

The Oxford Annotated Mishnah. A New Translation of the Mishnah. With Introductions and Notes, Edited by Shaye J. D. Cohen, Robert Goldenberg, and Hayim Lapin, Oxford University Press, Oxford 2022, (New York 2021), 1256 pp.

There are several well-known examples of translations of the Mishnah into English: Herbert Danby, *The Mishnah Translated from the Hebrew with Introduction and Brief Explanatory Notes*, the Clarendon Press of Oxford University, Oxford 1933 (reissued many times), Jacob Neusner, *The Mishnah. A New Translation*, Yale University Press, New Haven and London 1988 (translation without commentary), as well as the publication of the Mishnah by Pinhas Kehati, *The Mishnah, A New Translation with a Commentary*, Maor Wallach Press, Jerusalem 1994–1996. Most of the translations of the Mishnah are annotated. Almost ninety years after the publication of the first translation of the Mishnah into English in Oxford with a brief commentary by Herbert Danby, the Oxford University Press published in 2022 a new translation in three volumes each of which contains two divisions of the Mishnah called ‘orders’: Volume I *Zera‘im* and *Mo‘ed*, Volume II *Nashim* and *Neziqin* and Volume III *Qodashim* and *Tohorot*.

This ambitious task was initially undertaken by Shaye J. D. Cohen, Professor of Hebrew Literature and Philosophy in the Department of Near Eastern Languages and Civilizations of Harvard University. However, he came to the conclusion that he would not live long enough to translate and comment this most important work of the Rabbinic Judaism. So he chose two co-editors: Robert Goldenberg, Professor emeritus of Judaic Studies at Stony Brook University in New York, and Hayim Lapin, Professor of Jewish Studies and Professor of History at the University of Maryland. However, this team, too, turned out to be too small in the face of such a great challenge. Some other contributors were also co-opted and thus this three-volume work comprising sixty-three tractates was produced by about sixty authors, since there were some few cases in which few authors developed more than one tractate, and some tractates of this new text of the Mishnah have two authors. The editors of the work are Shaye J. D. Cohen, Hayim Lapin and Robert Goldenberg, who did not live to see its British publication as he died in 2021. The work was dedicated to his memory.



In the Introduction to this publication there is a statement: “*The Oxford Annotated Mishnah* is the first annotated translation of this work, making the text accessible to all.” However, let me have a different opinion on this subject. I do not agree with the above-mentioned statement which says that this is supposed to be the first translation of the Mishnah which is accessible both to the experts in the subject and to all the readers. This was already the function of the first Oxford edition of the Mishnah by Herbert Danby, as well as of other editions including the first Polish edition of the Mishnah. So far, in the first Polish edition of the Mishnah four volumes have been published: Volume I. *Miszna: Zeraim (Nasiona)*, Roman Marcinkowski (scientific editor), DiG Publishing House, Warszawa 2013, 327 pp; Volume II. *Miszna: Moed (Święto)*, Roman Marcinkowski (scientific editor), DiG Publishing House Warszawa 2014, 299 pp.; Volume III. *Miszna: Naszim (Kobiety)*, Introduction, translation from Hebrew and Commentary by Roman Marcinkowski, DiG – Edition La Rama, Warszawa – Bellerive-sur-Allier 2016, 455 pp.; Volume IV. *Miszna: Nezikin (Szkody)*, Introduction, translation from Hebrew and Commentary by Roman Marcinkowski, DiG – Edition La Rama, Warszawa – Bellerive-sur-Allier 2022, 569 pp.

In the new Oxford edition of the Mishnah every tractate was preceded by an introduction explaining its title, taking into account the references to the Torah and presenting its main ideas, structure and subject-matter as well as adding headings in the text of the translation. In order to make it easier to understand the text of the Mishnah, sentences were divided into shorter elements that were placed in separate lines. Below the translation, footnotes were inserted and references were made to other versions of the source text. For translation purposes different texts of the Mishnah were used, and most authors made use of the reprints of a generally accessible text consisting of thirteen volumes according to the edition of the Printing House Romm, Vilna 1908–1909 or of the edition with brief academic commentary by Hanokh Albeck, Jerusalem, Dvir (six volumes) 1952–1958 (also frequently republished) or of the text edited by Pinhas Kehati, Jerusalem 1998, or of all three of the above-mentioned texts of the Mishnah.

The new Oxford edition of the Mishnah contains a more extensive commentary than its predecessor from ninety years ago; however, it is often insufficient. In order to demonstrate it, a few randomly selected examples are provided below.

What was inappropriately explained is the term *mu'ad*, which frequently occurs in the fourth Order *Neziqin* (for example, Bava Qamma 1,4; OAM II 339. *Mu'ad* is not only ‘harmful’ but rather ‘being a testified threat.’ This refers most often to an ox that was considered dangerous, as it had already gored earlier at least three times and his owner was informed about this, since the term *mu'ad* comes from the root ‘*ayin-waw-dalet*’ meaning ‘testify’ in the first place, in the conjugation *Hiphil*, but also ‘to warn,’ while in the conjugation *Hophal* it means ‘to be warned.’ That is why in the Mishnah the term *mu'ad* should be understood as ‘being a testified threat’ and not only ‘harmful,’ which was explained in the Polish edition of the Mishnah, cf. *Miszna: Nezikin (Szkody)*, p. 42, as well as in the *Glossary*, p. 560.

In the context of an acid forbidden during Passover in Pesachim 2:2, in connection with the Biblical citation Exodus 13:7 placed there, there occur two Hebrew terms מִצֵּי

and *אָר*, and it would be worth distinguishing and explaining them, which was done in the Polish edition of the Mishnah, cf. *Miszna: Moed (Święto)*, p. 99, and which was omitted in OAM I 501–502.

In the commentary to *הַפִּילָה אֶשְׁתּוֹ* – ‘if his wife miscarried’ (Nazir 2:8; OAM II 189) it would be worthwhile explaining that there are two kinds of miscarriage: (1) when the fetus has reached the full time of its development and such a miscarriage is tantamount to birth, and (2) when the fetus did not develop properly and the miscarriage clearly preceded the time of delivery, then the fetus is not called a child, and in this case the term *nefel* is used – ‘miscarried fetus,’ that is to say it had no chance of life; cf. *Miszna: Naszim (Kobiety)*, p. 279. This is where the problem arises due to the lack of determination of the fetal status.

What is not very precise is the explanation of the fragment of Menahot 4:4 *וְלֹא יָהֵאָר אֶת זֶה* – ‘nor does one of the additional offerings prevent fulfillment of another’. It is not just about the additional offerings made in the morning and in the afternoon but also about the frequency of the offerings made. If the feast of the Head of the Month (*Rosh Hodesh*) fell on the Sabbath, two additional offerings had to be made and the one that was made more often preceded the one that was made less frequently, that is to say a sacrifice made every Sabbath (once a week) preceded the offering made on the feast of the Head of the Month (once a month). This explanation does not exist in OAM III 77.

In the same lesson some versions of the Mishnah (including Danby’s translation, p. 497) add ‘that was offered in the afternoon.’ The version OAM III 78 does not mention it at all. At the beginning of this lesson the use of this phrase *omission of* in square brackets may additionally reinforce the reader’s belief that it is just a lack of one of the offerings.

The expression *לֹא הָיוּ בָאוֹת הַצֵּיִים* (Eshkol) or *לֹא הָיוּ בָאוֹת הַצֵּיִים* (Tagged-Kaufmann) is usually translated in conformity with the original ‘did not come in halves’ (Kehati, p. 44); ‘were not brought a half...’ (Danby, p. 497); ‘were not offered in half’ (Neusner, p. 741), (Marcinkowski: ‘nie przynosi się po połowie’), while Dvora Weisberg translates ‘are not brought separately,’ which is not precise since it does not reflect the Hebrew original (OAM III 78). The word *הַצֵּיִים* (or *הַצֵּיִים*) cannot be omitted in the translation because it is the essence of this lesson.

Some versions of the Mishnah in Menahot 5:1 instead of *אָמְרוּ* – ‘they said,’ give *אָמַר* – ‘he said,’ which refers to Rabbi Meir. OAM III 79 does not note it.

In Menahot 6:3 there is no information about the reverse order of the acts of pouring oil presented in this lesson, OAM III 84–85.

This controversial conclusion of the lesson Menahot 6:4 is noted by the greatest commentators of the Mishnah (Albeck V 78; Kehati, p. 66). Danby does not refer to this passage (p. 499), and OAM III 85 follows his example.

In Menahot 6:6 there is no explanation why from the same measure of grain more flour was obtained for the offering of the Two Loaves than for the *Omer* offering (OAM III 86).

In Menahot 6:7 in the translation of *לֹא הָיָה לָהּ קֶצֶבָה* – ‘There was no fixed number’ the author omitted the preposition *le*, which, according to one version of the text of the

Mishnah, refers to fine flour (*solet*), that is why it took the form *lah*, and according to another version of the text it refers to twelve shewbreads, that is why it took the form *lahen*. There is no explanation regarding this matter in OAM III 86.

Menahot 7:3 does not specify which wall is mentioned in it. Most commentators say it is the wall of Jerusalem, which might be indicated in Men 11:2, where the town Beit Pagi on the outskirts of Jerusalem is mentioned, cf. Albeck V 81; Danby, p. 500. This is what Rabbi Yohanan explains as well, cf. Menahot 75b. Some others, however, point out that this is the wall of the temple courtyard, which may be indicated by OAM III 88 when it refers to the tractate Zevahim. There is no proper explanation here, however, which may confuse the reader.

When the readers see on the dust jacket the description of the contents of the Mishnah they may get the wrong impression that the work is, to a certain extent, a collection of anecdotes, but we know that, with the exception of the tractate *Avot*, the content of the Mishnah consists of the *Halakhah* and not of the *Aggadah*. Also, the marking of the volume number on the spine of the dust jacket is hardly visible, and three decorative icons placed above are additionally misleading.

Since the translation and the commentaries of the new Oxford edition of the Mishnah have some sixty authors, and due to the use of the various source texts by so many authors of the translation the problem arises of how to make the text uniform and how to use uniform terminology. The editors of the work themselves admit that they have ‘failed to maintain consistency in the translation of technical terms and rhetorical patterns’ (OAM I 6). To indicate the differences in the source texts of the Mishnah, which is the advantage of this study, reference was made to two of its most important manuscripts marked with letters ‘K’ and ‘P’: K – Kaufmann A50, now in the Library of the Hungarian Academy of Sciences in Budapest, available at a website of that library, <http://kaufmann.mtak.hu/index-en.html>; P – Palatine Library of Parma 3173, available through “KTIV: The International Collection of Digitized Hebrew Manuscripts”, a project of the National Library of Israel at <https://we.nli.org.il/sites/nlis/en/manuscript/>. Some authors of the translation and commentaries made use of other collections of the Mishnah.

The editors of the new Oxford edition of the Mishnah point out that its new translation was created in a manner completely independent of H. Danby’s translation but they fear that they could follow in his footsteps (OAM I 8). It would not be surprising because H. Danby’s translation was a model for others for nearly ninety years – with its characteristic style that was recognizable, especially due to outdated utterances in the text. It was used by both the experts in the subject and the researchers beginning to study Mishnah, and many of them will probably continue to use it. Even in the new Oxford edition the almost completely unchanged index of biblical places was used based on Danby’s work; also, the table of weights, measures and coins has been preserved. The glossary of Hebrew terms, compiled by Robert Goldenberg and Leonard Gordon, has been changed. The subject index, as was needed, has been adapted to the new edition of the Mishnah.

There is no doubt that the new Oxford translation broadens and enriches the English versions of the Mishnah. Its advantage is the clarity of the text obtained thanks to the transcription of the translation in separate lines, as well as the way of the text presentation which resembles Neusner's translation, who additionally divided the text of every lesson into smaller passages marked with letters. The advantage of this publication is also a clearer separation of chapters than that in Danby's translation. It will certainly be easier for the reader to find himself in the text of the translation thanks to the subtitles covering the issues separated in this way. I think it is a convenience, even though I am against interference in the text of the Mishnah, which is certainly considered sacred by many people. The goal of this new Oxford edition of the Mishnah with which the translators were faced on the part of the editors of the work was to match Danby with regard to the quality of translation as well as to surpass him in terms of its usefulness (OAM I 8), and I have to admit that these challenges have been met.

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