8th PRINCIPLE: The Divine origin of the Oral Tradition

We are analyzing the eighth principle of the Jewish faith (see previous halakhot here). The eighth principle includes another key element. As we all know, apart from the written Tora, we also received the Oral Tora, that is, the oral tradition that explains the written Tora.

The eighth principle assets that the Oral Tora is also of divine origin, and was transmitted by God to Moshe rabbenu.

I think Jewish Oral Tora or Oral Tradition is a fundamental issue and I believe we should spend a few days to explain it in detail. There are at least three subjects that we need to know in greater depth

1. The elements included in the Oral Tora.
2. The history of the transmission of the Oral Tora.
3. The methodology of the halakhic process. That is, how do we get from the Biblical precepts of the written Tora to the daily halakhic practice?

Let's start with what constitutes the Oral Tora.

According to Maimonides, in his introduction to the Mishna, the Oral Tora is divided into five categories.

1. Perush (the ancient sephardic pronunciation was "pirush"). This category is also called by Maimonides "qabbala", which does not refer to the mystical aspects of the Tora.
2. Halakha leMoshe MiSinai.
3 Dinim Muflaim.
4. Gezerot
5. Taqanot and Minhagim.

We will explain today the first category.

1. PERUSH: In the introduction to Mishne Tora Maimonides says: "Every commandment given to Moses on Mount Sinai was given together with its explanation (perush)", this is, the basic instructions –the definition of each commandment– which were not written by Moshe but were received and transmitted orally for generations.

Illustration: The written Tora mentions the precept of Tefilin. But the written Tora only says: *"And these words which I entrust you today … you shall bind them upon your arm*

(or hand) … and they should be place on your forehead." Now, out of this short text, how would we be able to know what the Tora is referring to by commanding us to "bind words upon the hand"? How do we suppose to "bind" words? Should we write them first? And once written, where exactly do we have to bind them?, and how? These are some of the many questions we might ask ourselves, and not be able to answer, if we would only had before us the written Tora. And we will have the same problem with absolutely all the mitsvot. Even with those commandments that seem easy to understand and fulfill. For example, if I only had before me the words "You shall not kill", how would I know the definition and especially the scope of this commandment? What is included and is not included in it? Does the prohibition to kill includes the killing of animals or just people? What about killing in self-defense, to stop someone from killing me? And what about euthanasia (killing a dying person who is suffering) or abortion (is abortion considered killing?) What about "suicide" (perhaps "You shall not kill" would not include "You shall not kill yourself"), or killing in war or applying the death penalty? etc.

There is no way to know only from the text what includes and what does not include "YOU SHALL NOT KILL" .

This is why, as we explained, every biblical precept was given with its PERUSH. That is, the basic definition and description of each of the 613 commandments of the written Tora.

For instance:

The Oral Tora, the PERUSH indicates the basic way to fulfill the commandment of Tefillin:

1. Writing in small scrolls the words of the four biblical texts in which the mitsva of Tefilin is mentioned.
2. Placing these scrolls in leather boxes.
3. Performing a small hole at the end of the boxes, and introducing there leather strips.
4. Placing one of those boxes in the arm and the other box on the forehead, adjusting the boxes with leather strips.

Etcetera.

Now that we understand what the Oral Tora is, we shall return to the eighth principle of Judaism. The eighth principle asserts that these oral instructions were not invented by Moses or by the rabbis. Their origin is divine. They are an integral part of what we call "TORA", and were received by

Moses on Mount Sinai.