



Introduction to the Mishneh Torah: Its Structure and Purpose

Maimonides' Mishneh Torah is undoubtedly the most significant addition to Torah literature since the completion of the Talmud. A presentation of the entirety of the Oral Tradition in a single volume, formulated by one of the greatest halachic and philosophical minds of all time, the Mishneh Torah revolutionized the manner in which Torah was taught and studied world over. Authors of subsequent works of Jewish Law could imitate or attempt to criticize Maimonides' contributions, but no one could ignore the decisive impact he had on the world of Jewish learning at large.

No one could deny the sheer breadth and depth of the Mishneh Torah, and these factors alone earned it a place in the vast library of Rabbinic literature. The opinions of the Rambam on halachic matters had to be reckoned with – and indeed, they were discussed, debated, analyzed and used as a lens through which the words of the Talmud could be better comprehended. The Mishneh Torah became an essential “companion” to the study of Mishnah and Gemara, a new and powerful tool in the hands of traditional Rabbinic scholars. Yet despite the fact that the influence of the Mishneh Torah on the world of Jewish learning was immeasurable, I would argue that the work ultimately failed to achieve the goals for which the Rambam composed it in the first place. What leads me to make such a bold statement?

Simply put, even a cursory examination of the format of the Mishneh Torah reveals that it was *not meant to be used as an aid to Talmud study*. Unlike any exposition of the Oral Torah that existed previously, the Rambam's work is a “*hibbur*” – a free-standing, independent text designed to be studied on its own terms and without reference to or reliance upon other Rabbinic source materials. It is organized into books, subsections and chapters that do not mirror the divisions found in the Talmud. These features of the Mishneh Torah point to the fact that it was never intended to serve as a commentary on earlier Rabbinic volumes. Its purpose was far more radical – to completely revolutionize our approach to learning and teaching the Oral Torah.

From the Talmud to the Rambam

Anyone who has some familiarity with the Talmud knows that it is a daunting work. Aside from its sheer volume and complexity – themselves quite intimidating – the Talmud presupposes that its students possess vast amounts of background knowledge even before opening it. No introduction is provided. Premises are not spelled out in an explicit fashion. Advanced theoretical questions are raised and debates ensue, yet the importance of the issues involved is generally taken for granted. Anyone seeking an elementary Torah education will be seriously disappointed by the Talmud, which invariably seems to the newcomer like a disorganized hodgepodge of rather trivial arguments.

I have often observed in the past that reading the Talmud is like perusing the pages of an academic journal. One who has a foundation in the discipline treated by the journal will appreciate the meaning and significance of its articles, their context and purpose. He or she will leave further edified and maybe even enlightened. On the other hand, an uninitiated individual will be rebuffed by the abundance of technical jargon, unfamiliar topics, obscure references and technical methodology. He will close the journal more confused and frustrated than he was before opening it.

The reason for the difference in reactions is that professional journals are not the appropriate place to begin one's education; they are published for people who have already established themselves as scholars and experts in their respective fields. Students who wish to become experts must start with a healthy diet of comprehensive and clearly organized textbooks. Such books are designed to introduce readers to the basic principles of a given area of inquiry in a more explicit manner. Only after traversing this elementary stage of training can they hope to explore the more abstruse and challenging aspects of their fields of interest – namely, the kinds of questions and problems that experts grapple with in prestigious journals.

The target audience of the Talmud is similar to that of an academic journal. It is intended for people who have already mastered the Written Torah – i.e., the Bible – and who have a well-developed grasp of the fundamentals of the Oral Torah. Indeed, even the Mishnah, which is widely regarded as a simpler, more basic presentation of the Oral Law, is only really accessible to a person who has elementary knowledge of its subject matter from the outset. The Mishnah deals with the application of Jewish legal principles to highly specific and sometimes very complex cases. Its arguments are far less extensive and confusing than those of the Gemara, so in a certain sense it is less intimidating. But the Mishnah rarely provides us with any context or background information before entering into abstruse discussions of difficult material. It is by no means a self-sufficient source of knowledge of the Oral Torah, and was certainly not designed to be an introductory work on the subject.

A brief example will clarify this point. The first Mishnah in the Talmud dives into a discussion of the official deadline for reciting the Shema in the evening. Three rabbinic opinions on this issue are cited, and one of them is illustrated with an anecdote. Yet the

Mishnah never bothers to establish the existence of a mitzvah to read the Shema in the evening to begin with! How are we supposed to know that we are commanded to recite Shema at night, and that this commandment has a specific deadline? Apparently, the Mishnah was composed with the assumption that its readers would already be well aware of such basic facts, and therefore goes about the business of dealing with unusual cases that demand more intense analysis and lend themselves to scholarly debate. In summary, then, the resemblance of the Talmud's style and content to those of an academic journal is striking.

The similarity of the Rambam's Mishneh Torah to a textbook is equally remarkable. It is sequentially ordered, beginning with the most fundamental principles in the Oral Torah and then proceeding to build upon them. It is organized around clearly identifiable themes derived from the Written Law – embodied in the names of its Books and the Biblical verses linked to each of them – and structured in a way that enables every student to perceive the logical consistency, coherence and beauty of the Oral Tradition.

Maimonides' Mission

Maimonides saw that many Jews, and even some scholars, had lost their sense of the unity and cohesiveness of the Oral Torah. They studied the principles of halacha as if those principles were random, arbitrary rules rather than components of a comprehensive system. They were no longer guided by a vision of the overarching harmony of the Oral Law – a core vision which was taken for granted by the authors of the Mishnah and Gemara and which silently informed and shaped their scholarly discussions. The external features of the Talmud – its apparent disorganization, free associative style and focus on minutiae – had tragically begun to obscure the true nature of the Oral Law in the minds of its practitioners. The forest was slowly receding from view on account of the trees.

In light of our analogy to professional journals, we can appreciate the reason why this problem emerged in the first place. Imagine a world in which textbooks did not exist. With only libraries of academic periodicals to read from, how many students would form a comprehensive grasp of their fields of study? How many of them would be able to reconstruct the intellectual context in which the scholarly debates they read made sense? Without a doubt, most students would wind up with a hodgepodge of information and ideas about their discipline, but with little or no appreciation for the underlying unity of the field in question. This library collection of professional journals is exactly the kind of thing we are presented with in the Talmud and its commentaries – documents written for scholars by scholars, and in which the underlying conceptual framework is presupposed but never articulated.

As long as the Oral Tradition still existed in its original form, this phenomenon didn't pose any problem – the fundamental principles of halacha were communicated verbally, from teacher to student, for generations, and the texts were looked upon as nothing more than erudite notes for reference and discussion. The difficulty started to foment when the process of oral transmission began to break down. People became overly reliant on the

texts for guidance, and were forced to try and “reconstruct” the field of Oral Torah from the pages of the “professional journals” they had received from their predecessors. It should come as no surprise that an educational crisis ensued – and indeed, we continue to feel the effects of this disaster in the world of Torah learning today.

One illustration of the lamentable effects of this calamity will suffice. More people have completed study of the Talmud in our generation than ever before, thanks to the Daf Yomi movement. Yet for most of these individuals, the debates in the Gemara remain isolated “sugyot” – topics for discussion and analysis – and are never placed in any broader, more intuitive conceptual framework. The collection of details they have amassed is not transformed into a systematic understanding of any particular mitzvah, let alone an integrated vision of the Oral Torah as a whole. And this leads to a diminishing of the honor due to Torah – it is dismissed as somehow less majestic, intellectually impressive or coherent than other fields of knowledge, when, in reality, the opposite is the case!

The Sagacious Solution

Maimonides, in his Mishneh Torah, provides us with the solution to this dilemma. The textbook paradigm he employs serves to introduce the student to the vast world of halachic study in a pedagogically sound manner, *before* exposing him to the abstruse nuances and advanced technicalities of the Mishnah and Gemara. By presenting the entire Oral Torah as a unified system of thought – rooted in the intuitive wisdom of the Written Law, founded on clear theoretical principles, refined and synthesized into a comprehensive program for learning and life – the Rambam teaches our minds to swim gracefully and thus saves us from drowning in the Sea of the Talmud.

This is the first in a series of Mishneh Torah studies dedicated to using Maimonides’ magnum opus as *the* introductory textbook of Jewish Thought. By so doing, we hope to clarify and deepen our understanding of Judaism on multiple levels. In the next installment of our course, we will begin an in-depth examination of the Rambam’s preface. Specifically, we will focus on the verses from the Bible that Maimonides selected as epigraphs for the Mishneh Torah, and what they teach us about the philosophy behind Jewish Law in general.