

Insights Into The Oral Law

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This month, on the 22nd of Tishrei, we will complete our annual cycle of the public reading of the Torah. It is interesting to note that, upon completing a tractate of Talmud, we recite a special prayer, *הדרן עלך והדרך עלן*, which expresses our commitment and desire to learn the same tractate again in the future. The question arises: why do we not recite this same prayer upon completion of the public reading of the Torah, the Written Law, on Simchat Torah? Certainly, we have the same desire and commitment to repeat the process, a commitment we begin to actualize that very same day. Why, then, do we not recite this prayer?

An answer may be found in *Sefer HaChaim*, where Rabbi Chaim, the brother of the Maharal of Prague, interprets *הדרן עלך והדרך עלן* as an expression of the unique relationship between the Talmud and the Jewish people. That is, only through the Talmud are the Jewish people glorified (*הדרן עלך* meaning “our glory is dependent upon you”, i.e., upon the Talmud; *הדר* means “glory” in Hebrew) and only through the Jewish people is the Talmud glorified (*הדרך עלן* meaning “your glory, i.e., the Talmud’s, is dependent upon us”). Rabbi Chaim thus asserts that only through the Oral Law are the Jewish people distinguished from other nations, and, therefore, we recite this prayer only upon completing the Oral Law, and not upon completing the Written Law.

Rabbi Chaim’s answer, however, raises yet another question. Why does the Oral Law alone, and not the Written Law, distinguish the Jewish people from the other nations? Certainly the Written Law, too, was given only to the Jews. What exclusive characteristic of the Oral Law empowers it alone to differentiate us from the rest of the world?

An answer to this question may be found in *Tanna D’vei Eliyahu*, *Eliyahu Zuta*, Chapter 2. There we read:

"I was once walking along, and a heretical man approached me. The man was conversant in the Written Law, but not in the Oral Law. He said to me, ‘Rabbi, the Written Law was given to us from Mount Sinai, but the Oral Law was not given to us from Mount Sinai.’ I responded to him, ‘My son, both the Written Law and the Oral Law were spoken from the mouth of the Almighty. What, then, is the difference between the Written and Oral Laws? The following analogy may be drawn:

A human king had two beloved servants. To each of them he gave a measure of wheat and a bundle of flax. The wise servant took the flax and wove a beautiful cloth.

He took the wheat and made it into fine flour. He sifted it, ground it, kneaded it, baked it, placed it on the king's table, spread on top of it the beautiful cloth he had woven, and awaited the king's return. The foolish servant did nothing with his wheat and flax. Subsequently, the king returned home and asked both of his servants to bring him what he had given them. One of the servants brought the bread of fine flour with the beautiful woven cloth on top. The other brought the measure of wheat and the bundle of flax on top. Woe unto him for such a disgrace! Which servant is more beloved? Clearly the servant who brought the fine bread with the beautiful woven cloth on top ... When the Holy One, Blessed Be He, gave the Torah to the Jews, he gave it to us in the form of wheat to extract from it fine flour and flax to weave from it cloth.'"

The commentary Me'orei Aish explains the metaphor as follows: Just as wheat is a raw material which cannot be ingested by human beings until it is processed, adapted and modified, likewise the Torah was given in the form of raw material which must be processed, adapted and modified. And just as God gave to man the right and ability to process, adapt and modify the wheat, likewise God gave to man, specifically to the Jewish people, the authority to process, adapt and modify the Torah.* It is through the body of literature which comprises the Oral Law that our Sages introduced and implemented these modifications.

Thus, the Oral Law is, in effect, a product of a joint venture between God and the Jewish people. The Written Law is the creation of God alone, and, though given exclusively to the Jews, other nations have laid claim to it over the course of history. The Oral Law, on the other hand, incorporates the handiwork of the Jewish people, and, as such, no other nation can claim it as theirs. It is, therefore, the Oral Law alone which distinguishes us from the rest of the world.

The passage from Tanna D'vei Eliyahu also teaches us that the study of the Oral Law is, first and foremost, a creative endeavor. Through the process of Oral Law, we become God's active partners in the development of the Torah. When engaged in Torah learning, we are obliged to exploit our intellectual creativity to its fullest.

In the new year 5758, may we merit God's assistance in channeling our creative talents toward the study and creation of Torah.

*AUTHOR'S NOTE: A discussion of the limitations on introducing and implementing modifications throughout the various developmental periods of Rabbinic Judaism in general and Halakha in particular is beyond the scope of this article and has, therefore, been intentionally omitted.