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The Oral Law



As taught by Arnold Fruchtenbaum in his tape series on **the Life of Christ, the Oral Law was the real point of contention between Jesus and the Pharisees. The Oral Law refers to the Talmud, which is a compilation of rabbinic commentaries on the first five books of Moses, called the Torah.** I went inside Wilson's Arch (see [LI - Jesus Formally Condemned by the Sanhedrin in the Royal Stoa](#)) when I visited Jerusalem in October of 2023. To see a video of Orthodox and Hasidic Jews studying **the Oral Law** and praying inside Wilson's Arch during Sukkot click [here](#). **The Talmud, was written down around 500 AD but was further edited for another two centuries. It consists of the Mishnah and well as commentary on the Mishnah called Gemara (Mishnah + Gemara = Talmud). The tradition grew to include a further compendium called Midrash until about the 12th century. The rabbis taught that when the Messiah came, He would not only believe in the Oral Law, but He would participate in the making of new Oral Laws.**

Centuries before the birth of **Christ**, the Scribes and the Pharisees developed a whole body of rules and regulations that came to be known as **the halacha, or Oral Law. The Jews called them the tradition of the elders (Matthew 15:2), but Yeshua called them the**

traditions of men (Mark 7:8). According to rabbinic tradition, the Oral Law goes back as far as Mount Sinai. They teach that the concept of the Oral Law can be found in Leviticus 26:46: These are the statutes, ordinances and **Torot** [plural of Torah], which ADONAI made between Himself and the Bnei-Yisra'el [the children of Isra'el] at Mount Sinai by the hand of Moshe. The sages understood that since the word Torah appears in this verse in the plural form as **Torot**, there is a clear indication that two sets of instructions were given to Isra'el, one written and the other oral. Messianic Jews do not give the Oral Law the same authority as the written Torah. It cannot be true because the Torah says that Moshe wrote down everything that YHVH had said (Ex 24:3). And everything means everything.

The rabbis go even further with their interpretation by quoting Deuteronomy 30:11-12, and say that the commandments are not in heaven but on the earth: For this mitzvah that I am commanding you today is not too difficult for you, nor is it far off. It is not in the heavens, that you should say, "Who will go up for us to the heavens and get it for us, and have us hear it so we may do it?" Moshe was merely stating that understanding, believing and obeying the covenant was not beyond them. The rabbis, however, misinterpreted it to mean that the sages had gone up to the heavens and brought the Oral Law back down to earth.

Eventually the Israelites viewed the Oral Law as equal, or even superior, to the Torah, even though Moshe warned: In order to obey the mitzvot of ADONAI your God which I am giving you, do not add to what I am saying, and do not subtract from it (Deuteronomy 4:2). Some believe the miracle-working Rabbi was rejected by the nation of Isra'el because He failed to be the political figure that Isra'el longed for. He did not throw off the Roman oppression and usher in the messianic Kingdom. But the Gospels never give that reason. The real reason for Isra'el's rejection of Yeshua was Messiah's rejection of the Oral Law. To understand what the issues were we need to understand something about Jewish history.

The Jewish leaders who returned from the Babylonian captivity, such as Ezra and others, recognized that they had spent seventy years in exile because they had violated the Torah (see the commentary on [Jeremiah, to see link click Gu - Seventy Years of Imperial Babylonian Rule](#)). They had broken the commandments of Moshe, especially in the area of idolatry. So Ezra, the scribe, set up what was known as the School of the **Sophim**. Sophar is singular for **Sophim** and means *scribe*. He gathered the scribes together in one school. They began to go through each of the 613 commandments in the Torah and expound on them. They would discuss each commandment at length, what was

involved in keeping it and what was involved in breaking it. The theory was that if they gave the **Jewish** people a clear understanding of what each commandment was and how to keep it, that they would do so. In that way they hoped to avoid any further discipline from **ADONAI** like the Babylonian captivity. Therefore, the original intent was very honorable, and if they had stopped there everything would have been well and good. **Hosea** said that the **people are destroyed from lack of knowledge (Hosea 4:6)**. So **Ezra** and the other scribes wanted to eliminate any **lack of knowledge**. However, the first generation of **Sophim** passed away.

The second generation of **Sophim** took their task more seriously. They said it was not merely good enough for them to expound upon the commandments. They used the imagery (or word picture) of building a *fence around the Torah* (Hebrew *se'ag la-Torah*) with new rules and regulations because they wanted to protect it. Their thinking was that the **Jews** might break the new rules and regulations of *the outer fence*, but that would keep them from breaking one of the original 613 commandments (actually 365 prohibitions and 248 commandments) and bring divine discipline upon the nation of **Isra'el** again, as in the Babylonian captivity. **The rabbis taught that Moshe received [the Oral Law] from Sinai and handed it on to Joshua, and Joshua to the elders, and the elders to the prophets and the prophets handed it on to the men of the Great Assembly (Pirke Avot 1:1),**⁶⁵³ or the Great Sanhedrin (see [Lg - The Great Sanhedrin](#)).

With all the best intentions they began to work on these new rules and regulations. The principle they used was that a Sophar could disagree with a Sophar, but they could not disagree with **the Torah**. In making these new rules and regulations, they would argue among themselves until a decision was made by a majority vote. Once that decision was made, it became absolutely mandatory for all Jews everywhere in the world to obey it. This was not done in a haphazard way. They used a form of logic called *pilpul*, pronounced *pill-pull*. In English it would rhyme with *fill-full*, and in Hebrew it means *debate*. It could also mean *peppery* or *sharp*, but in this context it really means *peppery* or *sharp debate*. **It is a form of rabbinic logic used in Talmudic study that starts with a statement or command, and develops many new statements or new commands coming from the original.** It is an unproductive hairsplitting that is used not so much to advance clarity or reveal meaning, but, is a means of displaying one's own cleverness. Here is an example.

Moshe said that you should not boil a baby goat alive in the milk of its own mother (**Deuteronomy 14:21**). The original purpose of that commandment, as given from **God** to Moses, was to avoid a common Canaanite practice. The Canaanites would take the first-born kid from its mother, milk the mother goat, then boil the kid alive in its own mother's milk.

Then they would offer the kid up to Ba'al as a sacrifice - a first fruits offering.

ADONAI gave that commandment to Moses about 1400 BC. After 1000 years there were no Canaanites around anymore. No one was boiling kids in mother's milk any longer. The original purpose of that commandment had been forgotten. So when the **Sophim** began to build a fence around **the Torah** and they came to this commandment, they asked the question, "How can we make sure we never see the kid in its mother's milk?" This is where the *pill-pull logic* came in. This is how it works.

Suppose you eat a piece of meat, and with it you drink a glass of milk. No matter how remote, it is always possible that the milk came from the mother of the meat you were eating. As you swallow the two things together, the meat (the kid) is dead in his mother's milk. Thus, **Jews** cannot eat meat and dairy products in the same meal. They must be separated by four hours. This remains true until this day for orthodox **Jews**.

But the *pill-pull logic* went even further. Suppose you sit back for lunch. You decide to have a dairy meal, and you have some cheese. After lunch you wash and scrub your plate. But no matter how much you wash and scrub it you might leave a little piece of cheese on your plate. Then in the evening you eat a meat meal. You take that same plate and put a hamburger on (If it were Jewish it wouldn't be a hamburger, it would be a beef burger), and it picks up a small speck of cheese you didn't see when you washed it. And no matter how remote, it is always possible that the cheese came from the milk of the mother of the meat you ate. So when it's in your stomach . . .

Thus, every **Jew** is to have two sets of dishes, one for dairy and one for meat. To this day, every Orthodox **Jew** has two sets of dishes. Most have four sets of dishes because they have two sets used only for the Passover week. If, by accident, you confuse one for the other the **Jew** cannot use that plate. It must be given to a Gentile or be destroyed. This went on for each of the 613 commandments in **the Torah**. They issued thousands and thousands of new rules and regulations. The work of the Sophim began about 450 BC with **Ezra** and ended at 30 BC with Hillel.

But then, after the scribes, a generation of rabbis came along called the **Tahnaiem**. Tahnah is singular for **Tahnaiem** and means *teacher*. The **Tahnaiem** looked at the work of the **Sophim** and said, "There are still too many holes in this fence." So they made up more rules and regulations and continued the process for two-and-a-half centuries from Hillel in 30 BC until Rabbi Judah-Hanasee in AD 220. But they changed the principle. They said that a Tahnah may disagree with a Tahnah, but he could not disagree with a Sophar. So as of 30 BC (just before the birth of **the Messiah**), all the rules and regulations, thousands

and thousands of them, passed by the Sophim *became equal with Scripture*. But they felt they had to justify why **the Oral Laws** of the **Sophim** were equal to **the Torah** to their Jewish audience. Amazingly, they *made up* a teaching on their own that all Orthodox Jews believe and teach to this day. **The rabbis taught that Moses gave two Laws when he came down from Mount Sinai: The written Law, or the Torah, and the Oral Law.**

The **Tahnahiem** said **Moses** did not write them down but memorized them, and by memory **he** passed them down to **Joshua**, who passed them down to the **Judges**, who passed them down to the prophets, who passed them down to **Ezra** and the **Sophim**. In AD 220 they wrote all of the rules and regulations down, thus ending the **Tahnahiem** period.

The **Tahnahiem** liked to refer to themselves as *trailblazers*, picturing themselves as blazing a new trail for Judaism. Rabbi Sha'ul implied that he was a Tahnah before salvation when he wrote: **I was advancing in Judaism beyond many Jews of my own age and was extremely zealous for the traditions of my fathers (Galatians 1:14)**. He sometimes shows the *pill-pull logic* in **Galatians** and **Romans**.

The **Tahnahiem** believed that they could deduce from **the Torah** a rule for every possible person in every possible situation. Let me give you some examples. **The Torah** said you couldn't work on the Sabbath (see my commentary on **Exodus Dn - Remember the Sabbath Day by Keeping It Holy**). The Tahnahiem, or the Pharisees of **Yeshua's** day said to themselves, "What is work?" So the **Tahnahiem** developed schools to debate and determine what constitutes work. They decided work was to carry a burden. Then they asked, "What is a burden?" They decided that the limit of a burden was food equal to the weight of a dried fig, enough wine for mixing in a goblet, milk enough for one swallow, honey enough to put on a wound, oil enough to anoint a small finger, water enough to moisten eye salve, paper enough to write a customs house notice, ink enough to write two letters of the alphabet, reed enough to make a pen, and so on.

They spent endless hours arguing whether a man could lift a lamp, going from one place to another on the Sabbath. They argued whether a tailor sinned if he went out of his house with a needle stuck in his robe, if he walked too many steps it was a burden. They argued if a woman could wear a broach. If it was too heavy, it was a burden. They argued whether a woman could put on false hair. If it was too heavy, it was a burden. They also had a big argument if a man could go out on the Sabbath with artificial teeth, or even an artificial limb because, if it was too heavy, it constituted a burden. They also debated if a man could lift his child on the Sabbath day. These things were the essence of religion to them and were called **the tradition of the elders (Matthew 15:2-7)**. **But Yeshua had nothing to do with the Oral Law because He knew it was merely the traditions of men (Mark 7:8);**

therefore, He was ultimately rejected, turned over to the Romans and crucified.

They also decided that writing on the Sabbath was work, but “writing” had to be defined. So, they decided that he who writes two letters of the alphabet, with his right or with his left hand, was guilty of Sabbath work. Furthermore, if he wrote letters with different inks or in different languages he was also guilty. Even if he should write two letters from forgetfulness, he is guilty, weather he has written them with ink or with paint, red chalk, or anything that makes a permanent mark he was guilty. The rabbis also decided that he that writes on two walls that form an angle, or two pages of his account book so they can be examined together was guilty of working on the Sabbath. But, if anyone wrote with dark fluid, fruit juice, the dust of the road, or sand, or anything that didn’t make a permanent mark, he was not guilty. If he wrote one letter on the ground and one on the wall, or two on the pages of a book so that they could not be read together, then he was not guilty. The rabbis debated every single minor point *ad nauseam*.

They also said that healing on the Sabbath was work. So obviously that had to be defined. Healing was allowed when there was danger to life, especially in the areas of the ears, the nose and the throat. But, even then, you could only take steps to keep the patient from getting worse. No steps could be taken to get him any better. So, you could put a plain bandage on a wound, but no ointment. You could apply plain wadding in an ear, but not medicated wadding, and so on and so on and so on.

The scribes wrote this all out, and the Pharisees were the ones who tried to keep it. There were approximately 1,500 oral laws for every one of the 613 written commandments in **the Torah**. Do the math. It became a maze of extra commandments and obligations that would actually keep many people further away from a personal relationship with **ADONAI**. It started out with the best of intentions. They wanted to protect **the Torah** by building a fence of rules and regulations around it, so as not to penetrate and break the 613 commandments of **Moses** in the first five books of **the Torah**. But, it became overwhelming.

Then came a third school of rabbis called the **Amorim**. Amorah is singular for **Amorim** and is an Aramaic word for *teacher*. They looked at the work of the **Tahnaiem** and said, “There are still too many holes in the fence.” So they continued to create more rules and regulations until about AD 500. Their principle was this: An Amorah may disagree with an Amorah, but he could not disagree with the **Tahnaiem**. That meant that all the rules and regulations of the **Tahnaiem** became equal with **the Torah**. By the time **Jesus** was born the belief in **the Oral Law** was fully embedded into the religious culture of the day. Judaism had become a dead husk, the heart and life of it were gone.

Together the work of the **Sophim** and the **Tahnahiem** was eventually put in written form called the Mishna. It is written in Hebrew and is about a thousand pages. The work of the **Amorim** is called the Gemara. It is written in Aramaic, and is a huge, huge book. The Mishna and the Gemara make up the Talmud.

But, the Bible teaches that whatever “truth” was authorized and inspired by **God** was written down. This fact directly contradicts the rabbinical idea and traditional premise for the original authority of **the Oral Law**. In **Second Timothy 3:16** we read that **all Scripture is inspired by God**. The Greek word for **Scripture** is *graphe*. This is the Greek word for writing is similar to the Hebrew usage of *ketavas* in **Dani’el 10:21: I will tell you what is recorded in the writing of truth**. The word Scripture simply, but quite importantly, means **writings**. The point the Bible makes is that whatever “truth” was authorized and inspired by God was **written** down. This fact directly contradicts the rabbinical idea and tradition for the origin and authority of **the Oral Law**.

In fact, the Scriptures teach the impossibility of an **Oral Law** from **Moses** on Mount Sinai, or anywhere else. To understand this we should look at **Exodus 24**, which describes Moses’ return to the people of Isra’el after receiving the Torah on Mount Sinai. **So Moses came and told the people all the words of ADONAI as well as all the ordinances. All the people answered with one voice and said: All the words that ADONAI has spoken, we will do. And Moses came and told the people all the words of ADONAI. . . Then Moses took the Scroll of the Covenant and read it in the hearing of the people. Again they said: All that ADONAI has spoken, we will do and obey (Exodus 24:3-4 and 7)**. So **Moses** shared all of **God’s words** with **him**. The Hebrew word *kol* means **all**. As a result, there was nothing else to share - no **Oral Law**!

But, some may ask, is it not possible that perhaps a day, a month, a year, or a decade or two later Moses remembered further revelation from God on Mount Sinai, and then transmitted it orally? Did Moses wake up one day and say, “Wow! I just remembered all kinds of neat laws that **God** told me. Let’s just keep it an **Oral Law** for the next 1,600 years!” No - that’s not possible.

Though the Talmud in the section above from Pirke Avot 1:1 states that Moses “transmitted it to Joshua,” the Scriptures actually states otherwise: **This book of the Torah should not depart from your mouth - you are to meditate on it day and night, so that you may be careful to do everything written in it. For then you will make your ways prosperous and then you will be successful (Joshua 1:8)**. There was no **Oral Law** from **Moses** on **Mount Sinai** transmitted to **Joshua**. It was all **written** (Hebrew:

katuv). Yet, notice the beautiful promise for success found in that verse - based not upon keeping **the Oral Law** - but, upon what was **written**. It is clear that **Joshua** knew nothing about following **the Oral Law**, but only obeying **the written Word of God**.

Four hundred years later, at the end of King **David's** life and at the beginning of Solomon's reign, **the written Scriptures** again state plainly that there was still only **the written Torah**. The unknown author of **First Kings 2:3** wrote: **Keep the charge of ADONAI your God, to walk in His ways, to keep His statutes, His commandments, His ordinances, and His decrees, according to what is written in the Torah of Moses; so that you will succeed in all that you do and wherever you turn.** As with **Joshua**, **David** affirmed the authority of **the written Word** four centuries later. Even at that time there was no **Oral Law** from **Moses** on **Mount Sinai**. Throughout the TaNaKh there is no **Oral Law**, only **the written Torah** of **Moses** (**Joshua 8:31-32, 23:6; Second Kings 14:6, 23:25; First Chronicles 16:40; Second Chronicles 23:18, 25:4, 30:16, 31:3, 35:26; Ezra 3:2, 7:6; Nehemiah 8:1 and 14, 10:34; Dani'el 9:11-13; Malachi 4:4**).

Nevertheless, **the Oral Law** became the point of contention between **Jesus** and the Pharisees. **The rabbis taught that when the Messiah came He Himself would be a Pharisee. They taught that He would accept the Oral Law and be in submission to it. Not stopping there, they believed that He would be involved in the making of new oral laws, plugging up the holes in the fence even further (Today the four major authoritative sources of the Oral Law for observant Jews are the Mishnah, the Tosefta, the Yerushalmi, and the Bavli). Therefore, with the best intentions, they believed that someone not under the authority of the Oral Law could not possibly be the Meshiach. And the unintended consequence of their actions was that their traditions were elevated to a position they were never intended to have. As a result, Jesus would have nothing to do with the Oral Law because He knew the He was not the author. It was man-made.⁶⁵⁴ And because He rejected *it*, the Sanhedrin rejected *Him*.**