

**A TRANSLATION OF THE  
TREATISE  
CHAGIGAH FROM THE  
BABYLONIAN TALMUD**

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A Translation of the Treatise Chagigah from the Babylonian Talmud by A. W. Streane

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A TRANSLATION OF THE TREATISE

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FROM THE

BABYLONIAN TALMUD

WITH INTRODUCTION, NOTES, GLOSSARY, AND  
INDICES

BY

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## INTRODUCTION.

SINCE the publication of Deutsch's celebrated article<sup>1</sup>, a large number of fragmentary portions of the Talmud have appeared in English. Such for example are to be found in Hershon's *Talmudic Miscellany*, 1880, his *Treasures of the Talmud*, 1882, and his *Genesis with a Talmudic Commentary*, 1883. A considerable portion of the Mishnah has also been translated, in particular, the treatise entitled *Pirke Aboth*, or *Sayings of the Jewish Fathers*. Numerous references to Dr C. Taylor's edition of that work with critical and illustrative notes<sup>2</sup> will be found in the following pages. Many other Mishnic treatises have also been more or less fully translated; e.g., by the Rev. D. A. de Sola and the Rev. M. J. Raphall<sup>3</sup>, and, later, by the Rev. Joseph Barclay<sup>4</sup>. But no person, so far as I am aware, has hitherto undertaken to set any Talmudic treatise, with both Mishnah and Gemara, in its entirety before the English reader. I have accordingly ventured to think that such a work as this, corresponding to what has been already done by Drs E. M. Pinner, Chr. Ewald<sup>5</sup> and others<sup>6</sup> for German,

<sup>1</sup> 'The Talmud,' published in the *Quarterly Review*, Oct. 1867, and reprinted in his *Literary Remains*, London, 1874.

<sup>2</sup> Cambridge, 1877.

<sup>3</sup> London, 1843.

<sup>4</sup> London, 1878.

<sup>5</sup> Pinner's *B'rakhoth*, Berlin, 1842; Ewald's *Abodah Sarah*, 2nd ed., Nuremberg, 1868.

<sup>6</sup> See German translations of various treatises enumerated in Dr H. L. Strack's *Einleitung in den Thalmud*, p. 69.

and by L'Abbé L. Chiarini<sup>1</sup> and M. Moïse Schwab<sup>2</sup> for French readers, might not be without interest. This book then, unlike those to which I first referred, consists, not of quotations, however appropriately selected, but of a continuous whole.

Although perhaps no one who opens this volume is likely to "hold, with that erudite Capucin friar, Henricus Seynensis, that the Talmud is not a book but a man<sup>3</sup>," it may be well to sketch as briefly as possible the nature of that work, one of the treatises of which appears now for the first time in a non-Hebrew dress.

According to Jewish belief, in addition to the "Books of Moses," which formed the *written Law* (תּוֹרָה שֶׁבְכָתוּב), there was also delivered to the Israelitish leader an *oral Law* (תּוֹרָה שֶׁבְעַל פֶּה)<sup>4</sup>, which was held by the Jews in still higher veneration<sup>5</sup>. This oral Law, like the written, was held to have been faithfully transmitted through subsequent generations and all the vicissitudes of Jewish history, and the two together form the basis of all the discussion and exposition, of which the main substance of the Talmud consists. "Moses received the Torah from Sinai, and delivered it to Joshua, and Joshua to the elders, and the elders to the prophets, and the prophets to the men of the Great Synagogue<sup>6</sup>." "R. Simeon ben Lakish said, What is that which is written, 'I will give thee tables of stone, and the law, and the commandment which I have written, to teach them' (Ex. xxiv. 12)? 'Tables,' these are the Ten Words; 'law,' this is the Scripture; 'and the commandment,' this is the Mishnah; 'which I have written,' these are Prophets

<sup>1</sup> *Le Talmud de Babylone, traduit en langue Française, et complété par celui de Jérusalem*, Vol. 1, Leipzig, 1831, contains *B'rakhoth*. No more appears to have been published.

<sup>2</sup> *B'rakhoth*, Paris, 1871. Other treatises have followed.

<sup>3</sup> Deutsch, *Lit. Rem.*, p. 3.

<sup>4</sup> "Not unlike the unwritten Greek *Ἰῆρρα*, the Roman *Lex Non Scripta*, ... or our own Common Law," Deutsch, p. 18.

<sup>5</sup> See p. 47.

<sup>6</sup> *Sayings of the Jewish Fathers (Pirke Aboth)*, i. 1.

and K'thubhim; 'to teach them,' this is the Gemara; thus instructing us that all of these were given to Moses from Sinai!."

It is of course impossible to determine with any precision what substratum of truth may underlie this belief; in other words, to determine whether there may be preserved to us in the Talmud, as we now have it, any trace of precepts otherwise unknown but belonging to the age of Moses or to that of the Elders<sup>1</sup>, or of the prophets who followed him. When we arrive however at the age indicated by the last words quoted above from the *Pirke Aboth*, the subject emerges into the light of history. From that time onwards we find that a certain class of men were charged from age to age with the custody of this Law, both while it was still in fact, as well as in name, oral, and subsequently, when it had been committed to writing. The title borne by these persons varied with the period, as did also the amount of deference paid to their successive expositions.

Ezra and 'the men of the Great Synagogue,' the last of whom, Simon the Just, died B.C. 300, handed on the tradition, to be cherished and amplified by the Sopherim (scribes), and these were succeeded in their guardianship by (a) the Tannāim<sup>2</sup> (A.D. 70—220), (b) the Amorāim<sup>3</sup> (from the death of Rabbi, A.D.

<sup>1</sup> *B'rakhoth*, 5 a, i. 13.

<sup>2</sup> Josh. xxiv. 3, Jud. ii. 7.

<sup>3</sup> Traditionally held to have been a college, consisting of 120 contemporary teachers. More probably the title was invented in a subsequent age to express collectively those learned in the Law, who belonged to the whole period comprised between the Return from the Captivity and A.C. 300. See Dr C. Taylor's *Sayings of the Jewish Fathers*, p. 124.

<sup>4</sup> *Repeaters, teachers* (סופרים), also called Chākhmamim, *wise men*, a title used to distinguish them from the Rabbanan, who (but see Glossary, רבבאן) were Gemaric teachers (Amoraim). Deutsch however (*Lit. Rem.* p. 21) adopts a classification which makes Banaim, (*Master-builders* (בנינים)), to be the name borne by the custodians of the oral Law from B.C. 220 to A.D. 220.

<sup>5</sup> *Speakers* (אמוראים). Hence they were men who *discussed* with authority, as opposed to their predecessors (Tannaim) who *taught* with authority. The Amoraim did not formulate new laws, unless they were compelled. Thus they