YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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**"My Children have Defeated Me"**

**Fundamental questions in the study of the Oral Law**

**Rav Amnon Bazak**

**Shiur #46: Chapter Six (11)**

**The Plain Meaning of the Mishna and Its Interpretation in the**

**Gemara**

**VII. The Conceptual Ramifications of the Discussion**

To conclude our examination of this topic, we will consider the conceptual questions related to it. Various reservations have been raised with regard to interpreting Tannaitic sources according to their plain sense and against the Gemara. Remember that the *Tosafot Yom Tov* already limited the legitimacy of such interpretations to cases in which the new explanation has no halakhic ramifications. This limitation applies even if it is clear that the Halakha does not follow the proposed explanation. It is reasonable to assume, as has been noted, that this reservation stems from a fear that such an interpretation might lead to an undermining of the attitude towards Halakha itself.

During the nineteenth century, the debate about interpreting the Mishna in accordance with its plain meaning grew stronger, and spread throughout the Jewish world in different places.[[1]](#footnote-1) Various reasons were offered for the concern with interpreting Tannaitic sources differently from how the Gemara understood them. For instance, the very approach is contrary to the classical tradition of study across the generations, which for the most part related to the Mishna based on the Gemara’s discussions and did not deal with the differences between the plain meaning and the Gemara's understanding of the text, aside from the exceptional cases presented in this chapter. Furthermore, as this issue became a focus of public attention, especially in the nineteenth century, it brought certain scholars to express derision towards the *Amoraim*, as if they were unable to arrive at the plain meaning of the Mishna due to insufficient understanding and unfamiliarity with the reality of the *Tannaim*. From here it was just a small step to scorn for Halakha, and to the argument that if the Halakha changed between the Tannaitic and Amoraic periods, we should continue in that direction in later periods as well.

It seems, however, that the situation has changed in our generation, and that sometimes it is precisely the traditional approach that burdens Torah students with difficulty. The feeling that the Gemara's *ukimta* sometimes appears forced and far from the plain meaning of the Tannaitic source is liable to alienate students from the study of Gemara as a whole.[[2]](#footnote-2) In order to avoid these troubling effects, it is important to emphasize that the *ukimta* is not intended solely for the purpose of offering an objective interpretation of the source. At times, the *ukimta* serves as a tool that enables the essential dynamism of the Oral Law, and maintains the balance between upholding tradition and the possibility of renewal and change. In other words, the *ukimta* symbolizes all the power and essence of the Oral Law – the power of innovation it holds while supported by its foundation stones. In other cases, as we have seen, the *ukimta* serves as an opening to find a balance in the real world between two opposite trends, each of which embodies a certain truth. And sometimes, the *ukimta* does in fact reflect the *Amoraim*'s simple understanding of the source, often because of a difficulty inherent in the source itself that calls for this type of solution. However, nothing about the *ukimta* prevents us from offering new and original suggestions for how to understand the plain meaning of the source, for the greater glory of the Torah.

Furthermore, in our generation, the fear that such interpretations might lead to deviations from the traditional paths of halakhic decision-making has greatly diminished. The complexity of balancing an understanding of *Chazal's* paths of innovation against the need for a unified halakhic authority, in order to continue advancing in similar directions, is much better understood than attempts to ignore this complexity, one way or the other. Presenting things as they are, without apologetics that do not sit comfortably, is the solid foundation on which we can develop true commitment to halakhic tradition across the generations.

(Translated by David Strauss)

1. See at length in the concluding chapter of Ch. Gafni, *Peshuta shel Mishna*, Tel Aviv 5751, pp. 318-328). [↑](#footnote-ref-1)
2. See Y. Brandes, "*Mivneh u-Mashma'ut be-Sugyat Ukimta*," *Netu'im* 11-12, 5764, p. 9. [↑](#footnote-ref-2)