

TALMUD AND AUTHORITY

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The Rabbis state that the authority of the Talmud (and therefore their authority) is derived from God Himself. The authoritative progression goes like this: God gave the Oral Tradition (the basis for the Talmud) to Moses:

‘Moses passed it on to Joshua. Joshua gave it to the Elders. The Elders gave it to the Prophets, and the Prophets gave it to the Men of the Great Assembly’¹ (in Ezra and Nehemiah’s day).

The Rabbis tell us that Talmud divinely supplements Torah or teaches us of things that the Torah fails to mention (like how a Jew is to conduct himself in certain situations or that he must wash his hands and say the divinely approved blessing before blessing the Lord for the food and how the sacrifice should be slaughtered; where to cut the throat, etc.). And if they don’t follow Talmud, it is seen as sin. Allegedly all Talmud is from Yahveh. ‘According to Rabbi Pinhas Kehati, a modern Mishnaic scholar in Jerusalem,’²

‘The purpose of this opening statement (in Pirke Avot), is to teach us that every word cited in this tractate, as indeed the whole of the oral Torah’ (Oral Law-Talmud), ‘can in their systematic form be traced back through the Prophets to Moshe Rabbeinu’ (Moses our Teacher), ‘the father of all prophets, who received the whole ‘Torah, it’s laws, rules of inference and interpretations, from the Almighty Himself.’³

The problem with this is that nothing can be traced back to the Prophets and therefore to Moses. The line stops at Babylon. The Rabbis say that Talmud or Oral Law came from Moses, who got it from Yahveh. But there isn’t one rabbi (or anyone else), named in Talmud that goes back before Babylonian captivity around 580 BCE. That’s not to contest the fact that the seminal form of Talmud (Mishna) is ancient, but ancient doesn’t equal divine and there’s a long void between Moses and Babylon; about 800 years. There is no authoritative connection between what Moses taught and the Rabbis claiming that their authority was given to them by Moses by way of the Oral Law. The Rabbis invented the story that says that Moses handed down Talmud to them. They did this to establish their own authority as being derived from Moses, who of course, got his authority from Yahveh.

Adding to that we find two major problems presenting themselves to the rabbinic assertion that Moses gave us Talmud. When Hilkiah the High Priest, under the direction of King Josiah, found the Torah (Law of Moses) in the Temple (2nd Kings 22-23) there is no mention of an ‘Oral Law’ accompanying it or that an oral law even existed.⁴ When they found the Torah the implication is that there was nothing of Yahveh that they had before to lead them in His Way. If there was an oral tradition it should have helped them. This happened about 630 BCE, about forty years before the Babylonian captivity.

The second concern is when Joshua led Israel in reaffirming the Covenant at Mt. Gerizim and Mt. Ebal (Joshua 8:31-35). Verse 35 tells us that Joshua gave them all that Moses had received from Yahveh:

¹ Ariel & Devorah Berkowitz, *Torah Rediscovered* (Lakewood, CO: First Fruits of Zion, 1996), p. 81. This is from the Mishna, tractate *Pirke Avot* 1:1.

² Ibid.

³ Ibid., p. 167, from Rabbi Pinhas Kehati, Mishnah: *Seder Nezikin*, vol. 4 (Jerusalem, 1994) VII 7.

⁴ Ibid., p. 85.

‘There was not a word of all that Mosheh had commanded which Joshua did not read before all the assembly.’ It states that only what was written was read or mentioned, not recognizing an Oral Law.⁵

Josh. 8:32: ‘He wrote there on the stones a copy of the Law of Moses which he had written, in the presence of the Sons of Israel.’

Josh. 8:34: ‘Then afterward he read all the words of the Law, the blessing and the curse, according to all that is written in the Book of the Law.’

There is absolutely no mention of any Oral Law that had to be obeyed or that was commended by Moses to Joshua. Finally, when Joshua was encouraging the people, just before he dies, he tells them to cling to all that is written in the Torah of Moses, so that good will come to them. No mention is made of an Oral Law that the people should have also followed, if one existed.⁶ (Joshua 23:6-8)

Josh. 23:6: ‘Be very firm, then, to keep and do all that is written in the Book of the Law of Moses, so that you may not turn aside from it to the right hand or to the left,’

The fact that no one named in Talmud lived before the Babylonian captivity and that King Josiah had no knowledge of any Oral Tradition, and that Joshua only points to a written Law confirms that Talmud did not have its source from Moses. This shows that the authority that the Rabbis claim does not directly come from Yahveh and that Talmud, as helpful as it might be on some occasions and as destructive as it might be on others, is not divinely authoritative.

⁵ Ibid., p. 86.

⁶ Ibid., p. 86-87.