

those of Sens in many places and incorporated the local Spanish teachings. In Spain Asher b. Jehiel's version of the *tosafot* was regarded as the more accurate, in contrast to the French *tosafot*, which had been current until then among the scholars there. Thus while Nahmanides and his *bet midrash* introduced the tosafists' method of study and most of their teachings into Spain, the text of the *tosafot* was laid down by Asher b. Jehiel, whose *tosafot* subsequently became the only ones officially studied in all the Spanish yeshivot.

The influence which the *tosafot* have had on the entire history of learning among the Jewish people up to present times is inestimable. A "page of *Gemara*" invariably refers to the text itself, Rashi's commentary (called *perush*), and the *tosafot*, and is called Ga-Pa-T, the initial letters of *Gemara*, *perush* and *tosafot*. That the early printers included the *tosafot* as the companion commentary to Rashi's in their editions was not fortuitous, but because this was the customary combination. Wishing to enhance the value of their product, they accordingly printed the *tosafot* at the side of the page. In later times, from the expulsion from Spain (1492) onward, an extensive literature was produced whose object was to answer the questions raised in the *tosafot* which conflicted with Rashi, and in any event to attain a deeper comprehension of the principles underlying both. Among the most notable of these works are *Sefer ha-Maharsha* of Samuel Edels, *Hiddushei ha-Maharam* of Meir b. Gedaliah of Lublin, *Meginnei Shelomo* of Joshua Falk I, *Hiddushei Maharam Schiff* of Meir Schiff of Fulda, *Hora'at Sha'ah* of Solomon and Isaac Heilprin, and others. For greater convenience some of these works, which were highly esteemed by scholars, have been printed at the end of the editions of the Talmud. This type of literature also appeared among Jews in the East, later Spain, Egypt, etc., where an accurate and systematic methodology was produced of the principles of Rashi and the *tosafot* so that their divergent views could be better understood. The most outstanding of these works is *Darkhei ha-Gemara* by Isaac Canpanton.

On the other hand, some leading scholars considered the combined study of the Talmud and the *tosafot* at an early age as pedagogically wrong, in that it did not permit young students to arrive at an independent, straightforward, and correct comprehension of the Talmud and its themes. Instead it imposed on them from the outset the methods of **pilpul* and of *hillukim* (forms of talmudic casuistry), which from the beginning of the 15th century were associated with the study of the *tosafot* in Poland and Germany. In the early days of their appearance the *tosafot* were already criticized, and there were scholars in the 14th century who considered studying them a waste of time. But the criticism began to gather force only with the development of the casuistic method of *hillukim* which was intrinsically associated with the *tosafot*.

BIBLIOGRAPHY: Urbach, *Tosafot*; idem, in: *Essays Presented to... I. Brodie* (1967), 1–56 (Heb. pt.); A.F. Kleinberger, *Ha-Mahashavah ha-Pedagogit shel ha-Maharal mi-Prag* (1962); J. Lifschitz (ed.), *Tosafot Evreux... le-Sotah* (1969), introd.; I. Ta-Shema, in: *Sinai*, 65 (1969), 200–5; Gross, Gal Jud; R.N.N. Rabinovicz, *Ma'amar al Hadpasat ha-*

Talmud, ed. by A.M. Habermann (1952); *Perush al Yehezkel u-Terei Asar le-R. Eliezer mi-Belganzi* (1913), preface by S. Poznański; Germ Jud; Assaf, Mekorot; V. Aptowitz, *Mavo le-Sefer Ravyah* (1938); P. Tarshish, *Ishim u-Sefarim ba-Tosafot* (1942).

[Israel Moses Ta-Shma]

TOSEFTA (Aram. תוספתא, Heb. תוספת), literally an "additional" or "supplementary" halakhic or aggadic tradition, i.e., one not included in the *Mishnah of R. *Judah ha-Nasi. Originally the term was used to designate any individual additional or supplementary tannaitic tradition, and so was virtually synonymous with the later Babylonian term **baraita*. In the later Babylonian tradition the term "tosefta" was used to designate a particular body of such *baraitot* (Kid. 49b; Meg. 28b; Shav. 41b), and eventually it came to denote a particular literary work, "the Tosefta" – a collection of halakhic and aggadic *baraitot*, organized according to the order of the Mishnah, and serving as a companion volume to it. Though there may once have been other such collections of tannaitic *halakhot* and *aggadot*, the Tosefta is the only such collection to have come down to us, and together with the extant **Midrashei Halakhah*, it provides the student with direct access to a large body of ancient tannaitic sources, without the mediation of later amoraic and post-amoraic talmudic tradition.

In most respects, the Tosefta is identical to the Mishnah. Its Hebrew language is similar in all essential points to the language of the Mishnah, and seems unaffected by later dialects of amoraic Hebrew. The content, terminology, and formal structures of the *halakhah* in the Tosefta are the same as those in the Mishnah. The *tannaim* mentioned in the Tosefta are the same as those mentioned in the Mishnah, with the exception that the Tosefta also mentions scholars from the two following generations – almost all either direct descendants of the *tannaim* mentioned in the Mishnah, or otherwise associated closely with the circle or the family of R. Judah Ha-Nasi. From all of this it would seem clear that the Tosefta which we possess today was redacted in the same circles in which the Mishnah was redacted – the school of R. Judah ha-Nasi – some 40 or 50 years later, and by his own disciples. Since the last prominent scholar to be mentioned in the Tosefta (twice only) is none other than R. Hiyya – a close relative and prime disciple of R. Judah ha-Nasi – it is not surprising that tradition has ascribed to R. Hiyya the redaction of the Tosefta, though there is no solid historical evidence which can confirm this suggestion.

In addition to containing two additional layers of tannaitic traditions, there are two primary differences between the Mishnah and the Tosefta. First, the Tosefta is some three to four times larger than the Mishnah. Second, the overall order of the units of tradition found in the Tosefta is largely dictated, not by internal criteria, but rather by the external standard of the order of the Mishnah. It would therefore be fair to say that the Tosefta as a whole represents a kind of proto-talmud to the Mishnah – a large collection of tannaitic traditions whose purpose is to supplement, to complement,

and in various other ways to expand upon the Mishnah of R. Judah Ha-Nasi (see: *Talmud, Babylonian – The Four Stages of Talmudic Tradition).

Both the critical examination of the Tosefta itself and the comparison of the Tosefta to parallel tannaitic collections (Mishnah and *Midrashei Halakhah*) point toward one simple conclusion – the Tosefta which we possess today was collected and redacted in Erez Israel shortly after the redaction of the Mishnah and in the same scholarly circles. Nevertheless one of the greatest talmudic scholars, H. Albeck, rejected this conclusion. His rejection of this conclusion was not, however, based either on an examination of the internal evidence of the Tosefta itself, or on a comparison of the Tosefta to other tannaitic collections. Rather it was founded primarily on a comparison of the Tosefta to the *baraitot* found in the Babylonian Talmud and the Jerusalem Talmud. The talmudic *baraitot* are in many ways very similar to the parallel traditions found in our extant tannaitic collections. On the other hand there are also significant differences between them. Assuming that the *amoraim* would not have dared to add, omit, or in any other way intentionally change the ancient tannaitic traditions which they had received (see *Mishnah, The Redaction of the Mishnah), Albeck concluded that the *baraitot* in the *talmudim* could not have derived from the tannaitic collections which we today possess – the Tosefta and the extant *Midrashei Halakhah* – but rather must have been drawn from other collections of *baraitot* which have not survived in independent form. Consistent with this view, he also ascribed the redaction of our Tosefta to the end of the fourth century (at the very earliest), i.e., after the main body of amoraic talmudic literature had already largely taken shape. Since Albeck's assumptions concerning the nature of the talmudic *baraitot* are highly speculative at best, his views concerning the redaction of the Tosefta cannot be maintained in the face of all the internal evidence of the tannaitic sources to the contrary.

Broadly speaking the relationship between the traditions found in the Tosefta to the parallel traditions found in the Mishnah are of three kinds, the two relatively familiar and well known, the third less so. First, a tradition in the Tosefta can presuppose the exact text of our Mishnah, and comment directly upon it. Alternatively the Tosefta can transmit a different version of the same *halakhah*, either reporting the same opinion in different language, or reporting other opinions concerning the same issue. There is however, a third possibility: the Tosefta can transmit the *halakhah* of the Mishnah in an earlier and more original version. In this third case, the Tosefta may have preserved the “raw” material out of which R. Judah ha-Nasi composed the version of the *halakhah* which is included in his Mishnah. This third possibility has provided the focal point for some of the most fruitful and creative recent scholarship on the Tosefta (Friedman, *Tosefta Atiqta*). In addition to this parallel material, the Tosefta also includes additional independent tannaitic traditions which are either related topically to the halakhic or aggadic content of the Mishnah, or associatively – attaching themselves to some

hint or reference which may have been mentioned in passing in the Mishnah.

With the exception of *Avot*, *Tamid*, *Middot*, and *Kin-nim*, every tractate in the Mishnah has a parallel tractate in the Tosefta, though the precise character of the content of the Tosefta tractate and its relationship to the material found in the Mishnah can vary radically. Some have claimed that **Avot de-Rabbi Nathan*, once considered a late tannaitic work, serves as a kind of “Tosefta” to Mishnah *Avot*. Recent research, however, has shown that ARN is actually a rather late aggadic work with no substantial connection to the Tosefta.

The Tosefta and R. Nehemiah

The Babylonian Talmud (Sanh. 86a) ascribes to R. Johanan the statement that “*Setam Tosefta Rabbi Nehemiah*” – “Anonymous statements in the Tosefta are to be attributed to R. Nehemiah.” Both the precise sense of this statement and its historical authenticity require clarification. The full text of this statement in the Babylonian Talmud runs as follows: “R. Johanan said: Anonymous statements in the Mishnah are to be attributed to R. Meir; anonymous statements in the Tosefta are to be attributed to R. Nehemiah; anonymous statements in the *Sifra* are to be attributed to R. Judah; anonymous statements in the *Sifre* are to be attributed to R. Simeon – and all of them represent the views of R. Akiva.” The first element in this statement is almost certainly the literary and historical kernel of this tradition, since it is the topic of a controversy between R. Johanan and R. Simeon ben Lakish in the Jerusalem Talmud (Yev. 4:11, 6b): “R. Johanan said: Any place where [Rabbi] taught an anonymous Mishnah, that [anonymous Mishnah] is [presumed to represent] the majority position, until one receives explicit information from one's teacher [to the contrary]; R. Simeon ben Lakish said: Any anonymous Mishnah is [presumed to represent the position] of R. Meir, until one receives explicit information from one's teacher [to the contrary].” On the one hand, the Jerusalem Talmud ascribes the view that anonymous statements in the Mishnah are R. Meir to R. Simeon ben Lakish, and not to R. Johanan. On the other hand the Jerusalem Talmud goes on to state that “R. Simeon ben Lakish does not actually disagree with R. Johanan; he just observed that most anonymous *mishnayot* happen to reflect the view of R. Meir.” It seems fairly clear that the primary intent of R. Johanan's statement in the Jerusalem Talmud was not historical, but rather legal. It asserts that one may presume that an anonymous Mishnah reflects the position of the majority of sages, and hence is to be assumed to reflect the normative *halakhah*. On the basis of this understanding R. Johanan's words were summarized and transmitted in the Babylonian Talmud (cf. the list in the margin of Shab. 46a) in the following form: “R. Johanan said: The *halakhah* is in accordance with an anonymous Mishnah.” Given this interpretation we may presume that the final comment of the Jerusalem Talmud represents a (perhaps somewhat artificial) conflation of the positions of these two sages: R. Simeon ben Lakish is understood to have made an empirical observation concern-

ing the provenance of most anonymous *mishnayot*, while R. Johanan has asserted a most significant halakhic determination – that anonymous *mishnayot* are to be accepted as normative *halakhah*, unless evidence is brought to the contrary. In the Babylonian Talmud this complex tradition was summarized and transmitted in the name of R. Johanan as follows: “Anonymous statements in the Mishnah are to be attributed to R. Meir – [but they do not reflect the individual opinions of R. Meir, but rather] represent the views of R. Akiva.” The tradition in the Babylonian Talmud has been further expanded to include the other canonical tannaitic works familiar to and accepted by the Babylonian Talmud: *Sifra*, *Sifre*, and *Tosefta* (for the relation of these works to the extant tannaitic collections known by these names, see above). It is likely that the primary intention of this expanded tradition is to extend R. Johanan’s halakhic judgment concerning the presumed authority of anonymous traditions found in the Mishnah, to anonymous traditions found in these other works, by ascribing them to other well-known disciples of R. Akiva, who are all presumed to have transmitted their master’s views. On the other hand, the historical reliability and significance of the ascription of anonymous passages in the *Tosefta* to R. Nehemiah remain highly questionable.

Nevertheless, on the basis of this relatively late Babylonian tradition, some scholars have posited the existence of a proto-*Tosefta* already in the days of R. Akiva and his students. There is, however, no direct evidence for the existence of such a work in this early period. Moreover, the terms *tosefet*, *tosefta*, *baraita* appear only in the amoraic literary stratum of talmudic literature, after the acceptance and dissemination of the Mishnah of R. Judah ha-Nasi. Neither these terms nor any other comparable terms are mentioned anywhere in tannaitic literature. The phenomenon of multiple literary levels within the Mishnah, and the habit of later *tannaim* to “add” comments to the traditions which they received from their teachers, should not be confused with the distinction between an accepted and official canon of select and authoritative traditions (e.g., the Mishnah of R. Judah ha-Nasi) and an extracanonical “supplementary” tradition (*tosefet*, *baraita*), or collection of traditions (*Tosefta*).

Editions and Commentaries

The *Tosefta* was first published together with the *halakhot* of Isaac Alfasi in Venice in 1521, and it can still be found at the end of most standard editions of the Babylonian Talmud after the *halakhot* of Alfasi. There are no commentaries to the *Tosefta* which derive from the early period of the **rishonim*, though many passages from the *Tosefta* are cited and explained in their other commentaries, e.g., Maimonides’ commentary to the Mishnah, and especially the commentary of R. Samson ben Abraham to Mishnah *Tohorot*. During the period of the **aharonim* a number of commentaries were written, the most important of which is the comprehensive commentary covering all of the *Tosefta*, *Hasdei David*, composed by R. David Pardo in the 18th century. Two volumes (covering four

orders of the *Tosefta*) were published in his lifetime – *Zera’im-Nashim* (Leghorn, 1777) and *Nezikin* (Leghorn, 1790). A third volume, containing his commentary to *Kodashim*, was published in Jerusalem in 1890, and the final volumes, containing his most important commentary to *Tohorot*, were only rediscovered and published in Jerusalem in 1970. The commentaries and emendations of Elijah Gaon of Vilna to *Tosefta Tohorot* are also very important. Toward the end of the 19th century, M.S. Zuckerman published an edition (1881) of the *Tosefta*, based mainly on the Erfurt manuscript (which ends in *Zevaḥim*, the rest being based on the Vienna manuscript), and including variant readings. While this work constituted a great step forward at the time, it suffers from two problems. First, the transcription of the Erfurt manuscript is not always accurate. More significantly, however, is the choice of the Erfurt manuscript as the basis of his edition. The Erfurt manuscript of the *Tosefta* does not always transmit the text of the *Tosefta* in its original form; rather it often reflects medieval emendations of the *Tosefta*, in order to bring its text in line with parallel versions of a tradition found in the Babylonian Talmud, the Jerusalem Talmud, or even the *Midrashei Halakhah*. A new critical edition of the *Tosefta* based on the superior Vienna manuscript, including *variae lectiones*, notes, and a detailed commentary (*Tosefta ki-Feshuta*) – the pinnacle of modern *Tosefta* studies – covering over half the *Tosefta* was published by S. Lieberman (*Zera’im*, 1955; *Mo’ed*, 1961–2; *Nashim*, 1967, 1973; the first half of *Nezikin*, 1988). The complete texts of all known manuscripts and *Genizah* fragments of the *Tosefta* are available on the website of Bar-Ilan University (<http://www.biu.ac.il/js/tosefta/>).

BIBLIOGRAPHY: Annotated bibliography, up to 1953, by M.I. Abramski, in: *KS*, 29 (1953/54), 149–61; H. Albeck, *Mehkarim bi-Veraita ve-Tosefta* (1944); idem, *Mavo la-Talmudim*, 1 (1969), 51–78; Epstein, *Tanna’im*, 241–69; B. de Vries, in: *Tarbiz*, 27 (1958), 148ff.; Strack-Stemberger, *Introduction to the Talmud and Midrash* (1996), 149–63; A. Goldberg, in: *The Literature of the Sages*, ed. S. Safrai (1987), 283–302; idem, *Tosefta Bava Kamma, A Structural and Analytical Commentary* (2001); S. Friedman, *Tosefta Atiqta* (2002); idem, in: S. Friedman (ed.), *Saul Lieberman Memorial Volume* (1993), 119–64; idem, “*Baraitot*,” in: D. Boyarin et al. (eds.), *Ateret le-Ḥaim* (2000); H. Fox and T. Meacham (eds.), *Introducing the Tosefta* (1999); Y. Elman, *Authority and Tradition – Toseftan Baraitot in Talmudic Babylonian* (1994); J. Hauptman, in: S.J.D. Cohen (ed.), *The Synoptic Problem in Rabbinic Literature* (2000), 13–34; N. Braverman, in: *Mehkarim be-Lashon*, 5–6 (1992), 153–70; idem, in: *Proceedings of the Ninth World Congress of Jewish Studies*, 4:1 (1986), 31–38.

[Stephen G. Wald (2nd ed.)]

TOUATI, CHARLES (1925–2003), French rabbi, teacher. The scion of a rabbinical family, he studied at the University of Algiers, then in Paris at the Sorbonne, the École pratique des hautes études, the École Rabbinique, and later at Dropsie College, Philadelphia, under Solomon Zeitlin. He was for a few months the rabbi of the Ohel Avraham Community in Paris; later professor at the École Rabbinique until the beginning of the 1980s and at the École pratique des hautes études, section