



Mosaic Religion and the Religious Mosaic **An Approach to the Jewish Community for Christian Seminarians**

Script 9: The Written Torah and the Oral Torah

Walk into a synagogue anywhere in the world and you will find one or more Torah scrolls. Every Torah scroll contains the Pentateuch, the Five Books of Moses, comprising the first five books of the Hebrew Bible: Genesis, Exodus, Leviticus, Numbers, and Deuteronomy. This is the Written Torah, known as *Torah sheh-bich'tav* in Hebrew.

Note that while you may see the Written Torah as referencing only the Pentateuch, you may also see the Written Torah as a term for the entirety of the Hebrew Bible. In addition to the Pentateuch, this includes the Prophets, such as Isaiah and Jeremiah, and the Writings, including Psalms, Proverbs, Chronicles, and other later books. The Hebrew Bible is called the *TaNaKh*, an acronym for Torah, *Nevi'im*-Prophets, and *Ketuvim*-Writings. It consists of the twenty-four books in the Jewish Biblical canon. While similar to what Christians refer to as the Old Testament, the respective canons are not identical. There are books contained in the Catholic, Protestant, and Eastern Orthodox canons of the Old Testament that are not part of the *TaNaKh*, and the order of books is not identical.¹

The Written Torah has been and continues to be unchanged. Deuteronomy 4:2 states: “Do not add to the matters I am commanding you, and do not subtract from them; to guard the commandments of the Eternal your God that I am commanding you.” This edict is taken by rabbinic tradition to mean that, within the Written Torah, no word is changed. There are no punctuation or vocalization symbols added to the Torah scroll. As it is unchanged, it has been for the Jewish people the firmest of foundations upon which we form our relationship with God, and how we apprehend God’s will in order to live Jewish lives.

However, Jewish tradition holds that in addition to the Written Torah, a second Torah was handed down by God at Mt. Sinai. That second Torah is called the Oral Torah, known as *Torah sheh-ba'al peh* in Hebrew. In a post-Biblical Jewish work called the *Mishnah*, the authority of the Oral Torah was established by tracing it back to Mount Sinai and Moses. A

¹ To learn more about the TaNaKh, please refer to “What is the Hebrew Bible,” another episode in the “Mosaic Religion and the Religious Mosaic” series.

famous opening passage in one of the sections of the Mishnah teaches: “Moses received the Torah from Sinai, and transmitted it to Joshua, Joshua to the Elders, the Elders to the Prophets, and the Prophets transmitted it to the Men of the Great Assembly...”²

The Oral Torah expounds upon and explains or interprets the commandments, statutes, and laws enumerated in the Written Torah. As its name implies, the Oral Torah was passed down as oral tradition. Whereas the Written Torah remained and remains unchanged, the Oral Torah keeps Judaism dynamic. Jews add to the oral tradition with increased and acquired knowledge over time. By maintaining its form as oral teaching, it arguably serves to keep Jewish tradition from becoming too fixed, inflexible, or impervious to change.

What might be confusing to many is that, at a certain point, the Oral Torah was committed to writing. As the oral tradition became increasingly voluminous, there was an understandable concern on the part of Jewish sages that the oral tradition could not be committed to memory in its entirety. Different parts of the oral tradition were thus written in manuscript form to preserve them for future generations.

The Mishnah cited earlier is referenced as the earliest and most prominent example of the Oral Torah in written form. The Mishnah was redacted around the year 200 CE³ by Rabbi Judah HaNasi, Rabbi Judah the Prince. Subsequent to the Mishnah are discussions based on the Mishnah known as the *Gemara*, meaning “study” or “learning.” Mishnah and Gemara together constitute what is known as the Talmud, a foundational source of Jewish law from the rabbinic period through the present day. Its goal is to expound on the commandments of the Written Torah and clarify ambiguities presented by those commandments. This goal is apparent from the very first passage in the Mishnah.

The beginning of the Mishnah points to a verse in the Written Torah where one finds the commandment to recite the *Shema*, arguably the most famous Jewish prayer: “Hear O Israel, the Lord is our God, the Lord is One,” a verse from Deuteronomy, Chapter 6, verse 4. These words are to be recited when one lies down, and when one rises, according to verse 7 in the same chapter. This seems simple enough on its face: Recite the Shema before you go to bed at night, and when you wake up in the morning.

However, what happens if bedtime does not come around until 3:00 am? Is it too late to recite the evening Shema? Likewise, how early in the morning is it permissible to recite the morning Shema. When the sun comes up? When the first light is apparent in the sky before sunrise? The first and second passages in the Mishnah address these questions, issues for which there are no apparent answers in the Written Torah.

At times the Oral Torah creates mountains of laws based on a minor reference in the Written Torah. For example, the laws of *kashrut*, the Jewish dietary laws. The Written Torah commands not to boil a kid in its mother’s milk, laws found in the Books of Exodus and Deuteronomy. Nowhere in the Written Torah does it prohibit mixing milk and meat such as not eating a cheeseburger, or the requirement to have a separate dish for milk meals and meat meals,

² Mishnah, *Pirkei Avot* (Teachings of the Sages), 1:1.

³ CE: The Common Era, used by Jews and many Christians as an abbreviation instead of A.D.

key components of the Jewish dietary laws. The Sages of the Talmud⁴ observed that the prohibition is mentioned three separate times in the Written Torah to mean that, in keeping kosher, there are actually three different prohibitions:

First, one cannot cook meat and dairy together.

Second, one cannot eat meat and dairy together, and,

Third, one cannot derive benefit from mixing meat and dairy together.

These three core rules are greatly expanded in the Oral Law to include using separate dishes for meat and dairy meals, waiting a certain amount of time between eating meat and dairy, and many other practices. These laws related to keeping kosher are still observed today as a product of the Oral Torah's expansive interpretation of the laws found in the Written Torah.

Finally, the gift of the Oral Torah is in how Jewish law remains not only relevant, but a vital source for making decisions on a plethora of contemporary issues. Contemporary Oral Torah addresses such complex issues as organ transplantation, end-of-life support, using laptop computers and other electronic devices on the Jewish Sabbath, and many others. In Judaism the dynamic of the Written Torah and the Oral Torah coupled together provide both the firmest of foundations and the inherent flexibility to allow for change and growth.

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