



the neighboring towns assembled there so that the reaping could be done with great ostentation. When darkness falls, the reaper calls out to them: “Has the sun set?” They reply: “Yes.” “Has the sun set?” They reply: “Yes.” “Shall I reap with this sickle?” They reply: “Yes.” “Shall I reap with this sickle?” They reply: “Yes.” “Shall the cut stalks of grain be placed into this basket?” They reply: “Yes.” “Shall the cut stalks of grain be placed into this basket?” They reply: “Yes.” When the reaping of the Omer falls on the Sabbath,<sup>3</sup> he calls out to them: “On this Sabbath day?” They reply: “Yes.” “On this Sabbath day?” They reply: “Yes.” “Shall I reap?” They reply: “Yes.” “Shall I reap?” They reply: “Yes.” Three times he repeats each question, and they reply “Yes” to each question. Why such an ostentatious ceremony? Because of the Boethusians who claimed that the reaping of the Omer does not take place on the evening following the first day of the Passover festival.<sup>4</sup>

The claim ascribed by the Mishnah to the Boethusians “that the reaping of the Omer does not take place on the evening following the first day of the Passover festival” seems to be clear. The Boethusians rejected the rabbinic view that required the Omer-cutting ceremony to take place on the evening following the first day of Passover. Note especially that the Boethusians did not claim that the Omer-cutting ceremony *usually*, but not always, does not fall on the evening following the first day of Passover. Nor did they claim that *sometimes* it does not fall on the evening following the first day of Passover. They claimed unequivocally that it *never* falls on the evening following the first day of Passover. The rabbis, responding to this heresy, instituted a ceremonious cutting of the Omer at the very moment that was unacceptable to the Boethusians. Thus, the rabbis underscored their own authority, even as they undermined the claim of the Boethusians.

Much is left unsaid by our mishnah. For example, not a word is said about the precise calendrical date selected by the Boethusians for the Omer-

3 That is, when the first day of Passover falls on a Friday, and the reaping of the Omer follows on Friday night after the Sabbath has set in.

4 All translations are my own and tend to be paraphrastic, not slavishly literal.

cutting ceremony. From related passages in rabbinic (as well as sectarian) literature, it is obvious that the Boethusians understood the plain sense of *ממחרת השבת* at Leviticus 23:11 as referring to “the day after the Sabbath,” i.e., Sunday. Thus, for the Boethusians, the Omer-cutting ceremony was always celebrated on a Sunday. But was it on a Sunday during, or after, the Passover festival?<sup>5</sup>

Passover, celebrated biblically for seven consecutive days, must always include a Sunday. From a rabbinic perspective, it is quite possible that the Boethusians celebrated the Omer-cutting ceremony on the Sunday that fell during the week of Passover.<sup>6</sup> Again, from a rabbinic perspective, the first day of Passover could easily fall on a Saturday.<sup>7</sup> If so, the rabbis and the Boethusians could celebrate the Omer-cutting ceremony on the same day, the Sunday that follows Saturday, the first day of Passover. For the rabbis, it would be “the day after the first day of Passover”; for the Boethusians it would be “the day after the Sabbath.” But such a rabbinic perspective, well-attested in the Talmud and related literature,<sup>8</sup> would seem to wreak havoc with the plain sense of our mishnah, which states unequivocally that the Boethusians claimed “that the reaping of the Omer does not take place on the evening following the first day of the Passover festival.” The plain sense of the Hebrew is clearly that, for the Boethusians, the reaping

- 5 The sequence of the biblical verses at Lev 23:4–22 rules out the possibility that the Omer-cutting ceremony was celebrated prior to the Passover festival. Modern scholarship on the calendrical date of the Sunday celebrated by the Boethusians was initiated by R. David Zvi Hoffmann (1874). The discovery and publication of the Dead Sea Scrolls has led to a burgeoning literature on the topic. See the extensive literature cited in Sussman 1989–1990: 30, nn. 80–81a and Doering 1999:518–22 and notes.
- 6 See, for example, b. Menahot 66a, where a tannaitic refutation of the Boethusian claim includes the refrain *וכי נאמר ממחרת השבת שבתוך הפסח*. Although the text is uncertain (the *editio princeps* reads: *וכי נאמר ממחרת שבת פסח*; cf. Rabbinovicz 1886:161, n. 20), the sense remains the same. Any Talmudic scholar, which probably includes all classical commentators on the Mishnah, would have been familiar with this, and similar, texts.
- 7 For example, m. Pesahim 5:1: *חל ערב פסח להיות בערב שבת*.
- 8 See *t. Rosh HaShanah* 1:15 (Zuckerman 1880–1882:210; Lieberman 1962 תוספתא 1026–27); *j. Rosh HaShanah* 2:1 (57d); and b. *Rosh HaShanah* 22b, especially Rashi *ד"ה להטעות את החכמים*.

of the Omer *never* takes place on the evening following the first day of the Passover festival—even when the first day of Passover falls on a Saturday.

Given the apparent contradiction between the plain sense of the Boethusian claim in the mishnah and the rabbinic understanding of Boethusian practice, as recorded elsewhere in the Talmud, one would expect to find this issue addressed in the classical commentaries on the Mishnah.

The focus of this investigation will be to examine the history of Mishnah commentary from its inception down to the present, with regard to our mishnah.<sup>9</sup> We will put the following questions to the Mishnah commentators through the centuries on *m. Menahot* 10:3:

1. Did the commentator take notice of the plain sense of the claim of the Boethusians, as recorded in our mishnah? Did the commentator realize that the plain sense rules out the possibility that the Boethusians and the rabbis would ever celebrate the Omer-cutting ceremony on the same day?
2. Did the commentator attempt to reconcile the plain sense of the claim of the Boethusians, as recorded in our mishnah, with the rabbinic understanding of Boethusian practice, as recorded elsewhere in the Talmud?
3. Did the commentator attempt to identify the precise calendrical date (or dates) of the Sunday (during or after the Passover festival) designated by the Boethusians for the celebration of the Omer-cutting ceremony?

We have randomly selected and examined sixty classical commentaries on the Mishnah (in Hebrew, Yiddish, German, and English), all published between the sixteenth and twenty-first centuries, and reflecting Mishnah

9 The focus of our investigation will not be on modern attempts to reconstruct the Boethusian calendar and to examine its relationship to other sectarian calendars, such as those of the Book of Jubilees and the Dead Sea Scrolls. Nor will it be on attempts to identify the Boethusians with the Essenes, and ultimately with the identity of the Dead Sea sect. For the literature on these attempts, see the references cited above, n. 5. I hope to address these attempts, especially as they relate to the plain sense of *m. Menahot* 10:3, on another occasion.

commentary from the eleventh century on. We have selected only those general commentaries that specifically include commentary on the mishnaic tractate of Menahot. Thus, lack of comment on m. Menahot 10:3 by any of the selected commentators cannot be attributed to the fact that the commentator wrote no commentary on m. Menahot. While the sampling is hardly exhaustive, it is certainly a representative sampling of how a particular mishnah was understood through the ages.<sup>10</sup> We can

- 10 The mishna commentaries selected include all that were available in my private library, supplemented by what I could easily locate on the three major digital collections of Judaica: אוצר החכמה (www.otzar.org), אוצרות התורה (contact number in the US: 917-538-0812), and Hebrew Books (www.hebrewbooks.org), and also on the open stack shelves of the Yeshiva University library. (It should be noted that the Yeshiva University library is one of the world's great Judaica collections. Many of its treasures have not yet been registered in its digital catalogue. For this study, I have examined only items listed in the digital catalogue and available on the open stacks.) It is beyond the ken of this modest study to provide full bibliographical information on each of the commentaries selected. Instead, we list alphabetically all the Hebrew titles selected, followed by an alphabetical listing (by author) of the Yiddish, German and English commentaries selected. In the case of the Hebrew titles, the century when the commentary was written, rather than published, is added in parentheses following the entry. The full bibliographical information on most of the items listed can be retrieved by consulting *The Bibliography of the Hebrew Book 1473–1960* CD or by consulting מפעל הביבליוגרפיה העברית on the National Library of Israel website: **Hebrew titles:** אהלי שם אוצר משניות (21); אמרי דעת (19); הון עשיר (19); הגהות אבני נזר (20); דרך הנשר (19); דרישת הזאב (19); בית דוד (18); ילקוט באורים (18); חזון נחום (19); זרע ישראל (18); זרע יצחק (19); הר המור (21); לקוטי משנה (19); לקוטי המשנה (18); לחם שמים (17); לחם משנה (17); כף נחת (21); מעשה (17); מלאכת שלמה (18); מלא כף נחת (20); מדת משנה (18); לקט הקמח (21); משנה (21); משנה בהירה (20); משניות מבוארות (קהתי) (20); מצודת דוד (18); רוקח משנת שלמה (18); משנת חכמים (21); משנת חיים (20); משנת אליעזר (20); מפורשת פירוש רבינו (19); עצי עדן (17); עץ חיים (21); עטרת שלמה (19); נזיר שמשון (17); קול הרמ"ז (20); קהלת יעקב (17); קב ונקי (19); פסקי משנה (11); נתן אב הישיבה (19); רץ למשנה (12); רמב"ם (15–16); ר"ב = ר' עובדיה מברטנורא (19); קול סופר (20); ששה סדרי משנה (אלבק) (19); שש המערכת (18); שושנים לדוד (20); שאר ציון תפארת (20); תפארת יעקב (17); תוספות יום טוב (18); תוספות חדשים (19); תא הרצים (19); ישראל (20); תפארת ציון (19); **Yiddish titles:** Anonymous, נר נשמה (Warsaw, 1875); Symcha Petrushka, סדר קדשים: אין יידיש (Montreal: Northern Printing and Stationery, 1948); **German titles:** Jona Cohn, *Mischnajot: Die sechs Ordnungen der Mischna: Seder Kodashim* (Berlin: Druck

state unequivocally that the overwhelming majority of commentators on m. Menahot did not address any of the issues listed above. Often, the commentators had no comment at all on m. Menahot 10:3. Those who chose to comment tended to confine their remarks to a brief explanation of the Boethusian claim, namely that the sectarians understood the plain sense of Lev 23:11, ממחרת השבת, as referring to “the day after the Sabbath,” i.e., a Sunday. The commentators made no attempt to address the rather unusual formulation of the claim of the Boethusians and its implications;<sup>11</sup> they made no attempt to reconcile the claim with passages elsewhere in the Talmud; and they made no attempt to identify the precise calendrical date (or dates) of the Sunday designated by the Boethusians for the celebration of the Omer-cutting ceremony.

It is the exceptions that prove the rule, and they make for interesting reading. We will examine them in the order they were written.

1. R. Nathan ben Abraham II (11th century), פירוש רבינו נתן אב הישיבה,<sup>12</sup>

כל כך למה מפני הביתוסין: כל זה בגלל תלמידי ביתוס, חברי הצדוקים שהיו אומרים אין קצירת העומר אחר יום טוב, לפי שכתוב בתורה ממחרת השבת יניפנו הכהן, שהרבנים סוברים שהשבת האמורה כאן יום טוב, ובזה אמר התרגום מבתר יומא טבא, והביתוסין אומרים שהיא שבת שאחר יום טוב.

**Why such an ostentatious ceremony? Because of the Boethusians:**  
All this was brought about by the disciples of Boethus, colleagues

---

und Verlag von H. Itzkowski, 1925); **English titles:** Philip Blackman, *Mishnayoth: Order Kodashim* (Gateshead: Judaica Press, 1977); Herbert Danby, *The Mishnah* (Oxford: Oxford University Press, 1933); Pinhas Kehati, *Mishnah: Seder Kodashim* (Jerusalem: Eliner Library Department for Torah Education and Culture in the Diaspora, 1994). [This is an English version of the parallel volume in Kehati's משניות מבוארות, listed above.]; Matis Roberts, *The Mishnah with Yad Avraham: Seder Kodashim, Tractate Menachos* (Brooklyn: Artscroll Mesorah Publications, 1989).

11 The precise formulation of the claim ascribed to the Boethusians (אין קצירת העומר במוצאי יום טוב) occurs nowhere else in rabbinic literature, with the exception of the parallel passage to our mishnah in t. Menahot 10:23 (Zuckerman 1880–1882:528).

12 Nathan ben Abraham 1955–1958:5.

of the Sadducees, who used to say “there is no reaping of the Omer immediately after the first day of Passover. “For it is written in the Torah [Lev 23:11] ‘the priest shall elevate it on the day after the Sabbath.” The Rabbis maintain that the Sabbath mentioned here means the first day of Passover. So it is rendered in Targum Onkelos: **יומא טבא**. But the Boethusians claim that it is the Sabbath that falls after the first day of Passover.

The sense of the Hebrew in the last line is somewhat ambiguous, but almost certainly it is properly rendered: “But the Boethusians claim that it is the Sabbath that falls after the first day of Passover.” That is, R. Nathan explains that the Boethusians ruled that the Omer-cutting ceremony can never follow immediately after the first day of Passover. It must always follow a Sabbath that itself comes after the first day of Passover. It is always celebrated on the first Sunday after the first Saturday which comes after the first day of Passover. It follows, then, that the Omer-cutting ceremony could fall during the week of Passover (only from its third day on) or during the week after Passover (e.g., when the first day of Passover falls on a Sunday).

R. Nathan is clearly sensitive to issues 1 and 3 listed above. He took notice of the plain sense of the claim of the Boethusians, and realized that the Boethusians and the Rabbis could never celebrate the Omer-cutting ceremony on the same day. He also identifies, in part, when the Boethusian Sunday fell, namely after the first Saturday that followed the first day of Passover.

2. R. Israel Lipschuetz (d. 1860), תפארת ישראל:<sup>13</sup>

אין קצירת העומר במוצאי יום טוב: \* ר"ל במוצאי יום טוב ט"ו ניסן, רק במוצאי שבת הראשון שאחר יום א' של פסח.

**There is no reaping of the Omer on the evening following the first day of the festival:** \*This means [there is no reaping] on the evening following the festival on 15 Nisan. Rather, [the reaping is

13 Lipschuetz 1999:191, n. 25.

done] on the evening following the first Saturday after the first day of Passover.

It is quite incredible that some 750 years of Mishnah commentary passed before another commentator addressed in print several of the issues listed above. Indeed, R. Israel Lipschuetz arrived at the very same conclusion reached by R. Nathan ben Abraham, without ever having seen R. Nathan's commentary. It can only be because he too noticed that the plain sense of the Boethusian claim ruled out the possibility of the Boethusians and the Rabbis ever celebrating the Omer-cutting ceremony on the same day. The problem addressed by both commentators was: what if the first day of Passover falls on a Saturday? Surely, the Boethusians and the Rabbis would have been delighted to celebrate the Omer-cutting ceremony on the next day, Sunday. The answer, of course, is that for the Boethusians, the Omer-cutting ceremony can only take place from the third day of Passover on, i.e., on a Sunday after a Saturday that falls at least one day after the first day of Passover. It is noteworthy that Lipschuetz added an asterisk (see above) to his comment, signaling that this comment was particularly innovative and original with him.<sup>14</sup> Sadly, the printers of the many recent editions of *תפארת ישראל*—perhaps unaware of the significance of the asterisks—have foolishly removed them.<sup>15</sup> It should be noted that Albeck<sup>16</sup> and Kehati,<sup>17</sup> in their respective commentaries on the Mishnah, adopted Lipschuetz's understanding of m. Menahot 10:3 (with neither explanation nor attribution).

- 14 The asterisk can be seen in the earlier printed editions of Lipschuetz's *תפארת ישראל*. See, for example, Lipschuetz 1935:125, n. 25. I am indebted to Sholom Licht of the Bernard Revel Graduate School for urging me to examine the earlier editions of *תפארת ישראל* to see whether or not Lipschuetz added an asterisk to this particular comment. He did.
- 15 This, despite the fact that they reprint Lipschuetz's introduction to his Mishnah commentary, where he specifically indicates the significance of the asterisks inserted in his commentary. See Lipschuetz 1999:27, *זרעים*: introductory pages.
- 16 Albeck 1959:91, *ד"ה במוצאי יום טוב*.
- 17 Kehati 2003:99, *ד"ה שהיו אומרים*. Cf. Kehati 1994:114, *ד"ה כל כך למה*.



3. R. Hayyim Sofer (d. 1886), קול סופר:<sup>18</sup>

שהיו אומרים אין קצירת העומר במוצאי יום טוב: בער אנכי מהבין שכתב בלשון שלילה שהבייתוסים אומרים אין קצירת עומר במוצאי יום טוב, ולא כתב שהיו אומרים קצירת עומר במוצאי שבת בראשית, ונ"ל דבייתוסים בתרתי פליגי, אי מחרת השבת היינו מחרת הפסח א"כ יהיה העומר נקרב בט"ו, שהוא ממחרת שחיטת הפסח, כקושית התוספות בר"ה דף י"ג, וזה שרמז שהיו בייתוסים אומרים אין קצירת העומר במוצאי יום טוב, אלא בליל יום טוב, וקבלה ומסורת מאבותינו דווקא במוצאי יום טוב.

**[Because of the Boethusians] who claimed that the reaping of the Omer does not take place on the evening following the first day of Passover:** I am ignorant and cannot understand why the mishnah records this claim in the negative “that the Boethusians claim that the reaping of the Omer does not take place on the evening following the first day of Passover,” rather than recording a positive claim “that they claim that the reaping of the Omer always takes place on an evening that follows a Saturday.” It therefore seems to me that the Boethusians disagreed with the Rabbis regarding two matters, the second matter being that if “the morrow of the Sabbath” means “morrow of the Passover,” [as the Rabbis claim,] then the Omer offering would have to be offered on 15 Nisan, which is the “morrow of the Passover” sacrifice [offered on 14 Nissan], as was raised by Tosafot to b. Rosh HaShanah 13a. This is what the Boethusians meant when they said, “there is no reaping after the first day of Passover (Yom Tov), for it should be done (according to you, the Rabbis) on Passover eve itself.” We, however, have a tradition from our ancestors that it is reaped only after the first day of Passover.

R. Hayyim Sofer sensed that the formulation of the claim ascribed to the Boethusians was unique and had no parallel in rabbinic literature. Specifically, he was troubled by the fact that the mishnah did not present

18 Sofer 1962:21, comment 146.

the Boethusian formulation positively, namely that the reaping of the Omer must always take place on a Sunday. Such a formulation would not preclude occasional agreement between the Boethusians and the Rabbis, i.e., when the first day of Passover fell on a Saturday.

Sofer offers a clever solution that accounts for the unusual mishnaic formulation, even as it allows for occasional agreement between the Boethusians and the Rabbis. According to Sofer, the Boethusians disagreed with the Rabbis regarding two matters that relate to the reaping of the Omer ceremony. First, it must always fall on a Sunday; and second, if the Rabbis wish to claim that “the morrow of the Sabbath (Lev 23:11)” is equivalent to “the morrow of the Passover (Josh. 5:11),” i.e., the evening or day following the first day of Passover, they err. For the plain sense of “the morrow of the Passover” is the fifteenth day of Nissan, the day after the Passover offering is sacrificed on the 14th of Nissan (see Tosafot, ד"ה דאקריבו, to b. Rosh HaShanah 13a). Thus, the unusual mishnaic formulation was, in a sense, a two-pronged attack by the Boethusians on the rabbinic position. But it did not rule out an occasional agreement between the Boethusians and the Rabbis. Sofer, then, was sensitive to issues 1 and 2 listed above. He took note of, and was puzzled by, the plain sense of the claim of the Boethusians. Moreover, his solution allows for occasional agreement between the Boethusians and the Rabbis. But not many will be persuaded by his reading of the Boethusian claim.

4. R. Jona Cohn (d. 1934), ed., *Mischnajot: Die sechs Ordnungen der Mischna: Seder Kodashim*:<sup>19</sup>

**Das Abschneiden des Omer habe nicht am Ausgange des Festtages stattzufinden:** sondern an dem auf den ersten Festtag folgenden Sonntag.

**There is no reaping of the Omer on the evening following the first day of Passover:** Except in the case when the first day of Passover is followed by a Sunday.

19 Cohn 1925:147, n. 20.

R. Cohn notes that there is an exception to the Boethusian claim, namely when the first day of Passover (falls on a Saturday and) is followed by Sunday. Here we have a deliberate attempt to harmonize *m. Menahot* 10:3 with *b. Rosh HaShanah* 22b. This is clearly a sample of a commentator who addressed issue 2, listed above. On the one hand Cohn understood the plain sense of the mishnah, and on the other hand he could live with it only if it was understood as a general rule with an exception.

5. Symcha Petrushka (d. 1950), ed., משניות:<sup>20</sup>

כל כך למה: און צו וואס האט מען געדארפן דאס אלץ אזוי פיל מאל? מען האט עס געטאן צוליב די ביתוסים, וועלכע האבן געזאגט אז מען שניידט ניט דעם גערשטן פאר דעם עומר אים מוצאי יום טוב. ווי מיר האבן דערקלערט פריער אין משנה א' האבן די כיתות צדוקים און ביתוסים געהאלטן אז דעם עומר דארף מען ברענגן ניט דעם 16טן טאג אין ניסן (צומארגנס פון ערשטן טאג פסח) נאר זונטאג נאך פסח, און דאריבער האט מען געמאכט אזא פירסום.

**Why such an ostentatious ceremony:** Why did all these have to be repeated so many times? It was done to counter the Boethusians, who claimed that we do not reap the grains for the Omer offering on the evening following the first day of Passover. As we explained earlier regarding *m. Menahot* 10:1, the Jewish sectarian groups of the Sadducees and Boethusians maintained that the Omer offering was not brought on the 16th day of Nissan (on the morrow of the first day of Passover), but rather on the Sunday after Passover. It was therefore necessary to make such a public demonstration.

What needs to be noted immediately is that Petrushka's commentary on the entire Order Kodoshim was first published in 1948. Almost certainly, then, his commentary on *m. Menahot* 10:3 was written before the discovery of the Dead Sea Scrolls. This is quite remarkable, for his commentary anticipates much of what could and would be said about our mishnah after

20 Petrushka 1948:144, ד"ה וכל כך למה.

the discovery of the Dead Sea Scrolls, whose primary calendar, solar in nature, always has the Omer offering brought on the first Sunday after the first Saturday that follows the week of Passover. Petrushka was certainly sensitive to issues 1 and 3 listed above. Specifically, he understood correctly the plain sense of the Boethusian claim, namely that the Boethusians and the Rabbis could never celebrate the Omer-cutting ceremony on the same day. More importantly, he may be the first—and only—commentator on the mishnah to suggest that the Sunday designated by the Boethusians for the ceremony always fell during the week *after* Passover.

This should not be confused with the views of R. Nathan ben Abraham and R. Israel Lipschuetz (discussed above), who claimed that the Boethusians ordinarily brought the Omer offering *during* the week of Passover, but always on a Sunday that followed a Saturday that itself fell after the first day of Passover. It should be noted, however, that aside from being a rabbinic scholar of note, Petrushka took a special interest in *jüdische Wissenschaft* (Jewish Science). He studied under Samuel Poznanski in Warsaw and earned a Doctor of Hebrew Literature degree from the Jewish Theological Seminary of America.<sup>21</sup> Clearly, he belongs to a different category of Mishnah commentator than the typical classical commentators consulted for this study.<sup>22</sup>

However interesting these passages may be (each addresses one or more of the issues listed above), we should not lose our sense of proportion. Of the sixty commentators consulted, only seven addressed one or more of the issues listed.<sup>23</sup> The vast majority of the commentators addressed *none* of the issues listed!

How do we account for the virtual silence of Mishnah commentary on *m. Menahot* 10:3 regarding the critical issues listed above? It seems to me that at least two factors loom large here, the nature of Mishnah commentary,

21 See the biographies of Petrushka by M. M. Yoshor (1955:7–11) and M. Shtarkman (1968:153–55).

22 It is likely that Petrushka read the Book of Jubilees and the Book of Enoch, and studies such as Albeck's *Das Buch der Jubiläen und die Halacha* (published in 1930). See, for example., Albeck 1930:16–17.

23 The five commentators highlighted in this study, plus Albeck and Kehati who adopted Lipschuetz's understanding of *M. Menahot* 10:3 (see above).

and the vast distance separating the Boethusian sect in antiquity from the classical Mishnah commentator.

Regarding the nature of Mishnah commentary,<sup>24</sup> the Talmud (and, specifically, the Babylonian Talmud) was viewed as the consummate and authoritative commentary on the Mishnah. Classical Mishnah commentators drew their information largely from the Talmud and its commentators. Our mishnah (Menahot 10:3) is discussed in detail at b. Menahot 65a-66a. But the Talmudic discussion does not address the plain sense of the claim of the Boethusians recorded in the mishnah. As such, the Talmud did not supply grist for the mill of the Mishnah commentators. And while the Babylonian Talmud provides a sparkling and elongated account of the rabbinic refutations of the Boethusian position, it never identifies with precision the calendrical date of the Sunday designated by the sectarians for the Omer-cutting ceremony. Again, the Mishnah commentator could only with great difficulty advance discussion with regard to an issue not discussed in the Talmud.

Note too that the function of the Mishnah commentator was seen largely as educational. His task was to disseminate Talmudic teaching especially among those who would not be reading the Talmud itself. Hence the proliferation of short Rashi-like commentaries on, and translations of, the Mishnah. None of this encouraged intensive study of the plain sense of the Mishnah. Mishnah study was viewed as a means to an end, and not as an end in itself.

Regarding the vast distance separating the Boethusian sect in antiquity from the Mishnah commentator, it simply could not be bridged. No Boethusians were still alive when the Mishnah commentators wrote. No identifiable Boethusian literature has been preserved. There really was no way that a Mishnah commentator could speak with confidence about any Boethusian position – unless it was recorded in the Talmud. The very notion that there were widespread sectarian Jewish calendars in Second Temple times that challenged the normative Jewish calendar of the rabbis was basically unknown until the end of the nineteenth century (with the

24 We have leaned heavily on Hanan Gafni's פשוטה של משנה. See especially, Gafni 2011:37–49 and notes.

publication of the Book of the Jubilees, and a series of medieval [often: Karaite] histories of Jewish sects).

The notion would be seconded in 1910 by Solomon Schechter's publication of "Fragments of a Zadokite Work" in his *Documents of Jewish Sectaries*, and become a mainstay of modern scholarship by the discovery and publication of the Dead Sea Scrolls in the late twentieth and early twenty-first centuries. Thus, it was only in the twentieth century, that an enlightened Mishnah commentator, Symcha Petrushka, could suggest with confidence that the Boethusian calendar was a sectarian one, in which *ממחרת השבת* was always the first Sunday after the first Saturday that fell after the week of Passover.<sup>25</sup> Hence, the Boethusian claim in our mishnah "that the reaping of the Omer does not take place on the evening following the first day of the Passover festival." What Petrushka meant to say, apparently, was that the Mishnah preserved with great accuracy the very claim of the Boethusians.

## Bibliography

- Albeck, Hanokh [Chanoch]. "Das Buch der Jubiläen und die Halakha." *Bericht der Hochschule für die Wissenschaft des Judentums* 47 (1930): 1–60.
- Albeck, Hanokh, ed. *ששה סדרי משנה: סדר קדשים*. Bialik Institute and Dvir Co., 1959.
- Blackman, Philip, ed. *Mishnayoth: Order Kodashim*. Gateshead: Judaica Press, 1977.
- Cohn, Jona, ed. *Mischnajot: Die sechs Ordnungen der Mischna: Seder Kodaschim*. Berlin: Druck und Verlag von H. Itzkowski, 1925.
- Danby, Herbert, ed. *The Mishnah*. Oxford: Oxford University Press, 1933.
- Doering, Lutz. *Schabbat: Sabbathalacha und -praxis im antiken Judentum und Urchristentum*. Tübingen: Mohr Siebeck, 1999.

25 For a twentieth-century rabbinic (non-mishnaic commentator) adumbration of this view, ascribed to the Sadducees, but including the Boethusians as a sub-group of Sadducees, see Zevin 1944:305.

- Gafni, Hanan. פשוטה של משנה: עיונים בחקר ספרות חז"ל בעת החדשה. Tel Aviv: Hakibbutz Hameuchad, 2011.
- Hoffmann, David Zvi. "Die Zeit der Omer-Schwingung und die Wochenfestes." *Jahres-Bericht des Rabbiner-Seminars 1873–74*. Berlin, 1874.
- Kehati, Pinhas, ed. *Mishnah: Seder Kodashim*. Jerusalem: Eliner Library Department for Torah Education and Culture in the Diaspora, 1994.
- Kehati, Pinhas, ed. קדשים: משניות מבוארות: קדשים. Jerusalem: Mishnayot Kehati, 2003.
- Lieberman, Saul. תוספתא כפשוטה: ביצה-חגיגה. New York: Jewish Theological Seminary of America, 1962.
- Lieberman, Saul, ed. תוספתא מועד. New York: Jewish Theological Seminary of America, 1962.
- Lipschuetz, Israel. פירוש תפארת ישראל: קדשים. Vilna: Romm Publishing Co., 1935.
- Lipschuetz, Israel. משניות זכר חנוך עם פירוש תפארת ישראל: זרעים. Jerusalem: H. Vagshal Publishing Co., 1999.
- Lipschuetz, Israel. משניות זכר חנוך עם פירוש תפארת ישראל: קדשים. Jerusalem: H. Vagshal Publishing Co., 1999.
- Nathan ben Avraham. "פירוש רבינו נתן אב הישיבה" in: ששה סדרי משנה: ששה סדרי משנה: ששה סדרי משנה. Jerusalem: Meorot, Ltd., 1955–1958.
- Petrushka, Symcha, ed. משניות מיט איבערזעצונג און פירוש אין יידיש: סדר. Montreal: Northern Printing and Stationery, 1948.
- Rabbinovicz, Raphael Natan Nata. דקדוקי סופרים: מסכת מנחות. Munich, 1886.
- Roberts, Matis, ed. *The Mishnah with Yad Avraham, Seder Kodashim, Tractate Menachos*. Mishnah Series 28. Brooklyn: ArtScroll Mesorah Publications, 1989.
- Schechter, Solomon. "Fragments of a Zadokite Work." In idem, *Documents of Jewish Sectaries*. Cambridge: University Press, 1910; English section: v-lxi; Hebrew section: 1–20.
- Shtarkman, Moshe. "פיעטרושקא, שמחה בונים" in: לעקסיקון פון דער נייער. New York: Congress for Jewish Culture, Inc., 1968, vol. 7, cols. 153–55.

Sofer, Hayyim. קול סופר in קדשים: קבוצת מפרשי המשנה: קדשים in קול סופר Jerusalem: Ma'ayan Ha-Hokhmah , 1962.

Sussman, Yaakov. חקר תולדות ההלכה ומגילות מדבר יהודה: הרהורים תלמודיים "ראשונים לאור מגילת מקצת מעשי התורה" *Tarbiz* 59 (1989–1990): 11–76.

Yoshor, Moses Meir. "שמחה פיעטרושקא ז"ל" in משניות: סדר זרעים, edited by Symcha Petrushka. New York: Hebraica Press, Inc., 1955, 7–11.

Zevin, Shlomo Yosef. המועדים בהלכה Jerusalem: Mosad Harav Kook, 1944.

Zuckerman, Moses Samuel, ed. תוספתא. Pasewalk, 1880–1882.