

notes from the author to the editorial staff.

Postgate shows a sure mastery of his material, and acute and balanced judgement throughout. The reviewer would like to see him use the present work as a basis for a treatment of the whole subject of taxation and conscription in Assyria, freed from the shackles of the dissertation form.

H. W. F. SAGGS

JACOB NEUSNER: *A history of the Mishnaic law of purities. Parts 1-5.* (Studies in Judaism in Late Antiquity, Vol. 6.) xxiv, 282; xi, 338; xvi, 415; xvi, 350; xv, 282 pp. Leiden: E. J. Brill, 1974-5. Guilders 460.

The tractates of the Mishnah (compiled c. 220) studied in this work of astonishing industry, brilliance, and originality, are: *Kelim* 'Vessels', dealing with the laws of Levitical impurity as stated in Lev. xi, 29-35; xv; Num. xix, 14-15; xxxi, 19-24; and *Ohalot* 'Tents' dealing with the laws in Num. xix. From the time when the Priestly Code was formulated in the sixth century B.C. until the codification of the laws of impurity in the Mishnah, 700 years later, there was obviously considerable development. The Mishnah itself is, historically considered, not a uniform work but the product of various schools, each with its own approach. In other words there is, in the words of the title of this work, a history of the Mishnaic law of purities. Only the keen student of the Mishnah can appreciate how daunting is the task which Neusner has set himself since the traditional commentators, to whom the author expresses his great indebtedness, do see the Mishnah as entirely consistent within itself and as a completely uniform work. Neusner is a real pioneer in this field, applying the form-critical method with such ability that, whether every one of his suggestions is accepted or not, no serious student of early Rabbinic literature will now be able to afford to neglect his methodology.

In the first two volumes Neusner examines, criticizes the commentaries where these do not meet with his analysis, and comments in detail on every statement in *Kelim*. In vol. III he proceeds to the conclusions he has drawn from his investigation. In vol. IV he studies *Ohalot* and in vol. V he presents his findings on this and on the question as a whole. The Tosefta, a parallel work to the Mishnah, is examined. Much has been written on the relationship between Mishnah and Tosefta. Neusner has managed to detect two distinct strata in the Tosefta; one an independent work, the other a kind of commentary on the Mishnah.

Neusner's main contention is that two schools were at work during the period he examines:

the school of Yavneh (c. 70-120) and that of Usha (c. 130-70). He contends further that behind the Mishnaic law there is the notion of extending the Levitical laws of purity beyond the limits of their original cultic situation to secular life. With admirable skill he dissects and probes until he manages convincingly to demonstrate the correctness of this thesis, producing in the process an entirely fresh and vivid approach to the study of the Mishnah.

It is hard to fault this work except that, as Neusner himself modestly admits, no final conclusions can be drawn at all until the method has been applied to the whole of the Mishnah. One of the possible results of such a wider investigation might be (one cannot be dogmatic about it) to show that, as the Amoraim of the third century onwards imagined, the laws of impurities cannot be treated in isolation and that general legal principles can be seen at work. The Amoraim, for example, frequently compare the 'tent' in which the corpse is a source of contamination with 'barriers' in general, with regard to the law of the tabernacle, for instance (see *Sukkah* 10a and freq.). I am aware that it is grossly anachronistic to attempt to read Amoraic ideas into the work of the Tannaim but there remains a haunting suspicion that some, at least, of the Mishnah rules might not be concerned with impurities specifically but with broader legal definitions. There is no doubt that Neusner's work will stand the test of time and will be a real stimulus to the critical study of Rabbinic literature.

LOUIS JACOBS

HEINZ POHL (ed. and tr.): *Kitāb al-mirāt: das Buch der Erbschaft des Samaritaners Abū Ishāq Ibrāhīm.* (Studia Samaritana, Bd. II.) xv, 213, 115 pp. + errata sheet. Berlin: Walter de Gruyter, 1974. DM 94.

This book, a Samaritan Halachic treatise on hereditary law, deserves to be analysed from the point of view of Samaritan law in general and hereditary law in particular. Its connexions with Karaite and Rabbinic hereditary law should also be examined. The reviewer, however, mainly because his lack of competence, will content himself rather with considering the editing and translating of the book, as well as its grammatical peculiarities. Yet even within this limited framework, I shall not attempt to attain completeness, but shall rather adduce illustrative examples only.

Our book begins with an introduction (pp. 3-43), in which Pohl, *inter alia*, describes the manuscripts, gives a very short linguistic description (*v. infra*), deals with the information available on the author (*v. infra*), and describes

the work. Pp. 45–140 contain a German translation of the treatise, pp. 141–67 remarks on it, pp. 169–84 consist of appendixes. The book also has four indexes (pp. 191–9). The Arabic text is printed on pp. 1–115 (henceforth Ar.). Although the book is reproduced photographically, it has quite a pleasant format, and contains also 14 facsimiles of manuscripts (pp. 200–13).

As lucidly demonstrated by the editor, the author, although a Samaritan, is closely dependent on Karaite sources, the only ones which he quotes (pp. 29–30). I have to admit that, at first, I went so far as to suspect it of being written by a Karaite author and attributed to a Samaritan. Yet Pohl's arguments (which, to be sure, are somewhat scattered) convinced me. Not only are the Pentateuch quotations from the Samaritan version (p. 12) and not only does the author confine himself to Pentateuch citations, without adducing any other Biblical book (p. 35, n. 65), but (cf. p. 156, n. 40) he expressly rejects other Biblical books as sources of divine law, since (p. 71, ll. 4 ff.) 'it is not admitted that such a verse serve as proof [*lahū*, p. 33 Ar., l. 7, refers to *al-naṣṣ* 'verse', rather to *al-Qirqisāni*; change Pohl's translation accordingly!] nor that it originates in God, but it was rather attributed to Him'.

On pp. 5 ff., Pohl gives a grammatical sketch. Though he expressly states that he did not intend to give a full account of the linguistic peculiarities of the treatise, one would have preferred a much more detailed description, which could have served as an initiation for readers who are not accustomed to texts of this kind. Moreover, I do not understand the failure to cite Ben-Hayyim's grammatical introduction to Samaritan Arabic, contained in a book expressly quoted on p. 187. In the following I shall adduce *some* Middle Arabic features which I should have liked to include in the grammatical introduction (or have its wording changed). In order not to waste space, I, as a rule, merely refer to J. Blau, *A grammar of Christian Arabic*, Louvain, 1966–7 (henceforth *Ch. A.*).

p. 20 Ar., l. 10: *alif maqṣūra* spelt with *yā* is often used for *alif mamdūda* (*Ch. A.*, p. 90, para. 11.3.6.2); the emendation proposed is therefore unwarranted. *yuzan*, *Ch. A.*, pp. 181–2, para. 81.

p. 31 Ar., l. 9: *alladhī* supersedes *allatī* (*Ch. A.*, p. 550, para. 431.1; Pohl's wording on p. 10 is not exact, since it does not allow for hyper-correction); the emendation is, accordingly, unnecessary.

p. 38 Ar., l. 5: for *shy'* cf. *Ch. A.*, p. 328, para. 223.2. Therefore, omit the emendation proposed.

p. 63 Ar., l. 3: for this use of *mā* cf. *Ch. A.*, p. 559, para. 441.

p. 63 Ar., l. 16: for '*a'fā li-* cf. *Ch. A.*, pp. 418–19, para. 305.1.4.

p. 64 Ar., l. 1: *al-ba'ḍ*, cf. *Ch. A.*, p. 357, para. 236.2.1.

p. 65 Ar., n. 4: for *dh* instead of *d*, here a hyper-correct feature, cf. *Ch. A.*, p. 108, para. 16.2.

p. 65 Ar., l. 10 (and similarly p. 96 Ar., ll. 5,6,14): *fa* is missing preceding the apodosis of a conditional clause (*Ch. A.*, pp. 447 ff., paras. 341 ff.).

p. 76 Ar., l. 3: *muhājaja*, cf. *Ch. A.*, p. 167, para. 69.

p. 78 Ar., l. 8: *ma' ba'dhūm ba'dan*, *Ch. A.*, pp. 407 ff., para. 295.3.

p. 81 Ar., n. 1: the use of '*ilā* is hyper-correct (*Ch. A.*, p. 251, n. 40).

p. 81 Ar., l. 1: *qāl 'an*, *Ch. A.*, pp. 512–13, para. 402.2.

p. 88 Ar., l. 7: *rubbamā*, *Ch. A.*, p. 259, para. 170, n. 1.

p. 89 Ar., l. 15: *ghayr 'aqilan*, cf. *Ch. A.*, p. 330, n. 40.

Moreover, the proper place of p. 143, remark 4 is in the grammatical sketch.

With great diligence and circumspection, Pohl has based his edition on seven manuscripts. Yet the apparatus could have been restricted without any detriment. First, as recognized by Pohl when describing the manuscripts, MSS F and E are copies of A and C respectively; accordingly, he should have dispensed with them altogether. Moreover, the many orthographic differences (among them many exhibiting omission of diacritical points only) could have been omitted, since it would have sufficed to sum them up in the introduction. This applies to cases like p. 7 Ar., n. 22; p. 20 Ar., n. 1; p. 29 Ar., n. 5 and 13; p. 83 Ar., n. 7; p. 96 Ar., n. 8, 13, and 20. Similarly, notes stating that a certain reading stands 'pro' another, are superfluous; this applies, e.g., to p. 7 Ar., n. 3; p. 80 Ar., n. 20; p. 93 Ar., n. 10; p. 97 Ar., n. 1 and 16, and even more to n. 13 and 15, where the correction proposed is wrong even from the point of view of Classical Arabic, since the words cited are adverbials of circumstance (correct p. 125, ll. 5 and 4 from foot, accordingly). Cf. also cases like p. 78 Ar., n. 18, where Pohl regards a certain reading as 'melius'. Moreover, in many cases it is unnecessary to prefer the reading of another MS to A, so that the deviation from the diplomatic method of editing (v. p. 5) would have become less conspicuous. We have already quoted such cases, and cf. also p. 74 Ar., n. 10; p. 78 Ar., n. 10 and 14; p. 83 Ar., n. 2, 3, and 11; p. 97 Ar., n. 7. It is even less warranted to correct the reading of all manuscripts. We have already quoted such cases, and this applies also to p. 6 Ar., l. 8; p. 44 Ar., l. 10; p. 93 Ar., l. 11, twice; p. 97 Ar., ll. 8, 9.

Some scattered remarks.

p. 7 Ar.: n. 6 has to be omitted, being too

different from the readings of the manuscripts.

p. 7 Ar., n. 13: *ṣiḥḥa* has, it seems, to be interpreted as a noun, rather than a verb, being parallel to *ta'adhḥur*; a feminine verb **ṣahḥat* cannot, of course, refer to masculine *dhālika*.

p. 8 Ar., l. 1: the emendation is unwarranted even from the point of view of Classical Arabic, since a feminine noun not being female may be directly preceded by a masculine verb (the same applies to p. 68 Ar., n. 8, where MS A's reading should not have been relegated to the apparatus).

p. 29 Ar.: n. 27 reflects *ḥāl muqaddara*; omit the emendation and correct also p. 10, *in medio*!

p. 47 Ar., n. 7: *msfhan* is *lectio difficilior* and has to be retained and interpreted as a circumstantial adverb: 'in a foolish way'. The unwarranted emendation should, at least, have been in the feminine (*msfhat*).

p. 68 Ar., l. 9: the emendation *mḥṣlan* is not only unwarranted, but the interpretation is wrong, since *mḥṣl* is the subject (*pace* p. 91). Translate: 'which no intelligent man can accept'.

p. 65 Ar., l. 8: *wykl*, read *ywkl*.

p. 75 Ar.: n. 3 refers, it seems, to *fa-'innahū 'immā*, rather than to 'immā alone.

p. 75 Ar.: n. 5 does not state the corrupt readings of MSS A, F.

pp. 75-6 Ar.: the text is corrupt.

p. 76 Ar., l. 4: read perhaps *wa-lā (v. Ch. A, p. 302, para. 201.1) farraga mawtuhū* 'and his death did not make any difference'.

p. 76 Ar., n. 13: *ta'adhḥar*, rather than *yaqdīr*, is the correct reading, being *lectio difficilior*; translate: 'and the fact that the orphan cannot exempt . . . does not constitute a reason obliging . . .'

p. 78 Ar., l. 12: What does the asterisk mark?

p. 83 Ar., n. 27: *mundhu qaṭṭu* is synonymous with *qaṭṭu*; it is not only *lectio difficilior*, but it is also better attested in the manuscript tradition, since MS G's *mnsqṭ* represents its corruption. Accordingly, it must be preferred.

p. 96 Ar., l. 9: *wḥd*, read *wjd*.

p. 9, n. 1 should refer to line 9 from foot.

p. 11: both spellings of 'idhan are classical; the same applies to the conditional use of *matā*.

p. 47, l. 9: I would prefer 'all the animals' to 'alle anderen Lebewesen'.

p. 69, l. 9 from foot: 'Propheten', read 'prophecies'; correct p. 155, n. 35, accordingly.

p. 95, l. 13 from foot: 'besteht', add 'seiner Meinung nach'.

p. 97, ll. 14-15: 'es soll . . . sein', rather 'sondern dass es ein Geschenk sei'.

p. 97, l. 7 from foot: 'dies wäre . . .' should be the apodosis of the conditional clause.

p. 98, l. 2: perhaps 'alā ḥāl has to be interpreted < 'alā 'l-ḥāl, i.e. 'immediately'?

p. 110, l. 2: 'kompliziert', read 'unclear'.

p. 113, l. 11 from foot: 'ausführlicher . . .', rather 'in the fullest detail as is possible for this treatise'.

p. 125, l. 2: 'ohne sie (zu berücksichtigen)', rather 'not to her'.

p. 125, l. 11 from foot: 'reizend', rather 'desirable'.

It is rather awkward that the numbers of the remarks on pp. 141 ff. do not fit the translation; an added page attempts to assist the reader.

Pohl's diligence and acumen have placed an important book at our disposal. We are obliged to him for it.

JOSHUA BLAU

NABIA ABBOTT: *Studies in Arabic literary papyri. III. Language and literature.* (University of Chicago Oriental Institute Publications, Vol. LXXVII.) xvi, 216 pp., 10 plates. Chicago and London: University of Chicago Press, 1972. \$32.50, £16.75.

The third, and last, of these elegantly produced volumes appears 15 years after the first (1957), and five years after the second (1967: cf. *BSOAS*, xxxi, 3, 1968, 613-16). We have thus a sample of what Arabic 'literary' papyri might offer the student of Islam: eight historical documents (vol. I), one of scriptural exegesis and 13 of tradition (vol. II), and finally, two of grammar and five of literature (vol. III). For each of the documents edited here plates and abundant commentary are provided, enabling the reader to judge for himself the value of this material. It seems to me that, despite the recommendation of Grohmann that every scrap must eventually be published (*Handbuch der Orientalistik*, Abt. I, Ergänzungsbd. II, 1, 1966, 100 ff.), a useful distinction could well be made between chancery documents, private correspondence, business records and the like on the one hand, and on the other, fragments of materials elsewhere available in their entirety and often in MSS not much later than the (alleged) dates of the papyri. Genuine documents (archival and other) for the earliest period of Islamic history are very rare indeed, and every piece deserves notice. Of 'literary' works the same cannot be said and, unless they exhibit significant variants and/or evidence of eccentric transmission, the value of such papyri must be limited. The first two volumes of Professor Abbott's series (*SALP*) contained some interesting and valuable discoveries. It is difficult to find comparable specimens in the third volume: the two 'grammatical documents' (nos. 1 and 2) are scraps, the conjectural reconstruction of which adds nothing to our knowledge of the origin and early development of Arabic linguistic studies, and, as far as I can see, are quite un-