

# History of Halakhah

## Week #1 – Bible, Mishnah and Talmud

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### A. Introduction

- a. Introduction to Halakah B'Shanah
- b. Registration
- c. History vs. Conceptual
  - i. When vs. How
- d. People, Places & Publications

### B. Bible

- a. Many Laws
- b. Few Details

### C. Second Temple

- a. Many Sects
  - i. Pharisees
  - ii. Sadducees
  - iii. Essenes
  - iv. Dead Sea Scrolls

### D. Oral to Written, Pre and Post Destruction

- a. Rabbinic Judaism?
  - i. More Defined
  - ii. Additional Laws
  - iii. Early Evidence of Halakhah
- b. Oral
  - i. Intentional
  - ii. Mimetic
- c. Midrash
  - i. Verse Based
  - ii. Reflective and Deductive
  - iii. Two Schools
- d. Mishnah
  - i. Categories
  - ii. Comprehensive
  - iii. Practical
  - iv. One School (Dissent Recorded)
- e. Tosefta/Beraita

### E. Talmud

- a. Analytical
- b. Relevant
- c. Consensus Building
- d. Jerusalem and Babylonian

### F. Conclusion

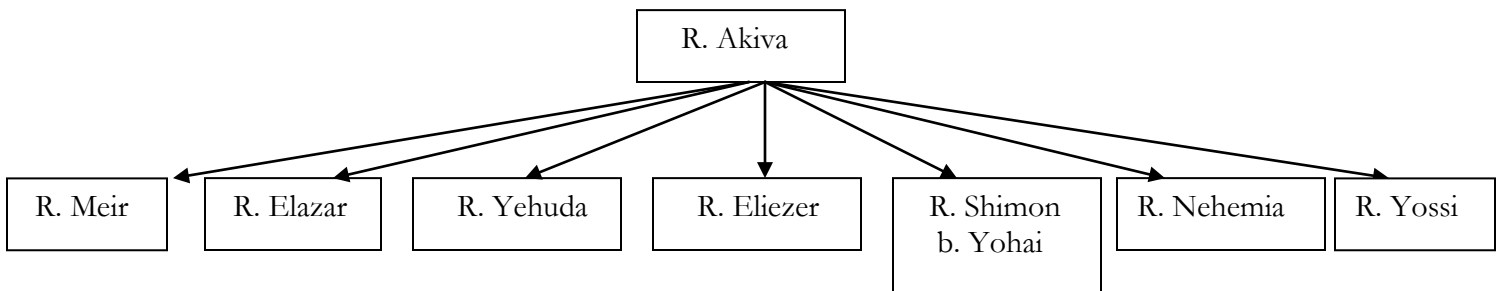
- a. Fluid to Form

## Charts

### Midreshei Halakhah

<i>Biblical Book</i>	Midrashich School of R. Ishmael (Type A)	Midrashic School of R. Akiva (Type B)
<i>Shemot (Exodus)</i>	<b>Mehilta</b>	Mehilta of R. Shimon Bar Yochai
<i>Vayikera (Leviticus)</i>	Fragments	<b>Sifra</b>
<i>Bamidbar (Numbers)</i>	<b>Sifrei (Bamidbar)</b>	Sifrei Zuta
<i>Devarim (Deuteronomy)</i>	Midrash Tannaim	<b>Sifrei (Devarim)</b>

### R. Akiva



### Bibliography

1. Lawrence H. Schiffman, *From Text to Tradition: A History of Second Temple and Rabbinic Judaism* (Ktav Publishing House, 1991)
2. *History of the Jewish People: The Second Temple Era* (Mesorah Publications, 1982)
3. *History of the Jewish People: From Yavneh to Pumbedisa* (Mesorah Publications, 1986)
4. H. L. Strack and Gunter Stemberger, *Introduction to the Talmud and Midrash* (Fortress Press, 1991)
5. Menachem Elon, *Jewish Law: History, Sources, Principles, Volume III*, The Jewish Publication Society, 1994

## Talmud/Mishnah Chart

Seder	Tractate	No. of Folio		Topic
		bT	jT	
<i>Zeraim</i> - Agricultural Laws	ברכות - Berakhot	64	14	Prayer and Blessings
	פאה – Pe'ah	-	7	Gifts for the Poor and Charity
	כלאים – Kela'im	-	7	Forbidden Mixtures
	שביעית – Shevi'it	-	7	Sabbatical Year
	תרומות - Terumot	-	9	Tithes
	מעשרות – Ma'asrot	-	5	
	מעשר שני – Ma'aser Sheni	-	5	
	דמאי – D'mai	-	6	
	חלה - Halah	-	4	
	ערלה - Orlah	-	4	Tree Fruits of the First Three Years
	ביכורים - Bikurim	-	3	First Fruits
<i>Mo'ed</i> - Sabbath and Festivals	שבת - Shabbat	157	18	Shabbat
	עירובין - Eruvin	105	9	
	פסחים - Pesahim	121	11	Passover
	ראש השנה – Rosh Hashanah	35	4	Rosh Hashanah
	יומא - Yoma	88	8	Yom Kippur
	סוכות - Sukkot	56	5	Sukkot
	Note: No Tractate on שבועות – Shavuot Holiday			
	ביצה - Beitzah	40	5	Prohibited Work on Festival Days
	מועד קטן – Mo'ed Katan	29	4	Prohibited Work on the Intermediate Days of the Festivals
	חגיגה - Chagigah	27	5	The Pilgrimage
	שקלים - Shekalim	-	7	Contributions to the Temple
	מגלה - Meggilah	32	7	Purim
	Note: No Tractate on Hanukkah (Mentioned 7 Times in Mishnah)			
	תענית – Ta'anit	31	7	Laws of Fast Days over Rain
<i>Nashim</i> - (Matrimonial)	גטין - Gittin	90	7	Divorce
	קידושין - Kiddushin	82	9	Marriage
	יבמות - Yevamot	122	16	Levirate Marriage and the <i>Halitzah</i> Ceremony
	כתובות - Ketuvot	112	12	Marriage Contracts and Marital Obligations
	נדרים - Nedarim	91	7	Laws of Vows
	נזיר - Nazir	66	8	The Nazirite's Vow Specifically
	סוטה – Sotah	49	9	The <i>Sotah</i> Ritual

<i>Neziqin - Damages</i>	בבא קמא – Baba Kama	119	7	Torts
	בבא מציעא – Baba Metz'ah	119	6	Lost Objects, Labor Law, Usury, Transfer Of Property
	בבא בתרא – Baba Batra	176	6	Partnerships, Ownership of Land, Contract Law, Inheritance, Legal Documents
	סנהדרין - Sanhedrin	113	14	Court System, Legal Process, Capital Punishment
	מכות - Makot	24	3	Perjured Witnesses, Accidental Homicide, (Non-Capital) Corporal Punishment
	שבועות - Shevuot	49	7	Oaths
	Avodah Zarah	76	7	Forbidden Worship
	אבות - Avot	-	-	Ethics
	הוריות - Horiyot	14	4	Errors of the High Court
	עדויות - Ediyot	-	-	Miscellaneous Collection of Early Tanna'itic Materials
<i>Qodshim – Temple Service</i>	זבחים - Zevahim	120	-	Animal Sacrifices
	מנחות - Menahot	110	-	Flour-Offerings
	חולין - Hullin	142	-	Animal-Food Preparation
	בכורות - Bekhorot	61	-	First Born Animals and People, and the Animal Tithe
	ערכין - Arakhin	34	-	Debts Owed to the Temple Treasury
	תמורה - Temurah	39	-	Failed Attempts at Redemption
	כריתות - Keritut	28	-	Sins Entailing the Heavenly Death Penalty
	מעילה – Me'ilah	22	-	Desecration of Temple Property
	תמיד - Tamid	9	-	The Daily Ritual in the Temple
	מדות - Midot	-	-	Temple's Construction
קנים - Kinim	-	-	Bird Sacrifices	
<i>Taharot – Purity Laws</i>	כלים - Keilim	-	-	Ritual Impurity of Vessels
	אהלות - Ohalot	-	-	Ritual Impurity of Dead People
	פרה - Parah	-	-	Purification via the Red Heifer
	נגעים - Negaim	-	-	Ritual Impurity of Leprosy
	טהרות - Taharot	-	-	Ritual Impurity of Food
	נדה - Niddah	73	4	Laws of <i>Niddah</i>
	מקוואות – Mikva'ot	-	-	Laws of the Ritual Bath
	מכשירין - Makhshirin	-	-	The Enabling of Food to Contract Ritual Impurity
	זבים - Zavim	-	-	Laws of <i>Zavim</i>
	ידיים - Yadayim	-	-	Ritual Impurity of the Hands
	טבול יום – Tevul Yom	-	-	Status of a Ritually Impure Individual Before Sundown
	עוקצין - Uktzin	-	-	More on the Ritual Impurity of Food