

# Teachings from Tractate Eduyot

## Introduction

After the destruction of the Temple in 70 CE, the Sanhedrin met to record Jewish laws based on the “testimonies” (*eduyot*) of the people and the surviving students of the many rabbis who were killed in the uprising. Decisions were by majority vote. Tractate *Eduyot* in the Mishna summarizes some of these testimonies.

## Don’t be dogmatic

Why do we mention the opinions of Hillel and Shammai, only to pronounce them invalid? [We do it] to teach future generations that a person should not stand [stubbornly] by his opinion [in the face of evidence to the contrary]. [Eduyot 2a]

The schools of Hillel and Shammai recanted when presented with traditions that contradicted their teachings (even by ordinary weavers!).

Don't be dogmatic. It prevents you from getting at the truth. [The Tiferet Israel, 19<sup>th</sup>-century Germany]

A foolish consistency is the hobgoblin of little minds. [Ralph Waldo Emerson, Self-Reliance, 1841]

## Why record minority opinions?

Why do we [even] mention minority opinions? So a later Sanhedrin can vote to adopt them, if it is greater in number and wisdom. [Eduyot 2a]

The opinions of great sages, even when voted down, must be preserved.

## The story of Akavia ben Mahalal’el

Akavia ben Mahalal’el testified [and gave opinions] concerning four things.

They said to him: Akavia, [you are in the minority, so] withdraw these four things and we will make you Chief Justice of the Court [*Av bet din*] in Israel.

He said to them: It is better for me to be called a fool all my days [for refusing your offer] than to become even for one moment a wicked man in the sight of God [by denying the tradition I heard from my teachers]. And let not men say: He withdrew his opinions for the sake of getting power ...

At this point, they placed him under *cherem* [excommunication] him, and he died under *cherem* ...

In the hour of his death he said to his son: Withdraw the four opinions I championed.

[His son] said to him: Why did you not withdraw them yourself?

He said to him: I heard them from a majority and [the rabbis] heard [the opposite] from a majority. I upheld what I heard, and they upheld what they heard. But you heard it from one individual [me] and you heard a majority [against me]. It is better to forsake the words of an individual and to adopt the words of the majority.

He said to him: Father, recommend me to your colleagues.

He said to him: I will not recommend you.

He said to him: Have you found anything wrong in me?

He said: No, but your own deeds will [speak for you].

[Eduyot 7b]

## **All laws were given to Moses on Mount Sinai**

Rabbi Joshua said: I have received a tradition from Rabban Yohanan ben Zakkai, who heard it from his teacher, and his teacher [heard it] from his teacher, as a halachah [given] to Moses from Sinai. [Eduyot 9b]

Tradition holds that all laws, regardless of when enacted, were given to Moses on Mt Sinai.

## **When Elijah returns, he will solve problems**

Elijah will not come to pronounce [people] unclean or clean, to reject or accept people [that is, he will not reveal hidden or unknown family blemishes], but to reject those accepted by force and to accept those rejected by force. ...

Rabbi Yehudah says: [He will] accept, but not reject.

Rabbi Shim'on says: [He will] resolve the disputes [among the Sages].

And the Sages say: [He will] neither reject nor accept, but make peace in the world [among all people.] For it is said [in Malachi]:

Behold, I will send the prophet Elijah to you ... and he shall turn the heart of the fathers to the children and the heart of the children to their fathers.

[Malachi 3:23-24]

[Eduyot 9b]