in this period was virtually unfettered. The latter restriction seems to have been often compromised. Under the Severan dynasty (193–225 C.E.) Jewish fortunes improved with the granting of a variety of legal privileges culminating in full Roman citizenship for Jews. The enjoyment of these privileges and the peace which Jewry enjoyed in the Roman Empire were interrupted only by the invasions by the barbarians in the West and the instability and economic decline they caused throughout the empire, and by the Parthian incursions against Roman territories in the East.

The latter years of Roman rule, in the aftermath of the Bar Kokhba Revolt and on the verge of the Christianization of the empire, were extremely fertile ones for the development of Judaism. It was in this period that tannaitic Judaism came to its final stages, and that the work of gathering its intellectual heritage, the Mishnah, into a redacted collection began. All the suffering and the fervent yearnings for redemption had culminated not in a messianic state, but in a collection of traditions which set forth the dreams and aspirations for the perfect holiness that state was to engender. As prayer had replaced sacrifice, Torah, in the form of the Mishnah, had now replaced messianism. A different kind of redemption was now at hand.

**SUMMARY**

The Roman period in Palestine brought a series of disappointments for the Jews. Two attempts to throw off the yoke of Roman rule and to return the nation to independent statehood were doomed to failure by Rome's superior military might. The first revolt, that of 66–73 C.E., was seriously undermined by the inability of the various groups of rebels to stand together. To some extent, these differences may have reflected the still unresolved conflicts of Second Temple times. At the same time, the failure of both revolts led to further advances in rabbinic influence. The necessary conditions were created for the profound development of the religious tradition that was eventually enshrined in the great corpus of rabbinic literature.

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The period beginning with the destruction (or rather, with the restoration in approximately 80 C.E.) saw a fundamental change in Jewish study and learning. This was the era in which the Mishnah was being compiled and in which many other tannaitic traditions were taking shape. The fundamental change was that the oral Torah gradually evolved into a fixed corpus of its own which eventually replaced the written Torah as the main object of Jewish study and guide for religious practice, at least for rabbinic Jews. This process may be seen as the culmination of the attempts of the tannaim (the teachers of the Mishnah) to make their traditions the way of the future. The redaction (collection and editing) of the Mishnah, and the subsequent tannaitic and amoraic compositions, ultimately made possible the expansion of Rabbinic Judaism to virtually all of the world's Jews in the early Middle Ages.

**FROM PHARISEES TO RABBIS**

Inherent in the later traditions, and indeed, in most modern scholarly treatments, is the assumption that the Pharisees bequeathed their traditions to the tannaim. The terms “Pharisees” and “tannaim” overlap chronologically. We speak of Pharisaic Judaism as emerging in the early Hasmonean period, around 150 B.C.E., and continuing up to the destruction of the Temple in 70 C.E., when it was succeeded by tannaitic Judaism. Yet the transition was not an immediate, sudden break. In order to understand how the development from Pharisees to tannaim
took place, we must ask what typified the Pharisee and what
typified the tanna. In what ways were they the same, and in
what ways were they different?

The Pharisees were lay sages of the Torah who were only
informally organized. Even before the days of the preeminent
sages Hillel and Shammai, the Pharisees had made the transi-
tion from being a political force in the Hasmonean coalition to
being a group of religious leaders, loosely joined together by
the same interpretation of Judaism, who sought to teach their
approach to the people at large. They did not see the collection,
arrangement, or passing on of traditions as their function, nor
were they an organized bureaucracy.

The tannaim, on the other hand, involved themselves in the
systematic collection and transmission of traditions, and their
efforts eventually culminated in the redaction of the Mishnah.
(The very name tanna is Aramaic for a memorizer and reciter
of traditions.) The tannaim belonged to schools (sometimes
called academies) that were more formalized than those of the
earlier Pharisees, and they sought to expand and to organize
them.

A final, fundamental difference has to do with the concept
of an oral law. Pharisaism traced its nonbiblical legal and exegeti-
cal traditions to the “tradition of the fathers” or “unwritten
laws.” Yet nowhere do we find the Pharisees asserting that these
traditions came from Sinai. The tannaim, as we will soon see,
asserted that their extrabiblical traditions, many of them inher-
ited from the Pharisees, were part of the oral law, a second
Torah given by God to Moses at Sinai along with the written
law.

The evolution from the era of the Pharisees to that of the
tannaim, like the later transition from tannaim to amoraim (the
teachers of the Talmud [Gemara], ca. 200–500 C.E.), required
time to allow for the necessary innovations as well as for organic
development. Various external causes helped to foster the
change. The desire to gather traditions and standardize Judaism
was brought about by the Great Revolt of 66–73 C.E. and by
the notion that the defeat was partly the result of the sectarian
strife that had plagued the Jewish people in the years leading
up to the revolt and even during the war. The tendency toward

The history of the oral law concept is complex. Its earliest
attestation is found in Josephus. He asserts that the Pharisees
possessed ancient traditions which they had inherited from past
generations. These traditions, combined with ancient customary
law as well as with the emerging midrashic exegesis which was
developing in the Second Temple period, provided the basic
content of what the rabbis later called the oral law. At some
point between the late first century B.C.E. and the first century
C.E., the notion began to be expressed that the oral law, along
with the written, had been given at Sinai. This development has
been explained by some modern scholars as the result of a
THE TANNAIM
(all dates are C.E.)

First Generation, ca. 10–90 C.E.
School of Hillel: Simeon ben Gamaliel I
School of Shammai: Yohanan ben Zakkai
Akaviah ben Mahalalel: Hanina ben Dosa
Gamaliel I: Eliezer ben Jacob I
Nehuniah ben Ha-Kana

Second Generation, ca. 90–130 C.E.
Gamaliel II: Tarfon
Eliezer ben Hyrcanus: Yose the Galilean
Joshua ben Hananiah: Hananiah ben Teradion
Eleazar ben Zadok I: Judah ben Batara
Ishmael: Ben Azzai
Akiva ben Joseph: Ben Zoma
Eleazar ben Azariah

Third Generation, ca. 120–140 C.E.
Meir: Nehemiah
Simeon ben Yoḥai: Eleazar ben Shammai
Yose ben Halafta: Simeon ben Gamaliel II
Judah ben Ta'ai: Eliezer ben Yose
Eleazar ben Jacob II: Joshua ben Qarha
Yohanan Ha-Sandlar: Eleazar ben Zadok II

Fourth Generation, ca. 140–200 C.E.
Judah the Prince: Ishmael ben Yose
Symmachus: Simeon ben Eleazar
Eleazar ben Simeon: Nathan
Yose ben Judah: Eleazar Ha-Kappar

Fifth Generation, ca. 200–225
Gamaliel III: Simeon ben Halafta
Hiyya the Elder: Levi bar Sisi
Bar Kappara: Huna

Mishnah: The New Scripture

 Desire on the part of the Yavnean rabbinic authorities to solidify their authority by claiming divine origin for their own traditions. Actually, however, such ideas were developing naturally as the various approaches to Judaism in the Second Temple period strove to provide the written law with an appropriate supplement to make it possible for the Torah to serve as a genuine way of life in the Greco-Roman period. In Pharisaic-Rabbinic Judaism, this was accomplished by the oral law.

This idea allowed Pharisaic Judaism, and, later, the rabbinic tradition, to develop organically. It provided the basis for the assertion of continuity in Talmudic Judaism, an assertion maintained even in the face of numerous adaptations and adjustments, for in the view of the rabbis there had been no changes—all later developments had already been commanded as part of the Sinaitic revelation.

Talmudic tradition has always assumed that the notion that two Torahs were given on Sinai went all the way back in time. Modern scholars have come to question this assumption. In any case, firm evidence shows that the concept was fully developed by the aftermath of the revolt. By that time, appeals to the Sinaitic origin of laws were made, although the notion of a dual Torah and dual revelation was not nearly as evident as one might expect. Clearly, then, the idea was developing in Pharisaic times, and the unwritten laws of the fathers were an earlier stage in its development. The concept became more important in the period leading up to the destruction. In the difficult years after the revolt, when the support of the people at large (the 'am ha-āres) was so important, the rabbis, in order to guarantee the authority of their teachings, occasionally appealed to the divine origin and nature of the oral law. It was only in amoraic times, however, that the full midrashic basis for these ideas was worked out, with the rabbis asserting that the oral Torah and its authority were mentioned in the written law. In this case, though, the transition cannot be understood as the result of external political influences. It resulted from an organic trend in Judaism which developed in a manner consistent with the needs of the times. Indeed, this is the manner of most developments and changes in Judaism, the unique contribution of the Pharisaic heritage.
THE TANNAITIC ACADEMIES

In order to understand how this transition took place, and how the tannaitic corpus developed, some explanation of the history and function of the tannaitic academies is necessary. Yet we must caution that the term "academies" may be anachronistic. It conjures up an image of institutions in which there is an academic bureaucracy, a system of funding, and physical premises of some kind, but we cannot be sure that the tannaim always worked under such ideal conditions. Although the patriarchate sponsored the high court (Sanhedrin), it is not totally certain how the academies were organized and who funded them. It is also not clear whether they had specific premises. They may have met in synagogues or other facilities. At the same time, it should be noted that tannaitic sources mention houses of study along with the synagogues. This tends to support the claim that specific buildings and more organized institutions existed in the mishnaic period. Among the duties of the patriarch (nasi') was the maintenance of the academies; and he designated an 'av bet din, "head of the court," to lead them. The power of the two officials was not constant, however, and there is occasional evidence of disagreement and even strife between them.

A generational scheme has traditionally been used since the Middle Ages to classify the tannaim and trace their history. The actual tannaim were preceded by a series of Pharisaic sages known as pairs (Hebrew zugot), one of whom, in each instance, is reported to have served as patriarch (nasi'), and the other as head of the court ('av bet din), during the Hasmonean and Herodian periods. These culminate in Hillel and Shammai, said to be the last pair.

The last of the zugot were followed by the first generation of tannaim, consisting of the Houses of Hillel and Shammai, the two major schools, which were made up of the followers of these two great sages. The figures of the first generation were prominent immediately before and after the Great Revolt, and among the most notable were Rabban Gamaliel I, mentioned in the New Testament, Simeon ben Gamaliel I, who probably died in the revolt, and Rabban Yohanan ben Zakkai, credited with organizing the academy at Yavneh after the destruction of Jerusalem.

The second generation functioned after the revolt, from about 90 to 130 C.E., at Yavneh. Among these sages were Rabban Gamaliel II, who led the academy at Yavneh after Yohanan ben Zakkai, Rabbi Eliezer ben Hyrcanus, and the slightly younger Rabbi Akiva and Rabbi Ishmael. The second generation took the lead in reconstituting Jewish life in Palestine and in gathering together the traditions of their pre-70 C.E. Pharisaic and tannaitic forebears.

The third generation spanned the Bar Kokhba period and its aftermath, functioning from about 130 to 160 C.E. They were primarily the students of Rabbis Akiva and Ishmael of the previous generation. Prominent before the Bar Kokhba Revolt were Rabbi Meir, Rabbi Simeon ben Yoḥai, and Rabbi Judah ben Ilai. It is probable that Rabbi Meir began the editing of the Mishnah based on subject divisions he had learned from Rabbi Akiva. The leading rabbinic figure in the restoration of Jewish life after the Bar Kokhba Revolt was Rabban Simeon ben Gamaliel II, the patriarch. These scholars functioned primarily at Usha, in the Galilee, to which the patriarchal court had moved after the Bar Kokhba Revolt of 132–135 C.E.

The fourth generation covered the period of from about 160 to 200 C.E. This was the generation of Rabbi Judah the Prince (Hebrew nasi' = prince, i.e. patriarch), the majestic patriarch who edited the Mishnah. His court was at Beth Shearim in the Galilee, and among his contemporaries were Rabbi Eleazar ben Rabbi Simeon (ben Yoḥai), Rabbi Simeon ben Eleazar, and Rabbi Nathan.

The members of the fifth generation, from about 200 to 225 C.E., are said to be semi-tannaim, as they were primarily younger contemporaries of Rabbi Judah the Prince, who continued their work after the Mishnah was redacted. Among them were Rabban Gamaliel III, the son of Rabbi Judah the Prince and himself also a patriarch, Rabbi Hiyya the Elder, and Bar Kappara. By this time, the center of the patriarchate and the court had shifted to the Galilean city of Sepphoris, the economic and social climate of which made it an ideal home for the sages of the Sanhedrin.

While the system of generations provides a useful chronological framework for the development of tannaitic Judaism, it does
not adequately portray the great diversity of the tannaitic teachers, the complex, interlocking student-master relationships, or the geographic diversity. Yet these are the very factors which made for the richness of the tannaitic legacy. Generational schemes are ultimately based on a linear view of history, an approach considered normative in the Middle Ages, but outmoded in modern times. Modern scholarship is only now in the process of building up a more complete picture that will take these other factors into account, and it is certain to enrich greatly our understanding of this period and its literature.

MIDRASH AND MISHNAH

There were two forms of study in the tannaitic period, respectively termed mishnah and midrash. There is a long-standing and important debate about which method of study came first. Mishnah is the study of abstract, apodictic principles of law (apodictic laws are unconditional legal prescriptions unaccompanied by reasons or biblical sources) which only later were organized into collections according to either literary form, attribution (the name of the sage reported to have said it), or subject. Ultimately, the method of organization by subject became most prominent and led to the organization of the text known as the Mishnah. Some remnants of earlier systems of organization are still visible in the Mishnah, however. In the mishnaic method, scholars are assumed to have stated their legal principles and the decisions of their predecessors without making reference to their scriptural or traditional basis or explaining, in most cases, the reasons behind them.

The midrashic method is a technique of scriptural exposition. It concentrated primarily on the Torah, which was the supreme authority for the midrashic method and was studied as the basic text. Scholars and students explained how specific laws derived from biblical verses or words and how the laws were to be applied.

Can we determine which of these methods actually came first? There is evidence from the very end of the biblical period, i.e., the Persian period (Ezra, Nehemiah, and Chronicles), that midrashic exegesis for legal purposes (midrash halakhah) was...
already becoming popular and being used for arriving at legal decisions. Non-rabbinic sources, including material from the Qumran sect and some other groups, give evidence that scriptural interpretation was used as the basis for law in the Second Temple period. Finally, while it is possible to suggest a logical progression from the midrashic method to the mishnaic, no sufficient explanation can be offered for how the reverse would have occurred. For all these reasons, the view that originally the study of the Bible was the primary method and then, secondarily, the method of mishnaic, apodictic formulation developed, is most likely to be historically correct.

The history of these methods of study may be traced as follows. After the close of the biblical period, the midrashic approach found in the later biblical books was taken over by the Pharisees. Other Second Temple groups used similar methods of biblical exegesis, as we know from the Dead Sea Scrolls. As the midrashic approach developed in Pharisaic circles, the amount of material supplementary to the Bible itself became greater and greater until at some point the laws themselves were formulated independently and concisely. These mishnah-like, apodictic laws began to be studied as a separate subject side by side with midrashim as the tradition developed. By the time Pharisaism gave way to tannaitic Judaism, the two were coexistent, and the tannaim practiced both methods.

Both methods of study were utilized in the tannaitic academies, and, hence, the materials which emerged from the academies all bear a common mark, that of accretion over a long period of time. Each generation of scholars began with the work of its predecessors and augmented and modified it. The amalgamation of the old tradition with the new was then passed down, so that constant development was taking place. Further, as the generations continued this chain, midrashic and mishnaic materials intermixed so that one influenced the other, and each sometimes quoted the other. Later mishnaic formulations emerged from continued study of the Bible, and even in the Mishnah one finds midrashic expansion.

Often, instead of the original pattern in which the midrashic method yielded laws or at least legal statements, entire midrashic sections of our texts are sometimes built retrospectively on mishnaic selections. With time, each corpus was filled out by the other, until they began to conform to a common, consistent tradition. By the close of the redaction of the tannaitic texts, the midrashic and mishnaic collections were, therefore, largely in agreement. Whereas mishnaic tradition was eventually distilled and redacted by the end of the second century C.E. by Rabbi Judah the Prince, the results of midrashic inquiry were not collected until much later, in fifth-century Palestine.

HALAKHAH AND AGGADAH

In tannaitic literature, two terms are employed which signified two aspects of the emerging tradition, halakhah and aggadah. The word halakhah was used to denote Jewish law as it was understood and determined by the tannaim and later by the amoraim. This term has been explained in two ways. Many have seen it as emerging from the root ḫlk, “to go,” metaphorically suggesting the concept “a way of life.” Another view derives the word halakhah from an ancient Mesopotamian tax on land called ilku in Akkadian, and halakh in biblical Aramaic.

In contrast, the second category, aggadah, known also as haggadah (a term later used to denote the Passover Seder text) is that part of rabbinic teaching not considered obligatory. Aggadah, derived from the verb higgid (from the root nqd), meaning “to tell,” consists of interpretations, stories, and legends, all of which are designed to attract followers to Rabbinic Judaism and to explicate its teachings and principles. Since in many areas the aggadah provides differing positions on the same issues, no one position can be obligatory. Originally, this was also the case with halakhah, but a long process of decision-making eventually resulted in a normative set of laws by the Middle Ages. The practical aspects of the need to determine the authoritative ruling led more and more toward standardization. Such a process never occurred in regard to the non-legal aspects of rabbinic tradition, the aggadah. Hence, aggadah continued to demonstrate greater variety than did halakhah.

These two aspects of talmudic tradition demonstrate the creative tension in Rabbinic Judaism between the fixed and the flexible. The fixed body of law and practice is offset by the more
open and nonobligatory teachings regarding which the rabbinic Jew is free to disagree. This characteristic is an important principle in the later development of traditional Judaism, since it allowed the eventual standardization of most of the halakhic norms while leaving open to debate the theological underpinnings, all within certain limits which emerged from the rabbinic consensus at the end of the talmudic period.

THE REDACTION OF THE MISHNAH

Scholars have long debated the exact nature and history of the process that led to the redaction, arrangement, and selection of the Mishnah, the first major document to emerge from and to represent the tannaitic tradition. The Mishnah was the only major text to be redacted in the tannaitic period, although other texts, edited afterwards in the amoraic period (200–500 C.E.), depended heavily on tannaitic materials. The Mishnah became the formative document in the shaping of Talmudic Judaism. The redaction of the Mishnah by Rabbi Judah the Prince (ca. 200 C.E.) represented the end of a process, although the extent of his contribution should not be minimized.

Most modern scholars agree that the Mishnah originated in discrete statements, some attached to specific named authorities. Only a small part of the mishnaic material is attributed to the period before the Roman conquest of Palestine in 63 B.C.E. Between then and the period leading up to the Great Revolt of 66–73 C.E. are attributed materials relating to Hillel and Shammai and to the Houses of Hillel and Shammai, the schools of tannaim consisting of the students of these two preeminent sages. Yet it must be recognized that the material preserved in the earliest strata of tannaitic literature was originally in forms different from those in which the material is preserved from the post-destruction period.

THE PERIODIZATION OF THE ORAL LAW

ca. 150 B.C.E.–ca. 70 C.E. Pharisees
ca. 50 B.C.E.–ca. 200 C.E. Tannaim (note overlap)
ca. 200 C.E.–ca. 500 C.E. Amoraim
ca. 500 C.E.–ca. 700 C.E. Savoraim (Babylonia only)

ORDERS AND TRACTATES OF THE MISHNAH, TOSEFTA, AND TALMUDS

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Sometime after the destruction, the approach of organizing the materials by subject became prominent. This opened the way to the development of large-scale “essays” on topics of law. Later tradition and many modern scholars ascribe the basic subject classification into orders (Hebrew sedarim) and tractates (massekhtot) to Rabbi Akiva, who flourished at the Yavneh academy around 80–132 C.E. Whether he was responsible for this concept is impossible to determine with precision. Yet the large number of highly developed treatises which remain embedded in, or which even constitute, mishnaic tractates from the period between the Great Revolt (66–73 C.E.) and the Bar Kokhba Revolt (132–135 C.E.) proves that this approach, at least on the level of individual tractates, was evolving in his day. It was left for those who came after Rabbi Akiva at the academy at Usha to bring many tractates to a well-developed state.

After the Bar Kokhba Revolt, the process continued with renewed vigor. Attempts were made to gather together traditions, as often happens after a tragedy of great proportions. Thus, many more tractates began to move toward completion while halakhic concepts developed over the years served as the basis for new organizational and redactional approaches. By the time Rabbi Judah the Prince began his work of final redaction,
he had most probably inherited many almost completed tractates and a basic system of classification by orders. He completed the compilation of the individual tractates and placed them in the appropriate orders.

Rabbi Judah the Prince, known often as “Rabbi” in the Mishnah, the rabbi par excellence, did not seek to create an authoritative code of law. Had he, we would have to judge his work a failure. After all, the amoraim, the teachers of the Talmud (Gemara), set aside or modified so many of his rulings. He provided variant rulings on many subjects, explaining that his purpose was to keep options open for later courts of greater authority and wisdom. He intended to create a curriculum for the study of Jewish law. Yet he sought to point out which rulings he favored by providing information on majority and minority status of rulings, and by indicating the greater or lesser authority of individual tradents (transmitters of tradition) and decisors whose statements he included. He even placed materials in his text anonymously, though he was well aware of the tradents, in order to indicate that the ruling was (in his view) to be followed. These views, by and large, he reproduced anonymously, or with the label “the opinion of the sages,” where there was an individual who dissented.

The material was organized into six orders: Zera'im (Agricultural Laws), Mo'ed (Holy Occasions, Festivals), Nashim (Women, Marriage Law), Neziqin (Damages and Civil Law), Qodashim (Sacrifices), and Tahorot (Purification Rituals). Each order comprised several tractates. Today, these tractates are arranged roughly in size order within each order, at least in Mishnah texts. The same order was later used for the Tosefta, and for the Babylonian and Palestinian Talmuds. Within the six orders there are a total of sixty-three tractates.

Zera'im begins with a discussion of prayers and benedictions (anomalous in this order) and then deals with produce given as charity to the poor, tithing, priestly dues, Sabbatical years, and first fruits. Mo'ed deals with the Sabbath and festivals, as well as fast-days and other special occasions. In most tractates emphasis is clearly on the aspects of Temple ritual associated with the holiday. Nashim discusses marriage, divorce, adultery, and vows. Neziqin prescribes the composition of the court and...
then deals with criminal sanctions, damage law, idolatry, and incorrect rulings by the courts. The tractate Avot (known as Pirqe Avot, or Ethics of the Fathers) comes near the close of this order. It includes ethical teachings aimed at the rabbinic class. Qodashim deals with animal sacrifices, meal offerings, ritual slaughter, violations of sancta, daily sacrifice, and the structure of the Temple precincts. Tahorot discusses laws of purification pertaining to vessels for food, the impurity of the dead, the skin diseases described in Leviticus, menstrual and other impurities, and the construction of ritual baths for purification.

If there is anything to be learned from this survey it is that the Mishnah reflects the full variety of the Torah’s laws, and that it is firmly anchored in a Temple-centered reality in which priests, sacrifices, and purity remain as important as Sabbath and festivals, civil law, marriage, and family. This does not mean that the Mishnah was created in the days of the Temple. Rather, it was edited in an atmosphere in which the restoration of a Temple-centered reality was still a living hope, and in which the conception of sanctity still flowed from that reality, even in its absence.

We have already noted that the tannaim believed the oral law to have been revealed to Moses by God at Sinai, alongside the written law. This should have required that the oral law be transmitted orally, and, indeed, so it was in the tannaitic period. At the same time, evidence indicates that individual tannaim kept notebooks in which they listed certain oral traditions. There was a debate throughout the medieval period on the question of when the Mishnah was written down. Some believed that Rabbi Judah the Prince himself had recorded the Mishnah in writing, while others believed that it had been written down in Babylonia at the end of the talmudic period, when the threat of an Islamic invasion led to fears that the oral traditions might be lost. The problem is best solved by realizing that the oral law concept required that the publication of the Mishnah, its teaching, and its exegesis all be carried on in oral form. For this reason, formal study in amoraic circles was based on oral tradition. While individual amoraim had written texts of various parts of the Mishnah, the formal transition to the use of a written Mishnah as an object of teaching, study, and exegesis took place only at the end of the amoraic period or later. Rabbi Judah the Prince, however, promulgated his Mishnah in oral form. To the rabbis, what God had given orally had to be transmitted orally, and so it was with the Mishnah, the consummate summary of the oral law.

OTHER TANNAITIC TEXTS

The corpus of materials assembled in the Mishnah did not exhaust the oral traditions of the tannaitic period. Other traditions were intentionally excluded by Rabbi Judah the Prince, and some were simply not known to him. At the same time, the “tannaitic” tradition continued to develop in early amoraic times, so that materials continued to be collected and even transformed as they were handed down and taught. These teachings eventually were collected in a number of different collections.

Tosefta

Tosefta, meaning literally “the addition,” is a collection of baraitot, “external traditions,” which are not found in the Mishnah but are attributed to tannaim. This collection is designed to serve as a supplement to and commentary on the Mishnah, following its arrangement of orders and tractates, and even, for the most part, the sequence of the chapters. Only a few tractates of the Mishnah have no parallel in the Tosefta, which represents the earliest sustained exegesis of the Mishnah as the canonical collection of oral law.

The material in the Tosefta relates to that in the Mishnah in a variety of ways. Some passages are exact parallels, or even quotations, of material in the Mishnah. Others are restatements of the very same views in different form or using different terminology. Many statements in the Tosefta are actually supplements to the Mishnah and cannot be understood independently at all. Often, Tosefta passages contain traditions which provide material germane to the subject matter under discussion in the Mishnah but which are in no way directly parallel. Finally, there is material in the Tosefta which is at best tangentially related to the corresponding sections of the Mishnah.
Although talmudic tradition attributes the redaction of a Tosefta to students of Rabbi Judah the Prince, it is certain that the Tosefta that has come down to us was not redacted so soon after the completion of the Mishnah. Careful comparison of baraitot in the Tosefta and the Talmuds of Babylonia and Palestine indicates that the Tosefta was most probably not redacted until the end of the fourth century C.E. or later. This explains why it was not available in its present form to the amoraim.

The dating of the individual traditions in the Tosefta is a matter of greater complexity. We have already noted that “tannaitic” activity continued into the amoraic period, and this is in evidence in the continued development and redaction of Tosefta traditions. At the same time, for many statements, careful comparison of Tosefta material with mishnaic material shows us that the Tosefta versions are earlier than those in the Mishnah. This is sometimes the case where the Tosefta preserves a tradition with an attribution and the Mishnah does not. In many cases, this is because the redactor of the Mishnah removed the attribution to present the statement as halakhah, whereas the Tosefta preserved the original version. Elsewhere, divergent opinions were reformulated as disputes in the Mishnah, whereas the original formulations, as separate opinions, are preserved in the Tosefta.

On the other hand, there are clearly many passages in which the reverse process has occurred. In such instances statements from the tannaitic period have been reworked in order to serve as interpretations of the Mishnah or have been used as the basis for entirely new, post-mishnaic formulations, designed to explain the Mishnah. Where such views assume rulings not determined until the redaction of the Mishnah, they are evidence of the continuation of tannaitic activity beyond the redaction of the Mishnah into the amoraic period.

Thus, the relationship of the Tosefta to the Mishnah is a complex one, and, in fact, different situations prevail in regard to different tractates. In general, however, we can say that the Tosefta, as the earliest commentary on the Mishnah, preserves evidence of tannaitic material not included in the Mishnah, on the one hand, and, on the other, of materials which evolved after the redaction of the Mishnah and are clearly dependent on a redacted Mishnah similar to the text in our possession today.

**Tannaitic Midrashim**

Dating to the same period as the Tosefta are the so-called “tannaitic” Midrashim. These midrashic expositions of Scripture were in reality redacted in the amoraic period, probably at the end of the fourth century and the beginning of the fifth, in Palestine. At this time, the same tendencies which led the redactors of the Tosefta to collect their material, namely, a desire to preserve the heritage of the tannaitic period and a need to assert that the authority of the mishnaic rulings was subject to challenge, also led those who collected the Midrashim to bring them to final form. Because they preserve much more halakhic material than do the later expositional Midrashim from the amoraic period and early Middle Ages, these Midrashim are also called halakhic Midrashim. This designation has the advantage of avoiding the anachronistic term “tannaitic” (up to 200 C.E.) for texts clearly redacted in the amoraic period (ca. 200–500 C.E.), but it has the disadvantage of veiling the fact that some of these texts are primarily aggadic. Scholarly convention has, therefore, chosen to use the term “tannaitic Midrashim,” while remaining aware of its limitations.

The midrashic method of teaching had been in use since the time of Ezra and Nehemiah. It lost prominence to some degree in the tannaitic period as the mishnaic, apodictic method of teaching became more popular. The redaction of the Mishnah and the establishment of its authority was for the Midrashim a

**TANNAITIC (HALAKHIC) MIDRASHIM**

<table>
<thead>
<tr>
<th>Type A</th>
<th>Type B</th>
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<tbody>
<tr>
<td>Exodus</td>
<td>Mekhilta of Rabbi Ishmael</td>
</tr>
<tr>
<td>Leviticus</td>
<td>Sifra on Numbers</td>
</tr>
<tr>
<td>Numbers</td>
<td>Sifra on Numbers</td>
</tr>
<tr>
<td>Deuteronomy</td>
<td>Midrash Tannaim</td>
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</tbody>
</table>
two-edged sword. On the one hand, it established for the rest of Jewish history the superior status of the apodictic law and in this way eclipsed, to some extent, the study of midrashic interpretation. On the other hand, the very existence of an apodictic code made it necessary for the code itself, its authority, and its regulations to be justified in light of the commandments of the Torah.

Put otherwise, the existence of this digest of oral law led to a renewed need to demonstrate the nexus of the oral and written laws. There was now a need to show that the two were in reality one, and this indeed was the main agenda of the tannaitic Midrashim. Thus they present much of the same halakhic material that is found in the Mishnah and Tosefta, but arranged in the order of the Torah. Whenever possible, the Midrashim seek to tie each particular halakhah directly to its scriptural basis, or to what the redactors argue is its scriptural basis.

The tannaitic Midrashim comprise five texts of central importance and a number of smaller texts which will not be detailed here. The major texts are the Mekhilta of Rabbi Ishmael and the Mekhilta of Rabbi Simeon ben Yoḥai to Exodus, the Sifra to Leviticus, the Sifre to Numbers and the Sifre to Deuteronomy. These titles themselves need to be explained. Mekhilta is an elusive term for a set of hermeneutical (exegetical) rules, or a body of tradition. Sifra means “the book,” as Leviticus was, in priestly circles, the central book of the curriculum of study. Sifre, meaning “the books,” is most probably an abbreviation for “the rest of the books of the house of study,” a designation for the Midrashim on Numbers and Deuteronomy (meaning those other than Leviticus and Exodus, which are interpreted in the Sifra and Mekhilta texts, respectively).

These books are sometimes classified into schools, some said to stem from the school of Rabbi Akiva and some from that of Rabbi Ishmael. This theory claims that the literary products of each school, as they are now preserved, exhibit characteristic exegetical and redactional traits. Assigned to the school of Rabbi Ishmael are the Mekhilta of Rabbi Ishmael, the Sifre to Numbers, and some other texts. To the school of Rabbi Akiva are attributed the Mekhilta of Rabbi Simeon ben Yoḥai, Sifra, Sifre Zuta (to Numbers), and Sifre to Deuteronomy. This distinction has often been called into question, however, and its usefulness is extremely limited. In fact, despite the parallels that have been cited, the two groups of texts do not evidence uniform redactional traits, to say the least.

The form of these works may hark back to the techniques of scriptural study practiced in the tannaitic academies. The Torah, as well as relevant laws, some aggadic homilies, and a variety of related topics were discussed together. It was this method which provided the form for the post-tannaitic redactors of these materials. Yet here again, as is the case in the Tosefta, we are confronted with a mix of material. Some is clearly of tannaitic origin but not preserved in the other corpora. Other materials are constructed out of a continuation of “tannaitic” activity and tradition by later scholars in the amoraic period. Only careful literary and textual analysis allows the separation of the literary strata in these works. In fact, the Sifra adheres most closely to the Mishnah, and its neatly set out redaction is based heavily on the Mishnah. Yet even here much earlier material has been incorporated, including preredactional versions of mishnaic material. Sifre to Deuteronomy is somewhat less heavily mishnaic than Sifra but is still strongly influenced by the redacted mishnaic tradition. Much more earlier material is found in the two Mekhilta texts and in the Sifre to Numbers, which in general are looser agglomerations of material collected over a much longer period of time.

These Midrashim were intended to convey certain specific messages by those who labored to redact them. Essentially, in varying degrees, these texts argue strongly for the unity of the written and oral laws. In an age when mishnaic, apodictic law had become supreme, these texts sought to remind those who studied them of the inseparable link between the two Torahs, the oral and the written. Therefore, they derive many of the laws found in the Mishnah from Scripture, claiming biblical exegesis as their basis. At the same time, i.: many cases, these texts preserve the logical and exegetical argumentation which was indeed the source for the determination of the halakhah by the tannaim. In texts like the Sifra and Sifre to Deuteronomy, in which the Bible is followed closely, the point is made over and over that there is nothing superfluous in Scripture, and that
each feature of the text, each apparent duplication, is designed
to reveal the will of God. On the other hand, the Mekhilta texts
tend to move much further away from these limited purposes,
collecting many aggadot and often dealing with side issues.
Nevertheless, the basic notion that Scripture and tradition are
intimately linked is carried through all these works.

Many of the traditions included in the Tosefta and the tannai­
tic Midrashim found their way, in parallel versions, into the
Palestinian and Babylonian Talmuds. Such traditions are termed
baraitot (“external traditions”). While the process by which
they were incorporated in amoraic collections will be taken up
later, it should be noted that the versions of the traditions found
there are often different from those in the collections surveyed
here. This confirms the view that these collections were not
available to the rabbis of the Talmuds in their present, edited
form. Rather, the Talmuds drew their versions of the traditions
from the same unedited and unredacted sources as did the so­
called tannaitic Midrashim and the Tosefta. To a great extent
medieval Judaism inherited a similar situation. For the tannaitic
Midrashim were destined to be stepchildren in the family of
rabbinic texts. Their contents were to be known largely from
parallels in the Babylonian Talmud.

SUMMARY

The development of the tannaitic corpus of learning and its
eventual redaction in the Mishnah, the Tosefta, and the “tannai­
tic” Midrashim, placed Rabbinic Judaism on a firm literary
grounding. These texts, orally formulated and orally transmit­
ted and taught, set forth the basic principles of the oral law and
argued for the integrity of the Torah, written and oral. These
documents served as the basis for the later development of
Judaism and, in the case of the Mishnah, set the agenda for all
future study of Jewish law. With the close of the tannaitic
period, and the production of its main classic, the Mishnah, we
can genuinely speak of the coming of age of Rabbinic Judaism.
It was left for the amoraim to interpret this document, redact
its sister tannaitic texts, and adapt this Judaism to the new
historical circumstances of the Byzantine period in Palestine and
the Sassanian period in Babylonia.

11
Formative Judaism Comes of Age

It is usual to speak of the passage of Rabbinic Judaism from the
tannaitic to the amoraic period as if it had taken place in a
historical vacuum, with some purely internal mechanism leading
to the changes in the method and content of learning, as well as
in the level of adherence to and popularity of the rabbinic
movement. In fact, this was not the case. Very specific develop­
ments in the Greco-Roman Diaspora, Palestine, and Babylonia
contributed to an atmosphere which nurtured the development
of amoraic Judaism. These developments, themselves presaging
the onset of the medieval period, helped to propel formative
Judaism to the consensus that eventually enabled it to withstand
the challenges of the Middle Ages.

DECLINE OF HELLENISTIC JUDAISM

From the third century B.C.E. a Greco-Roman, Hellenistic
Judaism had existed alongside the Hebrew-speaking Judaism of
Palestine. This Greek-speaking Judaism had come to terms with
Greek literary forms and philosophies, had translated the Bible
into Greek in several versions, and had in many ways synthe­
sized the culture of Israel with that of Hellas. Its success lay in
its having resisted isolationism, assimilation, and extreme Hel­
lenization.

Testifying to the strength of Hellenistic Judaism was its
ability to attract widespread attention among pagans. The ex­
istence of semi-proselytes and God-fearers (non-Jews drawn to
the synagogue and Jewish practice) shows that Hellenistic Jew­
During the fluctuations of Jewish fortunes in Palestine and Babylonia, a loosely organized group of scholars, known collectively as the amoraim ("explainers" of the Mishnah) continued to expound and develop the rabbinic tradition. From about 200 to 425 in Palestine and around 200 to 500 in Babylonia, they were busy discussing and analyzing the Mishnah, as well as baraitot (tannaitic traditions not included in the Mishnah) and midrashic traditions, in a process which ultimately led to a series of redacted documents, the Babylonian Talmud, the Palestinian (Jerusalem) Talmud, and the amoraic, exegetical Midrashim.

Before analyzing this process, a word of definition is in order. It is common practice to speak of the Talmud as consisting of two parts, the Mishnah and the Gemara, the discursive amoraic interpretation of the Mishnah. Indeed, if one purchases a volume of the Talmud, whether the Babylonian or the Palestinian, whether in the original language or in translation, it will include Gemara as well as the Mishnah. Yet in fact, this use of the word Gemara is very recent. Medieval Christian censors replaced the earlier term, "Talmud," which had become objectionable to them, with "Gemara," and only later did the term "Talmud" begin to designate the combination of Mishnah and Gemara.

AMORAIC SCHOOLS

The two Talmuds, the Palestinian and the Babylonian, emerged after centuries of debate, study, and clarification. In each country, groups of amoraim labored to understand and develop the traditions they had received from their tannaitic forebears. Even the most cursory examination of the Talmuds will show that individual scholars did not work alone. Senior scholars taught more junior scholars who eventually became colleagues. The senior colleagues usually possessed reshut, the authority to adjudicate legal cases, which was the Babylonian equivalent of the Palestinian semikhah, rabbinic ordination. Indeed, amoraim served the Jewish community as teachers and judges and gave guidance on matters of Jewish practice and faith. Scholars were often connected by shared discipleship, but many of them studied with more than one master, beginning with one teacher and on his death becoming the student of another.

THE AMORAIM
(all dates are C.E.)

1st Generation, ca. 220–260

<table>
<thead>
<tr>
<th>Palestine</th>
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<tbody>
<tr>
<td>Ḥama bar Bisa</td>
<td>Shela</td>
</tr>
<tr>
<td>Hanina (bar Ḥama)</td>
<td>Abba bar Abba (father of Samuel)</td>
</tr>
<tr>
<td>Yannai (&quot;the Elder&quot;)</td>
<td>Zeira the Elder</td>
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<tr>
<td>Judah bar Pedaiah</td>
<td>Karna</td>
</tr>
<tr>
<td>Oshaya Rabbah</td>
<td>Mar Ukba I</td>
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<tr>
<td>Judah Nesiḥah II</td>
<td>Samuel bar Abba (Yarḥinaah)</td>
</tr>
<tr>
<td>Joshua ben Levi</td>
<td>Rab (Abba Arikha)</td>
</tr>
<tr>
<td>Zabda ben Levi</td>
<td>Rabbah bar Ḥana</td>
</tr>
<tr>
<td>Jonathan ben Eleazar</td>
<td>Assi</td>
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2nd Generation, ca. 260–290

<table>
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<th>Palestine</th>
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<tbody>
<tr>
<td>Kahana</td>
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<tr>
<td>Yoḥanan bar Nappaḥa</td>
<td>Huna</td>
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<tr>
<td>Simeon ben Lakish</td>
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</tr>
<tr>
<td>Ḥilfa</td>
<td>Adda bar Ahavah</td>
</tr>
<tr>
<td>Isaac ben Eleazar</td>
<td>Rabbah bar Avuha</td>
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<tr>
<td>Alexandri</td>
<td>Matnah</td>
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<tr>
<td>Simlai</td>
<td>Jeremiah bar Abba</td>
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</tbody>
</table>
At a minimum, then, it is certain that circles of teachers and students, which, for convenience, we will call schools, existed among the amoraim. These schools met often, perhaps daily, and had an inner hierarchy. When the master died they often dissolved, with the students going to other masters, unless a senior student had attained enough status and learning to carry on as the master. In such cases, some disciples would remain with the new master. Many of the halakhic and aggadic interpretations found in the Talmuds stem from such circles or schools. These teachings sometimes gained prominence in both Babylonia and Palestine because they were carried from circle to circle as students moved and masters interacted. This interaction and communication was responsible for some of the many parallel passages in the Talmuds and other rabbinic texts, although in the greatest number of cases redactional activity was the cause.

The existence of actual institutions, academies, in amoraic times is difficult to confirm. More than likely, there were no formal institutions in Babylonia, where central institutions of learning did not develop because the exilarch’s political authority was separate from the religious authority of the rabbis. On the other hand, in Palestine, the patriarchal academy, located for most of the amoraic period at Sepphoris or Tiberias, served as the center of much of the amoraic activity. In Babylonia, individual teachers occasionally had enough authority for their schools to function as de facto central academies, but the circles around them appear to have made no attempt to so constitute themselves as to automatically continue into the next generation. This is what distinguishes these schools from full-fledged academies.

It must be stressed that the students of these masters were often quite mature in their own scholarship. Many of the face-
to-face discussions recorded in the Talmuds took place in such circles before the scholars in question became independent masters. Some modern scholars have suggested that there were no face-to-face discussions, maintaining that the ones recorded in the Talmud were virtually all constructed by its editors. That such debates did really occur, however, can be demonstrated by comparing their form with that of other disputes in which the redactors of the Talmuds artificially constructed arguments out of independent statements by individual amoraim. The artificial debates can usually be detected by examining the literary style of the text. In Palestine, however, much more of the activity can be safely assigned to the central academies at Tiberias, Sef­phoris, and Caesarea and to other formalized institutions. It was only later, in the gaonic period, after the redaction of the Talmuds, that central institutions developed in Babylonia, to some extent under the influence of the Islamic academies located there.

FROM AMORAIC INTERPRETATION TO TALMUDIC TEXTS

The Talmuds (Gemaras) are complicated texts, originally constructed orally as part of the study sessions of the amoraim. These study sessions were organized around the formal curriculum provided by the mishnaic tractates. Different tractates were selected for detailed study in Palestine and Babylonia, and there were different emphases even within the various Palestinian and Babylonian schools. While the complex process whereby the oral records (or better, fragments) of these discussions and debates have come down to us precludes making definitive judgments about the discussion, it is certain that the mishnaic tractates served as their basis. Only occasionally do the amoraim base their discussions on a baraita (tannaitic tradition outside the Mishnah) or on a mishnaic passage which has been quoted incidentally. For the most part, the Mishnah endows the Talmuds with their organizational framework.

The Mishnah was studied orally in amoraic times. A memorizer (known in amoraic times as a tanna, a teacher of the Mishnah and baraitot) recited aloud the text to be studied. Discussion and analysis of the text then ensued, followed by comparison and contrast with other tannaitic traditions, including Mishnah and baraita material. This in turn led to various digressions, and to the comments and glosses of various amoraim to the tannaitic texts under discussion. Some digressions were rather extensive, and sometimes they included an aggadic analysis of related (or even unrelated) biblical material. The freewheeling character of many of the recorded discussions, which often range beyond the specific topic at hand, is one of the important indicators that they actually took place and were not invented by the compilers.

Typically, an amoraic discussion of a mishnah began by citing a contradiction from another mishnah or a baraita and then proceeded to resolve it. Indeed, in origin, the main activity of “Talmud” was the resolution of contradictions in tannaitic materials. It is in this sense that tannaitic sources (and one difficult passage in the Dead Sea Scrolls) can speak of “Talmud” even before the redaction of the Mishnah and its acceptance as the curriculum for the study of the rabbinic tradition. The resolution of a contradiction between the Mishnah and a baraita often serves as the jumping-off point for more extensive discussion of the details of the law on the specific topic.

Inquiry into the scriptural source (or proof-text) for a particular rule is another important aspect of amoraic analysis. The Mishnah, virtually devoid of biblical proof-texts, had separated the law from its biblical origins. The amoraim and the later redactors of the halakhic Midrashim (the so-called tannaitic Midrashim) sought to reintegrate law and Scripture, so as to demonstrate that the written and oral laws constituted one unified revelation of God.

Had the process stopped there, the structure of the Talmuds would have been much simpler, but the process described here continued over generations, even centuries. This led to the gradual development of what are called sugyot, talmudic discussions, or essays, as it were, on specific topics. As discussions were passed down, generation after generation, from one circle of scholars to another, they were augmented with comments and glosses. This process continued in both Babylonia and Palestine into the fifth century. At this point, the development of the Palestinian Talmud was virtually arrested by the anti-
Semitic legislation and the difficult economic and social situation faced by the Jews of Palestine under the sway of the Byzantine Empire.

In Babylonia, however, the developing Talmud underwent an additional process. It was at this time that the anonymous discussions, the setam, which weave together and interrelate all the earlier material, were intertwined in the text. In this way a more prolix and more easily understandable Talmud was achieved. This, indeed, was one of the several factors leading to the greater popularity and authority of the Babylonian Talmud in subsequent centuries. The redactors who inserted these anonymous links and glosses also added some of the more extensive digressions, and provided the formulary introductions which allow us to identify Mishnah, baraita, and the statements of individual amoraim. In essence, up through the early fifth century, the vast majority of the statements preserved in the Talmuds have attributions, i.e., the statement is cited in the name of a particular rabbi. Thereafter, the bulk of the material is anonymous, serving to fill in gaps and make the whole a unified, sensible creation. There is only a limited amount of anonymous material in the Palestinian Talmud because its amoraim ceased to be active in the fifth century. In Babylonia, however, where the activity of creating the Talmud was able to continue, the anonymous redactors did their work and then were followed by the savoaim, "interpreters", who added the final touches, including the occasional halakhic rulings ("the law is according to . . .”) and certain philological explanations. Their work continued up to the seventh century.

While we know that some of the amoraim kept written notes, the formal activity of the amoraim, like that of their tannaitic predecessors, was conducted orally. There is little information about the writing down of the two Talmuds—so little, in fact, that it is impossible to speculate confidently about the process. The best we can say is only that written manuscripts of the Babylonian and Palestinian Talmuds are first mentioned after the Islamic conquest (634 C.E.), and that the dissemination of manuscripts continued through the Middle Ages until the invention of printing.

### THE PALESTINIAN TALMUD

Although it is popularly known as the Jerusalem Talmud (Talmud Yerushalmi), a more accurate name for this text is either "Palestinian Talmud" or "Talmud of the Land of Israel." Indeed, for most of the amoraic age, under both Rome and Byzantium, Jews were prohibited from living in the holy city, and the centers of Jewish population had shifted northwards, in the aftermath of the two revolts, to the Galilee and Golan regions. The Palestinian Talmud emerged primarily from the activity of the sages of Tiberias and Sepphoris, with some input, perhaps entire tractates, from sages of the "south" (Lydda, modern Lod) and the coastal plain, most notably Caesarea.

In these centers, the output of which included the exegetical Midrashim as well as the Palestinian Talmud, the activity of studying and transmitting the traditions of the tannaim occupied rabbis and their students from about 200 C.E. until the early fifth century. From that point on, because of anti-Semitism and economic difficulties, as well as abolition of the patriarchate, Jewish scholarship in Palestine played a secondary role.

In form, the Palestinian Talmud is arranged, essentially, as a commentary on the Mishnah. The Mishnah text which serves as its basis diverges in some ways from that used in the Babylonian Talmud. Exactly why this is the case is difficult to determine, and several theories have been advanced. More than likely the divergences resulted from the process of oral transmission and do not constitute evidence for separate recensions of the Mishnah, as has been suggested by some.

By far the greater part of the Palestinian Talmud emerged in the north, but the redaction of several tractates seems to have occurred in Caesarea, where the material was hurriedly and incompletely redacted. All told the Palestinian Talmud includes only thirty-nine of the sixty-three tractates of the Mishnah—the orders of Zera'im, Mo'ed, Nashim, and Neziqin, plus the first part of tractate Niddah of the order Tahorot. In view of the difficult circumstances under which it was compiled, it is unlikely that it ever included any other Mishnah tractates. The supposed Palestinian text of the order Qodashim, published only in 1905, has proven inauthentic.
The distribution of material in the Palestinian Talmud is often said to accord well with its provenance. Thus, since the agricultural laws were still observed in Palestine, it has extensive Gemara for tractates pertaining to agriculture, whereas such material is not found in the Babylonian Talmud. That the no longer relevant purity laws of most of Tahorot should be absent in both Talmuds is understandable. Tractate Niddah is an exception, since it deals with menstrual impurity and married life, an area of Jewish law which remained operative even after the destruction of the Second Temple. Yet it is difficult to explain the presence of the sacrificial law of the order Qodashim in the Babylonian Talmud and its absence in the Palestinian.

For the most part, the Palestinian Talmud was produced at the academy at Tiberias, which was under the patronage of the patriarchs. While the earlier patriarchs had been scholars, their successors were primarily political leaders and administrative officials. As the role of the patriarchs in the academies and the study of the oral Torah lessened, the heads of the Tiberias academy, beginning with Rabbi Yoḥanan, became extremely powerful and important in the development of the Palestinian tradition. The Palestinian Talmud bears Rabbi Yoḥanan's mark, and that of his student and colleague Resh Lakish, on virtually every page.

Other prominent Palestinian amoraim included Ḥanina bar Ḥama at Sepphoris, Oshaya Rabbah at Caesarea, and Joshua ben Levi at Lydda (ca. 220–260 C.E.). An important contemporary of Yoḥanan and Resh Lakish (both of whom flourished ca. 250–290 C.E.) was Eleazar ben Pedat of Tiberias. Ammi bar Nathan and Assi at Tiberias, Abbahu at Caesarea (or, according to some, at Qatsrin in the Golan) followed them (ca. 290–320 C.E.). Rabbi Yonah and Rabbi Yose then led the Tiberias academy (ca. 320–350 C.E.). The Palestinian amoraic chain of tradition came to an end not long afterwards, after the careers of Mana and Yose bar Abin (ca. 350–375 C.E.). Scholars in Caesarea, in the middle of the fourth century, brought to completion the initial tractates of Neziqin, Bava Qamma, Bava Mešia, and Bava Batra. Since these tractates have a different literary and linguistic form from that of the rest of the Palestinian Talmud, and feature a somewhat different group of scholars, most mod-
LINTEL OF HOUSE OF STUDY. This lintel from a bet midrash (house of study) was found at Dabbura in the Golan Heights. During the Byzantine period, the Golan was dotted with Jewish villages and synagogues. It reads “This is the House of Rabbi Eleazar Ha-Kappar.” This late second century tanna is known from many quotations in rabbinic literature. The inscription indicates either that this was indeed his house of study, or that it was named for him. Courtesy of the Institute of Archaeology of the Hebrew University and Dr. Dan Urman.

modern scholars have maintained that they were redacted separately. The rest of the Palestinian Talmud was somewhat hastily redacted out of developing sugyot in the fifth century, completed soon after the dismantling of the patriarchate. This final redaction took place at Tiberias. Because the Palestinian Talmud was completed during the period in which the named amoraim flourished, it lacks the last layer of anonymous material (setam) that occurs in the Babylonian Talmud. This is one of the main reasons for the difficulties encountered in studying the Palestinian Talmud.

The character of the Palestinian Talmud has often been misunderstood. At first glance it seems to be simply a collection of baraitot, amoraic dicta, and aggadot, arranged with no internal logic. However, the Palestinian Talmud does indeed develop logical arguments in its discussions and is organized to indicate this logic. It lacks the connecting terminology that was added to the Babylonian Talmud during the last stages in its history because no comparable stage took place in Palestine.

THE BABYLONIAN TALMUD

The Babylonian Talmud was produced by circles of Babylonian amoraim who were led in each generation by masters whose schools constituted the center of amoraic activity. Although there was some tannaitic activity there, Babylonia did not become a center of talmudic study until the time of Rav and Samuel in the first half of the third century.

The most important centers of amoraic activity were Nehardea, Sura, Pumbedita, Mahoza, Naresh, and Mata Mehasya. The amora Samuel functioned at Nehardea, and his colleague Rav is said to have founded the center at Sura. After Samuel’s death in 259 C.E., Nehardea was destroyed by Palmyrene marauders. After Rav’s death, the dominant figure at Sura was Rav Huna (d. 297). (The title “rav,” the Babylonian Jewish equivalent of rabbi, indicated that the holder had been empowered to render legal decisions.) Rav Huna was associated with several younger scholars, Rav Judah, Rav Hisda, Rav Sheshet, and Rav Nahman bar Jacob (d. 320). Rav Judah was said to have founded a circle of scholars at Pumbedita. Rabba bar Nahmani (d. 320) and Rav
Babylonian Talmud, Vilna Edition. In modern times, the standard edition of the Babylonian Talmud is that printed in Vilna (presently called Vilnius), Lithuania between 1880–86 (20 folio-sized volumes) and which has been reprinted numerous times. Included in this edition, besides the Mishnah and the Babylonian Gemara, are the commentaries of Rashi (1040–1105), the Tosafists (12th–14th centuries); and numerous marginal references and other commentaries. In the back of each volume are additional commentaries, as well as the codes of Isaac Alfasi (1013–1103) and Asher ben Jehiel (ca. 1250–1327). Also included is the Tosefta. Shown here is the first page of tractate Berakhot dealing with blessings and prayers.

Joseph (d. 323) were both active in Pumbedita. Abaye carried on his school there (from 323 to 338). Rava served there from 338 to 352, and afterwards relocated to Ma'oz. Historians see the Ma'oz school as a continuation of that of Pumbedita. In any case, the importance of the Ma'oz circle was greatly diminished by Rava's death in 352. Papa founded a circle at Naresh which he headed until 371, and Rav Nahman bar Isaac then took over at Pumbedita. The next generation of scholars included Rav Ashi, the preeminent figure of the age, in Ma'oz, near Sura. At the same time Amemar was active in Nehardea, and Rav Zevid, Rav Dimi, and Mar Zuṭra were the leading sages at Pumbedita. Amoraic activity continued thereafter for only one final generation, with Meremar, Rav Idi bar Abin, and Mar bar Rav Ashi in Sura. These scholars, as already mentioned, most probably did not head formal academies, but rather schools or circles of disciples organized along informal lines. From a variety of talmudic sources it is clear that the leading amoraim and their disciples also played a role in the public life of Babylonian Jewry, as homilists, judges, and teachers, seeking to spread the Judaism of the rabbinic tradition to the Babylonian Jewish masses, a goal in which they ultimately succeeded.

The Babylonian Talmud, like its Palestinian counterpart, is not complete for the entire Mishnah. For the order Zera'îm there is only Berakhot. Virtually all of the orders Mo'ed, Nashim, Neziqin, and Qodashim are covered. Of Tahorot, only tractate Niddah is found. A variety of explanations is possible. Most likely, this distribution reflects the curriculum of study in Babylonia, in which agricultural laws did not apply and most of the purification rituals were no longer practiced. Sacrifice was studied to some degree, since study of its laws served as a substitute for its performance. Another view holds that all aspects of Jewish law were studied but the reductio of the Babylonian Talmud chose to include only those which were still applicable. Finally, it may be that more material existed but that some was lost to the vicissitudes of oral transmission and then of written preservation.

Various attempts have been made to sketch and compare the basic characteristics of the two Talmuds. Many of the comparisons have turned out to be exaggerated and overdrawn. At the
same time, it is true that the Babylonian Talmud, because of
the longer period of amoraic activity in Babylonia, abounds in
detailed logical debates, whereas material of this kind is less
often found in the Palestinian Talmud. The claim that the
Babylonian Talmud makes less use of tannaitic tradition cannot
be substantiated. Since it contains much amoraic material of
Palestinian provenance (and vice versa), attempts to look for
Babylonian (or Palestinian) social and economic conditions in the
amoraic traditions cannot be based on the collections in their
complete form. Such studies must be grounded rather on the
provenance and dating of individual statements and traditions.

One definite difference between the Talmuds, however, is the
use of different dialects of Aramaic. Since ancient times the
Aramaic language had been divided into western and eastern
dialects. The Jews of Palestine used the Galilean form of the
western one, close in many ways to the Imperial Aramaic of
biblical times, while those of Babylonia used the eastern, which
was similar to Syriac and Mandaic. Not surprisingly, the two
Talmuds reflect this pattern. Further, while they have many
linguistic features in common, they often employ different tech­
nical terminology.

Medieval opinion held that the Babylonian Talmud had been
redacted by Rav I (d. ca. 420) and Rav Ashi (d. 427), who
were among the last of the amoraim. While it is reasonable to
credit their generation with having collected and edited the
tannaitic and amoraic materials that had come down to them,
often in the form of sugyot, the final redaction must have
postdated these sages. In all probability the redactional process
extended well into the sixth century. The final redactors, who
left their mark in the anonymous (setam) layer of the Babylonian
Talmud, wove together the traditions they had received with
the anonymous discussions, the shaqal ve-tarya’ (“give and
take”), and added the many formulary expressions that desig­
nate the various types of material which make up the Babylo­
nian Gemara.

THE EXEGETICAL AND HOMILETICAL MIDRASHIM

While it is certainly true that the great collections of so-called
halakhic or tannaitic Midrashim were redacted mainly in the
amoraic period, the content of these texts reflects the traditions
and ideas of the tannaitic period. In amoraic times, a different
type of aggadic Midrash, termed exegetical and homiletical, was
developed. Whereas the Midrashim of tannaitic times were
primarily a product of the schoolhouse, those of amoraic times
originated in the homilies of the synagogue, rapidly emerging
in this period as the central institution of Jewish life. The
exegetical Midrashim were a Palestinian product, as reflected in
their Galilean Aramaic dialect (like that of the Aramaic portions
of the Palestinian Talmud), and the constant allusions and attribu­
tions to Palestinian rabbis, many of whom are not known
from the Talmuds.

The earliest of these Midrashim, those actually dating to the
amoraic period, were edited in the fifth and sixth centuries. The
exegetical type are arranged in scriptural order and, usually,
proceed in a sustained manner verse by verse through the
biblical book they treat. They include Genesis Rabbah, Lamenta­
tions Rabbah, Esther Rabbah I (i.e., the first part), Song of
Songs Rabbah, and Ruth Rabbah. (Rabbah means, “the Great,”
signifying the primacy of these Midrashim over other such
collections.) The homiletical type of Midrash, made up of topi­

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| 400–500 | Genesis Rabbah  
| Leviticus Rabbah  
| Lamentations Rabbah  
| Esther Rabbah, pt. I |
| 500–640 | Pesiqta De-Rav Kahana  
| Song of Songs Rabbah  
| Ruth Rabbah |
| 640–900 | Ecclesiastes Rabbah  
| Deuteronomy Rabbah  
| Pirqe Rabbi Eliezer  
| Tanna De- Ve Eliyahu |
| 775–900 | Tanhuma Midrashim  
| Exodus Rabbah, pt. II  
| Numbers Rabbah, pt. II  
| Pesiqta Rabbati |
cally organized discourses, includes Leviticus Rabbah and Pesiqta de-Rav Kahana. The former provides comments on the first verse of each section of the Torah according to the triennial order of reading (a cycle by which the Torah is apportioned for public reading in the synagogue over three years). In the Pesiqta de-Rav Kahana homilies are provided for holidays and special occasions.

The amoraic Midrashim typically include a literary form known as the proem. A proem is an introduction to the midrashic exposition of a verse, usually the first verse of a specific Torah portion. It begins by citing a verse from elsewhere and then proceeds through a chain of interpretations until it arrives at the very first verse of the Torah reading, which it then identifies as echoing the notions derived in the previous exegesis. This rhetorical technique was a favorite one in the homiletical discourses given in the synagogues of Byzantine Palestine on Sabbath afternoons. As the midrashic collections were edited, proems were often invented to fill out the needs of the redactor where none had actually existed in the received tradition, thus giving rise to their ubiquity.

The redaction of the remaining “Rabbah” Midrashim—Exodus, Leviticus, Numbers, Deuteronomy, Ecclesiastes Rabbah, and Esther Rabbah II (i.e., the second part) as well as the texts of the Tanhuma type—belongs to a later period, beyond the scope of this book. Yet these works also preserve material from the amoraic period which can be dated with some accuracy by careful literary and historical analysis. These later aggadic compilations were more influenced by apocryphal, pseudepigraphal, apocalyptic, and mystical elements than those produced in amoraic Palestine, and also diverged from them in literary form and linguistic character. Indeed, Babylonian Jewry had a hand in the later collections, and similar texts were still being redacted in Europe through the twelfth century.

**JEWISH LITURGY**

We cannot leave the discussion of the great literary heritage of Talmudic Judaism without discussing the development of Jewish liturgy and the eventual emergence of canonized prayer collections. Ultimately, it was the contribution of the rabbis that provided the raw material for the early medieval attempt to collect the prayers into texts which we call prayer books (Siddurim and Maḥzorim).

Tannaitic and amoraic scholars made essential contributions to the development of Jewish liturgy, although it would be naive and simplistic to claim a controlling role for them. Jewish liturgy has its earliest roots in the individual prayers of the biblical period. We cannot know for sure whether prayer had a regular place in the Temple’s sacrificial ritual, but it is quite certain that individuals sometimes recited prayers while bringing sacrifices, and it is also true that in both Temples the levitical choir chanted psalms as an accompaniment to the sacrifices. Nonetheless, the prayers of individuals and the psalms of the choir did not constitute a fixed communal ritual or what we would describe as an organized worship service.

The Second Temple period offers the first evidence of fixed liturgical prayers. During this period the Jewish people was gradually turning toward prayer, and it was slowly becoming institutionalized even in the Temple. Indeed, various passages in the apocrypha, pseudepigrapha, and, especially, the Dead Sea Scrolls testify to the growth of fixed patterns of daily, Sabbath, and festival prayer among at least some Jews. As a result, when the Temple was destroyed in 70 C.E., and the sacrificial ritual ceased, Judaism was prepared to make the transition to prayer.

The destruction afforded the rabbis a unique opportunity to develop a liturgical system. Soon after the destruction, the tannaim at Yavneh began to standardize ritual practice. They began by fixing a definite list of benedictions for the Amidah prayer and, as well, by setting the times for prayer. The Amidah (literally “standing” prayer), also known as the Eighteen Benedictions, is the central part of every service, according to rabbinic practice. Further developments, regarding the recitation of the Shema (“Hear, O Israel,” Deut. 6:5, etc.), the Grace after Meals, and other benedictions, took place over the first two centuries C.E. Nonetheless, tannaitic sources preserve few actual liturgical texts because prayer remained so fluid in this
formative period. It was during the amoraic period that the liturgy began taking on a more fixed nature.

No fixed prayer collections are known to have existed in talmudic times. Although there was a basic sequence of obligatory prayers, the text of the liturgy had not yet been standardized, but different versions of the various prayers were available and some of these had attained written form in private notes.

The liturgy was standardized much less quickly in Babylonia than in Palestine, where the patriarchate and the centralized academies made the process easier. The Jewish masses, especially in Babylonia, were sometimes not very receptive to the new liturgy being introduced by the sages. It took a long time to win their acceptance, and sometimes the rabbis had to fight against popular custom and superstition. In due course, however, forms of worship and liturgical texts became more and more standardized throughout the amoraic period.

Meanwhile, highly significant developments were taking place in Palestine. Alongside the statutory prayers instituted in tannaitic times, the tradition of *piyyut* (liturgical poetry) developed. Based in large part on midrashic teachings, this poetry sought to expand the traditional prayers for various occasions. The composers of *piyyutim* (liturgical poems) followed a longstanding pattern of literary and poetic expansion of existing material. The new poetry, alongside the increasingly standardized prayer service, served as the model for the great liturgical collections of the gaonic period, which set the pattern for all future Jewish worship.

**SUMMARY**

The amoraic period bequeathed a rich literary heritage when the Palestinian and Babylonian Talmuds, the Midrashim, and the various liturgical texts were eventually committed to writing. It is in the amoraic materials that much of the application of tannaitic tradition was explained and amplified. Yet the amoraim made their own unique contribution to Judaism by beginning the exegesis of the oral law, recovering ancient traditions on mysticism and messianism, and formulating the basis of the Jewish liturgy. The products of their scholarship provided the greatest literary models for Jewish intellectual striving, and opened a new world to the Jewish people, that of the Talmud. The collections of traditions which the amoraim created would serve as the basis for Jewish life, thought, and scholarship for the next millennium and a half. Countless generations of Jews would dedicate their lives to learning to navigate the sea of the Talmud.