

Why Learn Gemora So Much?

1) תלמוד בבלי מסכת בבא בתרא דף קמה עמוד ב

תנו רבנן: עתיר נכסין עתיר פומבי - זה הוא בעל הגדות, עתיר סלעים עתיר תקוע - זהו בעל פלפול, עתיר משח עתיר כמס - זהו בעל שמועות, הכל צריכין למרי חטיא - גמרא.

מר רבי זירא אמר רב, מאי דכתיב: אכל ימי עני רעים? זה בעל גמרא, וטוב לב משתה תמיד - זה בעל משנה.

Our Rabbis taught: Rich in possessions [and] rich in pomp — that is a master of aggadoth. Rich in money [and] rich in oil — that is a master in dialectics. Rich in products [and] rich in stores — that is a master of traditions. All. [however]. are dependent on the master of wheat. [i.e.] Gemara.

R. Zera said in the name of Rab: What [character is meant] by the Scriptural text, All the days of the poor are evil? — A master of Gemara; but he that is of a merry heart hath a continual feast” refers to a master of the Mishnah.

2) Rav Aharon Lichtenstein, Why Learn Gemora? in Leaves of Faith p. 11

Contact with the terra firma of primary texts is of significant educational and intellectual value in any serious discipline – and, by and large, sorely lacking in the current academic climate. How many law students have ever seen Justinian or Coke – or, for that matter, surveyed *Marbury vs. Madison*? It is incalculably important, however, with respect to *talmud Torah*, whose study is enjoined as a religious experience rather than as a mere intellectual exercise. On the experiential plane, recourse to secondary or tertiary texts may simplify; but it almost certainly dilutes.

Relation to the primary source is felt not only with respect to the text or its content. It is felt, in a personal vein, with regard to Hazal. To open a gemara is to enter into their overawing presence, to feel the force of their collective personality – and not as in a historico-critical mode, in order to pass judgment upon them, but so as to be irradiated and ennobled by them.

When halakhic man looks to the western horizon and sees the fading rays of the setting sun or to the eastern horizon and sees the first light of dawn and the glowing rays of the rising sun, he knows that this sunset or sunrise imposes upon him anew obligations and commandments. Dawn and sunrise obligate him to fulfill those commandments that are performed during the day: the recitation of the morning *Shema*, *tzitzit*, *tefillin*, the morning prayer, *etrog*, *shofar*, *Hallel*, and the like. They make the time fit for the carrying out of certain halakhic practices: Temple service, acceptance of testimony, conversion, *halitzah*, etc., etc. Sunset imposes upon him those obligations and commandments that are performed during the night: the recitation of the evening *Shema*, *matzah*, the counting of the

When halakhic man chances upon mighty mountains, he utilizes the measurements which determine a private domain (*reshut ha-yahid*): a sloping mound that attains a height of ten handbreaths within a distance of four cubits. When he sees trees, plants, and animals, he classifies them according to their species and genera. Many laws are dependent upon the classification of the species. When a fruit is growing, halakhic man measures the fruit with the standards of growth and ripening that he possesses: budding stage, early stage of ripening, formation of fruits or leaves, and reaching one-third of complete ripeness.²² He gazes at colors and determines their quality: distinguishes between green and yellow, blue and white, etc., etc., “between blood and blood, between affection and affection” (Deut. 17:8) [i.e. between the various colors of vaginal blood and skin affections; see Rashi ad loc.]. He investigates the matter of the nurturing of trees and plants: the relative importance of the branches vis-à-vis the roots. He approaches existential space with an a priori yardstick, with fixed laws and principles, precepts that were revealed to Moses on Mount

3) תלמוד בבלי מסכת סוטה דף כב עמוד א

תנא: התנאים מבלי עולם. מבלי עולם ס"ד? אמר רבינא: שמורין הלכה מתוך משנתן. A Tanna taught: The Tannaim bring destruction upon the world. How can it occur to you to say that they bring destruction upon the world! Rabina said: Because they decide points of law from their teachings

4) Rav Joseph Soloveitchik, Halakhic Man, p. 20-21

all its visible manifestations and underlying structures. There is no phenomenon, entity, or object in this concrete world which the a priori Halakhah does not approach with its ideal standard. When halakhic man comes across a spring bubbling quietly, he already possesses a fixed, a priori relationship with this real phenomenon: the complex of laws regarding the halakhic construct of a spring. The spring is fit for the immersion of a *zav* (a man with a discharge); it may serve as *mei hatat* (waters of expiation); it purifies with flowing water; it does not require a fixed quantity of forty se'ahs; etc. [See Maimonides, *Laws of Immersion Pools*, 9:8.] When halakhic man approaches a real spring, he gazes at it and carefully examines its nature. He possesses, a priori, ideal principles and precepts which establish the character of the spring as a halakhic construct, and he uses the statutes for the purpose of determining normative law: does the real spring correspond to the requirements of the ideal Halakhah or not?



5) Rav Joseph Soloveitchik, The First Jewish Grandfather, Man of Faith in the Modern World. P. 22

past are bidden to take their seats. The Rebbe introduces the guests to his pupils, and the dialogue commences. The Rambam states a halakhah; the Rabad disagrees sharply, as is his wont. Some students interrupt to defend the Rambam, and they express themselves harshly against the Rabad, as young people are apt to do. The Rebbe softly corrects the students and suggests more restrained tones. The Rashba smiles gently. The Rebbe tries to analyze what the students meant, and other students intercede. Rabbenu Tam is called upon to express his opinion, and, suddenly, a symposium of generations comes into existence. Young students debate earlier generations with an air of daring familiarity, and a crescendo of discussion ensues.

All speak one language; all pursue one goal; all are committed to a common vision; and all operate with the same categories. A *Mesorah* collegiality is achieved, a friendship, a comradeship of old and young, spanning antiquity, the Middle Ages, and modern times. *V'hu haketz*, this joining of the generations, this merger of identities will ultimately bring about the redemption of the Jewish people. It will fulfill the words of the last of the Hebrew prophets, Malachi, “And he [Elijah] shall turn the heart of the fathers to the children and the heart of the children to their fathers” (3:24).¹¹ The Messianic realization will witness the great dialogue of the generations.

My father would then say that, *prima facie*, the criticisms and objections of the Rabad are actually correct. The members of the group would jump up and each of them would suggest an idea. Father would listen and rebut their ideas, and then repeat, "Our Master's words are as hard to crack as iron." But he would not despair; he would rest his head on his fist and sink into deep thought. The group was quiet and did not disturb his reflections. After a long while he would lift his head very slowly and begin, "Rabbotai, let's see..." and then he would start to talk. Sometimes he would say a great deal, other times only a little. I would strain my ears and listen to what he was saying.

I did not understand anything at all about the issue under discussion, but two impressions were formed in my young, innocent mind: (1) the Rambam was surrounded by opponents and "enemies" who want to harm him; and (2) his only defender was my father. If not for my father, who knew what would happen to the Rambam? I felt that the Rambam himself was present in the living room, listening to what my father was saying. The Rambam was sitting with me on my bed. What did he look like? I didn't know exactly, but his countenance resembled my father's good and beautiful face. He had the same name as my father - Moses. Father would speak; the students, their eyes fixed on him, would listen intently to what he was saying. Slowly, slowly, the tension ebbed; Father strode boldly and bravely. New arguments emerged; halakhic rules were formulated and defined with wondrous precision. A new light shone. The difficulties were resolved, the passage was explained. The Rambam emerged the winner. Father's face shone with joy. He had defended his "friend," Rabbenu Mosheh the son of Maimon. A smile of satisfaction appeared on the Rambam's lips. I too participated in this joy. I was happy and excited. I would jump out of bed and run to my mother's room to tell her the joyful news, "Mother, Mother, the Rambam is right, he defeated the Rabad. Father came to his aid. How wonderful Father is!"

But occasionally the Rambam's luck did not hold - his "enemies" attacked him on all sides; the difficulties were as hard as

And it would appear that the gathering of 'all the sages of Israel' has the power of the *beis din hagadol* even at a time that there are no *semuchim* for at the time of the sealing of the Talmud the period of *semicha* had already been nullified but yet the Jews were still obligated to listen to them as it says 'regarding Torah, you only have the judges that exist in your days' and our only 'judges' is the agreement of all the 'sages of that generation.

The Necessary Emuna

11) Rav Herschel Schachter, Jewish Action, Winter 2010 Who Is Authorized to Institute Change?

Changes in practice require delicate evaluations that only a master Torah scholar, a gadol baTorah, can properly conduct. Only someone with a broad knowledge and a deep understanding of the corpus of halachah, with an intimate familiarity with both the letter and the spirit of the law, with a mastery of both the rules and the attitudes of the mesorah, can determine when a change is acceptable or even required. The more wide-reaching the proposed change, the greater the expertise required to approve it. The evaluator must not only be a master of the mesorah, but he must also be able to consider new practices based solely on values internal to the mesorah, removing external influences from the deliberation.

12) Rabbi Zev Eleff, The "Between-the-Lines" Faith of Rabbi Hershel Schachter, thelehrhaus.com

God protects the transmission of His legislation, no matter how far it progresses beyond the pages of the Talmud. ... That halakhah has journeyed a sometimes-sinuous path is untroubling. God, Rabbi Schachter would have it, navigated halakhic interpretation that way, beyond the limited comprehension of people. God steered His faith, hitting human checkpoints we call Maimonides, Rabbi Yosef Caro, the Vilna Gaon, Rabbi Yitzhak Elhanan Spektor, Rabbi Soloveitchik, and Rabbi Moshe Feinstein.

iron. Father was unable to follow the logic of his position. He tried with all his might to defend him, but he was unsuccessful. Father would sink into musings with his head leaning on his fist. The students and I, and even the Rambam himself, would tensely wait for Father's answer. But Father would pick up his head and say sadly, "The answer will have to wait for the prophet Elijah; what the Rambam says is extremely difficult. There is no expert who can explain it. The issue remains in need of clarification." The whole group, my father included, were sad to the point of tears. A silent agony expressed itself on each face. Tears came from my eyes, too. I would even see bright teardrops in the Rambam's eyes.

Slowly I would go to Mother and tell her with a broken heart, "Mother, Father can't resolve the Rambam - what should we do?"

"Don't be sad," Mother would answer, "Father will find a solution for the Rambam. And if he doesn't find one, then maybe when you grow up you'll resolve his words. The main thing is to learn Torah with joy and excitement."

II. But Why Is It Binding?

8) הקדמה ליד החזקה לרמב"ם

אבל כל הדברים שבגמרא הבבלי חייבין כל ישראל ללכת בהם וכופין כל עיר ועיר וכל מדינה ומדינה לנהוג בכל המנהגות שנהגו חכמי הגמרא ולגזור גזירותם וללכת בתקנותם. הואיל וכל אותם הדברים שבגמרא הסכימו עליהם כל ישראל.

However, all the matters mentioned by the Babylonian Talmud are incumbent on the entire Jewish people to follow. We must compel each and every city and each country to accept all the customs that were put into practice by the Sages of the Talmud, to pass decrees paralleling their decrees, and to observe their ordinances, since all the matters in the Babylonian Talmud were accepted by the entire Jewish people.

9) Rav Elchanan Wasserman hv" d. Koveitz Shiurim II p. 96-97

From here we see that the agreement of all, or the majority, of the sages of Israel has the strength of the *beis din hagadol* and the Jewish people are obligated to listen to them.

ג) ונראה מדברי הרמב"ם שהסכמת כל חכמי ישראל או רובן יש להן הכח של ב"ד הגדול וחייבין כל ישראל לשמוע להן כמו לב"ד הגדול ואף דבב"ד הגדול גופא קיי"ל שהמקום גורם ואם מצאן בבית פאגוי והמרה עליהן פטור היינו דגוה"כ הוא דכשאין במקומן אינן נחשבין לב"ד של כל ישראל שהרי אינן אלא שבעים ואחד והם

תורה אין לך אלא שופט אשר בימיך ואין לנו שופט אחר אלא הסכמת כל חכמי ישראל שבאותו הדור הראויין להוראה ע"כ עליהן צוה תורה לשמוע להן והוה טעמו של הרמב"ם שכתב בפ"י

ח) ונראה דקייבין כל חכמי ישראל יש לו כח של ב"ד הגדול אפילו בזמן דליכא סמוכין דהא בשעת חתימת התלמוד כבר בטלה הסמיכה ומ"מ חייבין כל ישראל לשמוע להן דכיון דאמרה

10) Rav Shlomo Fischer, Beis Yisai I p. 114

ודע, דקבלה זו שאנו אומרים, אין פירושה שהיה שם ביום מסוים מעמד של קבלה, דמי גילה לי רז זה, שהיה מעמד כזה. אלא במרוצת הימים נתגבשה קבלה זו. והרי אין אדם יכול להכחיש שאכן כך מקובל בישראל ולשון הכ"מ מיום שנחתם התלמוד לא ניתן רשות וכו' על כרחך יום דקאמר לאו דוקא, שהרי ידוע מאגרת רב שריא גאון וספר הקבלה להראב"ד ושאר ראשונים שתחיתם התלמוד לא היתה ביום אחד ולא בשנה אחת אלא במשך כמה דורות).