

Building Tractates

Study Questions

1. Massekhet Berakhot divides into two main sections, each subdivided into two "divisions": chs. 1-5 deal with the two main elements of the daily liturgy – Keriyat Shema (chs. 1-3) and the Amidah prayer (chs. 4-5); chs. 6-9 deal with benedictions – over food and meals (chs. 6-8) and miscellaneous additional benedictions over special events or experiences (ch. 9). We will examine some of techniques employed by the Mishnah redactor to weave these different topics together and form a cohesive massekhet.
 - a. See the selection (below) of 3 mishnayot, one from the first two chapters, one from chapter 5, and one from chapter 9, and see if you can find any common theme that interrelates them.
 - b. Bonus question: Although the first 5 chapters of the massekhet are devoted to Keriyat Shema and the Amidah prayer, see if you can locate how each of them alludes at some point to the theme of benedictions.
2. Massekhet Eduyot is a unique tractate, with no central halakhic topic. It is composed of different Sages (or groups of Sages, such as Beit Shammai and Beit Hillel) and important rulings that they issued, many of which are "testimonies" in the name of ancient tradition (hence the name "Eduyot", testimonies). Despite the lack of an overarching topic, central mishnayot at the beginning, middle, and end of the massekhet connect with each other – linguistically or topically – in surprising fashion.
 - a. See the selection below of 3 mishnayot from Massekhet Eduyot, and try to locate the parallels that link them.
3. Massekhet Sotah's main topic is the Sotah (suspected adulteress) ceremony, but it has a great deal of "incidental" material. In chapter 1 ([here](#)), after explaining several of the details of the ceremony, m. 7 explains that what is done to the Sotah as part of the ceremony or as divine punishment illustrates the principle of מידה כנגד מידה (measure for measure), followed by several biblical examples identified by the midrash as following the same principle. Chapter 5 opens with a law regarding the

Sotah derived from an innovative midrashic reading, and continues for the rest of the chapter with additional innovative midrashim, mostly attributed to Rabbi Akiva. Chapter 9 concludes the tractate with the laws of the heifer whose neck is broken (to atone for the death of a murder victim whose murderer was never found).

- a. See the 3 mishnayot, from the beginning (ch. 1), middle (ch. 5) and end (ch. 9) of the massekhet and try to locate the connection among them.

Berakhot Chapters 1-3: Keriyat Shema (M. 2:2)

אמר רבי יהושע בן קרחה, למה קדמה שמע ליהנה אם שמע, אלא כדי שיקבל עליו על מלכות שמים תחלה

Why, in the mitzva of the recitation of *Shema*, did the portion of *Shema* precede that of *VeHaya im Shamoa*? This is so that one will first accept upon himself the yoke of the kingdom of Heaven, the awareness of God and God's unity

Berakhot Chapters 4-5: Amidah Prayer (M. 5:3)

האומר על קן צפור גייעו רחמיה, ועל טוב יזכר שמך, מודים מודים, משתקין אותו.

One who recites in his supplication: Just as **Your mercy is extended to a bird's nest**, as You have commanded us to send away the mother before taking her chicks or eggs (Deuteronomy 22:6–7), so too extend Your mercy to us; **and one who recites: May Your name be mentioned with the good** or one who recites: **We give thanks, we give thanks** twice, they silence him.

Berakhot Chapters 6-9: Benedictions (M. 9:5)

חייב אדם לברך על הרעה כשם שהוא מברך על הטובה, שנאמר: ואהבת את אלהיך בכל לבבך ובכל נפשך ובכל מאדך... בכל מאדך, בכל מדה ומדה שהוא מודד לה הוי מודה לו במאד מאד.

One is obligated to recite a blessing for the bad that befalls him just as he recites a blessing for the good that befalls him, as it is stated: “And you shall love the Lord your God with all your heart, with all your soul, and with all your might” (Deuteronomy 6:5)... “with all your might” means **with every measure that He metes out to you; whether it is good or troublesome, thank Him.**

Eduyot

M. 1:1 שמאי אומר, כל הנשים דין שענתן. והלל אומר, מפקידה לפקידה, אפלו לימים הרבה. וחקמים אומרים, לא כדברי זה ולא כדברי זה, אלא מעת לעת ממעטת על יד מפקידה לפקידה, ומפקידה לפקידה ממעטת על יד מעת לעת.
Shammai says: All women are judged [impure] from the time [they discover their period has begun]; Hillel says: From the time of [one] examination [to the next] examination, even many days. But the Sages say: Not like [Shammai] and not like [Hillel]; rather... from the [day preceding the discovery] if less than [the span] between examinations; and [the span] between the last examination and the current examination if this is less than [a day preceding the discovery]

M. 1:4 ולמה מזכירין את דברי שמאי והלל לבטלה ללמד לדורות הבאים שלא יהא אדם עומד על דבריו שהרי אבות העולם לא עמדו על דבריהם
Why are the opinions of Hillel and Shammai recorded to be nullified? To teach the generations that one should not stand on his opinions, for the fathers of the world did not stand on their opinions.

M. 5:6-7 אקביא בן מהללאל העיד ארבעה דברים. אָמְרוּ לוֹ, עֲקֹבֵיָא, חֲזֹר בָּךְ בְּאַרְבָּעָה דְּבָרִים שְׁהֵיִיתְ אֹמֵר וְנַעֲשֶׂה אֵב בֵּית דִּין לְיִשְׂרָאֵל. אָמַר לְהוֹ, מוֹטֵב לִי לְהִקְרָא שׁוֹטֵה כָּל יָמַי, וְלֹא לַעֲשׂוֹת שְׁעָה אַחַת רְשָׁע לְפָנַי הַמָּקוּם, שְׁלֹא יִהְיוּ אוֹמְרִים, בְּשִׁבִיל שְׂרָרָה חֲזֹר בּוֹ. הוּא הָיָה מְטִימָא שְׁעַר הַפְּקֻדָּה...
בשעת מיתתו אמר לבנו: בני חזור בכ בארבעה דברים... אני שמעתי מפי המרובים והם שמעו מפי המרובים אני עמדתי בשמועתי והם עמדו בשמועתי. אמר לו: אבא פקוד עלי לחבירך. אמר לו: איני מפקיד. אמר לו: שמא עילה מצאת בי? אמר ליה: לאו, מעשיך יקרבוך ומעשיך ירחקוך.

Akavya the son of Mehalelel testified about four things. They said to him: Akavya, retract the four things you have said and we will make you the head of the court of Israel. He said to them: Better I be called a fool all my days, so long as I do not do wickedness for even a single moment before the Omnipresent, so that they will not say "he retracted because [he wanted] power."

He used to declare impure the leftover hair [from leprous skin]...

In the hour of [Akavya's] death, he said to his son: My son, retract the four things that I used to say. [His son] said to him: And why did you not retract [these statements]? He said to him: I heard them from the mouths of many people, and they [i.e. the other Sages] heard [the opposite] from the mouths of many people. I stood by what I heard, and they stood by what they heard. But [now], you [only] heard [these things] from the mouth of a single person [i.e. me], and [the opposite] from the mouths of many

people. It is better to leave the words of the single person, and to grab hold of the words of the many. [His son] said to him: Father, commend me to your colleagues [either referring to those on earth, or those in heaven]. He said to him: I cannot commend [you]. He said to him: Perhaps you do not find in me worthiness? He said to him: No! Your actions will draw you near, or your actions will distance you.

אמר רבי יהושע: מקובל אני מרבן יוחנן בן זכאי ששמע מרבו ורבו מרבו הלכה למשה מסיני: אין אליהו בא לטמא ולטהר לרחק ולקרוב אלא לרחק המקורבין בזרוע ולקרוב המרוחקין בזרוע... כגון אלו אליהו בא לטמא ולטהר לרחק ולקרוב רבי יהודה אומר: לקרב אבל לא לרחק. רבי שמעון אומר: להשוות המחלוקת וחכמים אומרים: לא לרחק ולא לקרב, אלא לעשות שלום בעולם, שנאמר (מלאכי ג:כג-כד) הנני שולח לכם את אליה הנביא וגומר והשיב לב אבות על בנים ולב בנים על אבותם: (M. 8:7)

R. Yehoshua said: I have a tradition from Rabban Yohanan ben Zakai, who heard from his teacher and his teacher from his teacher, going back to Moshe at Sinai: Eliyahu will not come to declare clean or unclean, to distance or draw near, but rather to distance those brought near by force and to draw near those distanced by force... such as these, Eliyahu will come to declare clean or unclean, to distance and draw near. R. Yehudah says: To draw near, but not to distance. R. Shimon says: To reconcile disputes. The Sages say: not to distance or to draw near, but to make peace in the world, as it says: "Behold I will send you Elijah the prophet, and he shall turn the heart of the fathers to the children and the heart of the children to the fathers." (Malachi 3:23-24). (m. 8:7)

Sotah

M. 1:7 במדה שאדם מודד, בה מודדין לו. היא קשטה את עצמה לעברה, המקום נזלה. היא גלתה את עצמה לעברה, המקום גלה עליה. בירף התחילה בעברה תחלה ואחר כך הבטן, לפיכך תלקה הירף תחלה ואחר כך הבטן. ושאר כל הגוף לא פלט.

The mishna teaches lessons that can be derived from the actions and treatment of a *sota*. **With the measure that a person measures, he is measured with it.** For example, **she**, the *sota*, **adorned herself** to violate a **transgression**, **the Omnipresent** therefore decreed that **she be rendered unattractive**; **she exposed herself for** the purpose of violating a **transgression**, as she stood in places where she would be noticed by potential adulterers, so **the Omnipresent** therefore decreed that **her body be exposed** publicly; **she began her transgression with her thigh and**

afterward with her stomach, therefore the thigh is smitten first and then the stomach, and the rest of all her body does not escape punishment. (1:7)

M. 5:3 בו ביום דרש רבי עקיבא: ומדתם מחוץ לעיר את פאת קדמה אלפים באמה וגו' (במדבר ל"ה:ה) ומקרא אחר אומר: מקיר העיר וחוצה אלף אמה סביב (במדבר ל"ה:ד). אי אפשר לומר אלף אמה, שקבר נאמר אלפים אמה, ואי אפשר לומר אלפים אמה, שקבר נאמר אלף אמה. הא כיצד, אלף אמה מגרש, ואלפים אמה תחום שבת. רבי אליעזר בנו של רבי יוסי הגלילי אומר, אלף אמה מגרש, ואלפים אמה שדות וכרמים.

... on that same day Rabbi Akiva interpreted the verses with regard to the Levite cities as follows: One verse states: “And you shall measure outside the city for the east side two thousand cubits...this shall be for them the open land outside the cities” (Numbers 35:5), and another verse states: “And the open land around the cities, which you shall give to the Levites, shall be from the wall of the city and outward one thousand cubits round about” (Numbers 35:4).

It is impossible to say that the area around the cities given to the Levites was only one thousand cubits, as it is already stated: “Two thousand cubits.” And it is impossible to say that two thousand cubits were left for them, as it is already stated: “One thousand cubits.” How can these texts be reconciled? One thousand cubits are to be set aside as a tract of open land surrounding the city, and the two thousand cubits are mentioned not in order to be given to the Levites, but to indicate the boundary of the Shabbat limit, beyond which it is forbidden to travel on Shabbat. This verse thereby serves as the source for the two-thousand-cubit Shabbat limit.

Rabbi Eliezer, son of Rabbi Yosei HaGelili, says otherwise: One thousand cubits were given to the Levites as an open tract of land, that could not be planted or built upon, and two thousand cubits of additional land were given to the Levites for planting fields and vineyards.

M. 9:2 אין מודדין אלא מעיר שיש בה בית דין.

the Elders measure the distance from the corpse only to a city that has a rabbinical court with twenty-three judges.