Objectives of Sugyot – A Study of the Redaction of the Babylonian Talmud as Reflected in Three Sugyot of Tractate ‘Eruvin

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Various methods exist for analyzing the redaction of the passages (sugyot) of the Babylonian Talmud. 1 However, neither the purposeful and definitive criticism of sugyot redaction, nor the objectives of sugyot (as they appear in print –without any intent to justify the printed version), has been sufficiently researched. 2 Existing studies on sugyot are usually random and inconsistent. 3 The contribution of this article is the method proposed: The central and interpretive question to be studied in researching sugyot is the purpose and the objective–the why and wherefore of the editors.

This study examines the reasoning behind the sugya’s manifestation

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3 See HALIVNI, Sources and Traditions.
in the present printed version and contrasts it to different versions and additional sources. This article emphasizes the central theme or themes of the sugya above and beyond the legal, theoretical message. The central objective of this study is to clarify that, in addition to the Halakhic message, the editors when editing the sugya, were guided by further considerations, regardless of the editor’s identity or period.

We shall examine the following sugyot with the above questions in mind, and present significant implications of our method as a critical tool for the further analysis of how the redaction of the sugyot of the Babylonian Talmud transpired.

1. First Sugya—Meaning of the Word דיומדין (b’Eruvin 18a-19a)

This sugya opens with the words of R. Yirmiyah ben Elazar 4 (hereafter RYbE) and contains ten of his statements:

2. "R. Jeremiah b. Eleazar said: The first man had two full faces.
3. "R. Jeremiah b. Eleazar further stated: In all those years.
4. "R. Jeremiah b. Eleazar further stated: Only a part of a man’s praise.

The following is based upon the Soncino translation [ed. Epstein]:
2. “R. Jeremiah b. Eleazar said: The first man had two full faces.”
3. “R. Jeremiah b. Eleazar further stated: In all those years.”
4. “R. Jeremiah b. Eleazar further stated: Only a part of a man’s praise.”

5. “R. Jeremiah b. Eleazar further stated: What [was signified] when it was written.”
7. “R. Jeremiah b. Eleazar further stated: Since the Sanctuary was destroyed.”
8. “R. Jeremiah b. Eleazar further stated: When Babylon was cursed.”
9. “R. Jeremiah b. Eleazar further stated: Come and see.”
10. “R. Jeremiah b. Eleazar further stated: Gehenna has three gates.”

First, we shall present the principal difficulties of the sugya:

1. At the beginning of the sugya the mnemonic סימן למנודה דיו appears, supposedly expressing all statements by RYbE in the sugya. However, in reality, indications of two of his pronouncements are omitted: The sixth one ירמיה ר וא בית כל אלעזר benzirmy יставил והל, and the seventh one שחרב מיום איילזאר benzirmy רבי אמר. The question arises as to why these statement’s indications were absent, or why were there ten statements in his name with only eight indications.

2. There is a further statement in the name of RYbE in bSanhedrin. Why was this one not cited in the bEruvin passage?

3. With regards to the second statement ירמיה ר וא בית כל אלעזר benzirmy יставил והל, why was there a different version in the parallel passage found in bBerakhot? In bBerakhot, two independent declarations appear in his name, whereas in this sugya only one statement appears, combining both statements found in bBerakhot.

4. The fourth statement ירמיה ר וא בית כל אלעזר benzirmy יставил והל is found in some collections of midrash. In these collections this pronouncement is always presented in the name of R. Elazar ben Azaria and not in the name of RYbE. Why is the bEruvin passage different?

To clarify the development of this sugya and to employ the method

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5 See Hagahot ha-Gra, b’Eruvin 18a, no. a.
6 The indication diu (דוי) relates to the first and the second statements; cfr. A. Hyman, Toledot Tannaim ve-Amoraim (Jerusalem 1964), vol. 1, p. 18; M. Millzeiner, Hakdamah le-Torat ha-Parshanut ba-Talmud (Jerusalem 1986), p. 325.
7 See bSanhedrin 109a; B. W. Schiff, Minhat Zikaron, ‘Eruvin 18a, s. v. ve-hineh, in Assifat Zekenim (Tel Aviv 1928), vol. I.
8 See bBerakhot 61a.
outlined in the introduction, the first step should be to examine and consider the ending of the previous sugya and compare it with the beginning of the present one. The previous sugya concludes with a very concise definition\(^\text{10}\) of the word דעלמא ביראות מאי ביראות: Thus, in a similar style, the present sugya opens with the definition of the word עמודים: מאי עמודים? אָרָךְ וּבָּלָוָה דְּיָמְדוּת.\(^\text{11}\) which is, in effect, the first saying in the name of RYbE.

The word ידיעי, interpreted in and for itself, associatively suggested\(^\text{12}\) Ulla’s similar explanation\(^\text{13}\) of the word דיופרא in mDemai\(^\text{14}\) and in accordance with the same word ידיעי.\(^\text{15}\) Along these lines, the second statement of RYbE was added from its parallel in bBerakhot 61a, similarly utilizing the same word ידיעי.

Since two statements of RYbE were included here, the editors of the sugya saw it as a place to assemble most\(^\text{16}\) of his remaining statements into what eventually became a tenfold\(^\text{17}\) structure consisting of ten state-

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\(^\text{10}\) See above, b’Eruvin 14b: מאי לחיין, לחיין דעלמא. For more examples, see J. Angel, Gilyone ha-Shas, b’Eruvin 18a, s. v. sham mai.

\(^\text{11}\) See Halakhot Gedolot, ‘Eruvin 18a (ed. Triob) (Tel Aviv 1962), p. 56; S. Krauss, Kadmoniyot ha-Talmud (Tel Aviv 1929), vol. II, part I, p. 104, pointed out that the origin of the word is Greek.


\(^\text{13}\) A. Weiss, Hitavut ha-Talmud bi-Shlemuto (New York 1943), p. 140.


ments in his name on various issues. Apparently, the redaction of this passage was an ongoing process of assembling the statements by RYbE. As the number of statements grew, the idea of the tenfold structure came to mind. Next to each statement the subsequent debate was included where appropriate, and, thus, the present sugya was formulated in the printed version—a tenfold structure of ten statements including the mnemonic opening of the sugya. However, these indicative markings are missing in most manuscripts, although they have been added to the printed edition to indicate the statements in the name of RYbE.

In light of all the above, at one point in the development of the sugya, the editor or editors, examining the list of indications, had only eight statements, the last two being added to complete the tenfold structure of ten statements in the name of RYbE. Support for this view may be seen in the version of the MS Vatican 109, in which the eighth statement is missing, although it is included in the printed version. It appears to have been added to the sugya to complete the structure. Moreover, with regards to the fourth statement,
the different name found in the Midrashim further supports the idea that the sugya was edited in the present structure—the editors changed the name to correspond with the structure. Accordingly, there is a possibility that the additional statement by RYbE in bSanhedrin 109a was omitted but not forgotten. Also, the two statements in his name from bBerakhot 61a, which transformed into the single second statement in the b Eruvin sugya, strengthens the possibility that this was the result of editorial considerations in the redaction of the sugya in its present tenfold structure of ten statements in the name of RYbE.

2. Second Sugya—Clarification of the Necessity of the Word (b’Eruvin 23a)

This sugya deals with the clarification of the question: Why does the Mishna state: (R. Yehuda ben Bava,” hereafter Rybb).

The mishna with sugya is as follows:

In translation [Epstein ed.]:

(22b) Mishnah… R. Judah b. Baba ruled: strips [of wood] may be set up round a public well only while for the others a [rope] belt ten handbreadths in height must be provided.

(23a) Mishnah. R. Judah b. Baba further ruled: it is permitted to move objects in a garden or a karpaf whose [area does not exceed] sev-
enty cubits and a fraction by seventy cubits and a fraction and which are surrounded by a wall ten handbreadths high, provided there is in it a watchman’s hut or a dwelling place or is near to a town… R. Akiba ruled: even if it contained none of these it is permitted to move objects within it…

What did he already teach that, in consequence, he used the expression of “further”? If it be suggested: Because he taught one restrictive ruling and then he taught the other he therefore used the expression of “further,” surely [it could be retorted] did not R. Judah teach one restrictive ruling and then he taught another one and yet he did not use the expression “further”? –There the Rabbis interrupted him but here the Rabbis did not interrupt him. [Is it then suggested] that where-ever the Rabbis interrupted one’s statements the expression of “further” is not used, surely [it may be objected], was not R. Eliezer, in the case of a law about sukkah, interrupted by the Rabbis and the expression ‘further’ was nevertheless used? There they interrupted him with [a ruling on] his own subject but here they made the interruption with another subject. R. Akiba ruled: Even if it contained none of these it is permitted to move objects within it…

The following are some of the difficulties in this passage:

1. The question למה הוא ייע nº órgão פקדנו? Is strange? The previous mishna 24 concludes with a statement of RYbB, 25 and the present mishna 26 begins with his words. Accordingly, the mishna opened with והרא אמר ר. יְהוּדָא בֶּן בָּבָא וַעֲדַד, and thus, the word וַעֲדַד appears to be quite appropriate. Why, then, is that word considered out of place?

2. On the other hand, if there is no connection between the two mishnayot nor is the order of the names of the Sages the same, 27 why is the word וַעֲדַד stated in the Mishna? Moreover, it would have been more appropriate for the opinion of RYbB to precede R. Akiva’s, since RYbB was the elder scholar. 28

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24 See b’Eruvin 22b.
26 See b’Eruvin 23a.
28 See bSanhedrin 14a: סמכיה ר’ עקיבא ולא קיבלו, סמכיה רבי יהודא בן בבא ומכילה ומכילה.
Upon reviewing the passage and the variant readings, it becomes clear that the reading עוד here is not at all certain. 29 Was the word עוד part of the original Mishnaiic text or was it added at a much later date? Furthermore, in all other mishnayot in which עוד is found, the Talmud has an accompanying Halakhic debate and not a stylistic one. 30 Only this sugya deliberates the methods of using the word עוד. Apparently, in this sugya the editors did not have any Halakhic debates and, hence, related to the stylistic issue in the word עוד in order not to leave the Talmud discussion of the beginning of the mishna without a deliberation.

Therefore, one may suggest that the editing of the sugya was undertaken for one of two stylistic objectives. If the term was part of the original text of the mishna, the goal was to edit this sugya in accordance with the redaction of other sugyot that had utilized the term עוד, justifying its addition before the words of RYbB 31 in the mishna. However, if the word עוד was added to the mishna at a later date, it would have been for the purpose of editing a sugya—and specifically at the beginning of the mishna. The objective was to begin the sugya at the earliest possible point—from the first word of the mishna (ועוד). The redactors of the sugya wanted to avoid opening the passage in a way that it would only relate to the words of R. Akiva, in the middle of the mishna.

3. THIRD SUGYA—‘ERUV FOR PRIEST IN A CEMETERY (b’ERUVIN 30b - 31a)

The Mishna 32 mentions that an ‘eruv made with wine is permissible for a Nazarite (ועודס חסרי), despite the fact that wine is forbidden to a Nazarite. Since it is suitable for others as “food,” the Sages permitted Nazarites to employ wine in an ‘eruv, similar to another of their rulings—a priest in a doubtful cemetery. R. Yehuda (hereafter: RY) adds, אפיון אחד בזרוע וקיצי כוזב ש캠ל לזרעי וילך ילך ואכלו. According to RY, even though a Priest is forbidden to enter a cemetery, it is possible to set up an ‘eruv for him there, since he may enter the cemetery without being contaminated by means of being transported in a chest, box or porta-

29 See Halakhot Gedolot, ibid., p. 56, without the word עוד.
30 See bShabbat 130a; b’Eruvin 39a-b, 95a; bPesahim 13b; bYoma, 65a, 84a; bSukkah 27a; bBetza, 34a-b; bMegilah 28a; bM.Q. 8a; bNedarim 64b, 65b.
31 See Krochmal, Perushim ve-He’arat la-Talmud ha-Bavli, p. 114.
32 See b’Eruvin 26b-27a.
ble turret (_vmגדל תיבה }. Hence, an ‘eruv could be set up for a Cohen even among the graves, and the present sugya relates to this issue:

R. Judah ruled: Even in a graveyard. A Tanna taught: Because a man can put up a screen and pass [through it] in a chest, box or portable turret. He is of the opinion that a movable tent has the status of a [fixed] tent.

And [they differ on a principle which is the subject of] dispute among the following Tannaim. For it was taught: If a man enters a heathen country [riding] in a chest, box or portable turret he is, Rabbi ruled, leviitically unclean, but R. Jose son of R. Judah declares him to be clean. On what principle do they differ? One Master is of the opinion that a movable tent has not the status of a valid tent and the other Master maintains that even a movable tent has the status of a valid tent.

It was taught: R. Judah ruled, [31a] An ‘erub for leviitically clean priest may be prepared from leviitically clean terumah [and deposited] on a grave. How does he get there? In a chest, box or portable turret.”

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It was taught: R. Judah ruled, [31a] An ‘erub for leviitically clean priest may be prepared from leviitically clean terumah [and deposited] on a grave. How does he get there? In a chest, box or portable turret.”

Again, we will first present the principal difficulties of the sugya:

1. Why does the printed version differ in the words רוח דתני in contrast to the various manuscripts in which only the word דתני appears, without the additional הום?

2. Does the baraita רוח דתני רבי יהודה אומר proposed in this sugya relate to certain previous statements? If so, what is the connection between them?

33 See Rashi, ‘Eruvin 27a, s. v. la-hutz.

34 See MS München 95, MS Oxford 366, MS Vatican 109; RABBENU HANANEL, ‘Eruv. 31a; A. EGER, Gilayon ha-Shas, ‘Eruv. 30b, in the name of Rashal; Epstein, Introduction to Tannaitic Literature, p. 309; cf. RABBINOVICZ, Dikduke Sofrim, ‘Eruvin, p. 59, letter c.
With regards to the *baraita*, why was the question *אזיל היכי* presented, since the beginning of the *sugya* had already taught this very principle נמא: ממין杉כל לחוּר ולילך杉יאת תנה ומקדָל.

To resolve to all these difficulties, we suggest that this *sugya* is composed, in effect, of two *sugyot*. The first passage, including the *mishna*, deals with an ‘*eruv* in a cemetery, and the second passage is comprised of the *baraita* in the name of RY discussing an ‘*eruv* on a grave and a discussion concerning it. Between these two *sugyot*, the connecting phrase והא דעתא appears in the printed version, and yet, the first *sugya*—according to its style—does not relate to the following one. However, some manuscripts have only the term תנה, differentiating between the *sugyot*, whereas the reading והא דעתא links the two *sugyot*.

The *sugya* could have actually begun with the *baraita* in the name of RY, entonces, רב נחמיה אוזר: מִפְּרָבִים לָךְ הָא צְוָא הָעַרְמִים וּסְרֵי בּוֹכֵר. And all this was congruent with RY’s words from the *Mishna*. But at a certain stage, the subject of זְרֻקָה אֵהל was added and edited at the beginning of the *sugya* as a basis of the Halakha in the *sugya*, since the editors of the *sugya* preferred the approach of the Sages and not to the approach of RY.

How can we understand the passage on the basis of the Halakha in the *sugya*? First, we will consider the first paragraph at the beginning of the *sugya* on the subject זְרֻקָה אֵהל which includes the Tannaic controversy between Rabbi Judah the Patriarch and R. Yosse berabbi Yehuda (here-

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40 Generally, the law follows the opinion of the majority, see b’*Eruvin* 16b שְׁבָכָה בְּרֶנֶן עַבְדָּת כֶּֽרֶם יְִוסֵי בּוֹרֵי חוֹדוֹת.
Therefore, the law in this controversy is in accordance with Rabbi Judah the Patriarch and not with RYbY.

If the paragraph on the subject of זרוק אשרל had not been edited, the Halakhic data on the controversy between the Sages and RY in relation to the baraita התניא would have been pointed decisively to accepting the view of RY and not the view of the Sages. This is because כל מקומו שם רבי יהודה מעיקרת אחת קמה הלכה דרורי ממקל ("the law is in accordance with RY anywhere that he taught in 'Eruvin") and ההלכה ממייל ישובין ("the law follows the lenient opinion in matters of 'eruv"), even where his solitary opinion is opposed to that of the majority.

Since the editors tended to follow the majority opinion of the Sages, prohibiting an 'eruv in a cemetery, even for someone who is not a Priest—it was necessary to neutralize the possible Halakhic data that favored the view of the individual, RY. Therefore the paragraph on the subject אשרל זרוק was added and edited at the beginning of the sugya, from which it was inferred that in the controversy between Rabbi Judah the Patriarch and RYbY, the law follows Rabbi Judah the Patriarch and not his opponent. This rule served two purposes for the editors: First, it was intended to offset the opinion of RYbY from being accepted as law. Moreover, since RY, father of RYbY, shared his son’s opinion, אשרל זרוק שמתי אמרל, RY’s opinion was also not accepted in the first controversy on אשרל זרוק.

Secondly, it demonstrated that the Sages agreed with Rabbi Judah the Patriarch, according to the Halakhic rule מחבירו עובר בהלכה. Therefore, by adding ד והא to the term התניא והא, the editors created a connection between

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41 See b'Eruvin 46b.
42 See b'Eruvin 95a.
43 See b'Eruvin 46a.
44 See Rashi, 'Eruvin 31a, s. v. assur, describes the law according to the power in ruling of R. Yehuda.
46 See 'Eruv. 17a.
47 See n. 41.
the unaccepted view of RYbY, which is, in fact, also the view of RY on
the subject of זרוק אהל, and the controversy between the Sages and RY
in the baraita. As a result, these two separate controversies became one.
This assumes that the reader understands that the rejection of the opinion
of RYbY and RY, his father, in זרוק אהל at the beginning of the sugya,
necessarily means rejecting the view of RY himself, and accepting the
view of the Sages—that there is no ’eruv in a cemetery even for someone
who is not a Priest.

In this way, the editors neutralized the Halakhic data that had given
preferentiality to the view of RY, which opposed their Halakhic predi-
lection towards the Sages’ opinion. Thus, the majority of Posekim (de-
ciders) accepted the Sages’ opinion and ruled in accordance with the
Halakhic views of the editors of the sugya.

In conclusion, the different versions of the terms דתניא ווהא and דתניא
linking or not linking the two controversies have significance, since they
serve as evidence of editorial activity regarding the Halakhic basis of the
sugya and the editor’s inclinations in the Halakha.

SUMMARY AND CONCLUSIONS

According to the proposed method, the first sugya appears to have
the accepted tenfold structure of ten statements in the name of RYbE.
Accordingly, additional sugyot may be found in the Babylonian Talmud
as having been edited in different formats, or having various structures for
sundry purposes. Some of these are intended for the student, to provide em-
phasis, clarification or simplification, while others are edited for aesthetic
purposes, including additions or omissions, or for stylistic variation.

In many cases, the structure of the sugya provides a satisfactory solution
to problems that it raises, as shown above. It should be emphasized that the
structure of the sugya does not reduce its principal Halakhic message.

The second sugya deals with a stylistic debate focused around the word
ועוד found in the Mishna and employed differently there from the normal way
it is used in the Halakhic discussion of the same word in other sugyot. In edit-

48 See Moshe ben Maimon, Ha-Yad ha-Hazaka, Hilkhot ‘Eruvin 6: 17; Y. Caro,
Shulhan Arukh, Hilkhot Tehumin, 409: 1.

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ing the sugya and for specific structural reasons, they did not wish to abstain from addressing the first part of the mishna. Consequently, the debate had to focus on והא in a position as close as possible to the beginning of the Mishna, refraining from editing a word or a topic which was stated in the middle of the Mishna.

Following this method, there certainly may be other sugyot that do not have a definite structure or clear Halakhic basis, like the first and third sugyot analyzed above. Instead they are characterized by one or several topics mentioned in that particular sugya. The editors preferred to focus upon these secondary issues, transforming them into principle issues in the sugya.

From the third sugya it appears that two unrelated controversies were connected and became one sugya by the addition והא. From a Halakhic perspective this suggests the following: Since the opinion of RYbY was rejected in the first controversy between Rabbi Judah the Patriarch and RYbY, so the opinion of his father, RY, must be rejected in the second controversy, between his father and the Sages.

Accordingly, it is possible that there are additional sugyot with a certain Halakhic proclivity, built in, as it were by the editors in the course of their work. It may certainly be possible that the content or the subjects of debates in the sugya were determined according to their Halakhic preconceptions in the matter being discussed. Thus it may be that phrases that did not support their conception were omitted from the sugya.

According to this method, one must analyze the Halakhic basis of the sugya in relationship to the editing guidelines employed in the redaction of the sugya. Sometimes, the editors added terms or phrases or debates, and sometimes they omitted them, all in accordance to their Halakhic proclivity. It is very reasonable to assume that these changes in the sugya influenced the Poskim, thereby radically changing the course of the Halakhic. Consequently, one should compare this type of analysis with the actual decisions by Halakhic authorities in succeeding generations to determine the actual influence of the editorial activity upon the Halakha.

RESUMEN

El artículo presenta una metodología novedosa para el análisis de pasajes (sugyot) del Talmud Babilónico (TB) basada en la identificación de los objetivos de los editores de cada pasaje o sugya. Para ello, se analizan tres pasajes talmúdicos, tratando de indicar los
objetivos de la redacción. En primer lugar, un pasaje que toma la forma de diez sentencias, aunque había otras más, en nombre de R. Yirmeyá ben El’azar. En segundo lugar, una sugyá que trata del uso estilístico de la expresión «y además» (ve’od), con objeto de no dejar la primera parte de la mishná sin comentario talmúdico alguno. En tercer lugar, una sección que intenta rechazar la posición adoptada por R. Yosé berabbi Yehudá para que no fuera aceptada como norma halájica imperante. Si no hubiera sido por la intervención editorial de los redactores, ésta hubiera sido determinada por la posición de R. Yosé. Hay que entender el porqué una sugyá aparece como tal en el texto talmúdico, a diferencia de otras fuentes, por ejemplo, pasajes paralelos en el TB, lecturas manuscritas, Talmud Palestínense, Tosefta, literatura gaónica, lecturas encontradas en comentarios medievales y tardíos, etc. En otras palabras, se trata de examinar los motivos de los editores en relación a un pasaje. De esta manera sería posible resolver asuntos diversos que surgen en pasajes diferentes, como por ejemplo, cuestiones de forma y estilo, lecturas complejas de Halajá y diferencias textuales. Más aún, se trata de determinar si, y cómo, los Posquim estaban influídos por la redacción de la sugyá.

PALABRAS CLAVE: Metodología, sugyá, Talmud Babilónico, Halajá, objetivos.

SUMMARY

This article presents a novel methodology for the analysis of passages (Sugyot) found in the Babylonian Talmud based upon identifying the objectives of the redaction that guided the editors of that passage. Three different Talmud passages are presented, and the various objectives of the redaction were indicated: First, a passage whose objective was to take the form of ten statements in the name of R. Yirmiyah ben Elazar, though there exist more of his statements. Second, a Sugya dealing with the stylistic use of the expression “and further” (ve’od), in order not to leave the first part of the Mishna without any Talmudic commentary. Third, a section whose objective was to reject the position taken by R. Yossi berabbi Yehuda from being accepted as standard Jewish Law. Were it not for the editorial intervention by the redactors, the law would have been determined by R. Yossi’s position. The question is to understand why a Sugya is found as is in the text in contrast to other sources, e.g., parallel passages in the Babylonian Talmud, manuscript readings, the Jerusalem Talmud, the Tosefta, Geonic literature, readings found in medieval and later commentaries, etc. In other words, one must undertake to examine the motives of the editors of a passage when they approached the task of redaction. Thus, it will be possible to solve sundry issues or difficulties that crop up in different passages, as, for instance, in matters of form and style, difficult readings of Halakha and differences in texts. Furthermore, one may determine if and how the deciders of Jewish Law (Poskim) were influenced by the redaction of Sugya.

KEYWORDS: Methodology, Sugya, Babylonian Talmud, Halakhah, Objectives.