

Eternal Life

1. Hero leaves home

must register for the draft; 1st journey into the world

bad omen = women's superstitions?

Propped up w/pillows!

2. The Enchanted Inn

Code of the Forest

reticence of the peasant heightens his self-awareness

Enchanted Inn; mouths empty words

Falls under spell of "Eternal Life"

Grows into hero; spell quickly wears off

3. The Snowstorm

spooked by the corpse

peasant's invective

fighting off sleep; more voices of the dead

breakthrough as they both face off against death

4. In the Shtetl: Code of the Culture

The Evil Innkeeper; Eternal Life thrown back in his face

Confrontation w/Reb Shepsl: counterfeit reticence

Unmasks the hypocrisy

Eternal Life = means of financial exploitation

5. Confrontation w/Police: Code of the Powerless

loses the power of speech

6. Bittersweet denouement

story comes to an abrupt end

from innocence to knowledge

ORAL LAW

Also: Law, Oral; Torah she-be-al Peh

ORAL LAW (Heb. תּוֹרַה שֶׁבֶּעַל-פֶּה), the authoritative interpretation of the Written Law (Torah, which is the text of the Pentateuch) which was regarded as given to Moses on Sinai, and therefore coexistent with the Written Law. This view of the Oral Law was a fundamental principle of the rabbis. The Written and Oral Laws constitute together "two that are one." "It is related that a certain man stood before Shammai and said 'Rabbi, How many Torahs have you?' The rabbi replied 'Two—one written and one oral'" (ARN1¹⁵, 61; cf. *Sif. Deut.* 351). There is a strong and close bond between the Written Law and the Oral Law, and neither can exist without the other—both from the dogmatic point of view and from that of historical reality. The Oral Law depends upon the Written Law, but at the same time, say the rabbis, it is clear that there can be no real existence for the Written Law without the Oral. The need for the positing of the existence of the Oral Law is inherent in the very character and nature of the Torah. The statutes of the Written Law could not have been fulfilled literally even in the generation in which they were given, since "that which is plain in the Torah is obscure, all the more that which is obscure" (Judah Halevi, *Kuzari*, 3, 35; cf. Moses of Coucy in *Semag*, introduction: "For the verses contradict and refute each other," and "the statements in the Written Law are vague"). Even those statutes of the Torah that appear to be clearly formulated and detailed contain more that is obscure and requires explanation than what is manifest and understandable. The reasons given for this are many and various. The Written Law contains contradictions (cf., e.g., *Deut.* 16:3–4 with 16:8), and there is a lack of clarity and definition: The law, "he shall surely be put to death" (Ex. 21:12 et al.), does not state whether by stoning, burning, or some other method not mentioned in the Torah. "And ye shall afflict your souls" (Lev. 16:31) does not indicate whether it means by mortification of the body through ascetic practices, by fasting, or in some other manner. The prohibition against doing work on the Sabbath does not specify the nature of work (see below). "And if men strive together and hurt a woman with child so that her fruit depart and yet no harm follow... But if any harm follow..." (Ex. 21:22–23) does not make it clear whether the "harm" refers to the woman or her embryo. Dimensions and quantities are not given, e.g., in the precepts of *leket*, *shikhḥah*, and *pe'ah*, or *terumah* (the priestly portion), etc. Individual laws are given without any indication of whether the law is confined to that particular case or whether it is to be regarded merely as an example of a category of laws, e.g., the law that a slave goes free if his master destroys his eye or his tooth (Ex. 21:26–27).

There are lacunae, and laws which are not explicitly stated but to which mere passing reference is made (thus the only reference to the laws of sale and acquisition is the prohibition against overreaching—*ona'ah*); there is no reference to the laws of marriage, while the law of divorce is mentioned only incidentally in connection with the injunction that a man may not remarry his divorced wife after she has remarried and become divorced again (*Deut.* 24:1–4); the Torah enjoins that one sentenced to be flogged may not have more than the fixed number of lashes inflicted (*Deut.* 25:1–3), but nowhere does it specify which transgressions involve the punishment of a flogging. From the above it seems clear that it was impossible for life to be regulated solely in accordance with the Written Law ("and I should like someone to adjudicate between two litigants on the basis of the weekly portions, *Mishpatim* [Ex. 21–24] and *Ki Teze* [*Deut.* 21:10–25:19]"—Judah Halevi, *Kuzari*, 3:35). It may even be inferred from the Written Law itself that immediately after it was given there already was difficulty in understanding it. Thus, e.g., it is apparent that until he heard it explicitly from God, Moses did not know what the penalty was for the transgression of gathering wood on the Sabbath (*Num.* 15:32–35; cf. *Sif. Zut.* 15:34: "Eliezar b. Simeon says: Moses did not know that he was liable to death, nor did he know how he should be executed, as can be inferred from the reply given: 'And the Lord said unto Moses: the man shall be put to death,' i.e., he is liable to death; how shall he put to death? He [God] replied: by stoning"; cf. also the case of the blasphemer in *Lev.* 24:10–23). As stated above, there is no definition in the Pentateuch of what constitutes work in connection with the Sabbath (or the Day of Atonement), only some of the things forbidden being explicitly mentioned (plowing, reaping, kindling fire). Furthermore, in connection with the desecration of the Sabbath, in one and the same verse (*Ex.* 31:14) two different punishments—death and *karet*—are given. From the point of view of its judicial literary form, the Written Law is in fact no different from other early oriental statutes which never exhausted or aimed at exhausting all the details of the laws given.

If, therefore, the statutes of the Torah could not be properly understood in the generation in which it was