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TOSEPHTA MEGILLAH:

A TRANSLATION AND COMMENTARY

BY

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Thesis submitted in partial fulfillment of
the requirements for the Degree of Master
of Arts in Hebrew Letters and Ordination

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TOSEPHTA MEGILLAH: DIGEST

Tosephta Megillah is concerned primarily with the laws concerning the reading of the Megillah, the Scroll of Esther, on the holiday Purim. However, this tractate of the Tosephta also contains a wide variety of other laws and customs.

Chapter One deals with where and when the Megillah should be read, and with gifts sent to the poor on Purim. In this chapter there is also a series of laws called, "The only difference between X and Y is . . .," collected from other parts of Tannaitic halachic literature and assembled in this tractate. This series emphasizes the eclectic nature of Tosephta Megillah; it deals with the holidays and the Sabbath, with fast days, a Nazirite, blood, flesh, and limbs of a corpse, an unclean man or woman, a quarantined house, Temple offerings, altars, the high priest, and regular priests.

Chapter Two is concerned with the proper method of reading the Megillah, i.e., that which is required of the reader if he is to fulfill the obligation of reading the Megillah.

Chapter Three treats the proper respect due holy objects. The basic rule is that one may use a holy object for a more holy purpose, but not for a less holy purpose. The Tosephta applies this general rule to a synagogue, an ark, a wrapping and mantle of a Torah scroll, and a menorah. Charity to the poor, which is also considered holy, is dealt with under the same general rule, that one should use money pledged to a specific charity only for the purpose for which it is intended. This chapter concludes with maxims on proper conduct in a synagogue, the rule being

that one should do nothing in a synagogue, such as sleep or loiter, to indicate any disrespect.

Chapter Four deals with a very wide range of topics, beginning with the laws of the "special" extra Torah readings on the four Sabbaths in the month of Adar, preceding Nisan. It then treats the proper Torah readings for the holidays and festivals, the proper cycle of readings from Sabbath to Sabbath, and the proper number of readers on the Sabbath and Holy Days. The next series of topics is concerned with when a minyan, a quorum of ten men, is required for special occasions, and with announcing the new moon. The Tosephta then returns to the themes of the proper procedures for Torah readings and Haftarah readings, the proper respect due a Torah scroll and other holy objects, such as a book of the Pentateuch, a synagogue, and a sage. It then deals with the proper respect due the recitation of the Shema and various blessings, the priestly benediction, and the mezuzah. Chapter Four concludes with a list and discussion of Biblical passages which it is proper or improper to read and translate in the synagogue, the use of euphemisms in translating, and rules of proper translation.

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For Nancy

For her love and friendship,

Patience, kindness, and help

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TOSEPHTA MEGILLAH, INTRODUCTION

Our approach to studying Tosephta Megillah, as well as all the other tractates in the Tosephta, is determined by how we view the Tosephta in relation to the Mishnah, the two major halachic compilations of the Tannaitic period.

I view the Tosephta not as a commentary on the Mishnah, but as a parallel work, of almost equal rank to the Mishnah. The Mishnah attempts to set down the selected laws of the Tannaitic period in "shorthand" form, for easy reference. The Tosephta, on the other hand, attempts to be more inclusive; it therefore includes many more laws than the Mishnah does, as well as variations on laws contained in the Mishnah, examples of Mishnaic laws and examples of laws contained in the Tosephta but not in the Mishnah.

Although the Tosephta is an independent compilation, the student of Tosephta must use the Mishnah as one of his basic tools. A thorough understanding of Mishnah Megillah provides a background and a starting point for the study of Tosephta Megillah. I therefore suggest to any student using this translation and commentary of Tosephta Megillah that a prior study of Mishnah Megillah is indispensable for a thorough understanding of this tractate of the Tosephta. Once the student has mastered Mishnah Megillah, and is ready to begin his study of Tosephta Megillah, it is imperative to deal with both the Mishnah and Tosephta together in order to gain a full view of the Tannaitic halachah concerning the reading of the Megillah and the other topics dealt with in this tractate.

I would suggest the following approach for the student of Tosephta Megillah. First read the entire Mishnah Megillah (the best commentary in English is the Rabbinowitz edition). Then return to the beginning of the tractate and study the Mishnah and Tosephta in parallel, according to the following list of parallel passages.

	Mishnah		Tosephta
I.	1	I.	1
	2		2
	3		4, 5, 3
	4		6
	5		6, 7
	6		8, 16, 9-13
	7		14, 16
	8		No parallel
	9		18-21
	10		17
	11		17
II.	1	II.	1-6
	2		6
	3		9
	4		7-8
	5		10
	6		10, 11
III.	1	III.	1-5
	2		6

	3		7
	4	IV.	1-4
	5		5-8
	6		9-10
IV.	1	II.	5
	2	IV.	11, 12
	3		13-16
	4		17-26
	5		27
	6		27, 28
	7		29
	8		30
	9		39, 41
	10		31-38

Study first the Mishnah passage and then its parallel Tosephta passage. The best Hebrew text and commentary of Tosephta Megillah is the critical Lieberman edition, but it is also helpful to use the Zuckerman edition. Tosephta for reference to other tractates of the Tosephta. For reference to other tractates of the Mishnah, the Mishnahs edited by Albeck, Danby, and Blackman are helpful.

The reader will find that the Tosephta is identical or parallel to the Mishnah in many instances, but that the Tosephta also contains additional material.

The chief themes of these Chapters (in the Mishnah) are:
 1. Places where, and times when, the Megillah is read; some remarks concerning the Scriptures, phylacteries, mezuzahs.
 2. The reading of the Megillah. 3. Buying and selling holy things; readings of the Law on the 'Four Sabbaths,' on New Moons,

and on the Holydays. 4. The manner of reading the Law; the 'Minyan'; the recital of the Shema; the leader in prayer; the Priestly Blessing. 1

The following summary of contents of each chapter of Tosephta Megillah will aid the student in recognizing the material additional to the Mishnah found in the Tosephta.

Chapter One: Places where and when the Megillah is read; the collection for Purim; the series of אין כין laws.

Chapter Two: Reading the Megillah.

Chapter Three: Buying, selling, and using holy objects; pledges to charity and to the synagogue; proper conduct in the synagogue.

Chapter Four: The reading of the Law on the "Four Sabbaths"; special readings for the holidays and festivals; the manner of reading the Law; the "Minyan"; announcing the New Moon; proper honor due to holy objects; proper conduct in the synagogue; the use of "Amen"; reciting the Shema; examples of Biblical passages to be read or not read; use of euphemisms in translating; rules of proper translation.

TOSEFHTA MEGILLAH, CHAPTER I

1:1

Cities that have been surrounded by a wall from the days of Joshua ben Nun, read (the Megillah)¹ on the fifteenth (of Adar). Rabbi Joshua ben Karchah says (this ruling applies to cities surrounded by a wall) from the days of Ahasuerus.²

Rabbi Jose ben Yehudah said: Do we find (proof) anywhere that Shushan was surrounded, that it was fortified by a wall, since the days of Joshua ben Nun?³

Rather, (we should explain the words) ("these days should be remembered and kept throughout every generation,) every family, every province, and every city"^{4 5} as follows:

Those (areas) which are adjoining to a city, and are seen (i.e. considered) (to be) with it,⁶ they are like it (i.e. the city).⁷

1:2

Those who go out on a caravan, or depart on a ship (for a journey), should read (the Megillah) on the fourteenth (of Adar).¹

If (the fourteenth of Adar) falls on Friday, cities which are surrounded by a wall advance (the reading) to the Day of Assembly (i.e. Thursday the thirteenth), but large towns (read it) on that very same day (Friday the fourteenth). R. Yose said: "I say that the city dwellers² should not precede the town dwellers,³ but they (the city dwellers) should read with them (the town dwellers) on that very day (Friday the fourteenth).⁴

If (the fourteenth of Adar) falls on Shabbat, villages advance (the reading) to the Day of Assembly (Thursday the twelfth), large towns read it on Friday (the thirteenth), and walled (cities) (read the Megillah) after Shabbat (on Sunday the fifteenth).

Rabbi⁵ says: I say (that) since large towns have (already) changed (the reading) from its (usual or customary) place (i.e. date), let them move it to the Day of Assembly (Thursday the twelfth).^{6 7}

1:3

R. Yose¹ said: When (can they advance the reading of the Megillah)?² (They can do so) in a place where (the country people) assemble on Monday and Thursday. But in a place where they do not assemble on Monday and on Thursday,³ since there may be danger⁴ in this,⁵ let them not chance danger, but (they should read the Megillah) in its proper time (i.e. the fourteenth).

1:4

The¹ reading of the Megillah, and the contribution of the head tax,^{2 3} they may advance but not postpone.⁴ But a doubtful circumcision,⁵ the Wood Festival of the Priests,⁶ the Ninth of Av, the Festival Offering,⁷ and the Assembly,⁸ they are postponed, and not advanced.

Even⁹ though they (the Sages) said: advance and do not postpone the reading of the Megillah,¹⁰ they should collect (food for gifts to the poor) and distribute it on the proper day,¹¹ for the eyes of the poor are fixed on¹² the day of the reading of the Megillah,¹³ as it is said, "And that these days should be remembered . . . ,"^{14 15} and furthermore,¹⁶ to keep the rejoicing in its proper time.¹⁷

1:5

The collection for Purim (must in fact be given) for Purim; and what has been collected in a town (should be distributed) in that same town. One should not be stingy with the collection for Purim, but one should take calves and slaughter and eat them, and what is left should not be placed into the (general) charity account.¹

Rabbi Eliezer says: Concerning the collection for Purim, a poor person should not (take the money and) make a strap for a sandal.²

Rabbi Meir says: If one borrows money from a friend (in order) to buy fruit with it, he should not buy utensils (with the money); (if he borrowed money to buy) utensils, he should not buy fruit with it, because (by doing this) he deceives the lender.

Rabbi Shimon ben Eliezer said in the name of Rabbi Meir: If one borrows money from a friend (in order) to buy a plain garment with it, he should not buy a fancy cloak with it; (if he borrowed the money to buy) a fancy cloak, he should not buy a plain garment with it, because (by doing so) he deceives the lender.

1:6

(If) they read the Megillah in the first (month of) Adar,¹ and² the year was intercalated,³ they must read it⁴ in the second (month of) Adar, because all laws that apply to⁵ the second Adar, do not apply to⁶ the first Adar.

Rabbi Eliezer ben Rabbi Yose said in the name of Rabbi Zachariah ben Hakatzav (the butcher), they do not have to read it (the Megillah)⁴ in the second Adar, because all laws that apply to⁵ the second Adar, apply to⁵ the first Adar.

Rabban Shimon ben Gamliel said in the name of Rabbi Yose: They must read it in the second Adar,⁴ for all laws which apply to⁵ the second Adar, do not apply to⁶ the first Adar, except (the prohibition of) funeral eulogies and fasting, which apply to both months of Adar.⁷

Concerning documents (written) in each (of the two months of) Adar, (for the first Adar), they write "Adar," and (for) the second Adar, "second" is written;⁸ Rabbi Judah says: For the second Adar, "second" is written.

1:7

The¹ only difference between a holiday and the Sabbath² is the preparation of necessary food.³ ⁴ Rabbi Judah said: Also the acts preliminary to the preparation of necessary food.⁵ Rabbi Nahumyah ben Hakanah said: The Day of Atonement is like the Sabbath with regard to indemnification.⁶

1:8

The only difference between the second set of three fast days and the last (set of) seven (fast days) is the blowing of the Shofar and the closing of the stores (on the last seven days).¹

The only difference between one prohibited by a vow from receiving benefit from his fellow, and one prohibited by a vow (only) from accepting food from him, is (that the former is prohibited) from walking on the other person's property and from using (cooking) utensils which are not used (in preparing) necessary food.²

1:9

The¹ only difference between a Nazirite without any time stipulation and a Nazirite for thirty days is that the unstipulated Nazirite

should cut off his hair on the thirty-first day, but if he cuts it off on the thirtieth day, he (also) has fulfilled the obligation (of his vow).³

A Nazirite for thirty days should cut his hair off on the thirty-first day, but if he cuts it off on the thirtieth day, he has not fulfilled the obligation (of his vow).³

For both,⁴ their obligation is to cut off their hair on the thirty-first day.

1:10

The only difference between the blood of a corpse¹ and mixed blood² is that (after coming into contact with) the blood of a corpse, a Nazirite must cut off his hair,³ and (after coming into contact with the blood of a corpse and then entering the Temple) a person⁴ is liable (for the punishment) of defiling the Temple and its holy objects.^{5 6}

But, concerning mixed blood, a Nazirite (after coming into contact with it), does not have to cut off his hair, and a person⁴ (who comes into contact with mixed blood) is not liable (for the punishment) of defiling the Temple and its holy objects.⁵

1:11

The only difference between an olive's bulk of (the flesh of) a corpse and a dead body is that¹ for an olive's bulk from a corpse, an opening (in a room leading to the outside) of one handbreadth (square) (suffices to protect other openings from uncleanness), and for a corpse, an opening of four handbreadths (square) (suffices to protect other openings, such as doors, from uncleanness).

1:12

The only difference between an olive's bulk of (the flesh of) a corpse and a barleycorn's bulk of bone¹ is uncleanness by virtue of overshadowing.²

1:13

The only difference between a limb of a corpse and a limb of a living person, is that a limb of a corpse, the flesh separated from it is unclean, but the limb of a living person, the flesh separated from it is clean.¹

1:14

The¹ difference between one that has had two issues (discharges)² and one who has had three (issues)³ is only in the (bringing of a) sacrifice.

The difference between a discharging male and a discharging female is that the male requires ritual immersion in "running water,"⁴ but the female does not require ritual immersion in "running water."⁵

1:15

The only difference between a discharging woman¹ and a menstruant² is the offering (sacrifice).

The only difference between a discharging woman¹ and a woman who just gave birth to a child³ is in the bringing of an offering.⁴

The only difference between a menstruant, and a woman who watches (for a day free from bleeding after having observed bleeding during the eleven days free of possible menstruation) is the counting of seven (days).⁵

1:16

The difference between a house that is closed up¹ (for observation) and a house that has been certified² (unclean) is that a house closed up (for observation) communicates uncleanness from its inner side,³ but one certified (unclean) (communicates uncleanness) from its inside and its outside.⁴ But both of these impart uncleanness upon entering.^{5 6}

(If one touches) stones, which themselves are unclean at the outside (of a building),⁷ they (the stones) communicate uncleanness on the outside (of the building).

The difference between vowed objects and free-will offerings is that if one dedicates vowed objects to the Temple for upkeep of the Temple, and loses (the vowed object), he is (nevertheless) responsible.⁸ But for a free-will offering, (if one loses it), he should pay only the "benefit of a pleasure."⁹

1:17

The¹ difference between a private altar and a public altar² is that anything that is vowed or freely offered could be offered (sacrificed) on a private altar; but anything that is not vowed or freely offered must be offered on a public altar.³

The difference between Shiloh and Jerusalem is that (the Tabernacle) at Shiloh, below was a house of stone,^{4 5} and above were hangings,⁶ but (the Temple) at Jerusalem, below was a house of stone, but above was a roof.⁷

1:18

The¹ difference between a (high) priest anointed with the oil of installation² who is in office³ and an anointed (high) priest that

is passed (from being in the office of the high priesthood)⁴ is the bullock⁵ of the Day of Atonement and the Tenth of an Ephah.^{6 7}

The difference between (a high priest) in many garments⁸ (who is) in office, and a (high priest) in many garments (who is) passed (from office), is the bullock of the Day of Atonement and the Tenth of an Ephah.^{9 10}

1:19

The¹ difference between an anointed (high) priest² who is in office and (a high priest) in many garments³ who is in office, is the bullock offered on transgression of any one of the commandments.^{4 5}

The difference between an anointed (high) priest who is passed (from office) and (a high priest) in many garments who is passed (from office) is the bullock offered on transgression of any one of the commandments.^{6 7}

1:20

The difference between a priest in many garments¹ in office, and a former anointed priest² is the bullock of the Day of Atonement and a Tenth of an Ephah.³

1:21

The difference between an anointed priest¹ in office and a former priest in many garments² is the bullock of the Day of Atonement, a Tenth of an Ephah, and the bullock offered on transgression of any one of the commandments.^{3 4}

TOSEPHTA MEGILLAH, CHAPTER II

2:1

One who reads the Megillah backwards¹ has not fulfilled his obligation (to read the Megillah). Likewise with the Hallel,² and likewise with the Amidah,³ and likewise with the recitation of the Shema.⁴

2:2

If¹ one is reading the Megillah, and errs by omitting a verse (during the reading), he should not return (to that verse when he finishes the Megillah) and read the verse by itself; rather, he should begin (reading) from that verse and finish (the entire Megillah) to the end. And likewise with the Hallel,² and likewise with the Amidah,³ and likewise with the recitation of the Shema.⁴

2:3

If¹ one enters a synagogue and finds that they have read half (of the Megillah), and he finishes (reading the Megillah) with them (in the synagogue), he should not return and read from the beginning to the place (where he began upon entering); rather, start at the beginning and finish to the end. And likewise with the Hallel,² and likewise with the Amidah,³ and likewise with the recitation of the Shema.⁴

2:4

If one read it (the Megillah) at night, he has not fulfilled his obligation (to read the Megillah).

Rabbi Yose said: There is the case of Rabbi Yohanan ben Nuri who read it (the Megillah) in Sepphoris¹ at night.² He said to him (to Rabbi Yose): the time of danger is not proof.³

2:5

If one recited it (the Megillah) by heart, he has not fulfilled his obligation (to read the Megillah).

Rabbi Simon ben Eliezar said: There is the story of Rabbi Meir who journeyed to Asia (Asia Minor) to intercalate the year,¹ but found there no Megillah written in Hebrew. He wrote it (the Megillah) by heart, and then read from it.²

If one read it (the Megillah) standing, or seated, or reclining;³ if one appointed a translator,⁴ if one makes a blessing before it or if one makes a blessing after it; if afterwards, but not before; if one makes a blessing neither before it nor after it, he has fulfilled (his obligation to read the Megillah).⁵

Rabbi Simon ben Eliezar said: There is the case of Rabbi Meir who read it in the synagogue of Tibin⁶ sitting and the members of the congregation were sitting. When he (Rabbi Meir) finished it (reading the Megillah), he gave it to another person, and he (this other person) recited the blessing after it.⁷

2:6

If¹ one read it (the Megillah) in the vernacular,² those who speak the vernacular³ fulfill their obligation (to read the Megillah).

If one read it (the Megillah) in Hebrew, if they⁴ understand or if they do not understand (the Hebrew), they fulfill their obligation.

But⁵ they have not fulfilled their obligation unless (the Megillah) was written in Aramaic characters,⁶ in the Hebrew language, on a scroll

(of parchment), in ink.⁷

2:7

Everyone¹ is obligated in reading the Megillah: priests, Levites, and Israelites;² proselytes and freed slaves; Halalim,³ Nethinim,⁴ and bastards; castrate⁵ and eunuch;⁵ one whose testicles have been crushed,⁶ or one whose penis has been mutilated;⁶ all of them are obligated and can fulfill for others their obligation.⁷

A tuntum⁸ and a hermaphrodite⁹ are obligated (to read the Megillah) but cannot fulfill for others their obligation. A hermaphrodite can fulfill (the obligation) for one of his own kind (i.e. another hermaphrodite), but cannot fulfill (the obligation) for one not of his own kind (a non-hermaphrodite). A tuntum⁸ cannot fulfill (the obligation) for one of his own kind (another tuntum) nor for one not his own kind (a non-tuntum).

Women and slaves and minors are exempt (from the obligation of reading the Megillah) and (therefore) cannot fulfill for others their obligation.⁷

2:8

Rabbi¹ Judah (bar Elai)² said: I was a minor and I read it (the Megillah) before Rabbi Tarfon³ at Lydda; and he accepted me.⁴

Rabbi (Judah Ha-Nasi)⁵ said: I was a minor and I read it (the Megillah) before Rabbi Judah (bar Elai) at Usha;⁶ there were elders there but not one of them said a thing.⁷

They (the Sages) said to him (to Judah Ha-Nasi): One cannot bring proof from (the authority) who allows (the act).⁸

2:9

(What constitutes) the mitzvah¹ of (reading) the Megillah?²

From the beginning to the end, according to Rabbi Meir. Rabbi Judah (bar Elai) says: From "A certain Jew."³ Rabbi Jose says: From "After these things."⁴ Rabbi Simon ben Eliezar says: From "On that night."⁵ But all agree⁶ that the mitzvah is to finish until the end (of the book of Esther).⁷

2:10

The entire day of waving (the Omer) is prohibited for the new grain.¹ The entire seventh day (of the Feast of Tabernacles), one is obligated concerning the Succah.² The entire seventh day (of the Feast of Tabernacles) is valid for the Lulav.³ The entire eighth day (after a boy is born) is valid for circumcision.⁴ The⁵ entire night is valid for the "reaping of the Omer,"⁶ and for the "burning of the fat and the limbs."⁷

This⁸ is the general principle: any act whose fulfillment is prescribed for the day, is valid the entire day; and any act whose fulfillment is prescribed for the night, is valid the entire night.

2:11

And¹ they are not liable for transgression of the laws of "remainder"² and they are not (liable for transgression) of a "wrong intention"³ before dawn.⁴

TOSEPHIA MEGILLAH, CHAPTER III

3:1

Rabbi Menahem ben Rabbi Yose said: (If they sold) a synagogue, they should not take (the proceeds and buy) the open place (city square).¹

Rabbi Judah said: Concerning what are these words said?² A time when the leaders of the community do not stipulate (at the time of making the collection that the excess of the money may be used for a less holy purpose); but if the leaders of the community stipulate (at the time of making the collection that the excess of the money may be used for a less holy purpose), they may use it for anything they wish.

3:2

If one makes an ark and wrappings for a (Torah) scroll, before it is used for that exalted (purpose), it is permissible to use it for a common (i.e., secular) (purpose); but after it has been used for that exalted (purpose), it is not permissible to use it for a common (secular) (purpose).

But a man may lend (rather than give) his mantle¹ to the (Torah) scroll, and (then he may) take it back from it.²

The mantles of scrolls, they may (take them) from some scrolls and use them for (other) scrolls, but not for anything else.³

3:3

If (a person) makes a Menorah (candelabrum) and wick for the synagogue, until the name of the owners is lost (forgotten) it is not permissible to use them (the Menorah and wick) for anything else (other

than their originally intended purpose); after the name of the owners has been lost (forgotten), it is permissible to use them (the Menorah and wick) for another purpose.

3:4

If an individual pledges charity in his city, he should give it to the poor of his city; (if he pledges charity) in another city, he should give it to the poor of the other city.

If the leaders (of a community) pledge charity in their city, they should give it to the poor of their city; (if they pledge charity) in another city, they should give it to the poor of the other city.

If one pledges charity, until the leaders (of the community or the charity) collect it,¹ it is permissible to use it for another matter;² after the leaders (of the community or the charity) collect it, it is not permissible to use it for another matter, except with their consent (the consent of the leaders of the community or the charity who are collecting).

3:5

A gentile who dedicates a beam to a synagogue, and "for God" is written upon it (the beam), they examine him. If he said: I vowed (it) for the Sanctuary (of Jerusalem) they hide (store) it (the beam). If he said: I vowed it for the (upkeep of) the synagogue, they scrape the place (where) God's name (is) and hide (the scraped off material) and use the rest.

Utensils intended for the Sanctuary, before they are used for purposes of the Sanctuary, it is permissible to use them as common (secular) (utensils); after they have been used for the Sanctuary, it

is not permissible to use them as common (secular). And vessels which were originally made as common (secular), one cannot (use) them for the Sanctuary.

Stones and beams which they hewed originally for the synagogue, they do not build with them on the Temple Mount (i.e. for purposes of the Sanctuary).

Stones for the Temple or Temple Court which have become mutilated (and therefore defective) or have been chipped (and therefore defective), there is no redemption for them (to make them usable), and they require to be hidden (since they cannot be made fit for use).

3:6

Rabbi Judah said: There is the story of Rabbi Eliezar ben Rabbi Zadok who bought the Alexandrian Synagogue which was in Jerusalem, and he did with it all that he wished. They (the Sages) did not prohibit him (from doing anything) except that it (the synagogue) should not be called by its first name (i.e. the Alexandrian Synagogue).¹

3:7

Synagogues: people should not conduct themselves in them with lightheadedness; one should not enter them in the heat because of the heat,¹ or in the cold because of the cold,¹ or in the rain because of the rain;¹ one should not eat in them,² and one should not drink in them,² and one should not loiter in them,² and one should not do anything pleasurable in them.²

But (rather), one should read (from the Torah), and study (the Mishnah), and preach (expound and interpret the Law) in them; a eulogy for a public personality should be delivered in them.³

Rabbi Judah said: Concerning what are these things said? (When the synagogues are) in their inhabitable condition.⁴ But in their ruined state⁵ one should leave them (alone), and let the grass grow, because of "grief of soul."^{6 7}

TOSEFHTA MEGILLAH, CHAPTER IV

4:1

If the first of Adar falls on the Shabbat, they read the portion "Shekalim"¹ and they read the Haftarah portion for "Shekalim," which is "Yehoyadah the Priest."²

Which is the "first week"³ (in the cycle of special readings preceding the month of Nisan)? That (week) during which Rosh Hodesh Adar falls, even (if Rosh Hodesh Adar occurs) on Erev Shabbat (Friday).

4:2

On the second (Shabbat in the cycle of special readings preceding the month of Nisan), (they read) "Zachor,"¹ and they read the Haftarah (of "Zachor"), "Thus said the Lord (of Hosts): 'I remember that which Amalek did to Israel.'"²

Which is the second Shabbat (in the cycle of special readings preceding the month of Nisan)? That during which Purim falls, even if (Purim falls) on Erev Shabbat (Friday).

4:3

On the third (Shabbat in the cycle of special readings preceding the month of Nisan), (they read) "Parah Adumah" (the red heifer)¹ and they read the Haftarah (of "Parah Adumah"), "And I will sprinkle clean water upon you and you shall be clean."²

Which is the third Shabbat? That directly after Purim.

4:4

On the fourth (Shabbat in the cycle of special readings preceding the month of Nisan), (they read) "Hahodesh," "This month shall be to you the beginning of months,"¹ and they read the Haftarah (of "Hahodesh"), "Thus said the Lord (God): 'In the first month (in the first day of the month).'"²

Which is the fourth Shabbat? That during which the first of Nisan occurs, even if (the first of Nisan falls on) Erev Shabbat (Friday).

If the portion (in which) "Shekalim" (occurs) falls (by chance on the Shabbat) close to (the first) of Adar, either before it or after it,³ they read (the portion "Shekalim" with the rest of the Sidra) and repeat it (the first six verses which constitute the portion "Shekalim")⁴ (on Shabbat Shekalim).

And likewise with the second (Shabbat),⁵ and likewise with the third (Shabbat), and likewise with the fourth (Shabbat), and likewise with Hamakah, and likewise with Purim.

4:5

They inquire into the laws of Passover on Passover, and the laws of Pentecost on Pentecost, and the laws of the Festival (of Tabernacles) on the Festival (of Tabernacles). In the meeting place (for studying), they inquire into the laws of Passover 30 days before Passover; Rabban Simon ben Gamliel says: two weeks (before Passover).

The first day of Passover, they read in the portion "Waving"¹ which is in the "Law of the Priests."²

And the rest of all the days of Passover, they skip to matters relating to Passover which are written in the Torah.³

On Pentecost, (they read) "Seven Weeks,"⁴ but there are some who say (they read) "In the third month."⁵

4:6

On Rosh HaShanah (they read): "Speak unto the Israelites (saying): 'In the seventh month, on the first day of the month, shall be a sacred rest day for you.'"¹ But there are (some who) say (they read) "And the Lord visited (remembered) Sarah."²

4:7

On the Day of Atonement they read "After the death,"¹ and they read the Maftir "And on the tenth,"² which is in the book of Numbers.

4:8

On the first day of the Festival (of Tabernacles) they read "Speak to the Israelites saying: 'On the fifteenth day of this (seventh) month is the Festival of Tabernacles (for seven days unto the Lord).'"¹

On the second (day, they read) "On the second day."²

On the third (day, they read) "On the third day."³

On the fourth (day, they read) "On the fourth day."⁴

On the fifth (day, they read) "On the fifth day."⁵

On the sixth (day, they read) "On the sixth day."⁶

On the seventh (day, they read) "On the seventh day."⁷

On the eighth (day, they read) "On the eighth day."⁸

4:9

On the first day of the new month (Teveth) which occurs during Hamukah (on the sixth day), they read "And on your new moons."¹ On the Ninth of Av² others say (they read) "If you do not hearken unto me."³

4:10

From the place where they stop (reading the Torah) on Shabbat morning, there they begin at the Minchah (afternoon) service (on Shabbat). (Where they stop) at the Minchah (afternoon) service (on Shabbat), from there they begin (to read) on Monday. (Where they stop) on Monday, from there they begin (to read) on Thursday. (Where they stop) on Thursday, from there they begin (to read) on the following Shabbat.

Rabbi Judah says: The place where they stop (reading the Torah) on Shabbat morning, from there they begin (to read) on the following Shabbat.

4:11

On a holiday, five (read in the Torah); on the Day of Atonement, six (read in the Torah); on Shabbat, seven (read in the Torah), and if they wish to add (to the number of readers), they may not add, according to Rabbi Ishmael.¹

Rabbi Akiva says: on a holiday, five (read in the Torah), and on the Day of Atonement, seven (read in the Torah) and on Shabbat, six (read in the Torah), and if they wish to add (to the number of readers), they may add.²

Everyone counts in the quorum of seven (who read from the Torah on Shabbat), even a woman, even a minor.³

They do not ask a woman to read to the public (congregation).⁴

4:12

A synagogue which has only one person who can read (the Torah), he stands and reads and sits; and stands and reads and sits; stands and

reads and sits, even (if he must do so) seven times.¹

4:13

A synagogue of non-Hebrew speaking Jews, if one of them can read Hebrew, he begins and concludes in Hebrew.¹ If there is only one person who can read (Hebrew), only that one reads.

4:14

One does not do "(funeral) halts and sittings"¹ with less than ten (people); one does not stop and sit fewer than seven times; one does not say the benediction over mourners with less than ten (people).²

Mourners do not count in the minyan (quorum of ten men).

One does not say the marriage blessings with less than ten (people),³ but the grooms count in the minyan.

One says the marriage blessings either at the betrothal dinner or at the marriage dinner; either on a week-day or on Shabbat.

Rabbi Judah says: if new faces (fresh guests) come, say the marriage blessings; and if not, do not say the marriage blessings.

4:15

When do they kindle (beacons to announce) the (new) month? On the evening of the intercalation.¹

How (is this the case)? If (Rosh Hodesh) occurs on Erev Shabbat (Friday) or on Shabbat, they light (the beacon) for it (for the new month) on Saturday evening (so as to avoid profaning the Shabbat by lighting a fire on it).

Rabbi Eliezar son of Rabbi Tzadok said: Thus were (certain) groups accustomed (to doing) in Jerusalem.

Some (would go) to the place of a wedding feast; some to a house of mourning. Some to a betrothal feast, and some to a wedding feast. Some to a circumcision² and some to the gathering of bones.³

Concerning the circumcision and the gathering of bones, the circumcision has precedence over the gathering of bones.⁴ Concerning the place of a wedding and a place of mourning, the place of a wedding takes precedence over the place of mourning.⁵

Rabbi Ishmael used to make the house of mourning take precedence, as it is said: "It is better to go to the house of mourning."⁶

4:16

Rabbi Meir said in the name of Rabbi Akiva: What does Scripture say? "And the living should take this to heart."¹ Do (to others) so that they will do for you; lend (to others) so that they will lend to you; mourn (for others) so that they will mourn for you; bury (others) so that they will bury you.

4:17

One should not read in the Torah fewer than three consecutive verses. If the portion has four (verses) or five (verses), one should read all of it.

If there was a portion of five (verses), and someone read three (of them) and he left the two (latter verses unread), the one who gets up to read after him should read those two (previously unread) verses, and yet three more in another portion.

If the portion (of the second reader who had already read the two extra verses from the former reader) has four verses, or five verses, he should read all of it (the entire portion).

4:18

One should not read the Haftarah in Prophets more than three verses at one time (without pausing for the translation).¹ If the portion contained four (verses) or five (verses), he should read all of it (the entire portion). If one shortens (the reading),² this is praiseworthy.

If the portion is small, such as "Thus said the Lord, 'You were sold for nought,'"³ read it by itself.

One should not leave, at the end of a book (i.e. one of the five books of the Torah) an insufficient amount for seven to read.^{4 5}

Leave enough for seven to read; if six have read (the assigned portion in the last chapter of a book), then seven read from another book (of the Torah).⁶

One should not leave at the end of the Torah an insufficient amount for seven to read: leave enough for seven to read. If six have read it (the assigned portion), return to the beginning of the matter (the weekly portion), and seven should read it.

4:19

One may skip (in reading) in Prophets, but one may not skip (in reading) in the Torah.

One may not skip from (one) prophet to (another) prophet, but in the minor prophets, one may skip (from prophet to prophet), provided that one does not skip from the end of the book to its beginning.¹

4:20

One may place a Torah upon (another) Torah; and a book of the Pentateuch upon (another) book of the Pentateuch; (one may place) a Torah and a book of the Pentateuch upon (a book of) the Prophets; but

(one may not place) a book of the Prophets upon a Torah and a book of the Pentateuch.¹

One may wrap a Torah in Torah mantles (wrappings) and books of the Pentateuch in mantles for books of the Pentateuch; (one may wrap) a Torah and books of the Pentateuch in mantles for a book of the Prophets, but (one may not wrap) a book of the Prophets in the mantles for a Torah or a book of the Pentateuch.¹

(It is permissible that) one should read in the Torah and one translate; but not that one should read and two translate; not that two should read and one translate; not that two read and two translate.

(It is permissible that) one should read in Prophets (i.e. Haftarah) and one translate; or that one should read and two translate; but not that two read and one translate; not that two read and two translate.

(It is permissible that) one read in the Megillah and one translate; or that one read and two translate; or that two read and one translate; or that two read and two translate.

4:21

A minor may translate for an adult (who is reading a scroll in Hebrew), but it is not honorable for an adult to translate for a minor (who is reading), as it is said, "And Aaron thy brother will be thy prophet."¹

The "cantor" (sexton, reader) of a synagogue should not read until others tell him (to read), and likewise the president of a synagogue should not read until others tell him (to read), for one who distributes (honors) must take none to himself.

The "cantor" (sexton, reader) of a synagogue who is about to read, someone stands up and guides him in chanting until it is his turn to read.

How did the elders sit? With their faces toward the people (the congregation of worshippers) and their backs toward the Temple.² When they place the ark,³ its face (of the ark) is toward the people, and its back is toward the Temple.

When the priests raise their hands (to recite the priestly benediction), their faces are toward the people and their backs are toward the Temple.

The "cantor" (sexton, reader) of a synagogue, his face is toward the Temple and all the people (worshippers in the congregation), their faces are toward the Temple, as it is said, "And the congregation was assembled at the door of the tent of meeting."⁴

4:22

One "opens" (i.e. builds) the doors of a synagogue only eastward, for thus we find (the door) in the Temple was opened eastward, as it is said, "And those that were to pitch before the tabernacle eastward, before the tent of meeting toward sunrise . . ."¹

4:23

One should build them (synagogues) only on the highest place in the city, as it is said, "She calleth at the head of the noisy streets."¹

4:24

Which is the "rising" concerning which Scripture says, "Thou shalt rise up before the hoary head?"¹ Stand before him, ask and reply when you are within (an area of) four cubits (of him).

What is the "honor" concerning which Scripture says, "and honor the face of the old man?"¹ Do not stand in his place, and do not speak

in his place, and do not refute (or contradict) him; conduct yourself with him with awe and with fear, (give him preference) in business, (honor him) in coming in and in going out, and give him precedence over everybody (to read the Torah and to say a blessing over it), as it is said, "And he made them heads over the people."²

4:25

One who goes out to (fight in) a secular (political) war,¹ digs (a hole) and sits, digs and covers (his excrement), as it is said, "You shall dig a hole and turn (and cover your excrement)."²

4:26

One who went (from the camp to outside the camp) to defecate, his face is toward the people;¹ one who urinates, his back is toward the Temple.²

Rabbi Yose said: Concerning what are these things said?³ From Mt. Scopus⁴ and within, but from Mt. Scopus and beyond (i.e. a distance beyond the eye-sight), there is no need (to follow these laws).

4:27

One who recites the Shema,^{1 2} and one who makes a blessing over fruit, and over mitzvot, this one should not answer "Amen" after himself (after saying these blessings). If he did answer ("Amen" after saying these blessings), this is boorishness (ignorance).

One should not answer "Amen" if he had not heard the blessing, nor in an abbreviated way.³

Ben Azzai says: If one who did not hear the blessing says "Amen," his children will be orphans; (one who) abbreviates (the word "Amen"),

his life will be cut off (shortened); (one who) lengthens (the word "Amen"), he will (thereby) lengthen his days and years.

One who is ragged⁴ may (publicly, during the services) recite the Shema and translate (the reading of the Torah, Haftarah, or Megillah);⁵ Rabban Simon ben Gamliel says: He should be careful that he not expose himself (i.e. his skin).

4:28

A blind person may recite the Shema and translate (the Torah, Haftarah, or Megillah) (into Aramaic).

Rabbi Judah says: Anyone who has not seen lights in his lifetime (has been blind since birth) may not recite the Shema.^{1 2}

They said to him: Many have interpreted (explained) the chariot (of Ezekiel) but none have ever seen it.³

4:29

A priest who has a blemish on his face, on his hands, and on his feet, he should not lift up his hands (to say the priestly benediction) for the people may stare at him.¹

But if he is a scholar recognized by the town, then it is permitted (for him to do the priestly benediction).²

4:30

For one wrapped in a travelling cloak, or in a Brundisian cloak,^{1 2} it is unbecoming to read, or to translate, or to pass before the ark (to lead prayers), or to lift up his hands (to say the priestly benediction).

One who hangs his mezuzah in his doorway (exposes himself to) danger, and does not fulfill his duty.³

One who places it (the mezuzah) on a staff and hangs it behind the door (inside the house, exposes himself to) danger, and does not fulfill his duty. They did thusly in the region of King Mulbaz⁴ in taverns (inns, or lodging places).

4:31

Some (passages) are read and translated; some are read and not translated; some are not read and are not translated.¹

The story of creation² is read and translated. The story of Lot and his two daughters³ is read and translated. The story of Judah and Tamar⁴ is read and translated. The story of the "first" (first part of the story) calf⁵ is read and translated. The curses which are in the Torah⁶ are read and translated.

One should not begin (to read) and another finish (reading) (the curses); rather, the one who begins (to read), he finishes all (of the portion). Warnings (i.e. prohibitions) and punishments which are in the Torah are read and translated.

4:32

The story of Amnon and Tamar¹ is read and translated. The story of Absalom and the concubines of his father² is read and translated.

4:33

The story of (the) concubine in Gibeah¹ is read and translated.

4:34

"Make Jerusalem know (her abominable conduct)"¹ is read and translated.

There is the story of someone who read "Make Jerusalem know"¹ (her sins) before Rabbi Eliezar. He (Rabbi Eliezar) said to him (to the one

reading): Go out and make known, instead, the abominable conduct of your mother (i.e. he rebuked and shamed him because he publicized the sins of Jerusalem).

"The chariot," they read it publicly.³

4:35

The story of Reuben¹ is read but not translated.

There is the story of Rabbi Haninah ben Gamliel who was reading in Kabul (southeast of Acre): "Reuben went and lay with Bilhah (his father's concubine), etc."¹ and "The sons of Jacob were twelve."² He (Rabbi Haninah ben Gamliel) said to the translator: Translate only the latter part.²

4:36

The story of the "second" (i.e. the second part of the story) calf¹ is read but not translated.

These are (the verses) constituting the story of the "second" calf: from "And Moses said to Aaron, 'What did this people do to you?'"² to "And Moses saw that the people were out of control."³ And it is further written afterwards, "And the Lord smote the people."^{4 5}

4:37

Based on this (incident),¹ Rabbi Simon ben Eliezar said: A man is not permitted to answer concerning disgrace (but should, instead, remain silent), for, based on the reply which Aaron answered to Moses, the heretics departed (from Judaism).

4:38

The story of David and Bath Sheba¹ is neither read nor translated.

But, the Bible teacher teaches (these passages) in his usual way.²

4:39

All the Scriptural readings which are written for shame (disgrace), one should read them as praise,¹ for example, "You shall betroth a wife, and another man will ravish (violate) her;"² everywhere that "will ravish her" is written, read it as "will lie with her."³

4:40

For example,¹ "(The Lord will strike you) with the Egyptian boils and with tumors (hemorrhoids)."² Everywhere that "tumors (hemorrhoids)" is written, read it as "discomforts."

And for example,¹ "And a fourth part of a kav (a unit of measure) of dove's dung for five pieces of silver;"^{3 4} "to eat their filth and to drink the water of their feet (urine);"^{5 6} "And they made them into outhouses until now."^{7 8}

Rabbi Joshua ben Karcha says: "They made them into outhouses,"⁷ one should read it as it is written,⁹ because it is the disgrace of idolators (and not of Jews).¹⁰

4:41

A passage that is written in the singular (do not)¹ modify it to the plural; for the plural (do not)¹ modify it to the singular.

Rabbi Judah says: One who translates a Biblical verse literally (i.e. word for word without regard for idiomatic differences), he is a liar,² and one who adds (to the official Aramaic translation of Onkelos), he is a blasphemer.

A translator who stands (and translates) before a sage, is not permitted to delete (from the translation), nor to add (to the translation),

nor to change (the translation), unless he (the translator) were the father (of the sage) or the teacher (of the sage).

The chapter is concluded, and the tractate is concluded.

TOSEPHTA MEGILLAH NOTES, INTRODUCTION

1. Philip Blackman, Mishnayoth (New York: The Judaica Press, 1965),
Volume II, "Order Moed," p. 437.

TOSEPHTA MEGILLAH NOTES, CHAPTER I

1:1

1. The scroll of Esther.
2. From the time of Esther.
3. Since we find no proof that Shushan was surrounded since Joshua ben Nun (all we really know is that it has been surrounded since the days of Esther), we should not impose a requirement on contemporary cities which the Bible itself does not impose on Shushan (i.e., that it must have been surrounded by a wall since Joshua).
4. Esther 9:28.
5. Each locality should read on the proper day, according to its present status. If a city is presently fortified, it should read on the fifteenth (regardless of its history). If it is not presently fortified, it should read on the fourteenth, regardless of its history.
6. A suburb, adjoining the city.
5. And those regulations in reference to reading the Megillah that apply to the city, also apply to its suburbs.

1:2

1. Even though they might be village dwellers who read on the preceding market day, or dwellers of walled cities who read on the fifteenth, they read in accord with the majority of the people, town dwellers, on the fourteenth of Adar.
2. Who normally read on the fifteenth.
3. Who normally read on the fourteenth.

4. R. Yose's ruling brings the Tosephta in line with the Mishnah.
5. R. Judah's opinion is, of course, in consonance with the Mishnah.
6. If the fourteenth of Adar falls on Shabbat, this is the only case when the towns would have to change the date of the readings. Since the towns were changing the date for this rare exception, R. Judah proposed to change it to Thursday the twelfth, rather than to Friday the thirteenth, so that the towns and villages would read on the same day. The ruling in this case was designed to provide uniformity within the one exception to the customary structure of readings.
7. The net effect of R. Yose's and R. Judah's remarks in this passage is to bring the ruling of the Tosephta in line with that of Mishnah Megillah 1:2. The following chart summarizes the laws set forth in Mishnah Megillah 1:1 and 1:2, and in Tosephta Megillah 1:1 and 1:2. It establishes the day of the reading of the Megillah for various locations, depending on which day of the week the fourteenth of Adar occurs.

IF THE FOURTEENTH OF ADAR FALLS ON:							
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY שבת	SUNDAY
THEN THE MEGILLAH IS READ ON:							
כפרים VILLAGES	MONDAY 14th	MONDAY 13th	MONDAY 12th	THURSDAY 14th	THURSDAY 13th	THURSDAY 12th	THURSDAY 11th
ח"י TOWNLETS	MONDAY 14th	TUESDAY 14th	WEDNESDAY 14th	THURSDAY 14th	FRIDAY 14th	THURSDAY 12th	SUNDAY 14th
קנינות חומה WALLED CITIES	TUESDAY 15th	WEDNESDAY 15th	THURSDAY 15th	FRIDAY 15th	FRIDAY 14th	SUNDAY 15th	MONDAY 15th

1:3

1. This passage is almost identical to Mishnah Megillah 1:3d, but the Mishnah attributes the statement to R. Judah bar Elai (second century), while the Tosephta attributes it to R. Yose.
2. Just as Mishnah Megillah 1:3d is a question on Mishnah Megillah 1:1b, this Tosephta addresses itself to the same question.
3. In a place where Jews dwell among gentiles, and do not want to arouse their anger by being exceptionally numerous on an already busy market day.
4. There is a variant possible reading of יִשְׁתַּחֲוֶי (encounter danger) as יִשְׁתַּחֲוֶי (be confused) from the root שׁח to be confused, and יִשְׁתַּחֲוֶי as יִשְׁתַּחֲוֶי, from the same root. The meaning would then be: since (if the Megillah were read on any other day than the fourteenth of Adar) they might be confused by it (in their calculations as to Passover); therefore they must read it on its proper day.
5. The assembled gentiles may turn on the Jews assembled for the Megillah reading, since the gentiles are unaccustomed to having the Jews in town in large numbers on the regular market day.

1:4

1. Parallel to Mishnah Megillah 1:3b
2. Exodus 30:12-13
3. which was to occur fourteen days before the reading of the Megillah on the fourteenth of Adar
4. Since the date of Passover was based on these earlier dates. If these earlier events were postponed, and Passover were counted from the postponed dates, one would err by beginning Passover later than Nisan 15th.

5. If a boy is born on Friday at twilight or the evening before a holiday at twilight, and there is doubt as to which day he was actually born, the circumcision is determined from after the Sabbath or holiday and not from before it.

6. See Mishnah Ta'anit 4:5 for the occasions on which the priests brought wood offerings.

7. on the three festivals

8. הקהל "and the Assembly":--On the feast of Tabernacles of the year after the sabbatical year, the Deuteronomic Law had to be read publicly before the assembled pilgrims in Jerusalem. This was in conformity with the command in Dt. 31,12, הקהל את העם . The assembly was therefore termed "Hakhel," from the first word of this command. The reading was known as the "portion of the king" (פרשת המלך), as it was recited by the king in person It consisted of certain portions from Deuteronomy, viz. 1,1 to 6,3; 6,4-9; 11,13-21; 14,22-29; 17,14-20; 26,12-15; 28, 1-69. The Mishnah (Sotah 7,8) describes in detail the ceremony of "Hakhel": the king seated on a wooded platform especially constructed for the occasion, and reading from a scroll of the Law handed to him by the High Priest The ceremony took place on the second day of Tabernacles, and if this happened to fall on Sabbath, it had to be postponed until the next day, because the platform for the king had to be erected on the day of the Assembly, a work which was of course forbidden on the Sabbath. It is to this postponement that our Mishnah (1:3) makes reference.

Joseph Rabinowitz, Mishnah Megillah (London: Oxford University Press, 1931), p. 47.

9. Parallel to Mishnah Megillah 1:3c
10. for village dwellers
11. Purim itself, the fourteenth of Adar
12. They expect the gifts on
13. in the towns, i.e., the fourteenth of Adar
14. Esther 9:28
15. "These days" refers to the days of Purim itself, the fourteenth and fifteenth of Adar.

16. If they distribute gifts to the poor before Purim (the fourteenth), the poor people will eat the food immediately, thereby failing "to keep the happiness in its proper time," i.e., to rejoice and eat the food on Purim itself, the fourteenth of Adar.

17. This interpretation, which clearly contradicts the Mishnah, is Lieberman's:

אעפ"י שאמרנו שבני הספרים מקדמין ליום המגילה,
היו מולי לעניין קריאת המגילה, אבל גובין ומחלקין
לעניים, בו כיום, בלומר, ביום פורים עצמו (the 14th),
שאינן עניינתם של עניים אלא ליום הקבוע של מקרא מגילה
ביום המקומות (the 14th), ועוד אם יחלקו מזנות
לאכילתם לפני הפורים יאכלו אותם מיד, ולא יחיו אף
המזנות ביום (the 14th).

שאל ליברמן, חוספתא: סדר מועד (ביוארק: בית המדרש
לרבנים שבאמריקה, חש"כ"ב [1955]), ע' 344.

The contradiction with the Mishnah is that the Mishnah permits the distribution of gifts to the poor on the advanced day of the reading of the Megillah, and the Tosephta requires the distribution of gifts to be held off until Purim itself, the fourteenth of Adar.

Lieberman supports his interpretation with many opinions from the traditional sources, one of which is the Jerusalem Talmud:

וכן בירושלמי פ"א ח"א ע"י ע"א: דא דא אפי'
(בלומר, שהספרים מקדמין) לקריאת המגילה, אבל לעשות
מעורב אין עושין אלא בארבעה עשר ובחמשה עשר, אין
עושין של עניים הלויים אלא בארבעה עשר ובחמשה עשר.

שאל ליברמן, חוספתא בפסוק: (ביוארק: בית המדרש
לרבנים שבאמריקה, חש"כ"ב [1955]), חלק ה,
סדר מועד, ע' 1128-1129.

There is, however, another interpretation of this passage. In dealing with this passage of the Mishnah (Megillah 1:3c), Rabbinowitz uses the Tosephta to support, rather than contradict, the Mishnah:

The meaning of our Mishnah is that this distribution is to take place on the day the Megillah is read, even when that day falls earlier than the 14th of Adar, because the poor look forward to it on the day of the reading (Tos. Meg. 1,4, (אין עיניהם של עניים בשואות אלא ליום המסרה).

Rabbinowitz, p. 50.

While I personally feel that the correct interpretation is that the Tosephta contradicts the Mishnah on this point, Albeck indicates that there is a legitimate difference of opinion on this matter, which is, I suppose, unresolved:

גורסא דז שלפנינו יש מפרשים אותה שמוחל לתת סתנות לאכילתם בימים שהקרימו לקרוא בהם, ויש מפרשים להפך, ששטורים מליחן סתנות בימים אלו.

חנור אייבס, ששם סדרו משנה: סדר מועד (ירושלמי): מוסד ביאליק, (1958), ע' 356.

1:5

1. But it should be wholly consumed by the poor on Purim
2. Rather, it should be used for the Purim meal

1:6

1. In a leap year, the Megillah is read in the second Adar
2. Towards the end of the month, after the Megillah reading had already taken place
3. The year was made a leap year by adding a second month of Adar.
4. Again
5. May be practiced in
6. May not be practiced in
7. Fasting and funeral eulogies are prohibited on the fourteenth and fifteenth of both months of Adar, but, according to Gamliel, the reading of the Megillah occurs only in the second Adar.

8. In a leap year, the two months of Adar are referred to as Adar and Second Adar, i.e., the first month is not distinguished by the word "first."

1:7

1. This first sentence is identical to Mishnah Megillah 1:5a and to the last sentence of Mishnah Betsah 5:2.

2. in the matter of prohibited work.

3. which is permissible on a holiday but not on the Sabbath

4. This law is based on Exodus 12:16: כל-עלמכם לא-יעשה בהם אך אשר יאכל לכל-נפש הוא לבשר יעשה להם

5. are permitted on a holiday

6. Rabbi Nahumyah ben Hakanah states this same principle in Tosephta Ketuvot 3:5 and Tosephta Baba Kama 7:18.

1:8

1. See Mishnah Ta'anit 1:5 and 1:6. If the first of Kislev arrives (late in November) and no rain has fallen, the court enjoins three days of fasting on the congregation. If these days pass and their prayers are not answered, the court enjoins on the congregation three more days of fasting, more stringent than the first set of three days. If this second set of three days passes, and there still is no rain, the court enjoins on the congregation seven more days of fasting, more stringent than the second set of three days. Our passage deals with the difference in stringency between the second set of three days (days 4-6) and the last set of seven days (days 7-13).

2. This last sentence is identical to Mishnah Megillah 1:6a.

1:9

1. This passage is based on Mishnah Nazir 3:1.
2. Since he did not specify a time period, part of a day counts as a full day.
3. Since he specified thirty days, and his intention was to fulfill a thirty day period, we do not apply the principle that part of a day counts as a full day.
4. The Nazirite for an unspecified time, and the Nazirite for thirty days.

1:10

1. which is Levitically unclean
2. See Mishnah Oholoth 3:5. Mixed blood is blood exuding from a dying body: it is partly "live" blood and so is "Levitically clean," and partly "dead" blood and so is "Levitically unclean."
3. See Mishnah Nazir 7:2
4. Anyone, not just a Nazirite
5. Which is ~~not~~, extirpation
6. See Mishnah Nazir 7:4

1:11

1. The following passage in the Tosephta is a direct quote of Mishnah Oholoth 3:6, which itself is based on Mishnah Oholoth 7:3.

Oholoth 7:3--If a corpse lay in a room to which were many entrances (and all the entrances are closed), they are all unclean (everything, including the door); if one entrance was opened, it alone is unclean and the rest are clean. If there was intention to take out the corpse through one of them, or through a window which measures four handbreadths square, this affords protection to all other entrances.

Herbert Danby, The Mishnah (London: Oxford University Press, 1964), p. 659.

1:12

1. See Mishnah Nazir 7:2. Both the flesh and bone of a corpse make a Nazirite unclean, necessitating him to cut off his hair.
2. But the method of making unclean is different for the two:
 - A. An olive's bulk of flesh makes unclean by overshadowing, e.g., by being in the same room with it: see Mishnah Oholoth 2:1.
 - B. A barleycorn's bulk of bone makes unclean by direct contact and by carrying, but not by overshadowing: see Mishnah Oholoth 2:3.

1:13

1. See Mishnah Eduyot 6:3 for further discussion of this matter.

1:14

1. This first sentence is identical to Mishnah Megillah 1:7a.
2. Leviticus 15, 1-15. Whether both discharges occurred in one day or in two consecutive days.
Philip Blackman, Mishnayoth (New York: The Judaica Press, Inc., 1965), Vol. II, p. 443, Mishnah 7, Note 1.
3. Whether all three fluxes came in one day or in three successive days, or two in one day and the third the next day. אִי, one who suffers from flux, issue or discharge or is afflicted with gonorrhoea. אִי was not only unclean himself but rendered unclean anything he came in contact with. On recovery he observed seven days of purification and on the eighth day offered two turtle-doves, one as עֹלָה (burnt-offering) and the other as חֵטִי'ת (sin-offering). Leviticus 15, 14.
Blackman, Vol. II, p. 443, Mishnah 7, Note 2.
4. for purification; Leviticus 15:13.
5. See Mishnah Zavim 1:1.

1:15

1. A discharging woman is obligated to bring two turtle-doves or two young pigeons as offering after her period of cleansing, one as a sin-offering and the other as a whole-offering (Leviticus 15:29-30).
2. She is not required to bring an offering.
3. A woman who just gave birth to a child is obligated to bring a yearling ram for a whole-offering and a young pigeon or a turtle-dove for a sin-offering (Leviticus 12:6). If she cannot afford a ram, she may bring the same offerings as a discharging woman.
4. But, if she can afford the ram, and brings the lesser sacrifice, she has not fulfilled her obligation.

See Mishnah Negaim 14:12: a poor person may bring the offering of a rich one, and fulfill his obligation, but a rich person cannot bring the offering of a poor one and fulfill his obligation.

5. A menstruant is unclean from the onset of her flow for her full seven days of her menstrual period (Leviticus 15:19). But one noticing a flow of blood after her menstrual period has to count but one clean day. Between one menstruation and the next one there are eleven days when menstruation is not possible; consequently the blood she discharged was not menstrual blood and, therefore, she does not have to wait for seven clean days. She should, however, immerse herself in the ritual bath the first clean day after her irregular flow.

1:16

1. Because of a leprosy symptom, it is quarantined to determine if in fact leprosy is present.
2. unclean, i.e., it is certain that leprosy is present

3. It makes one unclean who touches its inner wall, even if that person is standing outside.
4. If someone outside touches the outside wall of a house, he becomes unclean.
5. Even if there is not contact by the hand.
6. Leviticus 14:46.
7. Even only a "closed up" building, as well as one "certified" unclean, of course.
8. For that object and has to give full compensation.
9. i.e., the satisfaction which one feels in giving the object to the Temple. They calculate how much a man wanted to donate, based on the value of the object he had intended to donate, and he gives the value of the object in cash to the "upkeep of the Temple" fund.

1:17

1. This first sentence is parallel to Mishnah Megillah 1:10.
2. Such as the altars at Gibeon (I Kings 3:4), at Nob (I Samuel 21), and at Gilgal (I Samuel 11:15).
3. A vowed or free-will offering is a less holy sacrifice and is suitable for a private altar. However, a public altar is suitable for sacrifices of a higher holiness, e.g., public sacrifices, such as the Tamid or the Musaf sacrifices.
4. See Mishnah Zevahim 14:6.
5. "In I Samuel 1:24, the Temple is referred to as a 'house' (i.e., of stonework) as distinct from a tent or a tabernacle."

Danby, p. 490, note 2.

6. i.e., curtain of the Tabernacle: equivalent to the wall of the מִזְבֵּחַ (Temple Court).

7. The Tabernacle at Shiloh was open at the top, but the Temple at Jerusalem was closed in with a roof.

1:18

1. This first sentence is parallel to Mishnah Megillah 1:9b and Mishnah Horayot 3:4c.
2. During the time of the first Temple, the high priest was anointed.
3. See Mishnah Horayot 3:4.
4. i.e., one who temporarily served as the substitute high priest on the Day of Atonement; see Mishnah Yoma 1:1.
5. Leviticus 16:6.
6. Leviticus 6:19ff.
7. The former substitute could not offer up the bullock or the grain offering.
8. During the time of the second Temple, the high priest was not anointed; rather, he wore eight garments to distinguish him from regular priests, who wore only four garments.
9. The former substitute could not offer up the bullock or the grain offering, but the priest presently in office could.
10. See A. Guttman, "The End of the Jewish Sacrificial Cult," HUCA 38 (1967).

1:19

1. This sentence is parallel to Mishnah Megillah 1:9a.
2. During the time of the first Temple, the high priest was anointed.
3. During the time of the second Temple, the high priest was not anointed; rather, he wore eight garments to distinguish himself from regular priests, who wore only four garments.
4. Leviticus 4:2.

5. If the high priest of the first Temple transgressed Leviticus 4:2, he had to sacrifice a bullock. If the high priest of the second Temple transgressed Leviticus 4:2, he did not have to sacrifice a bullock.
6. Leviticus 4:2.
7. If a former anointed high priest (first Temple) transgressed Leviticus 4:2, he had to offer a bullock. If a former priest in many garments (second Temple) (as well as one in office) transgressed Leviticus 4:2, he did not have to sacrifice a bullock. We see, therefore, that there was no sacrifice for transgression of Leviticus 4:2 in the time of the second Temple. See also Tosephta Horayot 2:1.

1:20

1. Second Temple.
2. First Temple.
3. The priest in office (during the second Temple, as well as the first) offered up the bullock on the Day of Atonement and the grain offering. The priest out of office (in the first Temple, as well as the second) did not offer up the bullock on the Day of Atonement or the grain offering.

1:21

1. First Temple.
2. Second Temple.
3. Leviticus 4:2.
4. The priest in office in the first Temple could make all three of the offerings. The former priest of the second Temple could make none of them.

The following chart summarizes the laws set forth in Tosephta 1:18-21:

	First Temple		Second Temple	
	זכר	שעב	זכר	שעב
Bullock of Yom Kippur and Tenth of an Ephah	Yes	No	Yes	No
Transgression of "כל העזר" (Lev. 4:2)	Yes	Yes	No	No

TOSEPHTA MEGILLAH NOTES, CHAPTER II

2:1

1. i.e., reading the end of the Megillah and then returning and reading the beginning. There is, however, another interpretation of "reading backwards:"

According to Blau (*Das altjüdische Zauberwesen*, pp. 146-50) this Mishnah (2:1) like the fuller parallel passages in the Tosephta (Meg. 2,1; Ber. 2,3) contains a restriction against current magical practices. The recitation of certain formulae backwards formed part of ancient magical rites for the driving away of demons, and this device seems to have been applied by some Jews to the reading of scriptural portions This injunction against the reading backwards of the Megillah is extended in the parallel passage in the Tosephta (2,1) to other parts of the liturgy (יְהוָה בְּרַלָּל וְכֵן בְּחִסְלָהּ וְכֵן בְּשִׁמְעָה).

Rabbinowitz, p. 71.

2. Psalm 113-118, recited on Rosh Hodesh, the three festivals, and Hanukkah.
3. The Amidah (prayer said standing) is known as "Tefillah," the prayer, to indicate its important place in the worship service.
4. This law with reference to the Shema is also stated in Mishnah Berachot 2:3.

2:2

1. This Tosephta is an expansion on and an explanation of Tosephta Megillah 2:1.
2. Psalm 113-118, recited on Rosh Hodesh, the three festivals, and Hanukkah.
3. The "standing" benedictions, recited three times daily.
4. Tosephta Berachot 2:4a is identical to Tosephta Megillah 2:2, except that Tosephta Berachot 2:4a has *yow* where Tosephta Megillah 2:2 has *יְהוָה* and Tosephta Berachot 2:4a has *יְהוָה* where Tosephta Megillah

2:2 has *וְעַתָּה*.

2:3

1. This Tosephta is an expansion on and an explanation of Tosephta Megillah 2:1.
2. Psalm 113-118, recited on Rosh Hodesh, the three festivals, and Hanukkah.
3. The "standing prayers," recited three times daily.
4. Tosephta Berachot 2:4b is identical to Tosephta Megillah 2:3, except that Tosephta Berachot 2:4b has *וְעַתָּה* where Tosephta Megillah 2:3 has *מִלְפָּנֶיךָ*, and Tosephta Berachot 2:4b has *מִלְפָּנֶיךָ* where Tosephta Megillah 2:3 has *וְעַתָּה*.

2:4

1. A town in the Upper Galilee.
2. During the time of the Hadrianic persecutions, when it would have been dangerous to read the Megillah publicly during the day.
3. Since the circumstances of the period in which Rabbi Yohanan ben Nuri lived were exceptional (i.e., persecution), we cannot use his case to establish a precedent.

2:5

1. Rabbi Meir journeyed from Palestine to Asia Minor to announce to the communities there that a second Adar was being added to the year.
2. He arrived in the month of Adar, and had to spend Purim there, but found no Megillah. Even though he knew the book of Esther by heart, he nevertheless had to write out a Megillah (which he did from memory), and then read it, in order to fulfill his obligation to read the Megillah.

3. Mishnah Megillah 4:1 permits the reader to assume any position he wants.
4. To stand with the reader and to translate for the congregation.
5. Mishnah Megillah 4:1 indicates that the principle of אין קורין אחריו should dictate whether or not blessings should be recited before and/or after the reading of the Megillah.
6. A town west of Sepphoris in the Upper Galilee.
7. The implication is that Rabbi Meir was from a place where it was the custom to make a blessing before but not after, and he came to a place where they blessed both before and after; this story indicates that Rabbi Meir considered the principle of אין קורין אחריו as set forth in Mishnah Megillah 4:1 to the extent that he asked a local man to recite the benediction after the reading of the Megillah.

2:6

1. Parallel to Mishnah Megillah 2:1c.
2. A language other than Hebrew.
3. But not Hebrew.
4. The people who speak the vernacular.
5. Parallel to Mishnah Megillah 2:2c.
6. Aramaic-type Hebrew, i.e., our "Hebrew" characters.
7. Even though the congregation does not understand Hebrew, if the reader reads to them in Hebrew, the scroll must be a kosher scroll (i.e., block print, parchment, and ink) for them to fulfill their obligation of reading the Megillah.

2:7

1. Parallel to Mishnah Megillah 2:4a.

2. לויים or כהנים includes all Jews who are not ישראל.
3. One unfit for the priesthood because of his father's illegitimate connection (see Leviticus 21:7).
4. A descendant of the Gibeonites (Joshua 9:27).
5. סרים ארס, castrate, is one who has been emasculated by man (e.g., by surgery or by accident); סרים חמה is a "eunuch from the time of seeing the sun," i.e., one born without visible testicles.
6. Deuteronomy 23:2.
7. This principle is stated in Mishnah Rosh Hashanah 3:8, where it is applied to the blowing of the Shofar: זה הכלל: כל שאינו מחויב כדבר, אינו מוציא את הרבים ירי חובתו.
8. A person whose genitals are hidden or undeveloped; therefore his sex is unknown.
9. A bisexual person; one possessing the characteristics of the male and the female.

2:8

1. Parallel to Mishnah Megillah 2:4b.
2. Second century, third generation of Tana'im, 130-160 C.E.
3. Second generation of Tana'im, 90-130 C.E.
4. Even though I was a minor, my reading was acceptable.
5. Fourth generation of Tana'im, 165-200 C.E.
6. A town in the Galilee; frequently the scene of rabbinic synods and enactments during and after the Hadrianic persecutions.
7. They did not protest; their silence indicated that there was no restriction against the reading of the Megillah by a minor.
8. The position of permissibility for a minor to read is not undisputed; in fact it is a minority view with the majority of rabbis opposing

permissibility. Proof from a disputed minority view is insufficient proof here. This interpretation is the one proposed by Rashi on this passage in the Gemara:

מן הסתור: ר' יהודה שקדית לפניו הוא
הסתור את דעתו ואין לו להביא ראיה ממנו שהרי רבים מולקין
עליו. (חלמוד בבלי: מגילה 20').

There is however another way to interpret this sentence: one cannot bring proof of permissibility from the very authority who gives permission for that act. Lieberman puts it this way:

מן הסתור. שרר ר' יהודה מכשיר בקטן במענה פ"ב מ"ד.
ליברמן, חופפא מועד, ע' 350.

That is, Rabbi Judah Ha-Nasi cannot prove the legitimacy of his act from the person he cites, since this person holds a lenient point of view; see Mishnah Megillah 2:4.

2:9

1. Parallel to Mishnah Megillah 2:3b.
2. What is the minimum a person should read to fulfill his obligation of reading the Megillah?
3. Esther 2:5.
4. Esther 3:1.
5. Esther 6:1.
6. Regardless of where you start.
7. The rabbis disagree as to the minimum required to constitute having fulfilled the mitzvah. The difference of opinion arises as to how much of the first chapters are introductory or essential. Rabbi Meir considers the entire book of Esther essential; each of the other three rabbis feels that the omission of some of the early chapters would not affect the essential narrative.

2:10

1. See Mishnah Succah 3:12; Mishnah Rosh Hashanah 4:3; and Mishnah Menahot 10:5.

The 16th of Nisan, the second day of Passover, was the day of the "waving of the Omer" ceremony in the Temple (Leviticus 23:11). While the Temple was still standing, it was permitted to eat the produce of the new harvest on that day. But after the destruction of the Temple, Rabbi Johanan ben Zakkai ordained that it is prohibited to eat from the new harvest the entire day of the 16th of Nisan.

2. See Mishnah Succah 4:8:

סוכה שבעה, כיצד? גמר מלאכול, לא יחזיר סוכתו
בבוקר יום טוב האחרון שלחג.

"The Succah, seven days. How so? When a man has finished eating (the last meal of the Feast of Tabernacles on the morning of the seventh day), he should not pull down the Succah ... because of the honor due the last Festival-day of the Feast (of Tabernacles)."

3. See Mishnah Megillah 2:5 and Mishnah Succah 3:9:

לא בטל שחרית, יטל בין הערקים, אבל היום כשר ללולב.

"If he had not carried it in the morning, he must carry it in the evening; for the entire day (but not the night) is valid for (carrying the) Lulav."

4. See B. Pesahim 4A:

(ויקרא יב) וביום השמיני ימול בשר ערלתו וחיטא כל היום
כולו כשר למילה.

"Leviticus 12:(3): 'On the eighth day, the child shall have the flesh of

his foreskin circumcised.' And there is the Baraita, 'the entire day, all of it is valid for circumcision.'"

5. This sentence is identical to Mishnah Megillah 2:6a.

6. The night at the end of the first day of Passover. See Leviticus 23:10 and Mishnah Menahot 10:3.

7. Of the sacrifices which have been offered during the day. The whole offering (עולה) they burned all of the limbs; the rest of the offerings they burned just the fat. See Mishnah Berachot 1:1: חקטור חלבים

ואכרים מצותן עד שייעלה עמוד השחר.

"The burning of the fat and limbs (may be performed) until dawn."

8. Parallel to Mishnah Megillah 2:6b.

2:11

1. Amend text: delete אבל and add ו in its place.

2. נותר, "remainder," refers to portions of sacrifices which had been left over beyond the legal time (for instance such as had to be eaten before dawn) and had to be destroyed by burning (Exodus 34). The penalty for the transgression of eating נותר was כרת.

Blackman, Vol. II, p. 517.

3. מביא, "abomination, unfitness," refers to any sacrifice which had become invalid and rejectable because of a wrong intention in the mind of the officiating כהן, priest. In certain circumstances כרת was the penalty for the transgression of eating מביא.

Blackman, Vol. II, p. 517.

4. We learn in Tosephta Megillah 2:10 that they have all night to burn the fat and limbs. We have here a restatement of the same law, explaining "all night" as "until dawn." If the fat and limbs are burned by dawn, then one will not incur the penalty of כרת, for transgressing the laws of "remainder" or of "wrong intention."

TOSEPHTA MEGILLAH NOTES, CHAPTER III

3:1

1. Parallel to Mishnah Megillah 3:1b:

כִּי הַכֹּסֶם לֹא יִקָּח אֶת הַתְּרוּמָה.

2. Rabbi Judah is addressing himself to the words following the above citation in the Mishnah, i.e.: וְכֵן כְּמוֹתֵיהֶן. If they collect money for a more holy purpose, it is prohibited to use the excess of the money for a less holy purpose.

3:2

1. i.e., the mantle he made.

2. A mantle "lent" to the Torah scroll does not take on the full level of holiness as one "belonging" to the scroll; it may therefore be taken back and used for a purpose less holy than a Torah mantle.

3. This limitation of the principle just stated that the lender may take back his mantle is that once the mantle has been used for a Torah scroll, it may be taken back by the lender, but he may only use it for another Torah scroll; i.e., he may not use it for a less holy function.

3:4

1. וְכֵן in this context literally means "to (acquire) (the money) on behalf of (the poor)."

2. To use the money for another matter means to place the money out on loan; it does not mean to renege on the pledge. It just means to loan out the money until the donation for the pledge is actually due.

3:6

1. This passage attributed to Rabbi Judah acts as a limitation on his statement in Mishnah Megillah 3:2c allowing the sale of a synagogue without any qualifications or stipulations placed on the buyer.

3:7

1. Do not enter a synagogue to escape nature's elements, but enter a synagogue for its own sake.
2. Because it does not show the proper respect for the sacred place.
3. Funeral orations were delivered in the synagogue only in the case of scholars and important public figures.
4. When they are used regularly and well kept up.
5. When they are not used regularly and are not well kept up.
6. Parallel to Mishnah Megillah 3:3.
7. In its desolate appearance, the abandoned synagogue will remind the passerby of the Temple in Jerusalem (which also lies in ruins) and may stir up such feelings of sorrow that might lead him to rebuild this desolate synagogue.

TOSEPHTA MEGILLAH NOTES, CHAPTER IV

4:1

1. Exodus 30:11-16.
2. II Kings ch. 12.
3. See Mishnah Megillah 3:4.

4:2

1. Deut. 25:17-19.
2. I Sam. 15:2.

4:3

1. Num. ch. 19.
2. Ezekiel 26:25.

4:4

1. Exodus 12:1-20.
2. Ezekiel 45:18.
3. This is possible according to the three-year cycle of Palestine.
4. If אדר ב' falls, according to the calendar, on the Shabbat before or after the first of Adar, they read the entire portion, Exodus 30:11-34:35, and then return to the beginning of the portion and repeat the first six verses, Exodus 30:11-16, Parashat Shekalim.
5. These possibilities might occur under the tri-ennial cycle of readings common in Israel; therefore, it would be possible, for example, for Parashah אדר ב' (Deut. 21:10-25:19) to coincide with the special reading of אדר ב' (Deut. 25:17-19). In this case, one would read the entire portion of אדר ב' and return to אדר ב' and repeat that section.

The same coincidence could occur with אֶלֶּל אֶלֶּל which is in Parashah אֶלֶּל and with אֶלֶּל which is in Parashah אֶלֶּל.

Likewise, the Torah portion for Purim is Exodus 17:8-16, the war against Amalek, the traditional ancestor of Haman. If the same coincidence occurs, the same procedure of repetition is followed.

Similarly, the Torah portion for Hanukah is Num. 7:1-84. If the coincidence occurs again, the same procedure of repetition is followed.

4:5

1. Lev. 23:4ff. This portion, which the Tosephta calls "Waving," is the same one that Mishnah Megillah 3:5 calls "Festivals."
2. i.e., Leviticus.
3. They choose selections in the text concerning Passover even though the portions are separated.
4. Deut. 16:9-12.
5. Exodus 19:1.

4:6

1. Lev. 23:24.
2. Gen. 21:1.

4:7

1. Lev. 16:1.
2. Num. 29:7.

4:8

1. Lev. 23:24
2. Num. 29:17. Num. 29:12-38 are the sacrifices for each day of Succot.

3. Num. 29:20.
4. Num. 29:23.
5. Num. 29:26.
6. Num. 29:29.
7. Num. 29:32.
8. Num. 29:35.

4:9

1. Num. 28:11. This is the selection for every new moon, including the new moon which occurs during Hamukah.
2. The Zuckerman text has an additional phrase here, which Lieberman deletes:
 בחשעה באב קורין: "בו חוליד כנים" (רמב"ם 4:25)
 אחרים אומ' "אם לא תשמעו."

This additional phrase is another proposal for a reading on the Ninth of Av. It is also proposed in the Gemara: b.Meg. 31B. Referring to the Zuckerman text clears up the problem of the phrase "others say."

3. Lev. 26:14.

4:11

1. Rabbi Ishmael agrees with the Mishnah (Meg. 4:2) in the minimum number of readers, but disagrees concerning optional extra readers.
2. Rabbi Akiva disagrees with the Mishnah concerning the number of readers on Shabbat and the Day of Atonement, but agrees concerning optional extra readers.
3. If an adult male has already read from the Torah or recited the blessings, then a woman and a child are eligible to be counted in the number of readers.

4. A woman who reads from the Torah does thereby fulfill the obligation of the congregation to read, ex post facto, but a priori, she should not be asked to read the Torah (see מנחת כבוד). The reason is given in b.Meg. 23A: אבל אמרו חכמים: אשה לא תקרא בתורה בבית

כבוד צבור.

4:12

1. After every portion, he sits down for a second, then stands up and reads again, as if seven men were reading the Torah portion.

4:13

1. A small part of the portion at the beginning and the end of the Sidra was read in Hebrew, but the rest of the reading of the Torah was in the vernacular. This was done so that the benedictions before and after the reading would be over the few Hebrew verses read; the rest could be read in the vernacular so that the people would understand it.

4:14

1. When returning from the graveyard after a funeral, the group would stop and sit down seven times.

2. ברכת אכלים is explained in the Gemara (b.Meg. 23B) as ברכת החיים, that is to say, the blessing of consolation recited in the square of the city (רחבה) on the return journey of the mourners from the funeral. The blessing ended with the words, "Blessed be He who comforts the mourners," ברוך מנוחם אכלים (b.Ket. 8B).

Rabbinowitz, p. 119.

3. Originally the marriage ceremony consisted of two distinct celebrations, betrothal (אירוסין) and marriage (נישואין). The first was performed in the house of the bride where a benediction was recited (known as ברכת אירוסין), probably by the father of the bride. The second ceremony took place some time later in the house of the bridegroom, when six benedictions (known as ברכת חתנים) were recited. These were repeated

during the first seven days of marriage, if a fresh visitor were present (b.Ket. 7B and 8A).

Rabbinowitz, p. 119.

4:15

1. If the month is intercalated (an extra day is added to make it a month of 30 days, rather than 29 days), the announcement (by kindling of fires) of the new month occurs on the evening of the 30th of the old month, which is the eve of the first of the new month.

If the month is not intercalated (and is a regular month of 29 days), the beacons are lit on the evening of the 29th of the old month, which is the eve of the first of the new month.

The question raised in this Tosephta is: in what case is the beacon lit in a regular month of 29 days on the evening of the day following the 29th day of the month, i.e., as if the month were intercalated, even though in fact it is not?

2. The term, "שבעת ימי המילה", "the male child's week," was a euphemism for the circumcision. It was adopted during the Hadrianic persecutions.

3. The transfer of a body from the temporary cave to a permanent dwelling place.

4. And the group would go to the circumcision first to announce the new month.

5. And the group would go to the wedding first to announce the new month.

6. Ecclesiastes 7:2. The full citation is: טוב לבית אל בית אבל טוב לבית אבל בית שמחה, כאשר הוא טוב כל אדם.

"It is better to go to the house of mourning, than to go to the house of feasting; for that is the end of all men."

4:16

1. Ecclesiastes 7:2, a confirmation of the quote in Tos. Meg. 4:15.

4:18

1. When the official translator (מורגמן) translated the readings publicly, if the reader read more than three verses at one time, the translator was liable to err in translating such a large amount: therefore the number of verses in reading the Haftarah was limited to three at one time. To avoid error in translating the Torah portion, the reader read only one verse at a time, and the מורגמן translated after each verse.

2. If he splits the four or five verses into two sections, or even reads verse by verse for a verse by verse translation.

3. Isa. 52:3.

4. אין משוורין וכו'. כלומר אין משוורין בשבת ששורין בה את הסדר הספור לסוף הספר (והכל לפי מנהג א"י שהיו גומרים את החורב בשלש שנים ומחצה) שחזר מבי"א שסופים לשבת הבאה, לשבת שמסוימת בה את הספר.

5. ליכנסן, תוספתא פוער, ע' 358.

צריך להשאיר לשבת הבאה ביום החומש לא שחזר מעשרים ואחר מסופים, כפי שלא יצטרכו לקרוא בשני חומשים בשבת הבאה.

- ליכנסן, תוספתא בפשוחא, ע' 1192.

6. This sentence is based on the textual emendation proposed by Lieberman (based on the Erfurt manuscript):

שייר כפי שיקראו שבעה וקראו שש (כפי' כ"ע), קורא שבעה חומש אחר.

- ליכנסן, תוספתא בפשוחא, ע' 1192.

4:19

1. i.e., one should not skip from a later to an earlier prophet, thereby reading backwards. See Tos. Meg. 2:1.

4:20

1. Because of the greater honor due the latter.

4:21

1. Exodus 7:1; as Moses's smaller, i.e., inferior, brother, Aaron could speak publicly for Moses, but the superior did not speak publicly for the inferior.
2. The ark of a synagogue faces the Holy Temple in Jerusalem, so it is at the front of the synagogue. The elders therefore sit with their backs facing the front of the synagogue.
3. On fast days, the ark was moved from its place in the synagogue to the public courtyard in front of the synagogue.
4. Lev. 8:4.

4:22

1. Num. 3:38, JPS 1917 ed.

4:23

1. Proverbs 1:21, JPS 1917 ed.

4:24

1. Lev. 19:32, JPS 1917 ed.
2. Exodus 18:25.

4:25

1. Not a religious war.
2. Deut. 23:14.

4:26

1. He faces the camp, and his back faces the Temple in Jerusalem, as a sign of respect to the people.

2. It is permitted to urinate within the camp itself; but whether or not one urinates inside or outside the camp, his back must face the Temple, as a sign of respect to the Temple.
3. To what circumstances do these laws apply?
4. Who sit at the outer edge of the camp.

4:27

1. Lieberman suggests emending the text from הסור על שלח to הסור על ששע, in accordance with the Erfurt manuscript of the Tosephta (Lieberman, Tosephta Kifshuta, p. 1206).
2. Jastrow explains the term הסור על ששע as follows:

to spread a cloak over the head for the recitation of the prayers preceding the Sh'ma (Kaddish and Bar'khu) esp. to recite the prayers etc. for the benefit of those who have come too late for the regular service

Marcus Jastrow, A Dictionary (New York: Pardes Publishing House, Inc.), 1950, p. 1232.

See F.inkelstein's A-1012

3. One must not drop the "n" of "Amen."
4. His clothes are torn and his skin shows through.
5. He can do it from his seat and not draw attention to himself.

4:28

1. This sentence is identical to Mishnah Meg. 4:6d.
2. Since he has never seen "lights," he cannot honestly say "יוצר מאורות."
3. The fact that many have interpreted or lectured on the chariot without having seen it proves that, even though the blind man cannot see the light, he still may praise the creator of the light. He benefits by others seeing and helping him.

4:29

1. It is forbidden to look at the priest while he is making the priestly

benediction. If he has a visible blemish, the people may be so curious to see it that they would glance at him while he is making the blessing.

2. Since everyone knows him and everyone is accustomed to his blemishes, no one will be curious enough to gaze at him during the benediction.

4:30

1. As worn by the people in Brindisi, Italy.

2. Their cloaks do not cover most of the body, and therefore they are considered worse than those dressed in ragged clothes because of poverty. They are entitled to even fewer privileges than one in ragged clothes.

3. One who hangs his mezuzah on a rope from the lintel of his doorway during a period of persecution in order to lead the persecuting gentiles astray, places himself in double danger: 1) he will not really deceive the gentiles; 2) he does not fulfill his obligation of putting up the mezuzah.

4. From Adiabene. He was a convert to Judaism, and according to Rashi, was from the family of Hasmoneans.

4:31

1. The Tosephta (4,31ff.) amplifies the list of scriptural passages given in our Mishnah (4:10) which it is permitted to read in public but not to translate. Originally there must have been more of such passages, because otherwise it would not have been necessary for the Mishnah and Tosephta to inform us of the fact that the translation of certain portions which it specifies is permissible. Ginsburger ("Monatsschrift für Geschichte und Wissenschaft des Judentums," vol. xlv, pp. 1ff.) makes the suggestion that these prohibitions were directed against the ignorant Jews (Am-Haaretz) who could only speak Aramaic, for fear that they might draw heretical conclusions from such translations. A further reason is the fact that many of these translations undesirably deviated from the literal meaning of the text. The prohibition extended only to the public reading of the passages, and did not apply to readings in private nor to agadic interpretations of Scripture.

Rabbinowitz, p. 134.

2. Genesis ch. 1.
3. Genesis 19:6.
4. Genesis ch. 38.
5. Exodus 32:1-20.
6. Lev. 26:14-43; and Deut. 28:15-68.

4:32

1. II Samuel ch. 13.
2. II Samuel 16:21.

4:33

1. Judges ch. 19.

4:34

1. Ezekiel 16:2.
2. Ezekiel ch. 1.

3. הַמִּשְׁנָה or הַמִּשְׁנָה הַגְּדוּלָה is the name given in rabbinic literature to the speculations concerning God's 'Throne-chariot' based specifically on Ezek. Chs. 1 and 10. The term designates the theosophic-philosophic expositions of these chapters by the Jewish mystics of the first and second centuries in Palestine. R. Yohanan ben Zakkai and his disciple R. Eleazar ben 'Arakh were keen students of this lore (Tos. Hag. 2,1; b.Hag. 14b; j. Hag. 2,77a). In the Talmud we read of four scholars who engaged in these studies, and of these Ben Zoma lost his reason, Elisha ben Abuya turned sceptic, Ben 'Azzai died, and R. 'Akiba alone survived its dangers (b.Hag. 14b). As the study assumed a dangerous aspect and led scholars too far in their esoteric speculations, the religious authorities of the second century deemed it necessary to restrict it. Thus the Mishnah (Hag. 2,1) ordains: 'The הַמִּשְׁנָה should not be taught to any one except he be wise and able to deduce knowledge through wisdom of his own.' The הַמִּשְׁנָה forbidden by our Mishnah for reading as the prophetic lesson is Ch. 1. But R. Judah permits it, and his opinion seems to have been favoured by the scholars, as can be seen from the Tosephta (Meg. 4,34): אֵין מִשְׁנָה קוֹרֵין אֶתָּה לְרַבִּי

And our present practice

Rabbinowitz, pp. 135-137.

4:35

1. Genesis 35:22.
2. Genesis 35:22, second part of the verse: "Now the sons of Jacob were twelve."

4:36

1. Exodus 32:21-25.
2. Exodus 32:21.
3. Exodus 32:25.
4. Exodus 32:35.
5. The Erfurt manuscript has the B part of v. 35, rather than the A part, as our text does: "אֵת הַעֹלֹל אֲשֶׁר עָשָׂה אַהֲרֹן,"
"the calf which Aaron had made."

4:37

1. On Aaron's reply to Moses, Exodus 22-25, Rabbi Simon ben Eliezar proposes that it would have been better for Aaron to remain totally silent.

4:38

1. II Samuel ch. 11.
2. While it is prohibited to read or translate these passages in public, nevertheless, it is permitted to read and discuss them in private. A teacher, therefore, is permitted to teach them to his classes in the same way he teaches all of the other Biblical passages.

4:39

1. Jastrow, p. 256, translates this phrase, "words (in the Torah) which, as they are written, have become obscene, are in reading, changed etc."

2. Deut. 28:30.

3. For a complete list of euphemistic readings (קרי-כתוב), see Robert Gordis, The Biblical Text in the Making, A Study of Kethib-Qere, New York: Ktav, 1971, p. 86.

4:40

1. A continuation of examples of the principle set forth in Tos. Meg.

4:39.

2. Deut. 28:27.

3. II Kings 6:25.

4. The written form (כתוב) is חריונים, dove's dung; the read form (קרי) is רכיונים, of uncertain meaning, but euphemistically equivalent to חריונים.

5. II Kings 18:27.

6. The written form (כתוב) is חריותם, their excrement; the read form (קרי) is צאתם, their filth. The written form (כתוב) is שיניהם, their urine; the read form (קרי) is מימי רגליהם, water of their feet, a euphemistic equivalent of urine.

7. II Kings 10:27.

8. The written form (כתוב) is סחראות, cesspools; the read form (קרי) is סוצאות, outhouses.

9. i.e., לסחראות, and not euphemistically.

10. And there is no need to treat the disgrace of pagans euphemistically.

4:41

1. For clarity, my use of the negative in translation reflects the London manuscript: ליחור, אין מכנים אותם לרבים; לרבים, אין מכנים אותם ליחור.

2. He does not use the authorized Aramaic translation of Onkelos, which has within the translation itself a commentary. By doing a word-for-word translation, he is "inventing" his own translation, which would reflect his own particular point of view.

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