



2015

Jewish Law Research Guide

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Jewish Law Resource Guide: Home

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Jewish Law is called Halakha in Hebrew. Judaism classically draws no distinction in its laws between religious and ostensibly non-religious life.

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Home

What is Jewish Law?

Jewish Law is called *Halakha* in Hebrew. *Halakha* from the Hebrew word *Halakh*, which means "to walk" or "to go;" thus a literal translation does not yield "law," but rather "the way to go".

- Judaism classically draws **no distinction in its laws between religious and ostensibly non-religious life**
- Jewish religious tradition does not distinguish clearly between religious, national, racial, or ethnic identities.
- *Halakha* guides not only religious practices and beliefs, but numerous aspects of day-to-day life.

TIP: Start With Secondary Sources

- Researching Jewish Law can be complicated.
- Primary sources are not in English, but many have been translated.
- Sources lack the organization and structure found in more modern legal systems. Researchers will find a lack of clear distinctions between primary and secondary sources and a lack of comprehensive finding tools.
- Use Secondary Sources like: **A living tree : the roots and growth of Jewish law / Elliot N. Dorff and Arthur Rosett**

Using This Guide

Terms **Bolded** are defined and located under the Glossary tab.

Recognition

This guide relieved heavily on the excellant work of David A. Hollander. Law & Legal Studies Librarian at the Princeton University and his publication "Jewish Law for the Law Librarian," 98 *Law Library Journal* 219 (2006).

Need Help?

Contact a Law Librarian:

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Text messages only:
216-539-3331

Available
Library Reference

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Time Line of Jewish Law

Time Line		
Date	Jewish Legal Sources	People & Events
1700 BCE - 150 BCE	<i>Torah</i> (Hebrew Bible)	
1700 BCE		Abraham
1290 BCE		Exodus from Egypt
1000 BCE		David
722 BCE - 586 BCE	Biblical Laws & Prophets	
722 BCE		Fall of Northern Kingdom; 10 tribes become "lost"
586 BCE		Fall of Southern Kingdom, Exile from Babylonia
516 BCE		Return of some Jews to Israel under Haggai & Zechariah
444 BCE	Canonization of Torah	Ezra; Development of synagogue and prayer service; canonization of Torah; Establishment of the Men of the Great Assembly (Sanhedrin)
444 BCE - 70 CE		Oral Tradition Develops
70 CE - 220 CE		Organization of Oral Law: Tannaim Period
	<i>Mishnah</i> : R. Judah HaNasi	R. Judah HaNasi
	<i>Tosefta</i> : R. Hiyya & R. Oshaiah	R. Hiyya & R. Oshaiah
	<i>Baraitot</i> [known through appearance in <i>Gemara</i>]	
	<i>Midrash Halakhah</i> [Legal Interpretations of Biblical Verses]	
	<i>Mekhilta on Exodus</i>	
	<i>Sifra on Leviticus</i>	
	<i>Sifre on Numbers and Deuteronomy</i>	
220 - 500		Amoraim Period
400	<i>Jerusalem Talmud</i> (Gemara) [same order as Mishnah]	
500	<i>Babylonian Talmud</i> (Gemara): compiled by Ravina & Rav Ashi [same order as Mishnah]	Ravina & Rav Ashi compiled Babylonian Talmud c. 500 C.E.
500 - 650		Saboraim Period
650 - 1050		Geonim Period (in Babylonia)
	Respona Literature	
1000 - 1250		Commentators & Early Posekim, in Spain, France, & North Africa)
1013 - 1073		R. Issac of Fez ("Alfasi," "Rif")
1040 - 1105		R. Sh'lomo Yitzhaki ("Rashi")
c. 1100 - 1275	<i>Tosafot</i> : Rabbenu Tam, Ri, etc.	Rabbenu Tam, Ri, etc.
1135 - 1204	<i>Mishneh Torah & The Guide for the Perplexed</i> : Maimonides ("Rambam")	Maimonides ("Rambam")
c. 1250 - 1550		Rishonim Period, in Spain, France & North Africa
1195 - 1270		R. Moses ben Nahman (Nahmanides, "Ramban")
1233 - 1310		R. Solomon ben Abraham ibn Adret ("Rashba")
1250 - 1327		R. Asher ben Yehiel ("Rosh," "Asheri")
1270 - 1343	<i>Araah Turim</i> ("The Tur"), <i>Orah Hayyim</i> , <i>Yoreh Deah</i> , <i>Eben-Ha-Ezer</i> , <i>Hoseh'n Hamishpat</i> : R. Jacob ben Asher	R. Jacob ben Asher
1565	<i>Shulhan Arukh</i> [the order of the Tur]: R. Joseph Caro	R. Joseph Caro
1565 - present		Aharonim Period, primarily in Eastern Europe
c. 1650	<i>Turei Zahav</i> ("Taz"): R. David ben Samuel Hal'evy	

Primary Sources

Time Line of Primary Jewish Law Sources

(Terms **bolded** are defined and located under the **Glossary** tab. Major primary sources are in **bolded italics**)

Information from Elliot N. Dorff & Arthur Rosett, *Time-Line on Jewish Law*, A LIVING TREE: THE ROOTS AND GROWTH OF JEWISH LAW 571 -572 (1988)

Date	Jewish Legal Sources
1700 BCE - 150 BCE	Torah (Hebrew Bible, Pentateuch , Chumash)
70 CE - 220 CE	Mishnah : R. Judah HaNasi
	Tosefta : R. Hiyya & R. Oshaiah
	Baraitot [known through appearance in Gemara]
	Midrash Halakhah [legal Interpretations of Hebrew biblical verses]
	Mekhilta on Exodus
	Sifra on Leviticus
	Sifre on Numbers and Deuteronomy
400	Jerusalem Talmud (Gemara) [same order as <i>Mishnah</i>]
500	Babylonian Talmud (Gemara) : compiled by Ravina & Rav Ashi [same order as <i>Mishnah</i>]
c. 1100 - 1275	Tosafot : Rabbenu Tam, Ri, etc.
1135 - 1204	Mishneh Torah & <i>The Guide for the Perplexed</i> : Maimonides ("Rambam")
1270 - 1343	Arbaah Turim ("The Tur"), <i>Orah Hayyim</i> , <i>Yoreh Deah</i> , <i>Eben-Ha-Ezer</i> , Hosehn Hamishpat : R. Jacob ben Asher
1565	Shulchan Aruch [the order of Arbaah Turim ("The Tur")]: R. Joseph Caro
c. 1650	<i>Turei Zahav</i> ("Taz"): R. David ben Samuel HaLevy
c. 1650	<i>Siftei Kohen</i> = "Shakh": R. Shabbetai ben Meir Ha Kohen
1863	<i>Kitzur Shulhan Arukh</i> : R. Solomon Gazfried
c. 1900	<i>Arokh Ha Shulhan</i> : R. Yehiel M. Epstein

Torah

Torah

- Commentary on the Torah
By Richard Elliott Friedman
San Francisco: HarperSanFrancisco
Text of the Torah: Hebrew & English
Commentary in English
BS1225.3 .F7495 2001
- Etz Hayim : Torah and Commentary
Edited by David L. Lieber
Philadelphia : Jewish Publication Society & United Synagogue of
Conservative Judaism
Hebrew / English
BS1222 .L54 2001
- The Soncino Chumash
Edited by Abraham Cohen
England, Soncino Press
Hebrew / English
BS1225 .C58
- The Torah : A Modern Commentary / W. Gunther Plaut
Commentaries by W. Gunther Plaut
1st edition
New York : Union of American Hebrew Congregations
Hebrew / English
BS1225.3 .P55 1981

Torah Divisions

The names of five books of Hebrew Bible are taken from the first phrase in each book:

- **Bereshit** - (Translation: "In [the] beginning", Greek: Genesis)
- **Shemot** - (Translation: "Names", Greek: Exodus)
- **Vayikra** - (Translation: "He called", Greek: Leviticus)
- **Bamidbar** (Translation: "In the desert", Greek: Numbers)
- **Devarim** (Translation: "Words", Greek: Deuteronomy)

What is the Torah?

Torah (Hebrew: תּוֹרָה, "Instruction", "Teaching") most specifically means the first five books of the Hebrew Bible, it can mean this, plus the rabbinic commentaries of these five books.

Chumash (Hebrew: חומש) is a term for **Torah** in printed book form, as opposed to being scribed on a scroll. A more formal term is **Ḥamishah Ḥumshei Torah**, "five fifths of Torah," the Hebrew name for the Five Books of Moses.

Babylonian Talmud

Babylonian Talmud

The **Babylonian Talmud** is more complete and more widely used and cited.

- The Babylonian Talmud
Translation by Israel W. Slotki; Isidore Epstein
Brooklyn, NY : Rebecca Bennett Pub.
64 vols.
English
BM500 .E57 1959aa
- The Babylonian Talmud (Abridged)
Translation by Isidore Epstein
London, Soncino Press
18 vols.
English
BM499.5 1961
- The Soncino Babylonian Talmud (CD-ROM)
Translation by Isidore Epstein
Originally published by the Soncino Press
English
BM499.5 .E5 2005
- Talmud Bavli : The Schottenstein Edition
Via Ohiolink
Edited by Hersh Goldwurm
1st American ed.
Brooklyn, N.Y. : Mesorah Publications
47 vols.
Aramaic / Hebrew / English
BM 499 1990

Talmud: Structure



Two Types: There are two different Talmuds: the **Babylonian Talmud** and the **Jerusalem Talmud** (Hebrew Transliteration: **Talmud Yerushalmi**).

Preferred Talmud: The **Babylonian Talmud** (Hebrew Transliteration: **Talmud Bavli**) is the most complete and more widely used and cited. The **Babylonian Talmud** contains the **Mishnah** and the Babylonian **Gemara**. But not every Mishnah tractate is in the Babylonian Talmud. The Babylonian Talmud is the newer talmud and consists of documents compiled in the 3rd to 5th centuries in Mesopotamia, later known as Iraq.

Talmud Contents: A reference to the term "Talmud" is universally considered a reference to the Babylonian Talmud. The **Talmud** is a collective term for several individual works: **Mishnah, Gemara, and Commentaries**- Most authoritative appear within the pages of Talmud.

Using Babylonian Talmud

Extremely hard to navigate. It is suggested that researchers use secondary treatises to locate relevant citations. Using the Talmud in conjunction with contemporary treatises and major law codes is the easiest way to conduct your research. However, a Talmudic reference will almost always be necessary when citing to Jewish law.

For more on understanding a page of Talmud, see: **Guide to Layout of Talmud Page**

Mishnah

Basic Structure of the Mishnah

The **Mishnah** is divided into six orders (Hebrew: seder, sing. /sederim, pl.). The 6 sederim are subdivided into 63 **tractates** (Hebrew: masekhet, sing. / **masekhtot**, pl.). Each masekhet is divided into **chapters**, and each chapter is made up of individual laws (Hebrew: mishna, sing. / **mishnayot**, pl., lit. "web"). However, the Talmud does not contain a masekhet for every Mishnah masekhet.

Order / Seder (6) -- Tractates / Masekhtot (varies) -- Chapters (varies, see: Mishnah Tractates) -- Individual Laws / Mishnayot (varies)

Mishnah

The **Mishnah** can also be located under **Babylonian Talmud** tab.

- The Mishnah
Translated by Herbert Danby
London, Oxford University Press
(1964)
Hebrew / English
BM505.A3 D3
- The Mishnah: Oral Teachings of Judaism
Selected and translated by Eugene J. Lipman
New York, Viking Press
Hebrew / English
BM497.5 .E5 L55 1973

Mishnah Tractates

Order	Tractates * in Babylonian Talmud	Order	Tractates * in Babylonian Talmud	Order	Tractates * in Babylonia Talmud
1. Zeraim (Seeds) - laws dealing with agriculture and food	1. Berakhot* 2. Peah 3. Demai 4. Kilayim 5. Shebiit 6. Terumot 7. Maaserot 8. Maaser Sheni 9. Challah 10. Orlah 11. Bikkurim	3. Nashim (Women) - laws relating to marriages and divorce	1. Yebamot* 2. Ketubot* 3. Nedarim* 4. Nazir* 5. Sotah* 6. Gittin* 7. Kiddushin*	5. Kodashim (Holies) - laws relating to Temple sacrifice and ritual slaughter	1. Zevachir 2. Menach 3. Chullin* 4. Bekhoro 5. Arakhin* 6. Temurah 7. Keritot* 8. Meilah* 9. Tamid* 10. Middot 11. Kinnim
2. Moed (Festival) - laws relating to holiday and Shabbat rituals	1. Shabbat* 2. Erubin* 3. Pesachim* 4. Shekalim* 5. Yoma* 6. Sukkah* 7. Besah* 8. Rosh Hashanah* 9. Taanit* 10. Megillah* 11. Mo'ed Katan* 12. Hagigah*	4. Nezikin (Damages) - laws of tort, other civil law and criminal laws	1. Baba Kamma* 2. Baba Metzia* 3. Baba Batra* 4. Sanhedrin* 5. Makkot* 6. Shavuot* 7. Eduyot 8. Avodah Zarah* 9. Avot (also called Pirkei Avot) 10. Horayot*	6. Tahorot (Purities) - laws of ritual purity	1. Keilim 2. Oholot 3. Negaim 4. Parah 5. Tohorot 6. Mikvaot 7. Niddah* 8. Makhshi 9. Zavim 10. Tevul-Yo 11. Yadayim 12. Uksim

Gemara**Locating the Gemara**

Gemara is located in the **Babylonian Talmud**.

Types of Gemara

Jerusalem Gemara,
published between about
350-400 CE.

Babylonia Gemara,
published about 500 CE.
By convention, a reference
to the "Gemara" or
"Talmud," without further
qualification, refers to the
Babylonian version.

What is the Gemara?

Gemara: (also transliterated Gemora, Gemarah or, less commonly, Gemorra; from Aramaic **גמרא** , def: "[to] study" or "learning by tradition"). The **Gemara** provides records and reports of seven generations of debates and statements by the rabbis arguing the Mishnah. The focus of the Gemara is the interpretation and application of the Mishnah.

- **Two Versions:** There are two versions of the Gemara:

Jerusalem Gemara (published 350-400 CE)

Babylonia (Bavli) Gemara (published ca. 500 CE). A reference to the "Gemara" or "Talmud," without further qualification, refers to the Babylonian version.

- **Language Used:** The Babylonia Gemara is mostly written in Aramaic, with some portions in Hebrew. Sometimes the language used may change in the middle of a story.

- **Important Terms:**

- The rabbis of the Gemara are referred to as **Amoraim** (sing. *Amora*; Hebrew: אמוראי).

- The analysis of the *Amoraim* is generally focused on clarifying the positions, words and views of the **Tannaim** (Hebrew: תנאים, singular תנאי, sl. *Tanna*, lit. "repeaters", "teachers") were the Rabbinic sages whose views are recorded in the Mishnah.

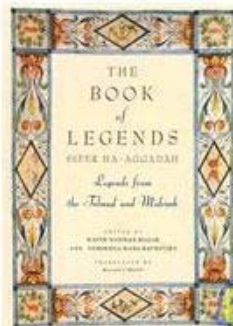
- The Amoraim debates and exchanges form the "building-blocks" of the gemara; the name for such a passage of gemara is a **sugya** (Hebrew: סוגיא; pl. *sugyot*).

- **Purpose:** Each sugya will typically comprise a detailed proof-based elaboration of the Mishna. Every aspect of the Mishnaic text is treated as a subject of close investigation. This analysis is aimed at an exhaustive understanding of the Mishna's full meaning.

For more information see: **Guide to Layout of Talmud Page**

Midrash Halakhah

Modern Midrash



- Sefer ha-aggadah : Legends from the Talmud and Midrash

English Title: Book of Legends

Edited by Hayim Nahman Bialik & Yehoshua

Hana Ravnitzky Translated by William G.

Braude

New York : Schocken Books

BM516.B52 E5 1992

more...

Midrash Halakhah



Midrash Halakhah - Legal interpretations of the books of Shemot (Exodus), Vayikra (Leviticus), Bamidbar (Numbers), and Devarim (Deuteronomy). Individual books are called **Sifra** or **Sifre** and **Mekhilta**.

Mekhilta - Works on Shemot (Exodus) are called **Mekhilta** (Aramaic: מכילתא, a collection of rules of interpretation).

Sifre or **Sifra** or **Sefer** - Works on Vayikra (Leviticus), Bamidbar (Numbers) and Devarim (Deuteronomy) are called **Sifre** or **Sifra** (Hebrew: ספרי).

Mehilta in English

- Mekhilta of Rabbi Ishmael
Via OhioLink By Rabbi Ishmael or Ishmael ben Elisha
Translation, introduction, and notes by Jacob Z. Lauterbach
2nd edition
Philadelphia : Jewish Publication Society (2004)
Legal interpretation of Shemot (Exodus)
English
BM 517 .M4 E5
- Mekhilta of Rabbi Shimon bar Yochai
Via OhioLink By Shimon bar Yochai (and by his acronym Rashbi)
Translated by W. David Nelson
1st edition
Philadelphia : Jewish Publication Society (2006)
Legal interpretation of Shemot (Exodus)
Hebrew / English
BM 517 .M45 E5

Sifra in English

- Sifra on Vayikra (Leviticus)
Via OhioLink. By Jacob Neusner
Brown Judaic Studies, No. 138-140
Atlanta, Ga. : Scholars Press
Legal interpretation of Vayikra (Leviticus)
3 vols.
English
BM517.S6 E5 1988
- Sifra on Vayikra (Leviticus)
Via OhioLink. By Jacob Neusner and Roger Brooks
Brown Judaic Studies No. 102
Atlanta, Ga. : Scholars Press
Legal interpretation of Vayikra (Leviticus)
English
R135.5.S54251 1985
- Sifre on Bamidbar (Numbers)
Via OhioLink. Translation of: Siphre d'be Rab. I. Siphre ad Numeros adjecto Siphre zutta / edited by H.S. Horowitz
Translated by Jacob Neusner
Lanham, Md. : University Press of America (2009)
3 vols.
Legal interpretation of Bamidbar (Numbers)
English
BM517.S85 E5
- Sifre to Devarim (Deuteronomy)
Via OhioLink Translated by Jacob Neusner
Brown Judaic studies Nos. 98, 101
Atlanta, Ga. : Scholars Press
2 vols.
Legal interpretation of Devarim (Deuteronomy)
English
BM517.S75 A3 1987

Tosefta**Tosefta**

- The Tosefta
Translated by Jacob Neusner
New York : Ktav
6 vols.
Hebrew / English
BM508.13 .E5 1977

Understanding Tosefot



The **Tosefot** (Hebrew: תוספות ; additions) are medieval commentaries on the Talmud. The **Tosefot** are a compilation of the questions, answers and opinions posed and answered by rabbis. They are printed in almost all Talmud editions, on the outer margin and opposite Rashi's notes. The authors of the Tosafot are known as **Tosafists**.

The Tosefot are also referred to as a **gloss** (Latin: *glossa*, lit. "language") and appear as brief marginal notation within the Talmud. For more information see: **Guide to Layout of Talmud Page**

Tosafists were rabbis from France and Germany known for their Talmudical scholarship. The **Tosafists** lived from the 12th century to the middle of the 15th century.

Rashi's Commentary

Locating: Rashi's Commentary on the Talmud

Rashi's Commentary on Talmud is included in every version of the Babylonian Talmud since its first printing in the fifteenth century.

It is always situated towards the middle of the opened book display; i.e., on the side of the page closest to the binding. His opinions have the weight of law. Rashi's commentary covers nearly all of the **Babylonian Talmud** (a total of 30 tractates). For more information see: **Guide to Layout of Talmud Page**

Who is Rashi?



Rashi (Hebrew: רש"י) is **Rabbi Shlomo Itzhaki** (1040 – 1105) was a great 11th century scholar who lived in Germany and France. Today, he is generally known by the acronym **Rashi**. He is considered the "father" of all commentaries that followed on the Talmud. He is the author of:

Commentary on the Babylonian Talmud and **Commentary on the Tanakh**.

Rashi: Biographies

- **Rashi : A Portrait**
by Elie Wiesel
Translated from the French by Catherine Temerson
New York : Schocken
English
BM755.S6 W54 2009
- **Rashi**
by Maurice Liber
Translated from the French by Adele Szold
Philadelphia: Jewish Publication Society (1948)
English
BM755.S6 L5

Codes of Law

Codes of Law

Codes of Law: help provide a structure to the Talmud and Mishnah. They are great resources and have the force of law themselves.

- Code of Maimonides (Mishneh Torah)
By Moses Maimonides
New Haven : Yale University Press
14 vols.
English
BM520.84 .A213 1949
- Code of Jewish Law (Kitzur Shulchan Aruch). A Compilation of Jewish Laws and Customs.
Solomon ben Joseph Ganzfried
Translated by Hyman E. Goldin
New York : Hebrew Pub. Co.
BM560 .G322 1963
- Hoshen Mishpat: The Traditional Jewish Law of Sale (from Shulchan Aruch)
By Joseph ben Ephraim Karo
Translated and annotated by Stephen M. Passamaneck
Hoshen Mishpat = Civil & Criminal Laws
Cincinnati : Hebrew Union College Press
English
KBM874 .K3713 1983
- Shulchan Aruch
Via OhioLink. Translated by J.L. Kadushin
New Rochelle, N.Y. : Jewish Jurisprudence Co.
English / Hebrew
3 vols.
BM520.88.A42 K3 1917
- A Restatement of Rabbinic Civil Law
By Emanuel Quint
Adaptation of Shulchan Aruch: Hoshen Mishpat (Civil & Criminal Laws) / Joseph Karo
Northvale, N.J. : J. Aronson (2004)
10 vols.
KBM523.72 .Q8

Mishneh Torah (Code of Maimonides)



Mishneh Torah (Hebrew: **משנה תורה**, "Repetition of the Torah") is also called **Code of Maimonides**. Codifies (organizes by subject) the 15,00 law from the Talmud. Considered an absolutely authoritative statement of

Jewish Law and a proper primary Jewish legal source.

Structure: It is comprised of fourteen books. Each book is subdivided into subject-area sections (Hilchot) Each section or Hilchot is further subdivided into chapters, each chapter is subdivided into paragraphs. Each paragraph constitutes a single law.

Book -- Section / Hilchot -- Chapter -- Paragraph / Law

English translations: Unfortunately, English translations of entire **Mishneh Torah** are not commonly found in academic law libraries. Many abridged translations or subject-area divisions are available.

Shulchan Aruch



The **Shulchan Aruch** (Hebrew: שולחן ערוך, literally: "Set Table"), the second and most important Jewish law code, was authored by **Joseph ben Ephraim Karo** (ca. 1488 - 1575) and completed in 1565. It is the final and authoritative codification (subject organization) of the laws found in the Talmud.

Modern Editions &

Glosses: Almost all published editions of the *Shulchan Aruch* contain **glosses** or explanatory notes added by **Moshe Isserles** (ca. 1525 -1572), also known as Rama or Remu, the Moses Isserles glosses. These glosses offer legal opinions omitted by Karo and are widely referred to as the **mappah** (literally: the "tablecloth") to the *Shulchan Aruch's* "Set Table". As a result, term "Shulchan Aruch" has come to denote *both* Karo's and Isserles. Karo is often referred to as "the *mechaber*" ("author") and Isserles as "the Rema."

Bet Yosef: The Shulchan Aruch was originally a companion work to **Bet Yosef** (also by Karo) .

Mishneh Torah Citation

Citation structure: cited by section name, chapter number, and paragraph number.

MT, Nizkei Mamon 1:1

MT = Mishneh Torah

Nizkei Mamon = section Nizkei Mamon, damages caused by property

1:1 = refers to chapter 1, paragraph 1

Shulchan Arch: Citation

Citation structure: cited by part, chapter, and paragraph number.

Sh. Ar. HM 201:1

Sh. Ar. = publication name: *Shulchan Arch*

HM = part name: Hoshen Mishpat

201:1 = refers to Chapter 201 and paragraph 1

Mishneh Torah: Selected Civil Laws

Book 4: *Sefer Nashim* (Women):

1. *Hilchot Ishut*: laws of marriage, including kiddushin and the ketubah
2. *Hilchot Geirushin*: laws of divorce
3. *Hilchot Yibum va-Chalitzah*: laws of levirate marriage
4. *Hilchot Na'arah Betulah*: the law of a man who seduces or rapes an unmarried woman
5. *Hilchot Sotah*: laws concerning a woman suspected of infidelity

Book 11: *Sefer Nezikin* (Damages): criminal and tort law

1. *Hilchot Nizkei*: laws of damages caused by property
2. *Hilchot Genevah*: laws of theft
3. *Hilchot Gezeleh v-Avedah*: laws of robbery and lost property
4. *Hilchot Chovel u-Mazzik*: laws of wounding and damaging
5. *Hilchot Rotzeah u-Shemirat ha-Nefesh*: laws of homicide and preservation of life

Book 12: *Sefer Kinyan* (Acquisition): laws of the marketplace

1. *Hilchot Mechirah*: laws of sales
2. *Hilchot Zechiyah u-Matanah*: laws of entitlements and gifts
3. *Hilchot Sechenim*: laws of neighbors
4. *Hilchot Sheluchin*: laws of agency and partnership
5. *Hilchot Avadim*: laws of slaves

Book 13: *Sefer Mishpatim* (Civil Law): civil law

1. *Hilchot Sechirut*: laws of leasing and hiring
2. *Hilchot Sh'elah u-Fikadon*: laws of borrowing and bailment
3. *Hilchot Malveh ve-Loveh*: laws of creditor and debtor
4. *Hilchot To-en ve-Nitan*: laws of plaintiff and defendant
5. *Hilchot Nachalot*: laws of inheritance

Book 14: *Sefer Shofetim* (Judges): the laws relating legislators, the Sanhedrin, the king, and the judges.

1. *Hilchot ha-Sanhedrin v'ha-Onshin ha-Mesurin Lahen*: Laws of Sanhedrin and its penal jurisdiction
2. *Hilchot Edut*: laws of evidence

Shulchan Aruch: Structure

Shulchan Aruch is divided into four parts. Each part is divided into sections (halachot), each section is subdivided into chapters (simanim), and each chapter is subdivided into paragraphs that contain the law (se'if, pl. se'ifim).

Parts:

- **Orach Chaim** (laws addressing daily religious ritual observance)
- **Yorsh De'ah** (laws addressing ritual observance such as kashrut, circumcision, burial, and mourning)
- **Even ha-Ezer** (family law)
- **Hoseh Mishpat** also **Choshen Mishpat** (civil and criminal laws)

Shulchan Aruch & Jewish Communities

The rulings in the Shulchan Aruch generally follow **Sephardic Jewish** law and customs.

Ashkenazi Jews will generally follow the halachic rulings of **Moses Isserles** whose **glosses** to the Shulchan Aruch note where the Sephardic and Ashkenazic customs differ.

Arba'ah Turim

Arba'ah Turim (Hebrew: אַרְבַּעַה טוּרִים), often called simply the **Tur**, is a Code of Laws composed by **Jacob ben Asher** (1270 - 1340). Arba'ah Turim has a four-part structure, its division into chapters (*simanim*).

One section of this title is called **Hoshen Mishpat** (Hebrew for "Breastplate of Judgement"). This section treats aspects of Jewish law pertinent to finance, torts, legal procedure and loans and interest in Judaism. Later, **Joseph ben Ephraim Karo** modeled the framework of his own of Hoshen Mishpat in the **Shulkhan Arukh** after the Arba'ah Turim.

Responsa

Responsa: Definition

Responsa (Latin: plural of *responsum*, "answers") comprise a body of written decisions and rulings given by legal scholars in response to questions addressed to them.

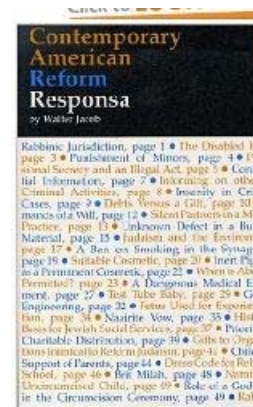
In rabbinic literature, the **Responsa** is the "case law" of Jewish law. It is also called **She'elot ve-Teshuvot** (Hebrew: שאלות ותשובות "questions and answers") and comprise the body of written decisions and rulings given by rabbis or **poskim** ("deciders of Jewish law").

Digest of Responsa

- Digest of the Responsa Literature of Spain and North Africa Via OhioLink. By Menahem Elon Jerusalem (1981 -1987) 5 vols. BM523 .M34
- Digest of the Responsa literature of Germany, France, and Italy Via OhioLink. By Berachyahu Lifshitz and Eliav Shochetman Jerusalem, University of Jerusalem BM523 .M33 1997

Useful Responsa Compilations

- American Reform Responsa: 1889-1983 Edited by Walter Jacob New York : Central Conference of American Rabbis BM197 .C46 1983
- Contemporary American Reform Responsa Edited by Walter Jacob New York : Hebrew Union College Press : Central Conference of American Rabbis BM197 .J33 1987
- Contemporary Halakhic Problems By J. David Bleich Library of Jewish Law and Ethics New York : Ktav, 1977- 2004 4 vols. BM520.3 .B5 *more...*
- Jewish Law : Bibliography of Sources and Scholarship in English By Phyllis Holman Weisbard, David Schonberg Littleton, CO : F.B. Rothman English Z6374.L4 W45 1989 *more...*
- Jewish Law : History, Sources, Principles By Menachem Elon Translated from the Hebrew by Bernard Auerbach & Melvin J. Sykes Philadelphia : Jewish Publication Society 4 vols. English BM520.5 .E4313 1994 *more...*

Using Responsa**Major Problems:**

Researching Responsa is difficult, especially for the nonexpert. There are over 300,00 known responsa, in 3,000 books. There is no comprehensive digest of these decisions. Most compilations of responsa are organized according to the subject structure of *Shulchan Aruch*. However, an individual compilation often lacks indices or digests. They are also not translated into English.

Useful Strategy: The best available strategy is to locate one of several major translated compilations and check for the desired topic.

Secondary Sources**Secondary Sources**

- General Treatises
- Subject Specific Treatises
- Study Aid & Guide

General Treatises

General Treatises

- **Authority, Process and Method : Studies in Jewish Law**
 Edited by Hanina Ben-Menahem and Neil S. Hecht
 Australia : Harwood Academic Publishers
 BM520.2 .A98 1998
more...
- **Contemporary Halakhic Problems**
 By J. David Bleich
 Library of Jewish Law and Ethics
 New York : Ktav, 1977- 2004
 4 vols.
 BM520.3 .B5
more...
- **Jewish Law : An Introduction**
 Via OhioLink. By Mendell Lewittes
 Northvale, N.J. : J. Aronson
 BM520.5 .L44 1994
more...
- **Jewish Law : History, Sources, Principles**
 By Menachem Elon
 Translated from the Hebrew by Bernard Auerbach & Melvin J. Sykes
 Philadelphia : Jewish Publication Society
 4 vols.
 English
 BM520.5 .E4313 1994
more...
- **A Living Tree : The Roots and Growth of Jewish Law**
 By Elliot N. Dorff and Arthur Rosett
 Albany, N.Y. : State University of New York Press
 KBM524.42 .D67 1988
more...
- **Studies in Jewish Jurisprudence**
 Vol. 5 - Divorce in Jewish law and life / Irwin H. Haut
 Vol. 6 - Criminal jurisprudence of the Jews / by Samuel Mendelsohn ;
 with a new intro. by Irwin H. Haut
 New York : Hermon Press
 KBM80.A75 S8
more...
- **Studies in Jewish Law and Philosophy**
 By Isadore Twersky
 New York : Ktav Pub. House
 BM520.5 .T85 1982
more...
- **The Spirit of Jewish Law : A Brief Account of Biblical and Rabbinical**

Treatises on Shulchan Aruch

- **A Restatement of Rabbinic Civil Law**
 By Emanuel Quint
 Adaptation of Shulchan Aruch: Hoshen Mishpat
 (Civil & Criminal Laws) / Joseph Karo
 Northvale, N.J. : J. Aronson (2004)
 10 vols.
 KBM523.72 .Q8

Treatises on Talmud

- **The Babylonian Talmud : A Topical Guide**
 By Judith Z. Abrams
 Lanham, Md. : University Press of America
 English
 BM504 .A26 2002
more...
- **The Burnt Book : Reading the Talmud**
 By Marc-Alain Ouaknin
 Translated by Llewellyn Brown
 Princeton, N.J. : Princeton University Press
 BM504 .O92 1995
more...
- **Everyman's Talmud: The Major Teachings of the Rabbinic Sages**
 By Abraham Cohen
 London : J. M. Dent & Sons, Ltd.
 BM504.3 .C63 1937
more...
- **How the Talmud Works**
 By Jacob Neusner
 Boston : Brill
 BM503.6 .N477 2002
more...
- **A Practical Guide to Torah Learning**
 By Dovid Landesman
 Northvale, N.J. : Jason Aronson
 BM503.5 .L36 1995
more...
- **Understanding the Talmud : A Systematic Guide to Talmudic Structure and Methodology**
 Via OhioLink. By Yitzchak Feigenbaum
 Jerusalem ; New York : Feldheim
 2nd rev. ed.
 BM503.6 .F45 1988
more...

Subject-Specific Treatises

Criminal Law

- In The Name of the Father: A Critique of Reliance upon Jewish Law to Support Capital Punishment in the United States
[comments]
By Chad Baruch
University of Detroit Mercy Law Review, Vol. 78, Issue 1 (Fall 2000), pp. 41-66
- Teshuva: A Look at Repentance, Forgiveness and Atonement in Jewish Law and Philosophy and American Legal Thought
Article by Samuel J. Levine
Fordham Urban Law Journal, Vol. 27, Issue 5 (June 2000), pp. 1677-1694

Civil Law

- Equity in Jewish Law : Beyond Equity : Halakhic Aspirationism in Jewish Civil Law
By Aaron Kirschenbaum
Hoboken, N.J. : KTAV Pub. House ; New York : Yeshiva University Press
BM520.6 .K57 1991
- A Restatement of Rabbinic Civil Law
By Emanuel Quint
Northvale, N.J. : J. Aronson (1990-2004)
10 vols.
KBM523.72 .Q8
- Some Observations on the Talmudic Law of Torts
Article by Steven Friedell
Rutgers Law Journal, Vol. 15, Issue 4 (Winter 1984), pp. 897-926

Health Law

- "And You Shall Live by Them" : Contemporary Jewish Approaches to Medical Ethics
By Louis Flancbaum
Pittsburgh, Penn. : Mirkov Publications
BM538.H43 F55 2001
more...
- Birth Control in Jewish law
By David M. Feldman
New York : New York University Press
KBM3124 .F45 1968
more...
- The Medical Halachah for Everyone: Comprehensive Guide to Medical Halacha
By Lev Avraham and Nishmat Avraham, & Abraham S. Abraham;
Translated by authors & Naomi S. Cohen
Jerusalem ; New York : Feldheim Publishers
BM538.M4 A27 1990
- Encyclopedia of Jewish Medical Ethics
By Avraham Steinberg
Translated by Fred Rosner
Jerusalem, Israel ; Nanuet, NY : Feldheim Publishers
3 vols.
BM538.H43 S7413 2003
- Jewish Bioethics
Edited by Fred Rosner & J. David Bleich
Hoboken, NJ : KTAV Pub. House
BM538.H43 J47 1999
- Jewish Ethics and the Care of End-of-Life Patients
Edited by Peter Joel Hurwitz, Jacques Picard, and Avraham Steinberg
Translations by Benjamin Sklarz
Jersey City, N.J. : KTAV ; Basel, Switzerland : Institute for Jewish Studies, University of Basel, c2006
BM635.4 .J384 2006
- Matters of Life and Death : A Jewish Approach to Modern Medical Ethics
By Elliot N. Dorff
1st ed.
Philadelphia : Jewish Publication Society, 1998
BM538.H43 D68 1998
- Medicine and Jewish Law
Edited by Fred Rosner
Northvale, N.J. : J. Aronson
BM538.H43 M43 1990
- Modern Medicine and Jewish Ethics
By Fred Rosner
2d ed.

Family Law

- Between Civil and Religious Law : The Plight of the Agunah in American Society
Irving A. Breitowitz
Westport, Conn. : Greenwood Press
KF536 .B74 1993
- Moredet : A Study of the Rebellious Wife and Her Status in Initiating Divorce in Jewish Law
By Shlomo Riskin
Thesis (Ph.D.)—New York University, 1982
BM521 .R575 1983
- Tears of the Oppressed : An Examination of the Agunah Problem
By Aviad Hacohen
Foreword by Menachem Elon & Edited by Blu Greenberg
Jersey City, NJ : Ktav Pub. House
KBM550.5 .H33 2004

Gender & Law

- Women and Jewish Law : An Exploration of Women's Issues in Halakhic Sources
By Rachel Biale
New York : Schocken Books, 1984
KBM526 .B53 1984
- Women and Jewish Law : The Essential Texts, Their History, and Their Relevance for Today
By Rachel Biale
New York : Schocken Books : Distributed by Pantheon Books
BM729.W6 B52 1995

Study Aid & Guides

Jewish Legal Reasoning

- Analysis and Argumentation in Rabbinic Judaism
By Jacob Neusner
Lanham, MD : University Press of America
BM496.5 .N4775 2003
more...
- The Open Canon : On the Meaning of Halakhic Discourse
By Avi Sagi
Translated by Batya Stein
New York, NY : Continuum
BM520.6 .S23413
2007
more...


Guides




- Basic Books and Periodicals on Jewish Law: A Guide for Law Librarians
Article by Phyllis Holman Weisbard
Law Library Journal, Vol. 82, Issue 3 (Summer 1990), pp. 519-530
- The Blackwell Companion to Judaism
Via OhioLink. Edited by Jacob Neusner, Alan J. Avery-Peck
Malden, MA : Blackwell Publishers, 2000
BM42 .B54 2000
- An Introduction to Legislation in Jewish Law, with References to the American Legal System
Article by Samuel J. Levine
Seton Hall Law Review, Vol. 29, Issue 3 (1999), pp. 916-936
- An Introduction to the History and Sources of Jewish Law
Edited by Neil S. Hecht
New York : Oxford University Press
BM520.5 I5 1996
- Jewish Law (Mishpat Ivri) : Cases and Materials
By Menachem Elon
New York : Matthew Bender
KBM524 .J49 1999
- Jewish Law : Bibliography of Sources and Scholarship in English
By Phyllis Holman Weisbard, David Schonberg
Littleton, CO : F.B. Rothman
English
Z6374.L4 W45 1989
more...
- Judaism in America
By Marc Lee Raphael
New York : Columbia University Press
BM205 .R37 2003
- The Legal System of Jewish Law
Article by Menachem Elon
International Law and Politics, Vol. 17, Issue 2 (Winter 1985), pp. 221-244
- Research of Jewish Law Issues: A Basic Guide and Bibliography for Students and Practitioners
Article by Chad Baruch and Karsten Lokken
University of Detroit Mercy Law Review, Vol. 77, Issue 2 (Winter 2000), pp. 303-320
- Teaching Jewish Law in American Law Schools: An Emerging Development in Law and Religion
Article by Samuel J. Levine
Fordham Urban Law Journal, Vol. 26, Issue 4 (April 1999), pp. 1041-1050

Journals & Articles

Journals Devoted to Jewish Law

- Alei Mishpat (Law Leaves) 

Publisher: Ramat Gan College of Law
Digital: Full Text from HeinOnline (1999-2010)
- Israel Law Review 

Call No.: K9 .S7
Print copies: 1966~2000
Digital: Complete Full Text from HeinOnline: 1966~2010 ; Selective Digital Full Text from Lexis-Nexis Academic: 1999-11-02~present
- Jewish Law Annual

Call No: KBM80.A1 J4
Print Issues: Vol. 1 - present
- Journal of Law and Religion

Publisher: Hamline University School of Law and Council on Religion and Law
Call No.: K10 .O8732
Print copies: (1983~present)
Digital: Full Text HeinOnline: (1983~2012); Full Text Academic Search Complete: (2003-04-01 ~ present); Full Text Westlaw Journals and Law Reviews (Username/ Password Authentication): Selective Issues (1993~present)

Selected Articles on Jewish Law

Note: Law review articles on Jewish law are published in a variety of mainstream law reviews.

- Resources to Begin the Study of Jewish Law in Conservative Judaism

Author: David Hollander
Citation: 105 Law Libr. J. 305 (2013)
- The Recent Transformation of Medical Liability in Jewish Law

Author: Steven F. Friedell
Citation: 14 DePaul J. Health Care L. 441 (2011-2013)
- Patient Autonomy in the Dying Process and Brain Death: Jewish Law and Its Role in Recent Israeli Biomedical Legislation

Author: Danial Sinclair
Citation: 35 Hamline L. Rev. 591 (2012)
- The Hidden Influence of Jewish Law on the Common Law: One Lost Example

Author: Michael J. Broyde
Citation: 57 Emory L.J. 1403 (2007-2008)
- Jewish Law and Socially Responsible Corporate Conduct

Author: Steven H. Resnicoff
Citation: 11 Fordham J. Corp. & Fin. L. 681 (2005-2006)
- Liability for environmental damage: An American and Jewish legal perspective

Author: Daniel Pollack
Citation: 19 Temple Envir. & Tech. L. J. 77 (2000-2001)
- Murder by Gruma: Causation in Homicide Case Under Jewish Law

Authors: Irene Merker Rosenberg, Yale L. Rosenberg, Bentzion S. Turin
Citation: 80 B.U.L. Rev. 1017 (2000)
- Teshuva: A Look at Repentance, Forgiveness, and Atonement in Jewish Law and Philosophy and American Legal Thought

Author: Sam Levine
Citation: 27 Fordham Urban Law Journal 1677 (2000)
- Method in Jewish Bioethics: An Overview

Author: Dena S. Davis
Citation: 20 J. Contemp. L. 325 (1994)

Citations

Mishneh Torah Citation

Citation structure: cited by section name, chapter number, and paragraph number.

MT, Nizkei Mamon 1:1

MT = Mishneh Torah

Nizkei Mamon = section Nizkei Mamon, damages caused by property

1:1 = refers to chapter 1, paragraph 1

Shulchan Arch: Citation

Citation structure: cited by part, chapter, and paragraph number.

Sh. Ar. HM 201:1

Sh. Ar. = publication name: *Shulchan Arch*

HM = part name: Hoshen Mishpat

201:1 = refers to Chapter 201 and paragraph 1

Research Strategies

Time Line		
Date	Jewish Legal Sources	People & Events
1700 BCE - 150 BCE	<i>Torah</i> (Hebrew Bible)	
1700 BCE		Abraham
1290 BCE		Exodus from Egypt
1000 BCE		David
722 BCE - 586 BCE	Biblical Laws & Prophets	
722 BCE		Fall of Northern Kingdom; 10 tribes become "lost"
586 BCE		Fall of Southern Kingdom, Exile from Babylonia
516 BCE		Return of some Jews to Israel under Haggai & Zechariah
444 BCE	Canonization of Torah	Ezra; Development of synagogue and prayer service; canonization of Torah; Establishment of the Men of the Great Assembly (Sanhedrin)
444 BCE - 70 CE		Oral Tradition Develops
70 CE - 220 CE		Organization of Oral Law: Tannaim Period
	<i>Mishnah</i> : R. Judah HaNasi	R. Judah HaNasi
	<i>Tosefta</i> : R. Hiyya & R. Oshaiah	R. Hiyya & R. Oshaiah
	<i>Baraitot</i> [known through appearance in <i>Gemara</i>]	
	<i>Midrash Halakhah</i> [Legal Interpretations of Biblical Verses]	
	<i>Mekhilta on Exodus</i>	
	<i>Sifra on Leviticus</i>	
	<i>Sifre on Numbers and Deuteronomy</i>	
220 - 500		Amoraim Period
400	<i>Jerusalem Talmud</i> (Gemara) [same order as Mishnah]	
500	<i>Babylonian Talmud</i> (Gemara): compiled by Ravina & Rav Ashi [same order as Mishnah]	Ravina & Rav Ashi compiled Babylonian Talmud c. 500 C.E.
500 - 650		Saboraim Period
650 - 1050		Geonim Period (in Babylonia)
	Respona Literature	
1000 - 1250		Commentators & Early Posekim, in Spain, France, & North Africa)
1013 - 1073		R. Issac of Fez ("Alfasi," "Rif")
1040 - 1105		R. Sh'lomo Yitzhaki ("Rashi")
c. 1100 - 1275	<i>Tosafot</i> : Rabbenu Tam, Ri, etc.	Rabbenu Tam, Ri, etc.
1135 - 1204	<i>Mishneh Torah & The Guide for the Perplexed</i> : Maimonides ("Rambam")	Maimonides ("Rambam")
c. 1250 - 1550		Rishonim Period, in Spain, France & North Africa
1195 - 1270		R. Moses ben Nahman (Nahmanides, "Ramban")
1233 - 1310		R. Solomon ben Abraham ibn Adret ("Rashba")
1250 - 1327		R. Asher ben Yehiel ("Rosh," "Asheri")
1270 - 1343	<i>Araah Turim</i> ("The Tur"), <i>Orah Hayyim</i> , <i>Yoreh Deah</i> , <i>Eben-Ha-Ezer</i> , <i>Hoseh'n Hamishpat</i> : R. Jacob ben Asher	R. Jacob ben Asher
1565	<i>Shulhan Arukh</i> [the order of the Tur]: R. Joseph Caro	R. Joseph Caro
1565 - present		Aharonim Period, primarily in Eastern Europe
c. 1650	<i>Turei Zahav</i> ("Taz"): R. David ben Samuel Hal'evy	

Structure of Babylonian Talmud

Using Babylonian Talmud

Extremely hard to navigate. It is suggested that researchers use secondary treatises to locate relevant citations. Using the Talmud in conjunction with contemporary treatises and major law codes is the easiest way to conduct your research. However, a Talmudic reference will almost always be necessary when citing to Jewish law.

For more on understanding a page of Talmud, see: **Guide to Layout of Talmud Page**

Talmud: Structure



Two Types: There are two different Talmuds: the **Babylonian Talmud** and the **Jerusalem Talmud** (Hebrew Transliteration: *Talmud Yerushalmi*).

Preferred Talmud: The **Babylonian Talmud** (Hebrew Transliteration: *Talmud Bavli*) is the most complete and more widely used and cited. The **Babylonian Talmud** contains the **Mishnah** and the Babylonian **Gemara**. But not every Mishnah tractate is in the Babylonian Talmud. The Babylonian Talmud is the newer talmud and consists of documents compiled in the 3rd to 5th centuries in Mesopotamia, later known as Iraq.

Talmud Contents: A reference to the term "Talmud" is universally considered a reference to the Babylonian Talmud. The **Talmud** is a collective term for several individual works: **Mishnah, Gemara, and Commentaries**- Most authoritative appear within the pages of Talmud.

Using Jewish Legal Codes

Mishneh Torah: Selected Civil Laws**Book 4: Sefer Nashim** (Women):

1. *Hilchot Ishut*: laws of marriage, including kiddushin and the ketubah
2. *Hilchot Geirushin*: laws of divorce
3. *Hilchot Yibum va-Chalitzah*: laws of levirate marriage
4. *Hilchot Na'arah Betulah*: the law of a man who seduces or rapes an unmarried woman
5. *Hilchot Sotah*: laws concerning a woman suspected of infidelity

Book 11: Sefer Nezikin (Damages): criminal and tort law

1. *Hilchot Nizkei*: laws of damages caused by property
2. *Hilchot Genevah*: laws of theft
3. *Hilchot Gezeleh v-Avedah*: laws of robbery and lost property
4. *Hilchot Chovel u-Mazzik*: laws of wounding and damaging
5. *Hilchot Rotzeah u-Shemirat ha-Nefesh*: laws of homicide and preservation of life

Book 12: Sefer Kinyan (Acquisition): laws of the marketplace

1. *Hilchot Mechirah*: laws of sales
2. *Hilchot Zechiyah u-Matanah*: laws of entitlements and gifts
3. *Hilchot Sechenim*: laws of neighbors
4. *Hilchot Sheluchin*: laws of agency and partnership
5. *Hilchot Avadim*: laws of slaves

Book 13: Sefer Mishpatim (Civil Law): civil law

1. *Hilchot Sechirut*: laws of leasing and hiring
2. *Hilchot Sh'elah u-Fikadon*: laws of borrowing and bailment
3. *Hilchot Malveh ve-Loveh*: laws of creditor and debtor
4. *Hilchot To-en ve-Nitan*: laws of plaintiff and defendant
5. *Hilchot Nachalot*: laws of inheritance

Book 14: Sefer Shofetim (Judges): the laws relating legislators, the Sanhedrin, the king, and the judges.

1. *Hilchot ha-Sanhedrin v'ha-Onshin ha-Mesurin Lahn*: Laws of Sanhedrin and its penal jurisdiction
2. *Hilchot Edut*: laws of evidence

Shulchan Aruch: Structure

Shulchan Aruch is divided into four parts. Each part is divided into sections (halachot), each section is subdivided into chapters (simanim), and each chapter is subdivided into paragraphs that contain the law (se'if, pl. se'ifim).

Parts:

- **Orach Chaim** (laws addressing daily religious ritual observance)
- **Yorsh De'ah** (laws addressing ritual observance such as kashrut, circumcision, burial, and mourning)
- **Even ha-Ezer** (family law)
- **Hoseh Mishpat** also **Choshen Mishpat** (civil and criminal laws)

Mishneh Torah Citation

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HM = part name: Hoshen Mishpat

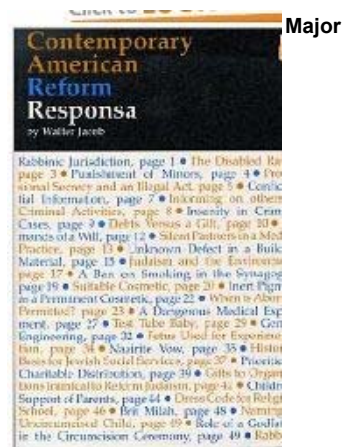
201:1 = refers to Chapter 201 and paragraph 1

Using Responsa

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- American Reform Responsa: 1889-1983**
 Edited by Walter Jacob
 New York : Central Conference of American Rabbis
 BM197 .C46 1983
- Contemporary American Reform Responsa**
 Edited by Walter Jacob
 New York : Hebrew Union College Press : Central Conference of American Rabbis
 BM197 .J33 1987
- Contemporary Halakhic Problems**
 By J. David Bleich
 Library of Jewish Law and Ethics
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 4 vols.
 BM520.3 .B5
more...
- Jewish Law : Bibliography of Sources and Scholarship in English**
 By Phyllis Holman Weisbard, David Schonberg
 Littleton, CO : F.B. Rothman
 English
 Z6374.L4 W45 1989
more...
- Jewish Law : History, Sources, Principles**
 By Menachem Elon
 Translated from the Hebrew by Bernard Auerbach & Melvin J. Sykes
 Philadelphia : Jewish Publication Society
 4 vols.
 English
 BM520.5 .E4313 1994
more...

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Major

Problems: Researching Responsa is difficult, especially for the nonexpert. There are over 300,00 known responsa, in 3,000 books. There is no comprehensive digest of these decisions. Most compilations of responsa are organized according to the subject structure of *Shulchan Aruch*. However, an individual compilation often lacks indices or digests. They are also not translated into English.

Useful Strategy: The best available strategy is to locate one of several major translated compilations and check for the desired topic.

Glossary

Terms

Aggadah (Aramaic: אגדה ; pl. *aggadot*; definition: tales, lore) Aggadah refers to the nonlegal or narrative material used as parables, maxims, or anecdotes in the Talmud and other rabbinical literature. These stories serve to illustrate a law, custom, or Biblical passage being discussed or to introduce a different, unrelated topic.

Arba'ah Turim (Hebrew: ארבעה טורים), often called simply the **Tur**, is a Code of Laws composed by Rabbi Jacob ben Asher (1270 - 1340). **Arba'ah Turim** has a four-part structure, and is divided into chapters (*simanim*).

Amoraim (sing. Amora; Hebrew: אמורא) The rabbis of the Gemara. *Amoraim* focused on clarifying the positions, words and views of the *Tannaim*, the rabbis of the Mishnah. The Amoraim debates and exchanges form the "building-blocks" of the gemara.

Babylonian Talmud see **Talmud**.

Baraitot (singular: Baraita; def: outside) a traditional Jewish interpretation or statement of biblical law dating from the tannaitic period but not included in the **Mishnah**.

BCE This is the abbreviation for Before the Common/Current/Christian Era (an alternative to Before Christ, abbreviated BC). The notation includes a year zero and the two notations (CE/BCE and AD/BC) are numerically equivalent; thus "2012 CE" corresponds to "AD 2012" and "399 BCE" corresponds to "399 BC."

Chumash (Hebrew: חומש) is a term for **Torah** in printed book form, as opposed to scribed on a scroll. A more formal term is **Hamishah Humshei Torah**, "five fifths of Torah," the Hebrew name for the Five Books of Moses.

Even Ha'ezer (The Stone of Help) in common usage may refer to an area of Jewish law related to marriage, divorce, and sexual conduct. Originally, it was a work by Rabbi Jacob ben Asher in the **Arba'ah Turim**. Later, Rabbi Yosef Karo modeled the framework of his own compilation of practical Jewish law, the **Shulchan Aruch**, after the Arba'ah Turim. Many later commentators used this framework as well. Thus, "Even Ha'ezer" in common usage may refer to an area of halakha non-specific to Rabbi Jacob ben Asher's compilation.

Gemara (Other Transliterations: Gemora, Gemarah, Gemorra; Aramaic: גמרא ; Definition: "[to] study" or "learning by tradition") This is the component of the **Talmud** comprising rabbinical analysis of and commentary on the **Mishnah**.

Gloss (from Latin: *glossa*, from Greek: γλῶσσα *glóssa*, lit. "language") is a brief marginal notation of the meaning of a word or wording in a text. It may be in the language of the text, or in the reader's language.

Halakha (also **Halacha**, Hebrew: הלכה; pl. *halakhot*; definition: Jewish Law) The term derives from the root that means "to go" or "to walk." For purposes of this Guide, Halakhah refers to the whole legal system of Judaism, embracing all laws and observances. This includes **Mitzvot**, **Talmud** and **Mishnah**, as well as customs and traditions. Halakhah guides not only religious practices and beliefs, but numerous aspects of day-to-day life. Halakha is different than **Aggadah**. Specifically, it refers to the body of Jewish law supplementing the scriptural law and forming especially the legal part of the **Talmud**.

Hoshen Mishpat ("Breastplate of Judgement") . The term refers to an area of halakha or Jewish law pertinent to finance, torts, legal procedure and loans and interest in Judaism. The term originates from a section in a work by Rabbi Jacob ben Asher's called **Arba'ah Turim**. Later, Rabbi Yosef Karo modeled the framework of his own compilation of practical Jewish law, the **Shulkhan Arukh** after the **Arba'ah Turim**. Many later commentators used this framework and title.

Jewish Law see: **Halakha**

Masekhtot (Hebrew: מסכת; lit. "web", **masekhet**, sing.) Hebrew *tractates* are sections of the **Talmud** dealing with specific subjects. Each masekhet is divided into chapters, and each chapter is made up of individual laws.

Mekhilta (Aramaic: מכילתא, a collection of rules of interpretation) is a halakhic midrash to the book of Exodus. The name "Mekhilta", corresponds to the Hebrew "middah" (= "measure," "rule"), and is used to denote a compilation of Scriptural exegesis ("middot"; comp. Talmudical Hermeneutics).

Mishnah (also *Mishna*, Hebrew: משנה, Definition: repetition, also secondary) This is the first major written redaction of the Jewish oral law. It is also the first major work of Rabbinic Judaism. The Mishnah consists of six **sedarim**, each containing 7–12 **tractates** (pl. *masekhtot*, singular: *masechet*, Hebrew: מסכת; Definition: "web"). There are a total of 63 tractates in the Mishnah, and further subdivided into chapters and paragraphs or verses. The word *Mishnah* can also indicate a single paragraph or verse of the work itself, i.e. the smallest unit of structure in the Mishnah. The rabbis of the Mishnah are known as **Tannaim** (sing. *Tanna* תנא).

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