

Texte und Studien zum Antiken Judentum

26

Marcus van Loopik

The Ways of the Sages and the Way of the World



Texte und Studien zum Antiken Judentum

herausgegeben von
Martin Hengel und Peter Schäfer

26

The Ways of the Sages and the Way of the World

The Minor Tractates of the Babylonian Talmud:
Derekh 'Eretz Rabbah
Derekh 'Eretz Zuta
Pereq ha-Shalom

Translated on the basis of the manuscripts
and provided with a commentary
by

Marcus van Loopik



J. C. B. Mohr (Paul Siebeck) Tübingen

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Preface

The texts in this book contain the translation and commentary of the Derekh 'Eretz tractates. The book may contribute to a better understanding of early rabbinical literature. The interpretation of these tractates leads us to a deeper insight into the relation between law and morality and between the law and the spirit of the law. It shows us the customs, rules, and the way of life of the Torah scholars and of Early Chasidim. It also shows us the spiritual and social background of the New Testament and of the rabbinical period of the first centuries and later.

Some years ago Rabbi Y. Aschkenasy from Hilversum asked me to accept the heavy task of making a new critical edition of the Derekh 'Eretz tractates. I decided to carry the plan into execution, because I knew the need of a new critical translation and commentary of these texts and because of the great importance of these texts for the history of the Jewish religion and its ethical insights. The existing translations are lacking for critical notes and do not supply much parallels and commentary. During the research I could make use of the manuscript-copies, which were collected by Rabbi Y Aschkenasy.

I express thanks to Drs. T. de Bruin and Drs. D. van Uden, who did much work by collating a great part of the Mss. I also express my thanks to the "Makhon Kitbei Jad" in Jerusalem for the supply of photographs and micro-films of Mss. and I am very grateful to Mrs. K. Deen, who translated the text and the commentary from Dutch into English. The translation was subsidized by the B. Folkertsma-foundation for Talmudic Studies in Hilversum. Three years of the research were subsidized by the Dutch Organisation for Scientific Research (N.W.O.). I hope that this study may be of value to all who desire to study rabbinic literature and to learn from the words of the sages.

Great is the Torah for it gives to those that practise it life in This world and in the World to Come, as it is said: "For they are life to those that find them and health to all their flesh" (Prov. IV,22). M'Abot VI,7.

Marcus van Loopik

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List of abbreviations

'Ab. Zar.	'Abodah Zarah
'Ar.	'Arakhin
A. R. N.	'Abot de-Rabbi Natan
A. S. T. I.	Annual of the Swedish Theological Institute
Ag. Ber.	Aggadat Be-Reshit
Ag. Sam.	Aggadat Samuel
Am.	Amos
Ant.	Antiquitates
– B. B.	Baba Batra
– B. M.	Baba Metzi'a
– B. Q.	Baba Qama
Bam. Rab.	Ba-Midbar Rabbah
Bar.	Baruch (Barukh)
Beg.	Beginning
– Bekh.	Bekhorot
Bel.	Bellum Judaicum (The Jewish War)
Ber. Rab.	Be-Reshit Rabbah
– Ber.	Berakhot
– Bik.	Bikkurim
C. E.	Christian Era
ca.	circa
Cant.	Canticles
cat.	catalogue
cf.	confer (conferatur)
chap.	chapter
char.	character
Chron.	Chronicles
curs.	cursorius (in italics)
D. E. R.	Derekh 'Eretz Rabbah
D. E. Z.	Derekh 'Eretz Zuta
Dan.	Daniel
De Virt.	De Virtutibus
De Spec. Leg.	De Specialibus Legibus
Deb. Rab.	Debarim Rabbah
– Dem.	Demai
Dt.	Deuteronomium
E. J.	Encyclopedia Judaica
'Eb. ha-'Ez.	'Eben ha-'Ezer
ed.	edition; editor; edidit

– ‘Ed.	‘Eduiot
‘Eikh. Rab.	‘Eikhah Rabbati
En.	Enoch
- ‘Er.	‘Erubin
Est.	Esther
Ex.	Exodus
Ez.	Ezekiel
fol.	folio (foliant)
Gad.	Gadol
Gal.	Galatians
Gen.	Genesis
Germ.	German
Gerush.	Gerushin
Gez.	Gezeilah
– Git.	Gittin
h.	halakhah
H. T. R.	Harvard Theological Review
– Hag.	Hagigah
Heb.	Hebrew
Hebr.	Hebrew; Hebrews
Hil.	Hilkhot
– Hor.	Horaiot
Hos.	Hosea
Hosh. Mishp.	Hoshen Mishpat
HUCA	Hebrew Union College Annual
– Hul.	Hullin
Is.	Isaiah
Isr.	Israelitish
‘Issur. Bi’ah	‘Issurei Bi’ah
J. B. L.	Journal of Biblical Literature
J. Q. R.	Jewish Quarterly Review
J. Th. S.	Jewish Theological Seminary
Jac.	Jacobus (James)
Jad	Jad ha-Hazaqah = Mishneh Torah
Jalq.	Jalqut (Shim’oni)
Jalq. ha-Makh.	Jalqut ha-Makhiri
Jalq. Re’ub.	Jalqut Re’ubeni
J. E.	Jewish Encyclopedia
– Jeb.	Jebamot
Jer.	Jeremiah
Jor. De’ah	Joreh De’ah
Josh.	Joshua
Jub.	Jubilees
Jub. Vol.	Jubilee Volume
Judg.	Judges
Kal.	Kallah
– Kel	Kelim

– Ker.	Keritot
– Ket	Ketubot
Lag.	Lagarde
l.c.	loco citato
Lev.	Leviticus
M-	Mishnah
M. G. W. J.	Monatschrift für Geschichte und Wissenschaft des Judentums
– Ma'as.	Ma'aserot
– Ma'as. Shen.	Ma'aser Sheni
Macc.	Maccabees
– Mak.	Makkot
– Makhsh.	Makhshirin
Mal.	Malachi
Mas. Soph.	Massekhet Sopherim
Mas.	Massekhet
Mas. Kal.	Massekhet Kallah
Mas. Kal. Rab.	Massekhet Kallah Rabbati
Mas. Sem.	Massekhet Semahot
Mat.	Matthew
– Meg.	Megillah
Mekh.	Mekhilta
Mekh. de-R. Jishm.	Mekhilta de Rabbi Jishma'el
Mekh. de-R. Shim. bar Johai	Mekhilta de Rabbi Shim'on bar Jochai
– Men.	Menahot
Mi.	Micah
Midr. Leq. Tob	Midrash Leqah Tob
Midr. Ag.	Midrash Aggadah
Midr.	Midrash
Midr. Tan.	Midrash Tanna'im
Midr. Teh.	Midrash Tehillim
Midr. ha-Gad.	Midrash ha-Gadol
– Miqw.	Miqwa'ot
Mishl.	Mishlei
– M. Q.	Mo'ed Qatan
Ms(s).	manuscript(s)
N. S.	New Series
Nah.	Nahum
– Naz.	Nazir
– Ned.	Nedarim
Neh.	Nehemiah
– Nid.	Niddah
Num.	Numeri (Numbers)
op. cit. (o.c.)	opero citato
Opp.	Oppenheimer
'Or. Haj.	'Orah Hajjim
O. S.	Old Series

par.	parashah; paragraph
per.	pereq
– Pes.	Pesahim
Pes. Zut.	Pesiqta Zutarta
Pes. Rab.	Pesiqta Rabbati
Petiht.	Petihta
P. R. E.	Pirquei de-Rabbi 'Eli'ezer
Prov.	Proverbia (Proverbs)
Ps. de-R. K.	Pesiqta de-Rab Kahana
Ps.	Psalms
– Qid.	Qiddushin
Qoh. Rab.	Qohelet Rabbah
Qoh.	Qohelet
R.	Rabbi; Rab
r.	remez
– R. ha-Sh.	Rosh ha-Shanah
R. E. J.	Revue des Etudes Juives
Rab.	Rabbah; Rabbati
Rabad	Rabbi 'Abraham ben David
Rabb.	Rabbinic
Radbaz	Rabbi David ben Solomon ibn Abi Zimra
Rambam	Rabbenu Mosheh ben Maimon
Ramban	Rabbi Mosheh ben Nahman
Ran	Rabbenu Nissim (Gerondi)
Rashba	Rabbi Shelolmo ben 'Abraham 'Adret
repr.	reprint
Riph	Rabbi Jitzhaq Alphasi
Ritba	Rabbi Jom Tob ben 'Abraham 'Asulai
Rosh	Rabbenu 'Asher
S. E. R.	Seder 'Eliahu Rabbah
S. E. Z.	Seder 'Eliahu Zuta
Sam.	Samuel
– Sanh.	Sanhedrin
Sed. 'Ol.	Seder 'Olam
Seph.	Sepher
– Shab.	Shabbat
– Sheb.	Shebu'ot
– Shebi.	Shebi'it
Shem.	Shemot
Shem. Rab.	Shemot Rabbah
– Sheq.	Sheqalim
Shir ha-Shir. Rab.	Shir ha-Shirim Rabbah
Shul. 'Ar.	Shulhan 'Arukh
sim.	siman (§)
Soph. Sal.	Sophia Salomonis
– Sot.	Sotah
Span.	Spanish

squa.	square
– Suk.	Sukkot
Syr.	Syrian
– Ta'an.	Ta'anit (Ta'anot)
– Tam.	Tamid
Tan.	Tanna'im
Tanh. (Jash.)	Tanhuma (Jashan)
Targ. Pseudo Jon.	Targum Pseudo Jonatan
Targ.	Targum
Tb-	Talmud Babli
Teh.	Tehillim
– Tem.	Temurah
– Ter.	Terumot
Test. Iss.	Testament of Issahar
Tj-	Talmud Jerushalmi
Tos-; Tos.	Tosephta
vs.	verse
Waj. Rab.	Wa-Jiqra Rabbah
Za.	Zachariah
– Zeb.	Zebahim
Zut.	Zutarta

Introduction

The Minor Tractates *Derekh 'Eretz Rabbah*, *Derekh 'Eretz Zuta*, *Pereq Ha-Shalom*

1. *The Minor Tractates*

Derekh 'Eretz Rabbah, *Derekh 'Eretz Zuta* and *Pereq ha-Shalom* are part of the so called 'Minor Tractates' of the Babylonian Talmud. *Derekh 'Eretz Rabbah* and *Derekh 'Eretz Zuta* contain mainly standards of decent behaviour and rules of etiquette customary to the circles of Tannaitic as Amoraic Torah scholars and students. *Pereq ha-Shalom* contains a collection of mainly Tannaitic and Amoraic statements concerning peace, ending with a statement about seven qualities of the sage and seven qualities of an uneducated and uncivilised person, extracted from M'Abot V,7.

The names *Derekh 'Eretz Rabbah* and *Derekh 'Eretz Zuta* are not original, as appears from the arrangement of the manuscripts of these Minor Tractates, which are part of the Babylonian Talmud. Yet, these tractates are mentioned under the names of *Derekh 'Eretz Rabbah* and *Derekh 'Eretz Zuta* (and *Pereq ha-Shalom*) in very early publications of the Talmud, together with the so called Minor Tractates: *M'Abot*, *'Abot de Rabbi Natan* [a], *Massekhet Sopherim*; *Massekhet Semahot*; *Massekhet Kallah*; *Massekhet Kallah Rabbati*; *Massekhet Derekh 'Eretz Rabbah*; *Massekhet Derekh 'Eretz Zuta*; *Pereq ha-Shalom*; *Massekhet Gerim*; *Massekhet Kutim*; *Massekhet 'Abadim*; *Massekhet Sepher Torah*; *Massekhet Tephillin*; *Massekhet Tzitzit* and *Massekhet Mezuzah*. In most Talmud editions the Minor Tractates are fit into Seder Neziqin, after *Massekhet 'Edujot*. However, in the Edition Vilna (1843) the tractates have been added after *Massekhet Baba Qamma*. *Derekh 'Eretz* is included in Ms. Munich, a manuscript of the Babylonian Talmud from the fourteenth century.¹

There is a division of opinion about the number of tractates that belong to the Minor Tractates of the Babylonian Talmud. For instance, Me'iri (*Beit*

¹ See Ms. München (1342), Kön. Hofbibliothek, (M. Steinschneider), no. 95, fol. 565b-567a. See facsimile edition of H. Strack, Leyden 1952. This Manuscript has D.E.Z. I–IX and D.E.R. III–IX, placed after M'Abot! D.E.R. I is rendered under the denominator of '*Arajot Pereq 'Aleph*' in the Mishnah-codex Kaufmann A 50, at the end of Seder Nashim; see the facsimile edition of G. Beer, Jerusalem 1968, p. 525.

ha-Behirah) and Ramban (comments on Neziqin a.1.) made an enumeration of the Minor Tractates without mentioning *Derekh 'Eretz*, *Massekhet Semahot*, *M'Abot* and *'Abot de Rabbi Natan*.² In the first edition of the Babylonian Talmud (Venice 1532) *Massekhet Semahot*, *Massekhet Kallah* and *Massekhet Sopherim* were added, but not the tractates of *Derekh 'Eretz* and *'Abot de Rabbi Natan*, which were not included until the third edition of Venice (1550).³ Probably, the parts of *Derekh 'Eretz*, which originally were autonomous units, have been integrated in the Babylonian Talmud, in some versions of it, in post-Gaonic days.

2. The concept 'derekh 'eret'⁴

In the tractates of *Derekh 'Eretz Rabbah* and *Derekh 'Eretz Zuta*, a compilation of a number of more or less aggadic statements and stories has been formed under the denominator of the concept 'derekh 'eret'. For a better understanding of what connects these statements and stories, which have, for the major part, been linked together associatively, a further explanation of the concept 'derekh 'eret' is needed.

Literally, 'derekh 'eret' means 'the way of the earth' or 'the way of the world', and the concept refers, in a broad sense, to human behaviour and human observations in general.⁵ The term 'derekh 'eret' is one of the most

² See *Derech Erez Sutta*, ed. A. J. Tawrogi, Königsberg 1858, introduction, p. I.

³ For a short survey, see introduction to *Pseudo Eliahu Zuta*, ed. M. Friedmann, Jerusalem 1969, pp. 1–2. In, for instance, the third Venician edition of the Babylonian Talmud (1550), tractates of *Derekh 'Eretz* were admitted. See also the survey of the rendering of the *Derekh 'Eretz* tractates by M. Higger, *Massekhtot Ze'ivot*, repr. Jerusalem 1970, p. 175. See also M. Steinschneider, *Catalogus Librorum Hebraearum*, Berolini 1852, copy Hildesheim 1964, no. 1405, no. 1410, no. 1636, no. 1637. C. Wolff, *Bibliotheca Hebraea*, vol. II, Bologna 1967, p. 1283, n. 139. See note 1, in Ms. Munich of the Babylonian Talmud the tractates of *Derekh 'Eretz* can be found and D. E. R. I can be found in the Mishnah Ms. Kaufmann A 50.

⁴ See in connection with the different notions of the concept 'derekh 'eret', for instance, S. Krauss, in: *R. E. J.*, XXXVII (1898), p. 37 ff. M. Higger, *Massekhtot Ze'ivot*, Jerusalem 1970, introduction, p. 1 ff. M. Kadushin, *Worship and Ethics*, A Study in Rabbinical Judaism, Northwestern University Press 1964, chap. III. M. Kadushin, *Organic Thinking*, New York 1938; repr. New York s. a., pp. 117–130 a. o.

⁵ Alternative terms are: 'orah hajjim', 'minhag (ha)-'olam', 'derekh ha-'olam', 'dar-khan shel benei 'adam', 'noheg she-be-'olam', 'minhag derekh 'eret', 'nimus 'olam', 'millei de-'alma', 'millei de-derekh 'eret'. Cf. for instance the introduction to *Pseudo Eliahu Zuta*, ed. M. Friedmann, p. 5; TbPes. 122a; TbBer. 7b; TbShab. 33b and Mas. Kal. Rab., ed. N. N. Coronel, 11a and 11b.

differentiated terms in the rabbinical tradition. The term is found only a few times in the tractates of *Derekh 'Eretz*, namely in the sense of a rule of decent conduct⁶, a rule about proper table manners⁷, and a form of refinement which may be expected of pious Torah scholars.⁸

Based on the use of the expression 'derekh kol ha-'aretz' in the Tenakh and the use of the term 'derekh 'eret' and related expressions within the rabbinical traditions, one can distinguish roughly between the following meanings. In the Tenakh the concept points to sexuality as a form of universal behaviour⁹ and to natural death of human beings.¹⁰ It is likely that, in that period, the concept has pointed to all human customs concerning sexuality and death.¹¹ In the rabbinical tradition the concept of 'derekh 'eret' points to: 1) natural processes and observations concerning fixed rules of nature's ways in general; 2) natural processes and events and man's reactions to them, which have to do with his physical existence, like, for instance, a disease with a natural course, or a natural death, or the moving of one's bowels; 3) rules concerning matters that influence health favourably or unfavourably and that are, in one way or another, related to proper care of one's body and the ways the body should function. For instance, in *Derekh 'Eretz* one finds rules concerning the visiting of the privy or the bathhouse, rules for proper dressing and undressing, nourishment, blood-letting and such; 4) sexual behaviour as a form of general human behaviour; 5) practical, normative and ethically coloured rules about sexuality and intramarital relationships; 6) work as a form of general behaviour; 7) practical and, sometimes strongly, ethically coloured rules for civilised behaviour in social contracts and especially in the conduction of trade; 8) human reactions and motives to act; 9) practical rules of life and advice; 10) standards of decent behaviour, for instance, concerning the relationships between the young and the old, Torah scholar and student, parents and children, students among themselves, husband and wife etc.; 11) table manners; 12) normative rules with a moral tenor (often to be combined with the uses of the concept mentioned above); rules that belong to this category are often derived from the Torah; 13) proper religious customs; 14) advises

⁶ Cf. D.E. Z. III,1 and D.E. R. V,1-b.

⁷ See D.E. R. VI, 7-b.

⁸ See D.E. R. V,3. See also the opening of D.E. Z. I: 'The ways of the sages are ...'

⁹ See Gen. 19:31 and cf. Gen. 31:35 referring to menstruation, which is natural to mankind.

¹⁰ See II Kings 2:2.

¹¹ See introduction to *Pseudo Eliahu Zuta*, ed. M. Friedmann, p. 2–3.

and, in certain circles compulsory, aggravations of general standards, a way to express special piety.

The concept 'derekh 'eretz' has a descriptive as well as a prescriptive notion. In the descriptive sense the concept points to experiences and observations that are universally human, concerning both man himself and his relation with surrounding nature and its laws. Where 'derekh 'eretz' refers to these laws of nature the concept sometimes has a pseudo-scientific character and a prophesying notion which is here and there incorporated into practical advice. In relation to man himself the concept points to acts which are characteristic to man, and to reactions which are universally human. The concept has a prescriptive notion where it points to standards of decent conduct, practical rules of life and rules of conduct stated by a sense of morality. One specific way of using the concept of 'derekh 'eretz' is using it to refer to the atmosphere of the ethical. In the early rabbinical traditions one will seek in vain for a definition of ethics or a systematic approach of ethical questions, since there was no distinction between ethical and other religious obligations. There was, however, a strong sensitivity for matters with ethical implications. It is this sensitivity for the field of ethical matters which is denoted with the concept 'derekh 'eretz'.¹²

The relation between the descriptive and the prescriptive use of the concept 'derekh 'eretz' had been phrased by M. Kadushin, as follows: 'It denotes at once universal human traits and those human traits that are "proper", good. Such a double use of the term reveals in a single phrase the assumptions which together constitute the rabbinic "definition" of the ethical: Good actions, motives and outlooks have their ground in human nature; good actions, therefore, can and should be universal human traits.'¹³ Within the rabbinical tradition the concept 'derekh 'eretz' is mentioned in relation with good actions and rules of life which were not first revealed to Israel on Mount Sinai, but had been known to earlier generations of all mankind, because they relate to common sense and to universal rules of civilisation which are indispensable conditions for the proper functioning of a human society.¹⁴ The term 'derekh 'eretz' refers to social and civil conduct resting in universal human insights.

¹² In connection with this, see M. Kadushin, *Worship and Ethics*, chap. III ("The Sphere of Ethics and Morality") and introduction.

¹³ See M. Kadushin, *Organic Thinking*, p. 122.

¹⁴ Cf. the explanation of Abrabanel in his commentary on M'Abot III,17. See also the commentary of Almosnino on M'Abot I.c. Compare Rambam, *Shemoneh Peraqim* V, a. o.

In the rabbinical tradition the rules under the denominator 'derekh 'eretz' can be derived from the Torah, which is understandable on the basis of the fact that the Torah gives, apart from the rules that apply only to Israel, a number of universal rules of decent and civil conduct. This is the origin of the rabbinical expression: 'The Torah teaches us "derekh 'eretz"''.¹⁵ In a number of cases, however, the term 'derekh 'eretz' points to rules of conduct borne on religious motives, which can, in fact, only apply to Israel, such as the advice to light the lights of Sabbath as early as possible on Friday evening in order to add to the holiness by extending the duration of the Sabbath as much as possible.¹⁶ Sometimes 'derekh 'eretz' is counted among the commandments that are compulsory for Israel, as can be understood from the statement: 'It is the undeveloped who possess 'derekh 'eretz' (civilisation and good manners) and the rest of the commandments' (but no knowledge of the explanation of the Scripture in the oral tradition).¹⁷

By studying the rules compiled in the tractates of *Derekh 'Eretz* under the denominator of the concept 'derekh 'eretz', one acquires insight in the way in which, in certain circles, the concept was realised in practice; one learns its relation with rules of conduct which applied to said circles. Much of what can be found in *Derekh 'Eretz* concerning rules of conduct is the reflection of a lifestyle which was customary in the groups of pious Torah scholars and their students. These rules could be denoted with the term 'derekh hasidut', 'the way of the pious'. The sages imposed on themselves severe aggravations of norms and adhered to extra rules, apart from the rules which applied to everyone, to remain far from transgression or even the suspicion of transgression and to avoid putting any fellowman to a disadvantage or to advance oneself. In this way the rules of *Derekh 'Eretz* form a sharpening as well as a broadening of the existing norms and *halakhah*.¹⁸

From the tractates of *Derekh 'Eretz* one acquires a special understanding of the sharp notion of the rabbis concerning the ethical, and insight in the way the sages and the early Hasidim lived. Characteristics of the practical piety which hasidic sages who lived in accordance with the rules of *Derekh 'Eretz* tried to connect with intensive study of the Torah are: emphasis on a

¹⁵ Cf., for instance Siphrei, Be-Ha'alotekha, pisqa 102; Ber. Rab. XX,12; Ber. Rab. XXXI,10; Waj. Rab. XXVI,7; TbSot. 44a; TbHul. 84a and many other sources.

¹⁶ See Mekh. de-R. Jishm., Be-Shallah, ed. M. Friedmann, 25b. TosSot. IV,1 and TbShab. 23b.

¹⁷ See S. E. R., ed. M. Friedmann, p. 69.

¹⁸ *Halakhah* is literally 'the path', i.e. 'the path man must take' as denomination of accepted standards which are lawful within the community.

positive social attitude through acts of charity and giving help to the poor; combining the appeal to love God with the appeal to love and honour one's neighbour; combining piety with humbleness and tolerance; emphasizing trying to avoid transgression (expressed in the appeal to 'jir'at het' (fear of transgression, fear of God); accepting aggravations of common rules to keep oneself and others far from transgression and to practise cleanness of thought and intentions; striving toward an asymmetrical position of oneself and one's fellowman by estimating the honour and the interests of the other higher than one's own; sobriety; emphasis on the act next to study; maintaining reserve in the contact with woman, for fear of being seduced into transgression; fulfilling one's religious and social duties for the sake of Heaven and not for one's own; a strong consciousness of the presence of the Shekhinah¹⁹; exemplary love and reverence for the Torah and the handling of holy texts; and especially characteristic for those who live according to the rules of *Derekh 'Eretz* great caution in the contact with sectarians and illiterates who think lightly of the instructions of the Torah and who may have a bad influence.

3. Backgrounds

As said, the rules of life one finds in the tractates of *Derekh 'Eretz* have functioned notably in circles of Torah scholars.²⁰ The Major part of these rules originated from these circles and have not been popularised and started to function in wider circles until later. Compared to *Derekh 'Eretz Zuta*, *Derekh 'Eretz Rabbah* contains more stories; however, the opinion that the stories in *Derekh 'Eretz Rabbah* were intended to popularise the rules stated in *Derekh 'Eretz Zuta* and to introduce them into wider circles, is not correct, since *Derekh 'Eretz Rabbah* contains a lot of material that cannot be found in *Derekh 'Eretz Zuta* and the statements in *Derekh 'Eretz Rabbah* also were primarily directed at the circle of Torah scholars.²¹ The names *Derekh 'Eretz Rabbah* (the Major *Derekh 'Eretz*) and *Derekh 'Eretz Zuta* (the Minor *Derekh 'Eretz*) are not, as the names may indicate, a larger and smaller reflection of the same discussion, but refer to two independent collections of statements. In *Derekh 'Eretz Zuta* as well as in *Derekh 'Eretz*

¹⁹ The immanent presence of God in the world.

²⁰ See also M.B. Lerner, in: *The Literature of the Sages*, I, (Compendia Rerum Iudaicarum ad Novum Testamentum), ed. S. Safrai, Assen / Maastricht 1987, p. 397 ff.

²¹ See S. Krauss, in: *R. E. J.*, XXXVII (1898), p. 213; S. Krauss regarded D. E. R. as a popular version of the rules in D. E. Z.. See, on the other hand, the opinion of M.B. Lerner, op. cit. in note 20, p. 380.

Rabbah one often finds references to the ‘talmid hakham’, the sage and Torah scholar.²²

The piety, the ‘hasidut’ in the tractates of *Derekh ’Eretz* does not belong to the piety of the simple and illiterate pious men, but to the piety of the Torah scholars who try to combine study with practical piety. It is remarkable that in a number of places in *Derekh ’Eretz* there are warnings against contact with the “am ha-’aretz”, the compatriot who is more interested in worldly matters than in holy matters, notably against sharing a meal with one of them, because of the danger of eating something which is prohibited and not prepared according to the refined prescriptions of the oral tradition.²³ It is even more remarkable to find in *Derekh ’Eretz* the direct context of the warning not to share a meal with a (priest who is also an) “am ha-’aretz”²⁴ for fear of eating prohibited food, and the warning of being reserved in taking the vow and oath, and in the contact with women. This combination was typical for the milieu of the so-called ‘associated’ or ‘haburim’. The term ‘haburim’ refers to groups of ‘united’ who were characterised by their strict observance of all religious prescriptions (notably those concerning cleanness) and who tried to keep as much distance as possible between them and those who did not live strictly by the rules.²⁵

In a number of places in *Derekh ’Eretz* customs are mentioned, which are in parallel texts ascribed to certain pious and specially refined circles in Jerusalem.²⁶ In A. R. N. [b] XXVI (26b) a statement is referred to from the so-called *Megillat Hasidim* (The Role of the Pious), which is also mentioned in D. E. Z. II, 23.²⁷

²² For confirmation of this allegation one can refer to a number of places: D. E. Z. I (beginning); D. E. Z. II (ending); D. E. Z. IV (beginning); D. E. Z. VI (beginning); D. E. Z. VII (beginning); D. E. Z. VIII, 12. See also D. E. R. V, 4 and D. E. R. VI, 3-d. Further cf. S. E. R. VI, ed. M. Friedmann, p. 33: “Any sage in whom there is no knowledge, an animal is better than he.” And see M. Friedmann, op. cit., introduction to *Pseudo Eliahu Zuta*, p. 6, where he explains the word ‘knowledge’ in the statement mentioned above as ‘knowledge of “derekh ’eret”’. Cf. Waj. Rab. I, 6 and A. R. N. [a] (64a) a. o.

²³ See D. E. Z. I, 15 and D. E. Z. IV, 1. Compare the well-known statement of Hillel from M’Abot, as rendered in D. E. Z. III, 15: ‘And an “am ha-’aretz” cannot be a pious man (other version: “parush” = segregated = Farisean) ...’

²⁴ See D. E. Z. I, 15 and D. E. R. I, 35.

²⁵ Cf. TosDem., II, 2.

²⁶ See D. E. Z. V, 3 and cf. TbGit. 87b (Mishnah); TbSanh. 23a; Mekh. de-R. Jishm., Mishpatim, par. 20, ed. M. Friedmann, 98b.; ‘Eikh. Rab. IV, 4. See also D. E. R. VIII, 2 and cf. TosBer. IV, 9; TjDem. IV [24a]; Tj’Ab. Zar. [39c]; TbB.B 93b..

²⁷ For further details cf. S. Safrai, (‘Teachings of Pietists in Mishnaic Literature’), in:

4. The oldest literary information

In general, the tractates of *Derekh 'Eretz* contain gnomic statements, i. e. sharply formulated statements of wisdom, and practical rules. One can determine a great resemblance in style with the *Book of Proverbs*, *Sepher ben Sira*, *Sophia Salomonis* and *Pseudo-Phocylides*.²⁸ One must not forget, however, that the rules of *Derekh 'Eretz* are much less universal statements of wisdom and much more concrete rules of conduct, tied to very specific human situations, and much like the ones found in the halakhah.²⁹

Characteristic for the style of *Derekh 'Eretz* is the, very often anonymous, oral tradition of statements which are, in other parts of the tradition, clearly ascribed to certain persons.³⁰

A lot of material in *Derekh 'Eretz* is derived from traditions from the Talmud and Midrash, but in a large number of cases original traditions have been preserved in *Derekh 'Eretz*, for which no direct parallels can be found in the tradition. It is proved from parallels that early *Derekh 'Eretz* literature has existed which dates back to the Tannaitic period.³¹ This was referred to by the Amoraim³² in their discussions concerning the *Mishnah*. For instance, in a discussion in the Babylonian Talmud³³ it appears that, as early as the times of Rabbi Jehudah ben 'ilai (Tanna of the fourth generation), a collection of rules by the name of *Hilkhot Derekh 'Eretz* must have been known which (see context) apparently was regarded as a secondary collection of traditions, apart from the rest of the oral traditions. It is not correct to suggest that the name *Hilkhot Derekh 'Eretz* in itself is a reference to a collection which is cognate to *Pirqei ben 'Azzai*.³⁴ For the manuscripts refer to *Derekh 'Eretz Zuta* (I–IX) as being *Hilkhot Derekh 'Eretz* (see below). In his comment on the said Talmud text, Rashi refers to,

J.J.S (1965), pp. 15–33. And see S. Safrai, ('Mishnat Hasidim be-Siphut ha-Tanna'im'), in: *'Ein Joseph. Qobetz le-Zikhro shel Y. Amora'i*, Tel Aviv 1973, p. 136ff.

²⁸ See S. Krauss, in: *R. E.J.*, XXXVII (1898), p. 58ff.

²⁹ Indeed the first chapter of D. E. R. consists mainly of halakhic formulations concerning sexual relationships, most of which have been recorded in later halakhic works.

³⁰ On the other hand, the tractates of D. E. contain credited statements which had been handed down anonymously in other parts of the tradition. This points possibly to the old age of the texts and their independence.

³¹ This is from the first two centuries of the Christian era and it precedes the finishing of the editing of the *Mishnah* by Rabbi Jehudah ha-Nasi, about 210 C. E.

³² The generation between the finishing of the *Mishnah* (about 210 C. E.) and the finishing of the Babylonian Talmud (about 500 C. E.).

³³ See *TbBer.* 22a.

³⁴ I. e. D. E. R. III–IX. See B. Lerner, in: *The Literature of the Sages*, I, p. 387.

among others, *Darkhan shel Talmidei Hakhamin*.³⁵ In TjShab. VI,2 under the header of 'derekh 'eretz', a custom is mentioned – known as a Tannaitic tradition in the time of Rabbi Johanan and Rab Shaman bar 'Abba – which matches a rule of conduct from *Derekh 'Eretz Rabbah* (beginning). In '*Abot de Rabbi Natan*'³⁶ referring to *Megillat Hasidim*, a statement is made which is also handed down in *Derekh 'Eretz Zuta* (II). This might indicate that *Derekh 'Eretz Zuta* I–III, as a literary unit is a Tannaitic collection from the circles of early Hasidim, which was already referred to in '*Abot de Rabbi Natan*'. Therefore the assumption that *Derekh 'Eretz Zuta* I–III (IV) roughly dates back to Tannaitic times, is justified.³⁷ This does not alter the fact that, presumably, the final editing did not take place until Gaonic times.³⁸ Countless Tannaitic traditions that are quoted in the Talmud and the Midrash, can also be found in the tractates of *Derekh 'Eretz*, sometimes even in a more original form. In *Massekhet Kallah Rabbati* a kind of 'gemara'³⁹ is given with traditions from *Derekh 'Eretz Zuta* (I–III) and *Derekh 'Eretz Rabbah* (III–XI), and with some traditions which can be found in other places of *Derekh 'Eretz*. M. Friedmann has the opinion that a large part of the content of *Massekhet Kallah Rabbati* was formed in the school of Raba (third century) whose name is often mentioned in *Massekhet Kallah Rabbati*.⁴⁰ This implies, at least, that the major part of the traditions from *Derekh 'Eretz Zuta* I–III and *Derekh 'Eretz Rabbah* III–XI and a number of statements from other parts of the tractates of *Derekh 'Eretz* must have been known quite some time before the Babylonian Talmud was finished in 500 C.E. Another opinion says that Raba in *Massekhet Kallah Rabbati* refers to Raba, the Gaon of Pumbeditha (seventh century).⁴¹ Most likely *Massekhet Kallah Rabbati* is a product of Gaonic times. From Gaonic times the traditions from *Derekh 'Eretz* were handed down by

³⁵ D.E.Z. I,1 ff.

³⁶ A.R.N. [b], XXVI (p. 52).

³⁷ See L. Ginzberg, in: *J.E.*, IV, col. 530 and see M. Higger, *Massekhtot Derekh 'Eretz*, New York 1935, introduction p. 19; and D. Sperber, *Massekhet Derekh 'Eretz Zuta*, Jerusalem 1982, p. 179. Cf. also P. Rubanov, in: *Horeb*, VII (1943), p. 214.

³⁸ See M. B. Lerner, in: *The Literature of the Sages*, I, ed. S. Safrai, pp. 382–383.

³⁹ I.e. a kind of explanation which can be compared to the discussions of the Babylonian Amoraim about the Mishnah in the Babylonian Talmud, called 'gemara'.

⁴⁰ See among others M. Friedmann's opinion in his edition of S.E., introduction to *Pseudo Eliahu Zuta*, p. 15.

⁴¹ See M. Higger, *Massekhet Kallah*, New York 1936, introduction, p. 113. See also A. Aptowitzer's opinion, 'Le Traité de "Kallah"', in: *R.E.J.*, LVII, 1909, p. 248. A. Aptowitzer connected the name Raba with the eighth century student of Rab Jehudai Gaon. See also B. Lerner, in: *The Literature of the Sages*, I, ed. S. Safrai, p. 396.

different names, connected with the originally separate units *Derekh 'Eretz* is compiled of.⁴²

There is a special relation between the tractates of *Derekh 'Eretz Zuta* and the sixth chapter of *Pirquei 'Abot*, called the *Pereq Qinnan Torah* (The chapter of the acquiring of the Torah).⁴³ On Sabbath-afternoons, as early as Gaonic times, other traditions were studied under the name of *Pereq Qinnan Torah* (or *Pereq Rabbi Me'ir* or *Baraita de 'Abot*), of which a part has been preserved in a number of Mahzorim⁴⁴, next to the statements which, according the rendering in *Pirquei 'Abot* in the *Mishnah*, make up the sixth chapter of *Pirquei 'Abot*. In a number of cases these traditions include parts of the first chapters of *Derekh 'Eretz Zuta*.

Rab Shalom Gaon already mentioned the Babylonian custom of studying the sixth chapter of *Pirquei 'Abot* on Sabbath afternoons.⁴⁵ In the version of the Siddur by Rab 'Amram Gaon⁴⁶ (died about 875), parts of the first chapters of *Derekh 'Eretz Zuta* are found in the rite of Sabbath afternoons, obviously to be studied after midday's prayers. This custom is confirmed by a remark in the Siddur of Rab Sa'adjah Gaon (882–942), in which studying of the sixth chapter of *Pirquei 'Abot* and *Jir'at Het* (denoting the first four chapters of *Derekh 'Eretz Zuta* in old scripts) is prescribed.⁴⁷ Based on all this, it is quite understandable that parts of the tractates of *Derekh 'Eretz* were handed down into a large number of Mahzorim, since it was the custom to study parts of *Derekh 'Eretz* on Sabbath afternoon. Also, other than liturgical sources confirm that in Gaonic times parts of *Derekh 'Eretz* were known.⁴⁸

⁴² For a detailed listing of these early sources see, among others M. Higger, *Massekhetot Derekh 'Eretz*, introduction, chap. IV. See also D. Sperber, *Massekhet Derekh 'Eretz Zuta*, p. 167ff.

⁴³ See M. Higger, 'Pereq Qinnan Torah', in: *Horeb* II (2) (1935); en M. Higger, 'Massekhet 'Abot u-Pereq Qinnan Torah', in: *Horeb*, IV (1937); See M. Hacohen, in: *Sinai Jub. Vol.*, 1985, ed. J. L. Maimon, p. 419ff. See also D. Sperber, *Massekhet Derekh 'Eretz Zuta*, pp. 147–145. S. Sharbit, 'Minhag ha-Qeri'ah shel 'Abot ba-Shabbat . . .', in: *Bar Ilan*, XIII (1976), p. 169ff.

⁴⁴ Special books of prayers with ritual, often poetic, additions for the holy days.

⁴⁵ See Siddur Rashi, sim. 516, ed. S. Buber / I. Freimann, p. 529.

⁴⁶ See ed. N. N. Coronel, Warsaw 1865 (repr. Jerusalem 1965), Seder Minhah le-Shabbat, pp. 30–31; the edition Warsaw is based on Ms. British Library, Or. 1057 (Marg. 206), a manuscript with additions that are not original; the parts cannot be found in other versions. In this matter, see *Seder Rab 'Amram Gaon*, ed. G. Goldschmidt, Jerusalem 1972, in notes on p. 80. See also remarks of D. Sperber, *Massekhet Derekh 'Eretz Zuta*, p. 172.

⁴⁷ See ed. I. Davidson a.o., pp. 122–123.

⁴⁸ Rab Sherira Gaon, for instance, the father of Haj Gaon, mentioned *Hilkhot Derekh*

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* See R. Halperin, *'Atlas 'Etz Chajjim*, IV, Tel-Aviv 1980, p. 228.

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