



A Tragedy or a Comedy?

The Talmud of the Land of Israel: A Preliminary Translation and Explanation by Jacob Neusner

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REVIEW ARTICLE

A TRAGEDY OR A COMEDY?*

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THE JEWISH THEOLOGICAL SEMINARY

I HAVE BEFORE MY EYES A Preliminary Translation and Explanation of three tractates of the Palestinian Talmud (hereafter *TP*), vid. *Horayot*, *Niddah* and *Abodah Zarah* (hereafter *AZ*). In his Forward to *Horayot* and *Niddah*,¹ the translator claims that he used the *editio princeps* of *TP*,² Codex Leiden, the Geniza fragments recently discovered, the parallels of *TP*,³ etc. Since all this material is now easily accessible these claims would seem credible.

However, it would seem that the translator did not know that a different text of *TP Horayot* is appended to the Babylonian Talmud of that tractate, a fact with which any rabbinic student is familiar.⁴ Hence one begins to doubt the credibility of the translator. And indeed after a superficial perusal of the translation, the reader is stunned by the translator's ignorance of rabbinic Hebrew, of Aramaic grammar, and above all of the subject matter with which he deals, as we shall presently demonstrate.

We do not intend to retranslate here the entire text of all three tractates; we shall mainly dwell on *Abodah Zarah* which, more than any other rabbinic source, is

full of historical as well as archaeological information, and reflects the relation between Jews and Gentiles during the first four centuries C.E. Even here, we shall content ourselves mainly with the first chapter of *AZ*, since it will amply show the reader what the translator has done to *TP*.

Let us first examine the veracity of the translator's claim with regard to his use of the texts of *TP*. Its basic text is, of course, the *editio princeps* published by Bomberg in Venice. The translator maintains⁵ that the text he used was "generally . . . corrected to conform to the Leiden manuscript (*The Palestinian Talmud. Leiden MS. Cod. Scal. 3 . . .*)."

The assertion of the translator is not true. Two of the most renowned passages in rabbinic literature are in *TP AZ* II.2,40^d, where the name of Jesus is mentioned.⁶ One of these passages of *TP* is already found in Tosefta.⁷ They were discussed by many scholars, from the Middle Ages⁸ to modern times.⁹ However, in this translation¹⁰ there is no hint of the name of Jesus. Our translator used here a late censored edition where the name of Jesus was eliminated. Now let us see what he did to the passages. We read there (pp. 63–64):

[Joshua b. Levi] had a grandson, who swallowed [something dangerous]. Someone came along and whispered over him [and the child was healed]. . . . He

* This is a review-article of *The Talmud of the Land of Israel: A Preliminary Translation and Explanation*. Translated by Jacob Neusner. *Abodah Zarah* (vol. 33- Pp. 234); *Horayot* and *Niddah* (vol. 34- Pp. 243). Chicago: The University of Chicago Press, 1982.

¹ p. IX ff.

² Printed by D. Bomberg, c. 1523–1524.

³ Forward, p. X: "where one version is markedly unclear, while its parallel is more readily accessible, I give the parallel, as does Pené Moshe."

⁴ On the importance of this text, on its perturbations and mutilations by the hands of the printers of both *TP* and *TB*, see the long essay in the *Jubilee Volume in Honor of Chanoch Albeck* (Hebrew), Jerusalem 1963, p. 287 ff. 294 ff.

⁵ Foreword, *Horayot*, p. IX.

⁶ And parallels in *TP Shabbath* XIV.5, 14^d. They are also available in the Palestinian *Midrashim*, see *Hayerushalmi Kifschuto*, p. 187.

⁷ *Hullin* II.22. Comp. also *TB AZ* 27^c.

⁸ Raymund Martini, *Pugio Fidei*, ed. Carpzov, Leipzig, 1687, p. 361 ff.

⁹ Morton Smith, *Jesus the Magician*, N.Y. 1977, p. 48 ff.

¹⁰ P. 65, bottom and p. 66.

said to him, "What will be [the child's fate]: If he had died but had not heard [these words], it would have been [better] for him." [But why should the healing have worked?] It was an error done by a ruler.

Let us examine the translation phrase by phrase. The bracketed words "something dangerous" are superfluous as we shall presently see. The same can be said about the bracketed words "and the child was healed," for the text itself clearly stated: "And he was cured."¹¹ The continuation of the translation is incoherent and has no basis whatever. There is no allusion in the text of a question about the child's fate. A very slight error crept into the text of *AZ*. It reads מה הרה ליה instead of נוח הרה ליה.¹² It should be translated: "He said to him, it would have been better for him if he had died but had not heard this word."

The continuation of the quoted translation is pure invention of the translator. The question "But why should the healing have worked?" does not exist. Anyone acquainted with antiquity knows that the ancient men (including the rabbis) did not deny the efficacy of incantations, especially in case of a choking fit.¹³ The rabbis would certainly not ask such a question. The answer to this question as given by our translator is simply preposterous: "It was an error done by a ruler," i.e. the child was cured by an error of a ruler. The translator was unaware that we have here a verse of *Ecclesiastes* X.5 which served as a stock phrase to designate a case when a righteous man inadvertently pronounced a curse without any real intention to harm. Yet the curse had an effect like a sentence mistakenly pronounced by a ruler. It is very common in all rabbinic literature, *TP*, *TB*, and *Midrashim*,¹⁴ and always in the same sense, as correctly understood by all commentaries and translators.

As to the assertion of the translator that he checked the *editio princeps* with Cod. Leiden,¹⁵ we can state

with certainty that he never did so.¹⁶ So, for instance, the text in chapter I.7,40^a makes no sense, and the translation (p. 41) is still more senseless. However, Cod. Leiden has here the correct reading, see *Hayerushalmi Kifshuto*, p. 438.

Similarly we read in *AZ* II.1.40^c (translation p. 59): "... there were two families of craftsmen in Giero, one glass cutters, the other sauce makers" etc. The place "Giero" is not mentioned anywhere else in rabbinic literature. However, Cod. Leiden originally read: בגירר, and it was erroneously emended to read בגירר. Some fifty years ago it was proved¹⁷ that the original reading of Cod. Leiden is the correct one. Prof. S. Klein has subsequently shown¹⁸ that the rabbis were referring to the Jewish community of Beroë (Syria) which is also mentioned in *Agadath Shir Hashirim*.¹⁹ The rendering of קוכטרייא,²⁰ as "sauce makers" is erroneous. It means "makers of sauce containers," as it is obvious from the Mishnah *Kelim* X.5 and *TP Terumoth* X.3,47^a (bottom).

Finally, the translator paid no attention to a simple misprint in our editions. When scholars talk about the readings of Cod. Leiden they have in mind the original readings of the manuscript which were emended by the scribe, or by the editor for the Bomberg press. However, very, very rarely the printer misread the manuscript, and in such cases the readings of all our editions have no value whatever. So, for instance we read in *TP*, *AZ* IV.5,44^a (three times): כשמכרה לצורך which was translated on p. 168: sold "on account of need" etc., "by reason of need" etc., "by reason of need." It makes no good sense. But we have here a mere misprint. Cod. Leiden reads all three times: כשמכרה לצורך, "If he sold it to a smelter." This is also the reading in *TP* by R. Isaiah de-Trani in his *Tosafoth*

¹¹ It appears that the translator did not understand the Aramaic ראינשם.

¹² So correctly in the parallel *TP Shabbath* and *Midrashim*, see *Hayerushalmi Kifshuto*, p. 187.

¹³ See the remarks of Galen cited in *Tosefta Kifshutah* III, *Shabbath*, p. 103 and n. 62 *ibid*.

¹⁴ See the references cited by Theodor-Albeck, *Bereshit Rabba*, p. 861, line 8.

¹⁵ Although I must admit that I did not understand the translator's reservations (*Horayot*, Foreword, p. X-XI). He is as obscure here as he is in his translation and explanations.

¹⁶ Here again we limit ourself with *AZ* only and with correct readings of Cod. Leiden which were published many years ago.

¹⁷ *Hayerushalmi Kifshuto*, p. 418.

¹⁸ *Monatsschrift für Geschichte und Wissenschaft des Judentums*, 77 (1933), p. 359.

¹⁹ Ed. S. Schechter, Cambridge 1896, p. 38, line 1131.

²⁰ ἀβωτάριοι. The suffix "arios" in Hebrew and Aramaic in connection with handicrafts men is quite common in *TP*, as correctly observed by Rabbi Simeon Doran in his commentary on *Aboth* IV, II, ed. Lipsia, p. 67, top. Comp. also Louis Robert, "Noms de métiers dans des documents Byzantins" in *Χαριστήριον εἰς Ἀναστάσιον Ὀρλαυδον*, Athens, 1964, p. 324 ff.

a.1. (first recession, Sect. 11). It is also confirmed by *TB* *ibid.*, 53^a. In short our translator's claim that he utilized Cod. Leiden is somewhat exaggerated.

The translator is not always consistent in his atrocious errors. He begins the above mentioned story, in which the name of Jesus occurs, as follows (p. 63): "[Joshua b. Levi] had a grandson, who swallowed [something dangerous]." That is his translation of the Hebrew בלע in the text.²¹ This word is a substantive, a technical term for food stuck in the throat. It is frequently mentioned in rabbinic literature. It simply means to have a choking fit,²² and certainly, all choking fits are dangerous. I would never have taken our translator to task for such a minor error, but the same word appears twice more in the same portion of *TP* (in our translation p. 62). The first time it is translated: "[If such leaven] should be absorbed. . . ." This translation is sheer nonsense. It does not fit the preceding and the following passages. Five lines afterwards the same word is translated: "pus." From the context of the Talmud it is quite obvious that the question involves the same phenomenon, "something stuck in the throat." The Talmud maintains that it is permitted to extract it on the Sabbath. Our translator translated the identical word in three different ways, all three of them false.

Similarly, the very frequent expression in rabbinic literature חזר לספור²² or חזר לסור²³ which means "and he returned to his former (original) ways" is translated (p. 67): "And he returned to his senses." But it does not prevent our translator (p. 68) from once translating the same phrase correctly: "Who returned to his former ways." Again on p. 58 the phrase לעתיד לבוא is translated: "He was destined to go there," but on p. 67 it is correctly translated "In the age to come." I must make it clear that these instances are picked at random, and they are far from being exhaustive.

Likewise, our translator, being ignorant of the names of the rabbis, simply played havoc with them. He created new rabbis, new officers, split some of them into two individuals, and some of them he eliminated. So for instance, we find²⁴ an unknown rabbi "Yosé the Elder." I consulted the translation (*Niddah*, p. 162, top) which reads: "Said R. Yosé the Elder in session

before R. Hanina." The original²⁵ reads: "Rabbi Yosé said, I asked (raised the question) before R. Hanina." The translator, misunderstanding the word קשיתא, a very common phrase in *TP*,²⁶ translated it as: קשישה "the Elder."

In this case our translator was consistent in his ignorance. We read in *Horayot* I.1,45^c: חגי קשיתא, חגי קימתה which means: "Haggai asked it and Haggai answered (established) it."²⁷ Our translator renders it (*Horayot*, p. 11): "First came Haggai, and then came another Haggai (L. QŠYTH . . . QYYMTH)."²⁸ It appears that the translator misunderstood קשיתא as קשישה just as he did in *Niddah*. Thus on the one hand our translator created a new rabbi, "R. Yosé the Elder"; on the other hand he split our R. Haggai into two individuals.

Again, we read (*Abodah Zerah*, p. 64): "Said R. Mana, 'Now if R. Jonah, the patriarch, had known . . .'" Any rabbinic student knows that R. Mana was the son of R. Jonah,²⁹ and the correct translation is: "If R. Jonah my father had known" etc. A patriarch R. Jonah did not exist. In fact our translator almost eliminated our R. Mana from *TP*. In his Index to *Horayot-Niddah* (p. 241) he transferred most of the sayings of our R. Mana to R. Mana bar Tannhum.

Now let us turn to the translation of the first chapter of *TP AZ*, where I shall limit myself to indicating only the most preposterous translations.

P. 8: "Said Rabbi, 'Not from the thorns . . .'" Even a beginner of the study of *TP* knows that the name of R. Ila is often abbreviated and spelled "La."³⁰ A parallel passage to our text,³¹ clearly states: "Said R. Ila, from the thorns" etc.³² Our translator's rendering is an

²⁵ *TP Niddah*, I, 46^b.

²⁶ See the very beginning of *TP, Berakhot* I.1,2^c, top. *passim*.

²⁷ A common phrase, see *TP Orla* III.1, 63^a. A similar phrase is frequent in *TB*, as it is known to any rabbinic student.

²⁸ It is hard to make out the sense of the translator's emendation of the text.

²⁹ It can be found in any reference book, s.v. מנא ר'.

³⁰ See Jastrow, s.v. לא, refers to *Mebo Hayerushalmi* by Z. Frankel, published some hundred years ago.

³¹ *TP Gittin* I.5, 43^d, top.

³² The French translation by M. Schwab (published more than a hundred years ago) has it correctly. The greatest majority of the gross mistakes of our English translation is absent in the French translation. Mistakes are also absent in the much superior German translation by Gerd A. Wewers, Tübingen, 1980.

²¹ בלעא in Aramaic and Syriac.

²² As properly understood by Jastrow and others. Comp. also *TB Shabbath* 67^a (bottom).

²³ See Jastrow, s.v. סור and s.v. ספור.

²⁴ In the Index to *Horayot-Niddah*, p. 243.

absurdity. But in this mistake, he is consistent, for, on p. 10 we read: "Rabbi does not [concur. He maintains that] they removed them" etc. The correct translation is: "Rabbi La said, they removed them . . ." Again, we find on p. 16: "Said Rabbi, 'No, whether the crop is plucked or not yet plucked . . .'" [So Rabbi differs from Simeon b. Eleazar]. The correct translation is: "Said R. La, whether the crop" etc.

P. 12 (bottom): "A certain *quastor* honored" etc., whereas the text reads: "A certain ducenarius (δουκηνάριος) honored" etc.

P. 13: "Rabban Gamaliel [at the time of his inquiry] was a *young* man, . . . But R. Yudan the patriarch was an adult" etc. The translation is erroneous. אדם גרול never means an adult in rabbinic literature, but "a great man," and אדם קטן means "a small (insignificant) man."³³ Adult and minor are always designated גרול and קטן without the addition of אדם.

P. 15: "Israelite workmen who were working with a gentile at the time of their festival—in the case of [their doing so] in an Israelite's household, it is prohibited [to work on the occasion of the festival] [Tosefta; permitted]. In the case of [doing so] in a gentile's household, it is permitted [Tosefta: prohibited]." The translator follows here the commentary of *Pené Moshe*. But that author was a very learned man, and he certainly knew Hebrew. He could never make such a gross mistake. The Hebrew ביתו בחרך, "in the house of the Gentile," whereas בחרך בחיהן (in plural) can only mean "in the houses of the workmen," and our law exactly conforms to that of the Tosefta. The riddle is solved by *Pené Moshe* himself. In his *Mar'eh Hapanim* to the parallel passage in *TP Shabbath* I.8, s.v. תני אומנין, he reveals that the printers of his commentary on *AZ* did not understand what he was talking about, and they mixed up the whole thing. So did our translator.

P. 16: "In the case of working on what is plucked [Tosefta: as yet unplucked]. But as to working on what is not yet plucked [Tosefta: plucked], it is prohibited." Pure imagination of our translator! There is no different opinion in the Tosefta.

P. 22 (bottom): "And this was turned into a *huge* pot." חורש גרול does not mean a "huge pot," but a huge *thicket* of reeds. See *Bereshith Rabba*, ed. Theodor, p. 98 (top), and notes, *ibidem*.

P. 29: "R. Hiyya bar Vava sent" etc. Such a Rabbi

did not exist. The name of the famous Rabbi Hiyya bar Abba is frequently spelled: Bar Ba, bar Va.

Ibid.: "How have you never in your life purchased *pressed olives*?" The word גלוסקין does not mean "pressed olives," but "a loaf of bread."³⁴ However, on p. 45 (top) the same word is translated "A loaf of cheap bread."

P. 29:

He replied, "Yes, and [if] you give me two litras of pepper for my stock [I'll answer your question]!"

So [instead, he personally] went up [to the fair at Tyre] and found written there, "I, Diocletian the emperor, have founded the fair of Tyre for the fortune of Archeleus, my brother, for eight days."

It is almost unbelievable that a modern student of rabbinics should be entirely uninformed regarding a document which was treated in detail by many scholars for over a century.³⁵ And behold, how much the document is being distorted and mutilated! The correct translation is:

He replied, "Yes, and if you give me two litras of pepper for the officer in charge of the records [in the archive]".³⁶ He entered (i.e. the archives) and found there written (i.e. a copy of the edict): "I, Diocletian, the emperor, established this fair of Tyre to the *numen* (τῷ δαίμονι) of Herculus (i.e. Maximian), my brother, for eight days."³⁷

P. 31: "A bundle of frankincense is no less than five varieties." Varieties do not make up a bundle. We have here a mistranslation of the word מינין which does not signify here "varieties" but *minae*, i.e. "the weight of five *minae*." The parallel passages in Tosefta (I.21) and *TB* (14^a) explicitly read: מנין, which is explained by *Rashi*: "the weight of five *minae*."

³⁴ The error of the translator is based on his misunderstanding of Mishna *AZ* II, end, where olives are specifically mentioned.

³⁵ See the references cited in S. Lieberman, *Texts and Studies*, New York, 1974, p. 7 and n. 29 *ibid*.

³⁶ The text reads לאיסקרונה which is an obvious mistake for לאיסקרונה, i.e. Σκρινάριος = Χαρτοφύλαξ. See the lexicon of Sophocles (New York, 1888), s.v. Σκρινάριος. The translation "for my stock" is as arbitrary as the other translations of our book.

³⁷ See Lieberman, *Texts and Studies*, p. 9 in the name of my regretted friend Elias Bickerman.

³³ Like ברנש ועיר in Aramaic (*TP Moed Katan* III.5, 82^d).

As I have previously stated I have presented only a few examples of our translator's learning and I conclude with a clear conscience: The right place for our English translation is the waste basket. A preliminary translation is not a mockery translation, not a farce of an important ancient document.

In fairness to the translator I must add that his various essays on Jewish topics are meritorious. They abound in brilliant insights and intelligent questions. In the beginning, when he was well aware of his ignorance of the original languages, he relied on responsible English translations of rabbinic texts (like those of Soncino Press). Later, however, he began to make his own translations of rabbinic sources. Whenever the

translator deviates from the accepted English translations already available, his renderings are all, more or less, of the same character. Our present translation is the crown of them all.³⁸

³⁸ [*Editor's remark*: Prof. Saul Lieberman (born in Motol, Belorussia, May 28, 1898) died on March 23, 1983 while flying to Jerusalem. He had promised the *JAOS* the above review and had mailed to Jerusalem a handwritten manuscript which he had prepared for submission. Under the present circumstances, my role as editor has been limited to preparing it and sending it to print. Professor Neusner has declined an invitation to respond. *J.M.S.*]