

# The Formation of the Talmud

Scholarship and Politics in Yitzhak Isaac  
Halevy's *Dorot Harishonim*

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# Rechov Dorot Harishonim

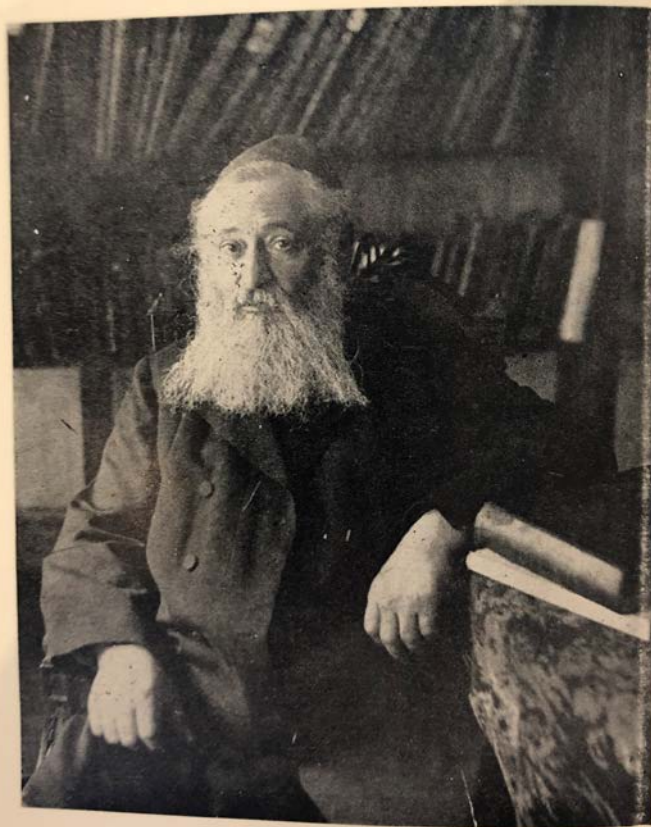


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# Y. I. Halevy



ISAAC HALEVY

# R Yitzhak Isaac Halevy

- Volozhin and R Chaim
- Heinrich Graetz's *History of the Jews*
- Isaac Hirsch Weiss' *Dor Dor Vedorshaiv* (6 editions)
- *Dorot Harishonim* and *Hokhmat Yisrael* (1897)
- The Historian/Talmudist combination
- Rav Kook
- Chazon Ish
- Agudath Israel



# Rav Kook and Halevy's Matseva



# The Contribution of Abbaye and Rava

- The proto-Talmud
- Institutional complexity of academies in 4<sup>th</sup> century
- Ubiquity of Abbaye and Rava – every 4 folios
- In Halevy's view they were the creators of the Talmud
- Collective discourse
- b. Eruvin32b – Rav Nahman said [that] Shmuel said
- Nehutei
- Until 351/2 Death of Rava and splitting of academies



# The Evidence and Implications

- “Private” Gemara versus Collective
- Direct double attributions אמר רב נחמן אמר שמואל (>1,500)
- Indirect double attributions אמר רב פלוני משמיה דרב אלמוני (760)
- Post: no direct but more than 200 indirects
- *Hilkheta kebatra’ei*
- 4<sup>th</sup> century shared Persian/eastern Roman empires (Kalmin)
- Shapur II synod

# *Havayot de'Abbaye veRava*

- Face to face or coordinated?
- Abbaye and “*shittah*” – organizing tool
- Sinai and “*oker harim*”
- From casuistic to conceptualization
- The *proto-Talmud*

# The Editing of Rav Ashi

- *Hatimat hatalmud*
- General sealing and the end of final ruling חתימה כוללת וסוף הכרעה אחרונה
- b. Bava Metzi'a 86a: רבי ורבי נתן – סוף משנה; רב אשי ורבינא – סוף הוראה
- Rav Ashi's mahadura qamma and mahadura batra
- Rav Sherira

# Evidence and Extent

- Amoraim addressing Rav Ashi
- Record of court cases
- Extent of editing activities: Tosafot Menahot 58b
- Yad Malakhi: Global versus local editing
- *Masekhtot Meshunot*: Nedarim, Nazir, Temurah, Kerithot and Me'ilah
- b. Temurah and *lishana ahrina*

## b. Bava Qamma 90a

- מאן תנא להא דתנו רבנן: מי שחציו
- עבד וחציו בן חורין, וכן עבד של שני
- שותפין – אין יוצאין בראשי אברים
- שאינן חוזרין? אמר ליה רב מרדכי
- לרב אשי, הכי אמרי משמיה דרבא:  
רבי אליעזר היא

- The Gemara asks: **Who** is the *tanna* who taught that which the
- **Sages taught: One who is a half-slave half-freeman, and similarly,**
- **a slave belonging to two partners, are not emancipated**
- when injured by one of their owners in one of their **extremities that**
- **do not regenerate**, i.e., the twenty-four extremities whose injury by
- an owner emancipates a slave? **Rav Mordekhai said to Rav Ashi:**
- **This is what the Sages say in the name of Rava: It is in accordance**
- with the opinion of **Rabbi Eliezer**.

# *Hora'ah*

- Talmud? Legislation/instruction? Apodictic?
- Proto-Talmud and the Stam
- b. Berakhot 21a:
  - (A) And Rav Yehudah said that Shemuel said: “One who was standing in prayer and remembered that he had already prayed must interrupt [his prayer], even in the middle of a blessing [. . .].”
  - (B) And Rav Yehudah said that Shemuel said: “[One who already] prayed and enters a synagogue to find a congregation praying, if he is able to introduce a new element [into his prayer], he may pray again, and if not, he may not pray again.”
  - (C) [The setam notes: This concept is identical to Shemuel’s previous statement, but nonetheless both statements are] necessary.



# A Reassessment – Rav Ashi's Role

- Seventy-five years after his death
- Iggeret
- No hint of planned closure or sealing
- Natural evolution and periodization

# A Reassessment – the Stam

- Genre, terminology and perspective
- Apodictic vs dialectic
- *Havvat Jair* and *Yad Malakhi*
- Continuous development post amoraic age
- Deemed later than Ravina by Rif Hullin 3b
- Nedarim and Rav Yehudai Gaon
- Impact of the written copies (end of 8<sup>th</sup> century)
- Detected versus undetected (Rav Yehudai Gaon)