

Kallah, the ordinary editions have a passage with the reading:  $\text{וְש}$ ; while in Higger's edition the reading is:  $\text{וְש}$  (*Kallah*, sec. 11, ed. Higger).

It is to be hoped that in the future issues of the series, Dr. Kuhn will consult more frequently the Talmud as well as other traditional literature.

Students of talmudic literature will be grateful to Dr. Kuhn for this valuable work.

### TOSEFTA YEBAMOT<sup>7</sup>

RABBINICAL students have been looking forward for some time to seeing the Tosefta critically edited. They have justly felt that the real solution to the problem of the relation between the Mishna and the Tosefta could not be found, unless we have first a correct, readable text of the latter. The appearance, therefore, of the first installment of a critical text of that unusually important tannaitic work deserves the attention and consideration of all rabbinic scholars.

The textual method employed by Dr. Rengstorf, the editor, is sound, and best under the circumstances. The basis of the text is the Erfurt Ms. (ed. Zuckerman). Where that Ms. is defective, the editor supplements it with the readings found in the Vienna Ms. and in the printed text of the first edition of Alfasi. In the critical apparatus, Dr. Rengstorf gives all the variants of the last two named sources, as well as of Ms. Adler 340, at the Library of the Jewish Theological Seminary of America.

One of the outstanding characteristics of the Tosefta in its relation to the Mishna is that in numerous places a new section begins with the expression  $\text{כַּאִיּוֹ צַד, אִימְתִי}$ , or the like, referring to a previous statement, not in the Tosefta proper, but in the Mishna. Such sections are of vital importance to the study of the Mishna-Tosefta relationship.

<sup>7</sup> *Rabbinische Texte*, Erste Reihe, *Die Tosefta*, Text, Übersetzung, Erklärung. In Verbindung mit Prof. Dr. ABRAHAM MARMORSTEIN (Jews College, London) herausgegeben von Prof. D. GERHARD KITTEL (Tübingen) und Privat-Dozent Lic. KARL HEINRICH RENGSTORF (Tübingen). Band 3, *Seder Naschim*, Text, Übersetzung, Erklärung von KARL HEINRICH RENGSTORF. 1. Heft: *Jebamot* (I 1-IV 7 hebr., I 1-V 1 deutsch). Pp. vi+48+16. 2. Heft: IV 7-IX 1 hebr., V 1-XI 6 deutsch). Pp. 49-96; 17-32. 3. Heft: (IX 1-XIV 1 hebr., XI 7-XIV 7 deutsch). Pp. 97-128; 33-56. Stuttgart: VERLAG VON W. KOHLHAMMER, 1933.

They hold the key to the solution of the problem of that relationship. These parts, being the nearest in their kinship to the Mishna, might have formed an independent layer of the original Tosefta. It is to be regretted, therefore, that in the edition under discussion the cross-references of these sections to the Mishna are put inconspicuously together with the other notes in German. They should have formed a group of notes by themselves, preferably in Hebrew, following the critical apparatus.

Another outstanding shortcoming of the work, which characterizes practically all the other tannaitic textual studies recently edited and sponsored by Gentile scholars in Germany, is a marked lack of references to the Babylonian Talmud. Whatever one may think of the amoraic interpretations of the tannaitic passages, the student of tannaitic literature is entitled to be informed of the amoraic attitude towards such passages. With all our objective and critical capacities, we should remember that the Amoraim lived much nearer the time of their predecessors, the Tannaim, and that if the Amoraim were not always correct in understanding the tannaitic sources, they surely were not always wrong either.

The purpose of any critical text should be threefold: (1) To give a readable text; (2) to record in the critical apparatus all important variants; and (3) to refer impartially to all parallel sources. The editor of the Tosefta under consideration has unfortunately failed in the first and third of the three requirements. As a rule, he refers mostly to the New Testament literature, and overlooks important parallel passages in the Talmud, even when the latter might have been used as a help in the reconstruction of corrupt readings in the Tosefta.

To illustrate from the second and third installments, at the end of chapter 6 (sec. 5, pp. 31–32), the passage concerning כל השופך דמים and כל מי שאינו עוסק בפיו is corrupt and unreadable. It is true that that passage is also misconstrued in the ordinary editions of the Tosefta, as well as in that of Zuckerman. But, fortunately, the Babylonian Talmud (Yeb. 63b), records two *baraitot* containing that passage, the readings of which are reasonable and much better than the Tosefta readings. Indeed, from the two *baraitot* quoted in the Talmud, we can easily trace the cause of the corrupt Tosefta versions. A later hand apparently tried to combine two *baraitot* into one—the statement of R. Akiba בל השופך דמים וכו', dealing with murder in general, belonged originally to an independent *baraita*, and is thus not mentioned in the

two Talmud *baraitot* at all. In any event, Dr. Rengstorf, who fills up two pages of references to New Testament literature, in connection with the passage, might at least spare space for three more words and refer to Yeb. 63b. The Talmud, it is true, is later than the New Testament. But the tannaitic sources quoted in the Talmud may be as old as the New Testament, if not older!

Similarly, the paragraph divisions follow no definite, unifying principle.

On p. 46, line 6, the phrase נחננו עיניין לו is most likely a corrupt reading for תחת אשר ענה, and should come in the previous line after the word לאשה. Cf. Deut. 22.29.

On p. 22, line 19, for למזוחות, read למזונות.

Students of rabbinic literature will look forward to the appearance of the remaining installments of the work.

#### TOSEFTA TOHAROT<sup>8</sup>

THE work of Dr. Walter Windfuhr is an additional installment of a critical text of the Tosefta, based on the Erfurt and Vienna Mss., as well as the printed text of the first edition of Alfasi. It covers about three and a half chapters of the Hebrew text of Kelim Baba Ḳamma, and five and a half chapters of the translation.

The treatise Kelim in the Mishna and in the Tosefta deals chiefly with the rules in Lev. 11.32 et seq., Num. 19.14 et seq. and 31.20 et seq. In the Tosefta the treatise Kelim, probably because of its size, is divided into three parts (*babot*), comprising twenty-five chapters in all.

In the preface, Dr. Windfuhr describes briefly the important terms found in the treatise, as well as the biblical sources of the fundamental laws implied by such terms. Additional explanations are given in the footnotes to the translation. The variants are placed below the Hebrew text.

There is a very striking similarity between the Mishna and the Tosefta Kelim, which our author, however, failed to indicate. In the

<sup>8</sup> *Rabbinische Texte*. Erste Reihe, *Die Tosefta*. Text, Übersetzung, Erklärung. Band 6, *Seder Toharot*. Von WALTER WINDFUHR. (Mit Beiträgen von HANS WINDISCH). 1. Heft: Kelim Baba Ḳamma (I 1–VI 17 deutsch, I 1–IV 11 hebräisch). 2. Heft: Kelim Baba Ḳamma (VI 17–VII 17 deutsch, IV 11–VII 17 hebräisch); Kelim Baba Mešia (I 1–III 13 deutsch, I 1–III 3 hebräisch). Stuttgart: VERLAG VON W. KOHLHAMMER, 1934–1935.