R' Mordechai Torczyner – torczyner@torontotorah.com

<u>Pseudepigraphy</u>

1. Avot 6:6

One who makes a statement in the name of its original source brings redemption to the world, as Esther 2:22 says, "And Esther told the king, in the name of Mordechai."

2. Jerusalem Talmud, Shabbat 6:1

Rabbi Avahu cited Rabbi Yochanan: One may teach his daughter Greek; this is ornamental for her. Shimon bar Abba heard this and said, "Because Rabbi Avahu wants to teach his daughter Greek, he hung this upon Rabbi Yochanan." Rabbi Avahu heard this and said, "May terrible things happen to me, if I did not hear this from Rabbi Yochanan!"

3. Talmud, Pesachim 112a

If you wish to be strangled, hang yourself by a tall tree.

<u>Besamim Rosh</u>

4. Responsa of Rabbeinu Asher ("Rosh") 55:9

The wisdom of philosophy and the wisdom of Torah and its laws do not follow the same path. The wisdom of Torah is a tradition received by Moses from Sinai, and the scholar will analyze it via the methods assigned for its analysis, comparing one matter and another. Even where this does not match natural wisdom, we follow the tradition. Philosophical wisdom is natural, with great scholars who established natural arguments, and in their great wisdom they dug deeper and corrupted (Hosea 9:9) and needed to deny the Torah of Moses, for the Torah is entirely unnatural and revelatory.

Regarding this it is stated, 'You shall be pure with HaShem your Gd,' meaning that even if something is outside of natural logic, you should not doubt the received tradition, but walk before Him in purity. Therefore, you should not bring proof from their words, to make a sign or argument or parable against the just laws of Gd.

Regarding this the sage said, 'Those who enter it will not return,' meaning that one who enters this area of [natural] wisdom will not be able to leave it and introduce his heart to the wisdom of Torah, for he will not be able to return from the natural wisdom to which he has become accustomed. His heart will be continually drawn after it, and he will not be able to establish himself in the wisdom of Torah, which is the path of life, for his heart will be perpetually drawn after natural wisdom. He will try to equate the two wisdoms, and bring proof from one to the other, and so he will warp justice for these are two opposites and rivals which cannot dwell in the same space.

5. Responsa Besamim Rosh 240

One who opens his mouth with doubts in various areas should not be judged heretical. With our own eyes we have seen giants of Israel speak harsh things occasionally, things one may not hear; some of them are even recorded in books. Benevolent Gd will atone for him. One is not termed 'heretical' unless he attacks our tradition.

6. Responsa Besamim Rosh 40

Regarding the person who shaved on Chol haMoed because he had already shaved before Yom Tov, based on the fact that he had heard that Rabbeinu Tam permitted it: You are correct that one may not follow an individual's leniency against a community... But neither law nor custom has been stated in the matter, and no clear evidence to prohibit is available, and so it is not right that you ex-communicated him, since he did have Rabbeinu Tam's authority. The master should forgive his ex-communication.

7. Responsa Besamim Rosh 251

Gd gave [the Jews] the Torah to bring them to satisfaction and completion, to goodness and pleasure. Therefore, occasionally when we have sinned in our ways and warped our paths, some of the Torah's laws have damaged the good which should have come upon us via fulfillment of the Torah, and then we have rejected that law and done the opposite, as the pious king said (Psalms 119:126), "It is a time to act for Gd, they have nullified Your Torah."



If it could be imagined that a time might come when the laws and mitzvot of the Torah might clearly bring evil upon our nation, the whole nation, or even if it could be imagined that they would not bring satisfaction to the nation, then we would throw its yoke from upon our necks. The hinge upon which all of the Torah's laws turn is that Gd instructed the Jews to perform these laws out of love, for He desires kindness, and He spoke good for Israel...

The Jerusalem Talmud

- 8. The six "orders" of the Mishnah
 - Zeraim Agriculture
 - Moed Calendar
 - Nashim Marriage and Divorce
 - Nezikin Tort law
 - Kodashim Temple Offerings
 - Taharot Ritual purity

9. Maimonides, Introduction to Mishnah

And so did the sages of Israel, meaning they did as Rav Ashi did, compiling the Jerusalem Talmud. The compiler was Rabbi Yochanan. We have five complete orders from the Jerusalem Talmud, but the order of *Taharot* does not have talmud at all, in the Babylonian or Jerusalem Talmud, other than the volume of Niddah alone.

10. Rabbi Ovadia Yosef, Responsa Yabia Omer 3: Orach Chaim 3

But when his son Rav Aryeh Leib asked him, he replied that in the newly revealed Jerusalem Talmud Menachot it is explicit that the order is that of Rabbeinu Tam, with the *havayot* in the middle. His son informed him that this Yerushalmi is forged, as is known that the publisher was well-known as a forger twenty years before he made such noise in the world with his "find." He was already pursued for his life in HaMelitz (5652-3). Then [Rabbi Yisrael Meir Kagan]'s hands weakened, and he did not mention it further.

But it was hidden from my king that, in truth, it *is* so in the Jerusalem Talmud Kodashim which is lost from us, and it was before our early ancestors, as our master Raavad testified in his commentary to Sefer Yetzirah... It is possible that the publisher of that Jerusalem Talmud Kodashim knew that Raavad, and introduced it intentionally in the Jerusalem Talmud he published in order to fool the examiners into thinking it a proof that this is the lost segment of the Jerusalem Talmud. He did similar things in other topics brought in that "Jerusalem Talmud", including ideas which were mentioned in early authorities in the name of the Jerusalem Talmud.