elder [taught](teacher.html) him the [first](one.html) [two](two.html) [letters](letters.html), aleph, and bet.

The next day, Hillel the Elder [taught](teacher.html) him the same [two](two.html) [letters](letters.html) in reverse. He showed him the [letter](letters.html) aleph, and called it “bet.” The man objected, “but yesterday you [taught](teacher.html) it the other way!”

“Well, then, you need me, a Hakham, to [teach](teacher.html) you the Aleph Bet? So you have to trust my [knowledge](knowledge.html) of the tradition of the [letters](letters.html). What I tell you is the Oral Tradition. You can’t read the alphabet if no [one](one.html) tells you what it means. And you think you don’t need the Hakhamim [knowledge](knowledge.html) of [Jewish](gen-jew.html) Tradition in order to understand the words of the Torah? Those are much more difficult! Without an Oral Tradition you will **never** be able to learn the Torah.”

So it is clear that an Oral Tradition is needed, and that [one](one.html) exists.

\* \* \*

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1. “The Oral Tradition”, byAryeh Kaplan [↑](#footnote-ref-1)
2. Rabbi Akiva is the essence of the Oral Law. Moses brings the written Law down to the world; Rabbi Akiva is the nucleus around which the Oral Law is transmitted and generated within the world.

   There are many parallels between Moses and Rabbi Akiva (Sifrei, Devarim 357; both lived 120 years...); but Moses comes from within, Rabbi Akiva from without (he is the offspring of converts; Moses descends from Jacob, Rabbi Akiva from Esau). Jacob is the root of the Written Law, Esau is the root of the Oral Law (Genesis 25:28 *ki tzayid b'piv*). Jacob and Esau are twins; at one level Esau is the firstborn, at another Jacob fulfils that destiny. (This is also the root of Moses’ apparent inability to understand the Torah of Rabbi Akiva and his suggestion that the Torah be given through Rabbi Akiva; in fact, in a very deep way, it was.) [↑](#footnote-ref-2)
3. Shaul Magid [↑](#footnote-ref-3)
4. Codex Bezae [↑](#footnote-ref-4)
5. S.R. Hirsch, The Pentateuch [↑](#footnote-ref-5)
6. Shabbat 18:5-19:5 [↑](#footnote-ref-6)
7. the Sages of the Talmud [↑](#footnote-ref-7)
8. Lit., ‘parts’ (sc. of one hour), 73/1080 X 60 m == 4 m 3 1/3 sec. The new moon, therefore, could not be seen on the twenty-ninth day. [↑](#footnote-ref-8)
9. As a funeral oration would not be delivered on New Moon, which was regarded as a holy day. [↑](#footnote-ref-9)
10. Daughters as well as sons. [↑](#footnote-ref-10)
11. Their daughters being permitted to marry into the congregation. [↑](#footnote-ref-11)
12. Shall not enter into the assembly of HaShem. Deut. XXIII, 4. [↑](#footnote-ref-12)
13. Infra 76b, Kid. 67b, Keth. 7b, Hul. 62b. [↑](#footnote-ref-13)
14. Sifrei ; Chul. 28a [↑](#footnote-ref-14)
15. V. Aboth I, 1. [↑](#footnote-ref-15)
16. The various divisions mentioned in the habdalah benediction. [↑](#footnote-ref-16)
17. Succah 46a [↑](#footnote-ref-17)
18. Shabbat 24a [↑](#footnote-ref-18)
19. Succah 25b; Berachot 2.10 [↑](#footnote-ref-19)
20. Cf. Num. XXVIII, 11-15. [↑](#footnote-ref-20)
21. Devarim 6:8. [↑](#footnote-ref-21)
22. See Menachot 34b ff., et al. [↑](#footnote-ref-22)
23. Note of the Rebbe Shlita: "See Rambam, Hilchot Tefillin 3:14, as well as other codifiers." [↑](#footnote-ref-23)
24. Note of the Rebbe Shlita: "...as it means in other places." [↑](#footnote-ref-24)
25. Note of the Rebbe Shlita: "...as was [the position of] the headband [of the High Priest]." [↑](#footnote-ref-25)
26. The midrash Pirkei D’Rabbi Eliezer (ch.21) relates: Kayin enjoyed working the ground and Hevel enjoyed shepherding sheep. This one gave the fruits of his labor to the other one to eat, and the other one gave the fruits of his labor to the first one to eat. When the night of Pesach arrived, Adam said to his sons, “On this night Israel is destined to offer Pesach offerings. You, too, should offer offerings before your Creator.” Kayin brought the leftovers of his meal--flax seed, while Hevel brought the best of his flocks--lambs which had never been shorn. Kayin’s gift was despised by HaShem and Kayin’s gift was found to be desirable, as is written (verse 4), “HaShem turned to Hevel and to his offering.” [↑](#footnote-ref-26)
27. They were the chief magicians in Egypt in the time of Moshe. They are mentioned in Jewish literature also under the name of Jannes and Jambres. V. J. E. VIII, p. 71. [↑](#footnote-ref-27)
28. So MS.M. and other MSS.; in cur. edd. ‘Afraim, v. note on this word in Mishnah, supra p. 506. Hafaraim was a town where apparently there was a plentiful supply of straw, and so it became proverbial to describe wasted efforts as ‘carrying straw to Hafaraim’. (Cf. to carry coals to Newcastle’). As Egypt was reputed to be a land of magic and sorcery these magicians thus taunted Moses when he performed his wonders before the Pharaoh. [↑](#footnote-ref-28)
29. For all merchants flock there and the demand for herbs is great. [↑](#footnote-ref-29)
30. Vayikra (Leviticus) 20:14. [↑](#footnote-ref-30)
31. Shemot (Exodus) 13:16. [↑](#footnote-ref-31)
32. The Hebrew alphabet. [↑](#footnote-ref-32)