Chapter 5

The list's relationship with its co-text and with the entirety of the Mishnah

Introduction

This study has so far only been concerned with the list itself. The second Chapter investigated the individual parts of the list. The third Chapter described different configurations of these individual parts in two very distinct types of list structure, the simple and the compound list. The fourth Chapter investigated special features found occasionally in the simple and the compound list. By contrast, this Chapter looks beyond the boundaries of the list and investigate how it interacts with other Mishnaic text. This relationship will be investigated with respect to four different areas: the directly adjacent text, the text of the chapter, the text of the tractate and finally the text of the entire six orders of the Mishnah.

In section 1 of the Introduction to this thesis the assumption was stated that the divisions of *mishnayyot*, chapters and tractates as presented in MS Kaufmann represented faithful reproductions of the original text and its sub-divisions. This assumption has not been particularly relevant until now. However, in this Chapter the issue of the sub-divisions of the text will become important.

In examining the textual relationships I shall have to make reference to logic. In Chapters 3-4 we examined compound lists and investigated the relationship of the themes in these lists, particularly those of the form X/X+1 and the like. We used the semantic tools developed by Cruse in this investigation to look at "oppositeness", namely binarity, inherence and patency. However, the focus of this Chapter is the relationship of the list with the co-text, which entails looking beyond the confines of the sentence containing the list. These tools of semantics are not applicable here. Instead, the tools of sentential logic and in particular the "contradiction square" of Apuleius are required to describe the sense relationship between different sentences. Jackson has summarised the workings of the "contradiction square", and we will summarise his words briefly here.[1] Jackson takes as his example four premises A, E, I and O.

> A: All desire is good.
> E: No desire is good.
> I: Some desire is good.
> O: Some desire is not good.
> He then writes as follows:
>> A stands to O in a relationship of contradiction: if A is true, O must be false (and the reverse); conversely if A is false then O must be true. E stands to I in the same relationship of contradiction. A third logical relationship (subalternation) links A with I, E with O. Both cannot be false, although both need not be true. If A is true, I must be true (but not vice versa); if E is true, O must be true (but not vice versa).

Jackson then reproduces this diagram to show these relationships.

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[1] *Semiotics*, pp. 87-9.

A   E

I   O
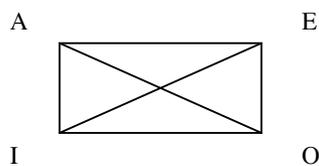
He then continues:

> vertical sides of the square read downwards, involving the relationship of inclusion: A includes I, E includes O. However, the scholastics realised that the two horizontal lines of the square were not logically equivalent: I and O can simultaneously be true, while A and E cannot. The relationship between I and O came to be known as "subcontrariety", that between A and E as "contrariety"."

1. The list and the immediately adjacent text
1.a. The relationship of the list to the text that comes before the list

Mishnaic lists are sometimes found at the commencement of a chapter or in the middle of a chapter. Only one case was found of a chapter ending in a list.[2] There appears to be a conspicuously large incidence of tractates whose opening chapters commence with lists, and a small but significant number of chapters other than the first, that also commence with lists, despite the fact that the list is not a particularly common literary structure in the Mishnah.[3] Table 1 indicates those chapters commencing with lists. Tractates that commence with lists will be further dealt with later in this Chapter in section 3. No case commencing a completely new topic and devoid of any link to the preceding text was found of a list in the middle of a chapter. The current section will only deal with lists that are not at the beginning of a tractate or chapter. A survey of chapters other than the first chapter of a tractate that commence with lists is presented in Table 1 of the Appendices.

     Lists that are preceded by non-list text are related to that preceding text with varying degrees of intimacy. Three examples will be given to show this range of the strength of relationship.

Example 1 Pes 10:5

This case shows a list with a high degree of thematic linkage with the preceding text.

> Pes 10.4
> They mix the second cup. And here the son asks his father … [questions relating to the ceremony of the evening]. And according to the understanding of the son, his father instructs him. He begins [his historical recollection of the Exodus] with [Israel's] disgrace and concludes with [Israel's] glory.

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[2] Shabbat 2:7.

[3] I noted in section 3.c. of the Introduction to this thesis that possibly approximately 5% of the Mishnah may be termed lists, yet Table 1 of the Appendices shows that about half the tractates of the Mishnah commence with lists.

> And he expounds from *A wandering Aramean was my father*[4]… until he finishes the whole section

Pes 10:5

Caption   Rabban Gamaliel used to say: Whoever has not said [the Biblical verses concerning] these three things on Passover has not fulfilled has obligation. And these are they:

List items   [the] Passover [sacrifice], unleavened bread and bitter herbs.

The tenth chapter of the Pesahim discusses the family ceremony of the Passover evening. The list in Pes 10:5 also deals with this subject. Pes 10:4 is concerned with the obligation to recite other Biblical verses from Deuteronomy. Pes 10:5 also mentions the recitation of Biblical verses as part of this family ceremony. Additionally, there is a sequential linkage in that the whole chapter gives a chronological account of the evening ceremony and this sequential ordering principle necessitates the inclusion of this passage here. We can conclude that in this case, there appears to be a good thematic linkage with the preceding text Pes 10:4.

Example 2 Ber 2:2

Let us now examine the case of Ber 2:2. In this case a list is linked to preceding material by means of a caption containing words from the preceding text, as well as a thematic link.

Ber 2:1
… R. Judah says **between the sections** [of the *Shema*' recitation and the blessings that surround it] he [the worshipper] may salute a man out of respect …

Ber 2:2
And these [places in the *Shema*' recitation and the blessings that surround it are called] "**between the sections**": between the first and second benedictions, between the second benediction and "Hear O Israel …".

In this case, the connection between the list and the preceding text is based on a repetition in the list caption of the words "between the sections" that appear in the preceding *mishnah*. The list in 2:2 seeks to enumerate the members of the class mentioned in 2:1: the class of places in the prayer that can be considered "between the sections". The list in 2:1 clarifies the meaning of part of a statement of the *mishnah* that precedes it. Hence, in this case we can see a strong thematic and linguistic connection between the list and the preceding text. However, the list does not contribute directly to the development of the main theme chapter, the actual recitation of the *Shema*'.

Example 3 Hallah 4:9

By way of contrast to the two preceding examples, Hallah 4:9 is related thematically to the preceding material but is nevertheless a complete digression from the thematic focus of the chapter.

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[4] Deut. 26:5-9.

> Hallah 4:8
> Rabban Gamaliel says: Three regions are distinguished in that
> which concerns the dough-offering …
> … It may be eaten in the company of a non-priest at the same
> table and it **may be given to any priest**.

> Hallah 4:9
> These things **may be given to any priest**:
> devoted things, Firstlings, the redemption price of a [first-born]
> son …

The subject of Hallah 4:8 is the different types of obligation of giving dough-offering to the priests in various localities. The *mishnah* concludes with the statement that the dough-offering may be eaten by any priest. The next *mishnah*, Hallah 4:9, continues with a list of other gifts and offerings that can also be given to any priest. The dough-offering is not mentioned in Hallah 4:9. Hallah 4:9 introduces a new topic, which is a digression from the focus of the tractate, the dough-offering. However, this digression does still relate to the preceding text by giving details of a related theme. As in our preceding example, this list caption contains some words or roots in common with the preceding text. However, it is more of a digression from the main theme of the chapter than Example 2.

The examples cited above show a wide range of degree of linkage of the list to the preceding text. This concludes our survey of the linkages of the list with preceding material, and we will now turn to how the list relates to material that follows it.

1.b. The relationship of the list to the text that comes after the list
This section examines the relationship of the list to the material that immediately follows it. The analysis will commence with a discussion of non-list material that may come after a list. We will then investigate the occurrence of yet another list or lists, after an initial list.

1.b.i. Case schemata that come after a list

The Mishnah contains cases of lists that are followed by one or more *case schema(ta)* and this material may be presented in protasis-apodosis form.[5] This material may have the same normative classification as the list caption that comes before it. However, because these PAUs are often much longer than the list items of lists and lack their syntactical construction I do not classify the *case schema(ta)* as a part of a list. An example to illustrate the phenomenon of a *case schema* in the form of potasis-apodosis form after a list will now be given.

> Sheq 1:6
> And these are they that are liable to surcharge: Levites and Israelites
> and proselytes and freed slaves, but not priests, women, slaves and
> minors.

I would suggest that the list ends here. The *mishnah* continues with another list on a closely related topic:

> If a man paid the *sheqel* on behalf of a priest or a woman or a slave or
> a minor, he is exempt. If a man paid for himself and his fellow, he is

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[5] See the introduction to Chapter 1 for a discussion of this term.

liable for a single surcharge. R. Meir says: a double surcharge. If a man gave a *sela* and took back a *sheqel* he is liable to a double surcharge.

Sheq 1:7
If a man paid the *sheqel* on behalf of a poor man or on behalf of his neighbour or on behalf of a fellow-townsman, he is exempt; but if he lent it to them he is liable. If brothers that were joint-holders are liable to surcharge they are exempt from the Tithe of Cattle; and if they are liable to Tithe of Cattle they are exempt from surcharge.

The list items that commence Sheq 1:6 appear to be common categories of persons, whose status can be defined in one word. The remainder of Sheq 1:6 and Sheq 1:7 contain *case schemata* of people where circumstances external to themselves and their property render them liable or exempt from the surcharge. There is also an introduction of a new category, the double surcharge. These categories are more unusual cases, and the number of words used to describe each list item is greater than those used to describe the list items of the list in Sheq 6:1. However, there is no reason why all these cases could not have been incorporated into the list structure of Sheq 1:6. Levite and Israelite are both single word list items. The phrases "a man paid the *sheqel* on behalf of a priest" and "a man paid (who) the *sheqel* on behalf of a poor man or on behalf of his neighbour or on behalf of a fellow-townsman" are much longer expressions. There, the *case schema* seems to introduce an increased levels of complexity to the topic. This appears to be the most common situation of material that comes after the list.[6]

1.b.ii. Statement of a general rule/legal reason after the list

In contrast to the cases in the previous section, there are a few examples where a general rule or legal reason is present after a list.[7] Sheb 5:6 is an example of the phenomenon

Sheb 5:6
These are implements that the craftsman may not sell in the Seventh Year: a plough …
But he may sell a sickle or a scythe …
This is the general rule: any implement is forbidden whose sole use is one that transgresses [the Sabbatical Year law] but it is allowed if its use may be either one that is forbidden or one that is permitted.

In this case it would appear that the general rule functions somewhat like a substantive definitional substitute for the list. The statement of a general rule after a list is not a common occurrence.

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[6] The progression of the Mishnah from simple to complex cases has been discussed in detail in Samely, "From Case to Case", pp. 233-70.
[7] For a full discussion of reasons in the Mishnah see R. Bernasconi, *Reasons*.

1.b.iii Disputed list items after the list

There are cases of items whose membership of a category is disputed. In the previous Chapter section 2.g. we noted that lists may contain disputes. However, there are also cases where a disputed item can be found outside the list structure.   Sheq 5:3 was cited there as an example of a case where a list is presented. The Mishnah then informs us of a minority opinion concerning one of the list items. The dispute is presented by restating in list form the non-disputed members of the original list together with the new items that the minority opinion argues are also members of the set. However, this is not a common occurrence.

1.b.iv. Pairs of lists that are either adjacent or in close proximity

There are occasions in the Mishnah where, after the presentation of a list, a further and apparently related list is presented. These second lists are often formulated in close syntactic parallel with the first list. For example, the caption of the second list may be almost identical to that of the first, but with the addition of the particle of negation. Table 4 gives a comprehensive collection of pairs of lists in the Mishnah. However, the strength of the relationship of two or more related lists found next to each other or in close proximity can vary tremendously, and several examples will now be given to illustrate the range.

Type 1 The sense relationship of hyponymy in two list themes

Example 1 Rosh Hashanah 1:1 and 1:2

In this case we can see two lists with a common numerical element in the caption as well as a relationship of hyponymy with a shared superordinate for their themes.

> Rosh Hashanah 1:1
> **There are four "New Year" days**; on the first of Nisan is the New Year for .., on the first of Elul is the New Year for …, on the first of Tishri is the New Year for [the counting of] years, for Sabbatical Years, for [the counting of] Jubilee years, for the planting [of trees] and vegetables …, on the first of Shevat is the New Year for [fruit-] trees. So says the School of Shamai. And the School of Hillel says: on the fifteenth thereof.

The termination of this *mishnah* is at the end of the list. The next *mishnah* commences with a new list.

> Rosh Hashanah 1:2
> **At four times in the year the world is judged**: at Passover … at Pentecost … on New Year's Day all those that come into the world pass before him like legions of soldiers, for it is written "He that fashions the hearts of them all, that considers all their works" (Psalms 33:15) and at the Feast [of Tabernacles] ...

The first list states the dates and types of "New Years" in the Jewish calendar.[8] The second list those of judgements.

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[8] See I. Rosenson, "מניין-"ראשי שנים ארבעה '?" for a full discussion of this passage.

Using the terminology of Cruse explained previously, we can suggest that the list members of these two lists share a common superordinate, the superordinate of "days/times of the year" but at best this is a suggestion.[9] However, this superordinate is only clearly stated in the second list. The themes of these two lists are neither incompatibles nor complementaries. They are not incompatibles as membership of one category i.e. the category of "New Year days" does not preclude membership of the second category, the category of "Judgement days", and indeed they share a common member. They are not complementaries as the pair do not exhaust the set we suggest they are taken from.

Using the terminology described in the introduction of this Chapter, the relationship of the two statements may be described as subcontrariety, which allows for both statements to be affirmed at the same time.

There does appear to be some element of comparison between the two list themes, as they are both lists of specific days of the year, the number four is common to both captions, and both lists share a common member.

The passages only marginally advance our knowledge of a major topic of our tractate, namely the first day of Tishrei. It does very clearly set out the fact that this is one of a number of "New Year" days and judgement days in the calendar. This is a case of a relatively weak semantic relationship, in comparison to other cases in the Mishnah that will be discussed later.

It may be that the form of placing two related contiguous lists with numerical elements in the caption may be related to the literary form of the "graded numerical dictum" that we saw in Chapter 3 section 3.a. However, more investigation needs to be done in this area before we can reach any conclusions.

Example 2

A further example of an adjacent pair of lists is Peah 1:1. This text consists of two lists containing a common deictic expression in the caption. The themes have a relationship of hyponymy with a shared superordinate for their themes, and hence their list items.

> Peah 1:1
>
> **These are the things** (… אלו דברים ש) for which there is no prescribed measure: *Peah*[10] and the First Fruits[11] and the Festal Offering[12] and deeds of loving kindness and the study of the Law.
>
> **These are the things** (… אלו דברים ש) whose fruits a man enjoys in this world while the capital is kept for the world to come: honouring [one's] father and mother and deeds of loving-kindness and making peace between a man and his fellow; and the study of the Law is equal to them all.

In this case, unlike the previous one, there is no common numerical element in the two list themes. However, there is a parallel wording of the caption … אלו דברים ש, as well as a common list item "the study of the Law" that creates the suggestion of relationship of the two lists. The semantic relationship between the two themes in this case also appears to be that of hyponymy under a common superordinate. The undeclared superordinate could in this case be perhaps the set of commandments, or a sub-set of it. Another possibility is the sub-set of the commandments "for which there is no specified quantity" and the sub-set of commandments for which "man enjoys the fruits in this world and the capital in the world to come". The author does not spell out the superordinate at all. The problem of identifying the superordinate

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[9] Chapter 3 section 1.
[10] See Leviticus 19:9 and 23:22.
[11] Deut. 26:1-11.
[12] Deut. 16:16.

(if indeed one ever existed) is also compounded by our uncertainty if the author intended either list to be complete.

In the last section of this Chapter the problem of whether a Mishnaic list should be interpreted as a complete list or a representative selection of a class was discussed. Peah 1:1 is an example of the list that does not appear to be exhaustive. The rule that "The king's way has no measure", is found in Bava Batra 6:7 and repeated in Sanhedrin 2:4 but is not reflected amongst the list items in Peah 1:1. If the list in Peah 1:1 was intended to be an exhaustive list of obligations that have no measure, then one may expect to find the rule of the king's way there as well. In this case too the relationship between the two statements is subcontrariety. However since we cannot identify clearly the superordinate, and we have an ambiguous word "things" in both captions, we cannot say with certainty that the list is not complete.

Type 2 The sense relationship of incompatibility in two list themes
In the previous section examples of two contiguous fellow hyponyms under a potential superordinate were given. In this section, we will encounter examples of incompatibles. This description is given by Cruse to cases where there is no overlap between classes. In the next example there are two contiguous lists whose captions contain common deictic and legal expressions. The themes are incompatibles, but not opposites, according to the definition of Cruse.
Example 3 Hallah 1:3-4.

> Hallah 1:3
> **These are liable** (…אלו חייבין ב) to Dough-offering but **exempt from** (… ופטורים מן) Tithes: gleanings and the Forgotten sheaf
> …
>
> Hallah 1:4
> **These are liable** (…אלו חייבין ב) to Tithes but **exempt from** (… ופטורים מן) Dough-offering: rice and durra and panic.

The two lists contain several common words in their captions. There also appears to be a definite sense relationship of incompatibility between the themes expressed in the captions. I call these two lists a list pair. The relationship of the two themes appears to be one of incompatibility. In this case membership of the group described by one theme clearly precludes membership of the other theme. This list functions to some extent as a family list, though it lacks the standard form previously described in Chapter 2 section 3.b.

Type 3 The sense relationship of complementaries in two list themes

In the introduction to Chapter 3, Cruse's definition of complementaries was noted. He suggested that complementaries exhaust a common class. In example 4 we will see two lists in close proximity whose captions contain two themes where the second list is a type of negation of the first. The total membership of the valid and invalid bringers of heave-offerings is apparently exhausted.
Example 4 Terumot 1:1 and 1:6
> Terumot 1:1
> **There are five that may not give a heave-offering and if they do so their heave-offering is not valid:** a deaf-mute, an imbecile, a minor, he that gives a heave-offering from what is not his own; and a gentile who gives a heave-

offering from what belongs to an Israelite even if it was with his consent, **his heave-offering is not valid.**

Terumot 1:6

There are five that may not give a heave-offering and if they do so their is valid: he that is dumb or drunken, or naked, or blind or that has had an emission of semen: these may not give a heave-offering, but if they do so the heave-offering is valid.

The two lists are intimately related. They have similarly structured captions, possess the same number of list items, and deal with common topics. The lists appear to constitute a related pair. However, there are two significant differences in the form of the lists.

The first difference is that the deletion of the particle of negation found in the first list gives the opposite legal result for the second list. The second difference is that part of the caption is repeated at the end of the second list "… these may not give a heave-offering, but if they do so the heave-offering is valid". This repetition is found in the standard text, the text of Maimonides and MS Kaufmann. The repetition at the end of the first *mishnah* relates only to the last member. Maimonides suggests that this repetition in the second list is to emphasise that even though this tithe, if brought by members of this category is valid, it should not be brought in the first place. [13]

In the opening chapter of Terumot the second member of the related list pair is separated from the first by four *mishnayyot*, which is unusual for lists that are closely related by similar captions.[14] The first two of these intervening *mishnayyot* consist of an elaboration of the contents of the first list. The third and fourth of the intervening *mishnayyot* address a different topic, discussing tithes on foods that have been processed and categories of produce that do not require tithing. The gap between the two lists leads to the creation of a long-distance coherence relationship over a considerable span of text. Epstein does not comment upon this lack of contiguity between the two lists in his מבוא.

We will now investigate the sense relationship that connects the themes of these two lists. Membership of both lists by the same entity is impossible. The categories of *validity* and *invalidity* of an offering are mutually exclusive.[15] The two themes may, therefore, be classed as incompatibles.

The two themes together would constitute the entire set of possible outcomes concerning those who are not supposed to bring heave-offerings but do so. The pair may therefore also be classed as complementaries. In terms of the semiotic square described above we can suggest a relationship of contrariety between the two themes.

In the introduction to Chapter 3 we noted briefly that adjacent pairs of simple lists may contain an element of textual redundancy not found in a compound list. However, the text-segment describing a theme located in a compound list cannot be understood out of context. This phenomenon will now be illustrated using the text of Terumot 1:1 and 1:6, which was cited above. The information contained in these two simple lists could have been presented with a single caption "Ten categories of people may not bring a heave-offering. If they do, in

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[13] המשנה עם פירוש רבינו משה בן מימון, vol. 1, p. 109.

[14] Lists with related captions are collected in table 4 of the Appendices. From this table we can see how unusual the gap is.

[15] There is an opinion of R. Eli'ezer in Tosefta Terumot 1:1 regarding the status of heave-offerings of a deaf person that states that it is of doubtful validity and, therefore, that which was separated should be treated with the stringencies of a heave-offering, and that from which was separated requires another separation of the heave-offering by one who is legally competent to do so, but he does not seem to question the binary classification of valid/invalid.

these five cases it is valid… And in these five cases ... it is invalid". The words "may not bring a heave-offering" would only be repeated once. However, neither of the following phrases, "If they do, in these five cases it is … valid. And in these five cases it is invalid …." can be understood out of context. The list pair is, therefore, a more verbose method of data presentation, but on the other hand it is less dependent on the context than the hypothetical alternative just explored.

We also observed in Chapter 3 section 3.c. that Roth sought to relate the forms of X/X+1 to parallelism found in the Bible and other texts from the Ancient Near East. It is possible that the formulation of these Mishnaic adjacent pairs also owes something to these traditions of parallelism. However, we saw in Chapter 3 section 3.a. that the form X/X was more prevalent than X/X+1 in compound lists in the Mishnah. We also cited in Chapter 3 Kugel's suggestion that the second part of the parallel text is a development of the first half. We saw that there is only a limited relationship between a list item in one list of a compound structure and its corresponding list item in the second list. In the beginning of this Chapter we cited Peah 1:1. In both the first and second lists the study of the Law is placed last and the second reference takes the first reference further. However, the first item discussed in the first list is *Peah*, while the first item in the second list is honouring one's parents. There appears to be little connection between the two. Hence I repeat my suggestion made in Chapter 3 section 3 that whilst the concept of parallelism as defined by Kugel may be of use in the study of the Bible, it is only of limited use in the study of the Mishnah.

1.b.v. Clusters of more than two contiguous lists that are related
The preceding discussion dealt with pairs of lists that appear to be intimately related. However, there are also a few cases where more than two contiguous simple lists appear to be intimately connected. The numbers found in the captions can play an important part in creating these connections. The cases of more than two consecutive lists deserve a mention in a special section because these lists do not display binarity as do many of the paired lists discussed in the previous section. Two examples will be given to illustrate this phenomenon.

Our first example is a case of three contiguous and thematically related lists.

Avodah Zarah 3:7
Three kinds of house **are to be distinguished [in what concerns idolatry]:**
If a house was built … **Behold, it is forbidden.**
If it was plastered … he must remove what is new.
But if a gentile did … **Behold, it is permitted.**

Three kinds of stones are **to be distinguished [in what concerns idolatry]:**
If a stone was hewn … **Behold, it is forbidden**.
If it was plastered … he must remove what is new.
But if a gentile did … **Behold, it is permitted**.

Three kinds of *Asherah* (tree) **are to be distinguished [in what concerns idolatry]:**
If a tree was planted … **Behold, it is forbidden.**
If it was chopped … he must remove what is newly sprouted.
But if a gentile did … **Behold, it is permitted.**

In this case the collocation of three lists with similar captions creates an element of comparison and contrast. The list items are whole protasis-apodasis units. The similarity of their apodosis parts also assists in creating the comparison and contrast.

Our second example, Kelim 24:1-17 consists not of three but of seventeen consecutive lists containing identical numerical elements in the caption, and in parts of the list items. Only the first of these will be cited here, with the standard elements of the caption and list items presented in bold type.

> **There are three types of** shield:
> **the** bent shield**, which is susceptible to** *madras*-**uncleanness,**
> **the** shield with which they play in the arena, **which is susceptible**
> **to corpse uncleanness,**
> **and the** toy shield of the Arabs, **which is not susceptible to any**
> **uncleanness.**

The placing together of a large number of syntactically identical sentences creates a coherence relationship over a wide group of objects as diverse as a shield mentioned in m24:1, the box mentioned in m24:4, and the storage basket mentioned in m24:17. In this respect there is some similarity to the אין בין lists in Megillah 1:4-11. In Avodah Zarah 3:7 and Kelim 24:1-17, the themes of each of the groups are semantically related as incompatibles, using the terminology of Cruse.

The first chapter of Sanhedrin also contains a series of lists that are syntactically similar to each other. However, these lists do not contain a numerical element in the caption specifying the number of items in the list. They are also heavily punctuated by disputes.

I conclude from this that the author of the text purposely formulated these contiguous texts. This may have been to suggest some form of relationship between them.

1.c.   Apparent dissonance with other material in the co-text
In the preceding chapter the case of Avot 4:13 was noted, in which the caption states that the list contained three members, when four are actually found in that *mishnah*. In this case the information in a list appears to be incompatible with that of the immediate co-text. However, we will see that such dissonance can occur in the same chapter or another chapter of the same tractate. In this section I will investigate such dissonance if occurring within the same chapter. In the next section, dissonance beyond the boundaries of the chapter will be examined. As with Avot 4:13, these apparent cases of dissonance appear to be primarily related to the numerical element in the caption. The following three cases were found:

Case 1 Terumot 1:1
This text has already been quoted earlier in this Chapter in section 1.b.iv. It will be quoted again below, together with Terumot 1:2-3, with which there is an apparent dissonance.

> Terumot 1:1
> **There are five that may not give a heave-offering and if they do so**
> **their heave-offering is not valid**: a deaf-mute, an imbecile, a minor, he
> that gives a heave-offering from what is not his own, and a gentile who
> gives a heave-offering from what belongs to an Israelite, even if it was
> with his consent, his heave-offering is not valid.
>
> Terumot 1:2

A **deaf** person who can speak and cannot hear may not separate heave-offering but if he [did separate heave-offering] his heave-offering is a valid heave-offering. The deaf person of whom the Sages spoke in all places [is one] who can neither hear nor speak.

Terumot 1:3
If a **minor** has not produced two hairs, R. Judah says: his heave-offering is valid. R. Jose says if [he gave heave-offering] before he reached the age when his vows are valid his heave-offering is not valid; but if after he reached an age when his vows are valid his heave-offering is valid.

Terumot 1:6
There are five that may not give a heave-offering and if they do so their heave-offering is valid: he that is dumb or drunken, or naked, or blind or that has had an emission of semen: these may not give a heave-offering, but if they do so the heave-offering is valid.

Terumot 1:2-3 contain opinions that apparently contradict Terumot 1:1. Terumot 1:1 states without any qualification that the heave-offering of a deaf person is invalid. However, Terumot 1:2 states that the heave-offering of a deaf person who can speak but not hear is valid. Similarly Terumot 1:1 also states without any qualification that the heave-offering of a minor is invalid. Terumot 1:3 records an opinion that introduces further distinctions. In both these two cases the apparent inconsistency is addressed in the Mishnah. There is a third inconsistency that is harder to explain.

First the issue of the Mishnaic feature of making a statement and then qualifying it will be investigated. I will then discuss the mention of the deaf person in Terumot 1:2, and then progress to the issue of the topic with the minor in Terumot 1:3.

Samely has noted that there are a number of cases where the Mishnah makes an apparently general statement, which is subsequently qualified.[16] He has called this phenomenon "retroactive limitation". We noted before that Terumot 1:1 states without any qualification that the heave-offering of a deaf person is invalid. However, Terumot 1:2 states that the heave-offering of a deaf person who can speak and not hear is valid. This not only apparently contradicts Terumot 1:1 but also creates a problem in understanding Terumot 1:6. Terumot 1:6 says that there are five categories that may not bring a heave-offering, but if they do so the offering is valid. The category of the deaf person who can talk in Terumot 1:2 is not among them, and so the numerical element is apparently inconsistent with the co-text. This is therefore a major issue in trying to understand the text.

The commentary *Tosafot Yom Tob* (ad loc.) suggests that because the list member has already been mentioned in m1:2 it does not need a further mention in m1:6.[17] He argues that there are definitely six members of the category of "those that may not give a heave-offering and if they do so their heave-offering is valid". This is equivalent to the interpolation of the word "further" in the caption of Terumot 1:6, to read, "There are five further categories of people that may not give a heave-offering and if they do so their heave-offering is valid."

The commentary of R. Ovadiah of Bertinoro offers a different explanation, suggesting that the author or editor of the text believed that only the five members listed are members of the class of "those that may not give a heave-offering and if they do so their heave-offering is

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[16] *Forms*, Chapter 3.
[17] משניות זכר חנוך, volume 2, p. 10. The lemma is "האלם".

invalid".[18]   He therefore rejects unequivocally all preceding opinions that include other members in the class.

The opinions quoted above strive to justify the text as it stands as unified by one authorship who was aware of this apparent contradiction. Epstein says nothing on this issue in the *Mavo*.[19]

Case 2 Bava Qamma 1:4

Five [agents of injury] rank as harmless and five [rank] as an attested danger.

[1.a.]	An animal is not attested danger, neither to gore,
[1.b.]	nor to push,
[1.c.]	nor to lie down,
[1.d.]	nor to bite,
[1.e.]	nor to kick.
[2.a.]	The "tooth" is an attested danger to eat what is fit for it,
[2.b.]	The "foot" is an attested danger to break as it walks,
[2.c.]	The bull that is forewarned [for each of the five categories if it becomes forewarned for any one of them].
[2.d.]	The bull that damages [while] on the premises of the injured party [is an attested danger].
[2.e.]	and man [is an attested danger].
[3.a.]	The wolf,
[3.b.]	the lion,
[3.c.]	the bear,
[3.d.]	the leopard,
[3.e.]	the panther,
[3.f.]	and the serpent are [classified as] attested danger.

This case presents a problem in that the list caption contains a numerical element, which is apparently not consonant with the surrounding text. The list heading of the *mishnah* quoted above states that the attested dangers are five in number. The actual number of items the reader counts within the list is indeed five. However, the very same *mishnah* ends with six other groups of attested danger.   It would, therefore, appear from reading the whole of this *mishnah* that there are eleven categories of attested danger and not five as stated in the opening sentence of the *mishnah*.

The case of Bava Qamma 1:4 is not quite the same as the Terumot case quoted earlier, as in the case of B.Q. 1:4 the apparent contradiction to the numerical element on the caption occurs in the very next sentence within the same *mishnah*.   This would be a particularly acute problem if we assume that the divisions within each chapter are the original ones.[20]

B.Q. 1:4 contains a further problem, which is more complex and noted in B.T. B.Q. 16a. It gives details of the case of an ox that causes damage on the premises of a damaged party, as opposed to causing damage on the premises of its owner. It uses the question:

שור המזיק ברשות הניזק כיצד

What [lit. how] is the case of an ox that causes damage on the premises of the damaged party?

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[18] *Ibid*. Lemma ״חמשה״.

[19] However, he notes on pages 711-12 the possibility of textual confusion as to the attribution of the statements.

[20] This issue is noted briefly in the Introduction section 1.a.

The Talmud assumes that the term כיצד "how" is used to elaborate a previously mentioned rule and not to introduce a new topic. The problem the Gemara faces is to locate the first statement of the rule. Ravina resolves both questions by reinterpreting the *mishnah* with a Talmudic technique חסורי מחסרא והכי קתני. This method is used 103 times in the Talmud Bavli but not in the Talmud Yerushalmi.[21] The phrase may be translated: It is as if the text is lacking and it should read as follows …

The Talmud gives two reports as to Ravina's statement. Only the second will be given here as Ravina interpolates words into the text to give the following meaning:[22]

> There are five that are considered as not being attested dangers, but if they were warned after damaging three times, all five of them are considered as being attested danger. And the "tooth" and the "foot" of animals are considered attested dangers from the outset. But this (i.e. the five types of *keren*-principle damage listed above, when repeated three times) is the ox that is an attested danger that is mentioned in the Bible. And as for the ox that causes damage on the premises of the damaged party, this case is the subject of a dispute between R. Tarfon and the Rabbis. And there are others that are considered attested dangers like these (i.e. the "tooth" and the "foot") that are considered attested from the outset, namely the wolf, the lion, the bear, the panther and the serpent.

According to this explanation of Ravina, the reference in the Mishnah to the five types of attested danger refers only to those that become attested through warnings. The wild animals are seen as attested dangers from the outset. This lengthening of the text qualifies the truth of the twice-repeated numerical element in the caption, but does remove the textual problem highlighted. Epstein notes the problem in B.Q. 1:4 but adds nothing further.[23]

Maimonides seeks to remove the apparent discrepancy by suggesting that the list with the numerical element in the caption refers only to domestic animals.[24] However, the six animals noted after those enumerated are wild animals that are not regularly found in places where humans dwell in number.

Unlike the case of Terumot where a list contains information that is apparently not consonant with neighbouring text, in this case the problem is the apparent lack of exhaustiveness of the numerical element in the caption. I conclude from this that even lists with a numerical element in the caption may not be exhaustive. I will return to the issue of the exhaustiveness of lists in section 6 below.

Case 3 Sanhedrin 10:1-4
The tenth chapter of Sanhedrin commences, "**All** Israel have a share in the world to come". The chapter continues with apparent exceptions to this statement by saying that certain categories are excluded, such as those that do not believe in the resurrection or the doctrine of the divine origin of the Torah. Several further exceptions to this rule are also subsequently mentioned.

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[21] These figures were obtained by running a search on words on the Bar Ilan Judaica Library CD. See Stemberger, *op. cit.*, p. 197 for a brief discussion on this issue. In particular see his reference to the article by Zucker.

[22] Translation based on the ArtScroll edition of B.Q. vol. 35.

[23] מבוא, pp. 638-9.

[24] המשנה עם פירוש רבינו משה בן מימון, vol. 4, p. 9.

Some of these exceptions are presented in list form. Mishnah 10:2 cites several exceptions in the form of a compound list.

> Sanhedrin 10:2
> Three kings and four commoners have no share in the world to come. The three kings are Jeroboam, Ahab and Manasseh. R. Judah says: Manasseh has a share in the world to come, for it is written, "And he prayed unto him, and he was entreated of him and heard his supplication and bought him again to Jerusalem (2 Chronicles 32:13)". They said to him: He brought him again to his kingdom, but He did not bring him to the life of the world to come. The four commoners are Bil'am, Doeg, Ahitophel and Gehazi.

Mishnah 10:3 lists other historical groupings that have no share in the world to come, including the generation of the Flood, the generation of the Tower of Babel, the followers of Korach and the spies sent by Moses to spy out the land. Another group who have no share in the world to come, those who live in apostate towns, is noted in 10:4.

These passages pose several major problems. There is apparent dissonance between m10:1, which states that, "**All** Israel has a share in the world to come", and the lists that follow of individuals and groups of Jews that are stated to have no share in the world to come. It is also strange that one of the list members in m10:2, Bil'am, was not a member of Israel and hence his inclusion in this list is apparently incongruous. Further, there is also a very definite problem in understanding the caption of m10:2 which states that (presumably) only three kings and four commoners have no share in the world to come, as the chapter goes on to mention many others who share the same fate. These questions will now be investigated.

There are two approaches that may be taken to deal with the apparent dissonance. One approach is to suggest that this chapter of Sanhedrin is composed of sections from different sources. Different parts of the text (i.e. all these passages) were not conceived together by a common author and the different authors of the passages in the tenth chapter of Sanhedrin disagree with each other. The inclusion of Bil'am in m10:2 may suggest a different origin to the previous text as its scope covers Jews and gentiles, whereas Sanhedrin 10:1 deals exclusively with Jews.

Another possible solution to the apparent textual dissonance is to suggest that all the passages in Sanhedrin chapter 10 were meant to be coherent with each other and find a way of reconciling the passages. It may be argued for example that the words "having a share" does not mean "automatic entitlement to a share" but "the possibility to gain a share".

A further solution is the suggestion that Sanhedrin 10:2 cannot mean that only nine people since the time of creation were denied a share in the world to come, either because it is inherently improbable that the number is so small, or because of the collocation of m10:3-4 directly after m10:2, which also contain data of other groups that do not have a share in the world to come. We must stress that the Mishnah does not feel it necessary to clarify why these nine people are singled out for mention, from the far larger number it states to be in the category of those who have no share in the world to come. The expression "world to come" is not found in the Bible. The biblical narrative does not state explicitly that any of the people listed have no share in the world to come, nor does it link them in any unambiguous way with each other. There is, therefore, no clear way of understanding why the text says what it does from any earlier or contemporary source. It does appear that this *mishnah* is creating two sub-sets of the class of "those who have no share in the world to come", namely kings and commoners, while failing to spell out why these classes were chosen as opposed to some other classification system such as men and women, Pentateuchal and post-Pentateuchal personalities, etc.

As has been noted previously, the Mishnah occasionally leaves out vital pieces of explanation and it is not possible to determine the Mishnah's original intentions. Suggestions as to the original intentions of the author of 10:1 have been made by some classical rabbinic commentators such as Maimonides, who attempt interpretations that reconcile Sanhedrin 10:2 with its surrounding texts.[25] However, these writers were not contemporary with the text.

The analysis shows how synchronic and diachronic methods can provide solutions to a problem. I would suggest that an interpretative solution such as the one mentioned above, (that words "having a share" do not mean "automatic entitlement to a share" but "the possibility to gain a share") is more consonant with the synchronic approach of this thesis.

1.d. Lists that span more than one mishnah

In the Introduction[26] the question of the authenticity of the sub-divisions of the chapters was mentioned. It is interesting to bring this to the fore when studying certain Mishnaic list passages. There are cases when a list is dependent on pieces of text that belong to a previous *mishnah*. Makkot 3:1-2 is an example of this phenomenon.

Makkot 3:1

These are the ones who are to be lashed:

he that has intercourse with his sister,

or his father's sister,
or his mother's sister,
or his wife's sister,
or his brother's wife,
or his father's brother's wife,
or a menstruant,

a High Priest that married a widow,

a common priest that married a woman that was divorced or that had performed *halitsah*,

an Israelite that had married a bastard or a *Nethinah*,

or the daughter of an Israelite that married a *Nathin*.

If a woman was a widow and also divorced, [and a High Priest married her,] he is culpable on two counts.

If a woman was divorced and had also performed *halitsah* [and a common priest married her,] he is culpable only on one count.

Makkot 3:2

an unclean person that ate Hallowed Things,

or that entered the Temple while he was unclean,

or that ate the fat and the blood, the remnant,

or the refuse [of an offering],

or [an offering] that became unclean,

or that slaughtered [an offering] or offered it outside the Temple,

or that ate leavened on Passover,

or that ate or did any act of work on the Day of Atonement,

or that prepared [the like of] the Anointing Oil or the incense,

or that anointed himself with the oil of unction;

or that ate carrion or flesh that was unfit, or forbidden beasts or creeping things,

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[25] Maimonides suggests that these seven people were singled out for particular mention on account of their great wisdom. See המשנה עם פירוש רבינו משה בן מימון, vol. 4, p. 145.

[26] Section 1.a.

or that ate untithed produce or First Tithe from which Heave-offering had not been taken,

or Second Tithe,

or dedicated produce that had not been redeemed.

We can conjecture that the theme of the list that makes up m3:2 is "some of those who are to be given lashes". This is the theme stated in m3:1, and the force of the caption continues to be effective for the duration of the two *mishnayyot*, even though two protasis-apodasis units at the end of the first *mishnah* interrupt it. This is, therefore, an example of a list caption spanning two *mishnayyot*. Without the link to the caption in m3:1, m3:2 would be meaningless. It would appear that the division ignores the common caption of the two *mishnayyot*. This may mean that the division between the sections is not original or that the division may represent something other than an indivisible and completely coherent unit of thought. It may for example represent a section of text that would have been taught in one lesson in a rabbinic school.

This concludes our investigation of the relationship of the list with its co-text. We will now proceed to investigate the relationship of the list to the whole chapter.

2. The relationship of the list to the whole chapter

In this section I will investigate the function of the list within the chapter. The specific case of tractates that commence with lists will be dealt with in the next section. We mentioned in section 1.c that are cases of dissonance of a list with material immediately adjacent to it. There are no cases other than these of dissonance of list material with non-adjacent data found elsewhere in the chapter.

2.a. *The location of lists in the chapters of the Mishnah*

A significant number of chapters commence with lists, and these are given in Table 1 of the Appendices. In that Table I noted the presence and type of lists at the commencement of each of the first three chapters of each of the tractates of the Mishnah and the passage of each tractate of the Tosefta. Fourteen tractates of the Mishnah have a list at the commencement of their second chapter. Coincidentally, the same number of tractates commence their third chapter with a list. Five tractates commence both their second and third chapters with lists. These figures are significant when put aside the estimate given in section 3.c. of the Introduction to the thesis, that approximately only 5-7% of the Mishnah may be classed as a list. There does not appear to be any consistent pattern of the type of list structure found at the beginning of chapters, or the presence of non-obligatory elements in the caption such a deixis or the numerical element.

2.b. *The list as an agenda for part of a chapter or chapters*

There are cases of lists whose items are the subject of further elucidation in the text and I call these agenda lists. Examples of this type of list are Sanhedrin 7:4 and Sotah 7:2. This phenomenon will be encountered in the next section as well, where I consider the opening passages of tractates. We will now examine Sotah 7:2.

Sotah 7:2

> And these may be said in Hebrew [only]: the recital [of the paragraph of] the First Fruits,[27] [the paragraph of] *halitsah*,[28] [the paragraph of] the Blessings and the Curses,[29] the Blessings of the Priests,[30] the Blessings of the High Priest,[31] the paragraph of the King,[32] the paragraph of the heifer whose neck is broken,[33] and [the words of the priest who is] the Anointed for Battle in the hour when he talks to the people.[34]

Some of the items are selected by the editor of the Mishnah for further discussion after the presentation of the list. This is done in roughly the sequence that the items appear in the list. Sotah 7:3 discusses the first list item, Sotah 7:4 the second, Sotah 7:5 the third, Sotah 7:6 the fourth, Sotah 7:7 the fifth, and Sotah 7:8 the sixth. There then occurs a divergence from the initial pattern as chapter 8 treats the final list item (the Anointed for Battle) and chapter 9 the penultimate one (the heifer). No variant readings were found with a different order and no reason for this inversion of the order could be discerned. We see in this example a case of a list containing items that provide the material for discussion of three chapters and a broad correspondence of the order of the discussion.

In the case of Sanhedrin 7:4 the order of the listing of the items is identical with that of their subsequent treatment in the text. However in Sanhedrin 7:8, one *mishnah* contains the treatment of two list items. Sanhedrin 8 deals exclusively with the last list item. Here again the list is serving as an agenda for subsequent text, spanning more than one chapter.

There are also cases where a list caption can be placed at the beginning of a chapter, and the application of the heading continuing to the end of a chapter, the rest of the chapter forming the list items. Ber 8:1 is such a case of a chapter that commences with the caption that applies to all the material within it.

> These are the things (issues) [that are disputed] between the House of Hillel and the house of Shammai concerning [the correct practices to be followed during] a meal: …

The caption suggests that a series of disputes between the stated parties on a specific subject.

Thus far, we have considered the relationship of the list and the chapter. We will now consider the relationship of the list and the tractate as a whole.

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[27] Deuteronomy 26:3, 5-10.
[28] Deuteronomy 25:7,9.
[29] Deuteronomy 27:15-26.
[30] Numbers 6:24-6.
[31] Leviticus Chapter 16 and 23:26-32. See Sotah 7:7.
[32] Deuteronomy17:14-20.
[33] Deuteronomy 21:7.
[34] Deuteronomy 20:2-7.

3.   The relationship of the list to the whole of the tractate

We noted previously that a significant number of tractates commenced with lists, and these will now be given further attention. Thirty-one tractates commence with a list and of these, twelve are of the type 2 arrangement that we investigated in Chapter 1, Of the remaining nineteen, fifteen contain a numerical element in the caption. This is very significant when we consider that I classify only 5-7% of the Mishnah text as a prominent list.

3.a.   The list at the beginning of the tractate

The phenomenon of the list at the beginning of the tractate is discussed by M. Weiss.[35] However, Weiss's study deals only with lists whose captions contain a numerical element. He distinguishes four different types, these being:
1. Lists from which the later text is [almost] completely [thematically] independent, save perhaps by some common transitional phrase.
2. A group of *mishnayyot* in list form from which the later text is completely [thematically] independent.
3. Mishnaic lists that appear to set out the main theme for the following chapters.

4. Mishnaic lists that are themselves subsequently the subject of further investigation.

These four classifications will now be investigated further.

The first group is called by Weiss המשך בלתי תלוי (lists from which the later text is [almost] completely [thematically] independent). Weiss does admit that there is a weak connection with the following material.[36] Hence, I have added the word "almost" to my translation of his category. In this category Weiss places Hallah 1:1, Keritot 1:1 and Tohorot 1:2. Let us now investigate the last case cited, Tohorot 1:1-2.

The tractate of Tohorot commences with a list whose caption contains a numerical element: thirteen "things" (i.e. rules) that apply to the flesh of clean birds. This is followed in Tohorot 1:3 by a list whose caption does not contain a numerical element, giving laws relating to the flesh of unclean birds. The topic of the flesh of the clean bird does not reappear until Tohorot 3:4, and then only in an incidental mention. Hence the opening list is almost completely independent of and thematically divorced from that which follows. We may suggest that some if not all members of this category may therefore be of a later origin.

The second category of Weiss consists of a group of *mishnayyot* that appear to be independent of, and thematically divorced from, the material that follows. Weiss calls this group קובץ ואין לו המשך (a group of *mishnayyot* in list form from which the later text is completely independent). In this class he includes Rosh Hashanah 1:21-2 and Qiddushin 1:1-6. This group appears to consist of clusters of two or more *mishnayyot* that appear to be intimately related. I will comment briefly on the case of Qiddushin 1:1-6. Weiss notes that in the first chapter of Qiddushin there appear to be two separate subjects. Qiddushin 1:1-6 deal with acquisition (betrothal is deemed to be a subset of acquisition) and Qiddushin 1:7-10 with various obligations. Other than Qiddushin 1:1 the rest of the chapter has little thematic relation to the main focus of the tractate, betrothal. Weiss speculates that these two text units that

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[35] 'משניות "ספורות" בראש מסכת', pp. 33-45.
[36] P. 36.

constitute the first chapter of Qiddushin come from two separate sources that are not related to the source of the rest of the tractate. The tractate would certainly appear to function equally well without this chapter with the possible exception of the first *mishnah*. However, there is no manuscript evidence for this conclusion. Also, whilst not discounting the possibility of Weiss's suggestions we have to exercise extreme caution in making claims about a text whose purpose is unknown and from a culture of which we have only a limited understanding.

The third of Weiss's categories is a *mishnah* in list form that appears to set out the main theme for the following chapters. This category stands in very stark contrast to the two previously mentioned categories, which appear to be thematically quite divorced from the text that follows. In this class Weiss includes Terumot 1:1, Shabbat 1:1 and Negaim 1:1. We will now look at Negaim 1:1. The tractate commences by informing the reader of different types of scabs. These scabs form the main thematic focus of the tractate. This type of lis list, therefore, provides an introduction to the topic of the tractate and is intimately connected to the ensuing text and would therefore to be functionally very important.

The inclusion of Shabbat 1:1 in this category by Weiss is questionable. The tractate commences, as Weiss correctly notes, with a *mishnah* that discusses different ways of carrying between public and private domains on the Sabbath. Weiss is also right in saying that the topic of "carrying" ends with the eleventh chapter of the tractate. However, he fails to draw attention to the fact that Shabbat 1:2 through to Shabbat 4:2 discuss other topics, such as Sabbath preparations, including the preparation of the Sabbath lights and food. However, Shabbat 1:3 does mention a different aspect of the topic of carrying, in that it gives details of what may be carried on the eve of the Sabbath. The change of topic from m1:2-m4:2 (with the exception of m1:3) is reminiscent of the first category, described as המשך בלתי תלוי. The placing by Weiss of Shabbat 1:1 in the category of קובץ ואין לו המשך without any reference to the text that intervenes before it is taken up in depth, is perplexing. It may be that the Shabbat passage could be placed in the first of Weiss's categories.

From a twenty-first century perspective we can suggest that the Tractate of Shabbat may appear better organised if the opening list was transferred to the fifth chapter. However, there is no manuscript evidence or any other support for this suggestion, and it is therefore best ignored.

The final category of Weiss is text that is itself subsequently the subject of further investigation in the tractate. In this group Weiss includes Bava Qamma 1:1 and Yevamot 1:1. In the case of Bava Qamma 1:1, which we have already been quoted several times, and which will be revisited again in the next section, the categories of damages listed in the first *mishnah* constitute the topic of the entire tractate. He also includes Shevu'ot 1:1, which is not a list according to my definition; Weiss also makes no claim that this is a list. We will examine this text in section 4 below. This group, in common with the preceding group functions as an introduction to the topic of the tractate.

3.b.   *Apparent dissonance with other material in the same tractate*

In section 1.c. of the previous Chapter, the phenomenon of a dysfunctional numerical element in a caption was noted in relation to Avot 4:13. There are some further lists that have numerical elements in their captions that do not appear to be consonant with material that surround them directly, or material elsewhere in the same chapter. These were discussed in section 1.c of this Chapter. Where the apparent dissonance occurs elsewhere in the tractate they will be treated now. Here is an example of this:

Caption   [There are] four types (lit. fathers) of damages:
List items   the ox, the pit, the crop-destroying beast and the outbreak of fire.

A fifth primary cause of injury not announced in this list or anywhere else in chapters 1-7 appears in Chapter 8: human beings. Human beings are mentioned in chapters 1-7 but not as a primary cause of injury.[37] Different views are held in later Talmudic literature as to the discrepancy of the numerical element and the omission of man as a list item in B.Q. 1:1 and the different total found on reading the subsequent text. Two views are expressed in B.T. B.Q. 3b. Rav proposes that the term מבעה refers to man and not to a crop-destroying beast. He further proposes that the term "ox" includes three primary causes, the horn the tooth and the foot. Samuel, on the other hand, interprets the word מבעה as tooth and שור as foot.[38] According to Samuel, man is not included in the list in 1:1, as the *mishnah* is only concerned with damage caused by a man's possessions. Thus both Sages solve the problems of the apparently lacking list item and the dissonant numerical element in different ways.

A different approach is taken by Jackson who argues that this first *mishnah* is a later addition to the text.[39] He states[40] that:

> It [B.Q.1:1] is ignored through most of the mishnaic presentation that follows, and by the Toseftan commentary which begins with mishnah 1:2. The Baraita,[41] which enumerates the three avot of shor, is a belated attempt to relate an earlier classification to this new mishnaic opening.

Epstein does not discuss the issue in the מבוא. On the basis of all the current evidence it is not possible to resolve the problem conclusively.

4. The relationship of the list to the whole of the Mishnah

Introduction

This section will investigate the role of the list in the entire text of the Mishnah. I shall focus on the incidence of identical, or nearly identical, lists in various tractates. These appear to create coherence links with the text of the Mishnah as a whole. However, the links created are not formally announced or cross-referenced in the text at any point. This issue will be emphasised as examples are discussed. We do not know if the text was made orally but it appears to have been transmitted orally for some time after its redaction. Hence a system of cross-referencing may not have been necessary to create coherence relationships.

4.a. Identical lists found in different tractates

There are a number of lists in the Mishnah that appear in an identical form in more than one tractate. An example of this is Shevi'it 10:7, which is repeated verbatim in Uqtsin 2:10. Tamid 1:1 and Middot 1:1 both commence with identical lists. Such occurrences of identical texts help to create long-range coherence relationships in the text of the Mishnah.[42] We suggested in the introduction that even though the cross-referencing was unannounced, a competent scholar who had thoroughly committed both texts to memory would notice the repetition. Thence the lack of cross-referencing is not necessarily a sign of incoherence.

However, in the Mishnah, the literary characteristic of repetition is not restricted to lists, as non-list material is also repeated in different tractates. An example of this may be seen

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[37] B.Q. 1:4 is an example of such a mention.
[38] "Horn" refers to restitution for damage inflicted by an animal that gores.
[39] "Maimonides Definition of *Tam* and *Muad*", pp. l68-76.
[40] P. 170.
[41] Quoted in B.T. B.Q. 2b.
[42] Halliday and Hassan *Cohesion* pp. 278-9 and 318-9 discus the reiteration of individual words in a text. However, I see no reason why the principles are equally applicable to phrases and sentences as well.

in the following two texts. Zevahim 5:3 states that, "… the offerings were consumed within the curtains …". That information is also found in Megillah 1:11: "Both here and there the most holy sacrificial meats were consumed within the curtains". Hence we see that the repetition of material in different tractates creates an unacknowledged long-range coherence relationship in the Mishnah.

      In Chapter 4 I discussed the topic of lists whose captions contain the words, "… two [types] that [are indeed] four".[43] We will now revisit this topic, and analyse the occurrence of the phrase in Shevu'ot 1:1.

> Shevu'ot 1:1
> Oaths are of two [kinds], which are [indeed] four [kinds].
> Knowledge of uncleanness is of two [kinds], which are [indeed] four [kinds];
> "Taking out" on the Sabbath is of two [kinds], which are [indeed] four [kinds];
> Appearances of scale disease are of two [kinds], which are [indeed] four [kinds].

A feature of this passage is the repetition of the phrase "… is of two [kinds] that are [indeed] four [kinds]". These text segments also occur elsewhere in the Mishnah, but in these other locations they are parts of list captions that are subsequently followed by list items. The first sentence of Shevu'ot 1:1 "Oaths are of two [kinds] which are [indeed] four [kinds]" is found with relevant list items in Shevu'ot 3:1. The next sentence "Knowledge of uncleanness is of two [kinds], which are [indeed] four [kinds]", is also found at the commencement of the next chapter, Shevu'ot 2:1 with relevant examples as list items. Similarly the phrase "Taking out on the Sabbath is of two [kinds] which are [indeed] four [kinds]" is found in Shabbat 1:1, again with relevant examples as list items. Finally, the last sentence "Appearances of scale disease are of two [kinds] which are [indeed] four [kinds]", occurs in Negaim 1:1 with the relevant list items. However, in contrast to all those passages, the occurrence in Shevu'ot 1:1 is not a list according to my definition, as there are no list items. Rather it contains text that serves as captions of lists elsewhere in the Mishnah.[44]

   Shevu'ot 1:1 informs the reader that there are different kinds of oaths (the topic of the tractate), uncleanness, "taking out" on the Sabbath and scale disease, but the word "kind" is not used explicitly in the Mishnah. The first sentence may be conceived of as an introduction to the subject of oaths, in that it notifies us of us of the existence of a typology that we expect will subsequently be presented.

      In the opening passage, the subject of the tractate, oaths, is linked to other legal fields whose only point in common with oaths and each other appears to be that they possess legal norms that could be organised in the numerical formula "… is of two [kinds] which are [indeed] four [kinds]". This *mishnah* is, therefore, comparing and contrasting different areas of Jewish law. In the previous section we saw that the placing together of different entities governed by identical norms amounts to a comparison by their collocation in a single caption.[45] In a similar manner the collocation of separate sentences about different legal areas in Shevu'ot 1:1 creates some aspect of comparison between the topics by collecting together list captions from elsewhere in the Mishnah which have a common numerical formula and syntax. This

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[43] Section 1.b.
[44] The traits of the Mishnaic list were described in Chapter 2. There we suggested that a list must have two elements, a caption containing a list theme and list items.
[45] A major work of Neusner that discusses the Mishnah's agenda of comparison and contrast is his paper "The Mishnah's Generative Mode of Thought".

shows that the Mishnah can use a fixed formula to create an unannounced coherence relationship between apparently diverse topics in a number of different places. However, this placing of formulae next to each other also creates a much stronger relationship. This highlights the intended comparison between the norms.

Another passage in which various diverse apparently unconnected legal areas become formally connected is Megillah 2:4-11. In these *mishnayyot* each passage commences with a common phrase אין בין in the discussion of a new topic, and the syntax of the individual *mishnayyot* is almost the same. Jaffee uses the expression "mnemonically sophisticated formulations" for a number of Mishnaic passages that contain a variety of different patternings that, in his opinion, aid the memorisation of the text.[46] He mentions neither Megillah 2:4-11 nor Shevu'ot 1:1 in this section of his work (which does not claim to be exhaustive). However, the patternings of Megillah 2:4-11 and Shevu'ot 1:1 may belong to this group.[47]

To some extent, the passage Shevu'ot 1:1 may be compared to a newspaper headline without a "story". The function of newspaper headlines and their relationship to the main text of a newspaper article has been discussed by Shenkein, who notes that there can be some element of ambiguity as to the meaning of the headline, which is not finally resolved until the article that accompanies it has been comprehended.[48] Shevu'ot 1:1 is not the only passage in the Mishnah that functions somewhat like a newspaper headline without a story. Niddah 6:2-10 also contains a series of similarly patterned sayings that are akin to newspaper headlines but without the "story". However, the passage of Niddah 6:2-10 is dissimilar to Shevu'ot 1:1 because the phrases of the latter are all explained elsewhere in the Mishnah, while the statements in Niddah are not, and could not be understood without the benefit of information external to the text of the Mishnah.

The tractates of Peah, Hallah and Rosh Hashanah also have opening lists that relate the topic of the tractate to other legal areas. The function of an opening list setting the legal topic that is the focus of the tractate is not a conceptual category that is used by Weiss in his analysis. This may be due to his limited concern of lists containing numerical elements in the caption. However, we can say that the class of contextualising lists would appear to be another possible useful tool of classification in this study. These lists may only minimally advance our knowledge of the topic that is the focus of the Tractate. As such they could be obliterated with only a minor loss of information and theoretically could have been added on at a later date. We will proceed to investigate similar lists in different tractates, and cases of lists with similar text segments in either the caption or items section. We will see patterns of similarities in all these types of cases, but no formal cross-referencing. This absence may be a sign of incoherence or a link that a competent scholar who had committed the text to memory was supposed to make. There was already a tradition of such activity; one of the seven exegetical rules ascribed to Hillel to expound the Bible was *Gezerah Shavah* (the drawing of an inference from the usage of a common word or phrase in different places in the Bible).[49]

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[46] *Torah in the Mouth*, p.101.

[47] Neusner in *The Memorized Torah* dissects the Mishnah into different sentence types. He suggests that a change of theme is accompanied by a change of sentence type. He suggests this to be an aid to memorisation. See in particular p. 5.

[48] 'The Radio Raiders Story', pp. 187-200.

[49] See Samely, *Rabbinic Interpretation, op. cit.*, p. 26 for a summary of the location of this and other lists of rules in Tannaitic literature.

4.b. Similar lists found in different tractates
A number of similar lists are found in different tractates.

> Rosh Hashanah 1:10 (1:8)
> And these are they that are not qualified [to be witnesses to give testimony concerning the appearance of the new moon]: a dice-player, a usurer, pigeon-flyers, and traders in the produce of the Sabbatical Year and slaves.

> Sanhedrin 3:6 (3:3)
> And these are they that are not qualified [to be witnesses] or judges: a dice-player, a usurer, pigeon-flyers, and traders in the produce of the Sabbatical Year.[50]

As can be seen, the list items of these two lists are almost identical as are parts of the captions. There is, therefore, some implicit aspect of comparison and contrast between the set of witnesses valid to give testimony concerning the new moon and the set of witnesses valid to give testimony concerning the civil law cases. The two lists are the instruments through which this comparison and contrast occurs, but only implicitly as the reader must recognise the similarity, since there is no cross-reference in the text.

Our next passage is an example of a case in which only one tractate contains the information in list form while another does not.

> Berakhot 1:1
> Moreover, [in addition to the Shema' previously mentioned] wherever the Sages prescribe [that a religious obligation has to be performed] before midnight, the duty [of fulfilment lasts until dawn]; the [obligation] of the burning of the fat pieces and the members [of some animal offerings][51] lasts until dawn, and for all [offerings] that must be eaten on the same day,[52] the duty lasts till dawn.

> Megillah 2:5-6
> The whole day is valid for reading the Scroll, and for reciting the *Hallel,* and for blowing the *shofar* and for carrying the *lulab* and for the additional prayer, and for the Avowal at the offering of the bullocks,[53] and for the Avowal concerning the [Second] Tithe,[54] and for the Confession on the Day of Atonement,[55] and for the laying on of hands,[56] for the slaughtering, for the waving,[57] for bringing near [the meal-offering], taking the handful and burning it,[58] for wringing

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[50] The interpolation of the word "witnesses" in Sanhedrin 3:6 is discussed in Chapter 2 section 2.b.
[51] Leviticus 6:12, 7:3, 7:31-3.
[52] Leviticus 7:15.
[53] Leviticus 4:4 and 4:15.
[54] Deuteronomy 26:13-15.
[55] Leviticus 16:21.
[56] Leviticus 3:2.
[57] Leviticus 7:30.
[58] Leviticus 2:2.

the necks of the bird–offerings,[59] and for receiving the blood, and for sprinkling the blood, and for giving the water to the suspected adulteress,[60] for breaking the heifer's neck,[61] and for purifying the one afflicted by scale-disease (*tsera'at*).[62]

The whole night is valid for reaping the *Omer*, for burning the fat pieces and the members. This is the general rule: any act whose fulfilment is prescribed for the day is valid during the whole of the day and any act whose fulfilment is prescribed for the night is valid during the whole of the night.

The Mishnah informs the reader in three separate places that there is an obligation to burn the fat pieces and members of sacrifices by a certain time. In the two passages quoted here, Berakhot 1:1 and Megillah 2:5-6, the deadline for the task is given as dawn, as part of a list with other items that share the same deadline. The same duty is noted in Zevahim 5:3, not as a part of a list structure, but there it is linked to a deadline of midnight, not dawn.

Berakhot 1:1 contains a list of obligations where the Sages gave a deadline of midnight even though the obligation could be performed until dawn. The reason stated for the earlier deadline is "to distance man from transgression". One such obligation is the "burning of the fat pieces and the members [of some animal offerings]". In Berakhot 1:1 it is clear that the common aspect of a precautionary deadline has been extracted from the laws of *Shema'*, fats and members and "sacrifices to be consumed on the same day" in order to create a comparison between different norms that might otherwise appear unrelated. The same piece of information regarding the deadline of burning the fats and members occurs in Megillah 2:5-6, but it is presented in a list format with other apparently disparate items in the cluster.

It is clear from the above example that some topics appear in more than one location in the Mishnah, but the literary form (i.e. list or non-list) is not necessarily consistent. However, the Mishnah text itself contains no formal cross-references. For an initiated reader, this repetition can create coherence relationships that extend beyond the bounds of a tractate, to other tractates in the Mishnah. It is possible that the absence of cross-referencing could be interpreted as a lack of coherence. However since the text was transmitted orally formal cross-referencing may not have been necessary as a competent scholar who had firmly committed the text to memory could undertake this task easily and without prompting.

4.c. Similarly worded captions and the repetition of list items that relate to different themes in different tractates

A number of tractates contain lists with similar list captions and themes. A set of examples will be given to illustrate this phenomenon.

Shevi'it 6:1
Three lands [must be distinguished with respect] to the Sabbatical year:
Throughout that part of the Land of Israel which they that came up from Babylon occupied as far as Kezib, …
Throughout that part which they that came up from Egypt occupied from Kezib to the River [Euphrates] and Amanah ...

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[59] Leviticus 1:15 and 5:8.
[60] Numbers 5:24.
[61] Deuteronomy 21:4.
[62] Leviticus 14:1-32.

from the River [Euphrates] and Amanah and inwards ...

Shevi'it 9:2
Three lands [must be distinguished with respect] to the Law of Removal [in the Sabbatical year]:
Judea, beyond the Jordan [River] and the Galilee.

Hallah 4:8
Three lands [must be distinguished with respect] to the [laws of] *hallah*:
In the Land of Israel as far as Kezib, …
from Kezib to the River [Euphrates] and Amanah ...
from the River [Euphrates] and from Amanah inwards …

Ketubbot 13:10
Three lands [must be distinguished with respect] to the [laws of] marriage]:
Judea, beyond the Jordan [River] and the Galilee.

For the reader familiar with the Mishnah, the similarity of the words in the caption "Three lands [must be distinguished with respect] to the [laws of]…" implicitly creates an element of comparison and contrast that traverses several tractates. This is in addition to the comparison and contrast provoked within the Tractate of Shevi'it by the statements quoted above as mentioned in the previous section.

In this section we have seen how almost similar lists or similar text segments of lists can be repeated in more than one location in the Mishnah. The existence of these repetitions is unannounced in the text and is left for the reader to discover. These textual parallels constitute a source of literary coherence, and we will investigate this topic in the next section.

5.The list and textual coherence relationships

In the previous sections of this Chapter we touched briefly on the subject of coherence relationships. We will now elaborate on this issue. Coherence or cohesion of a text is how it is held together. The study of short-range ties is referred to as cohesion and the study of long-range ties as coherence, though the terms are often used interchangeably. M. A. K. Halliday and R. Hasan have undertaken a major study of this topic.[63]

Mishnaic lists are a source of literary coherence in a number of ways. The list itself is normally a very highly cohered text segment. A good example of this is the object-centred list that we encountered in Chapter 3 section 2d. We saw that in all the cases of this form that the reader had to continually refer back to the beginning of the list to understand what the object of the sentence is. We also encountered in Chapter 2 section 3 the non-obligatory deictic element(s) in the caption. We saw there in section b.i. how the deixis could be used to create cataphoric or anaphoric relationships in the text that contribute to the coherence of the text.

Halliday and Hasan also note in numerous places that the repletion of words or their proforms also add to the cohesiveness and coherence of texts. Linguists suggest a number of ways this task is performed. Van Uchelen has undertaken an example of a comprehensive study of text coherence in a tractate of the Mishnah and we will follow his model.[64] The most

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[63] *Cohesion in English*.
[64] *Chagiga,* pp. 66-82.

important forms that he investigates are *recurrence* (both *collocation* and *reiteration*) and *substitution*.

    Recurrence is the repetition of a word in a text. If it is in the same grammatical form in a text it is called *collocation* and if there is a repetition of a word in a grammatically modified form this is called *reiteration*. *Substitution* is the repeated reference to an entity through different guises by means of a proform. We will use one word from one list to illustrate all three phenomena listed above.

> Hallah 1:1
>
> חמשה דברים חייבים בחלה החטים והשעורים והכוסמין ושבולת שועל ושיפון
> הרי אלו חייבין בחלה ומצטרפין זה עם זה ואסורין בחדש מלפני הפסח ומלקצור
> מלפני העומר ואם השרישו קודם לעומר העומר מתירן ואם לאו אסורין עד שיבא
> העומר הבא:

> Five kinds of dough are liable to *Hallah*: wheat, barley, spelt, goat grass and oats.
> Behold, these are liable to *Hallah* and may be combined together and are forbidden when *Hadash* before Passover, or to be reaped before the *Omer*; and if they have taken root before the *Omer*, the *Omer* makes them permissible, but otherwise they are prohibited until the next *Omer*.

The word בחלה occurs twice in the text quoted above and fourteen other times in this tractate.[65] The next occurrence is in Mishnah 1:2 and the final one in 4:3. This *collocation* helps to unify or cohere the text. The total number of *reiterations* of the noun חלה (including occurrences with and without prefixes) in the tractate is 25. This figure excludes the use of the form בחלה counted above. I have not formally counted all the substitutions in the tractate. I believe them to be very numerous indeed. In the Hallah 1:1 the words אלו *and* זה as well as the suffixes of the words מתירן חייבין השרישו ואסורין ומצטרפין are substitutes or pro-forms for the grains. This substitution continues in the next *mishnah* where the word מהם meaning "of them" is found.

      We can conclude that the list, in tandem with other literary forms assists in creating coherence and cohesion in the text.

6. *The exhaustiveness of lists in the Mishnah*

There is an ambiguity when reading the lists of the Mishnah as to whether a list, even one that contains a numerical element in the caption, is a full list of all potential members of the set or merely of some representative examples of the members. We have examined previously in section 3 above cases of numerical elements in captions that are not consonant with either adjacent Mishnaic text or text elsewhere in the tractate. However, the ambiguity of the exhaustiveness of lists is not exclusively related to lists with numerical elements in the caption. It is almost impossible to say if any list in the Mishnah, even a list with a numerical element in the caption, is complete i.e. containing all possible members. This will be illustrated by the first example.

Example 1 A list with an numerical element in the caption

> Mak 3:9
> One can plough a single furrow and be liable on its account for [transgressing] eight prohibitions … Rabbi Hanania says … Also one who is wearing *kilaim* …

The text presents us with a list with a numerical element in the caption that gives the counts for which one can be liable for, when ploughing. A Sage of the Mishnah, Rabbi Hanania, disputes the list size. The Babylonian Talmud in discussing this text investigates further possible transgressions for which a man be liable whilst ploughing. The reason given why the list is not complete is that "The Mishnah counts [some of the penalties] and leaves out others" (תנא ושייר).[66] This phrase is used in the Babylonian Talmud in 22 separate places, but it is not in the Palestinian Talmud.[67] Hence the Sages of Talmud had no initial supposition that the list in the Mishnah is complete. The Talmud's redaction was some 500 years after the completion of the Mishnah. Its perspectives cannot be considered contemporaneous with the Mishnah. However its comment is of interest as it is an early indication of the ambiguity as to whether a list, even one with a numerical element, is complete.

Example 2   A list with a deixis but no numerical element in the caption
There is also an ambiguity as to whether lists without numerical elements in the caption could be read either as a finite list which might be called a "closed list", or a statement of principle giving a representative selection of membership of a class. Git 5:8 lists enactments of the Sages "for the sake of peace".

> These are the things the Rabbis enacted for the sake of peace: …

We know from other tractates in the Mishnah that this list is certainly not complete. An enactment by the Sages of the Mishnah with reason of "(for) the sake of peace" not mentioned in this list may be found in Sheq 1:3. Hence the reader, as a minimum, is forced to search the entire text of the Mishnah to know if a text is a complete list. However, as we have seen in example 1, there are cases when the reader of a list in the Mishnah may never have any degree of certainty as to whether a list is exhaustive or merely representative of class membership and hence even full knowledge of the Mishnah text may not help to resolve the issue.

Example 3   A further case of a list with a deixis but no numerical element in the caption
> Peah 2:1
> These serve as bounds in what concerns *Peah*: a riverbed or pond, a private or public road, a public path or a private path that is in regular use during both the summer and the rainy season, fallow land and land newly broken up, and a different kind of crop.

From the text there is no indication if this list is complete. It may be that the list is intended as an example list and that the tools are contained in this list to analyse situations that were not known at the time of the Mishnah. In our own time we may want to consider the possibility of an invisible force field, or a barbed wire or electrified fence. It may be that the list members were intended as bases for analogies only and that future generations were to decide cases for themselves on the basis of principles that were to be worked out from known cases. Another possibility to achieve the same end result would have been for the redactor to give principles rather than cases. The method employed is perhaps more economical and possibly more flexible. Sacks has discussed the problem of the correct interpretation of words as examples or

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[66] B.T. Mak 21b-22a.
[67] Bar Ilan CD.

a definitive class boundary in relation to discourse. [68]   Samely, basing himself on the work of Sacks, also discusses the issue in relation to the Mishnah, but not specifically in connection with lists. [69]   However, at our current level of understanding of the text it does not appear possible to provide rules of comprehension to explain which lists are "open" and which are "closed".[70]   Similarly, in cases where there are numerical elements in the caption, there can be no absolute certainty that the list is complete.

Example 4
>
> Peah 1:1
>
> These are [the] **things** for which there is no measure ...
>
> These are [the] **things** whose fruits a man enjoys in this World while the
>
> capital is stored up for him in the world to come ...

We encountered this list in section 1 of the previous Chapter. We observed that in this text it is not clear, even after the reader has completed reading the entire list what the "things" (דברים) actually are. We suggested that the reader may be inclined to think that the "things" are commandments, as this is one feature common to all the items. However, the Mishnah's precise meaning is not clearly spelled out at all. Were this suggestion of commandments to be correct, then we should note that not all the commandments that are mentioned, either in the Pentateuch, or of rabbinic origin, for which there is no measure, are mentioned in this list. For example, the Biblical commandment of the wearing of phylacteries mentioned in Deuteronomy 4:8 is noted, without recording either a maximum or minimum length of time that this wearing is required.   In Bava Batra 6:7 and Sanhedrin 2:4, the Mishnah also records other norms that "have no measure" that have no Biblical mention.   Sanhedrin 2:4 and Bava Batra 6:7 both state that the "king's way has no [fixed] measure". Bava Batra 6:7 also adds that the path to a grave "is of no [fixed] measure". Terumot 4:3 discusses the proper measure for heave-offerings and notes that people with different degrees of generosity will give different amounts, but there is apparently a minimum, as with Peah. Peah 1:2 states that regarding Peah, notwithstanding the comments in Peah 1:1 there is a minimum quantity.

The apparent lack of completeness of the list in Peah 1:1 can be explained in one of three ways. It may be suggested that the list is not intended to be all-inclusive, i.e. the caption should read, "[Some of the members of the set of commandments] that contain no fixed measure" and hence the category would contain members that are not mentioned in this list. The list may present examples of the members of the set, to give the reader an idea of the scope of class membership. The second possibility is that the set whose members are listed here is really a sub-set of the set of commandments "that have no fixed measure". If so, the qualifying criteria for membership of the sub-set have been omitted.   The theme of the list gives no hint of any such a restriction of scope. A third possibility is that the author of this *mishnah* in Peah is not in agreement with the authors of the other *mishnayyot* in Sanhedrin and Bava Batra. However, our current state of knowledge does not allow us to do more than note these possibilities.

 An analysis of extension of a legal case and the transition from legal case to concept in the Mishnah and post-tannaitic literature has been carried out by L. Moscovitz.[71]   However, it is not clear from his work when these procedures are to be brought into play.

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[68] *Lectures* ii, p. 500.

[69] *Rabbinic Interpretation*, pp. 234-5.

[70] In fact the same appears to be true for whole sets of Mishnaic statements that may apparently exhaustively treat a theme see A. Samely, *Forms*, chapter 3.

[71] *Talmudic Reasoning*.

I can only conclude that with our current state of knowledge and tools available to us, it is not possible to determine whether any list in the Mishnah, even those with numerical elements in the caption, are complete.

7. Summary

Previously we had only considered the structure of the list and examined it as an isolated unit. However, in this Chapter we have examined the list in the context of both list and non-list material that forms the surrounding text. We have shown that the list is part of a larger textual pattern not only in the surrounding text both within the chapter, but also within the entirety of the tractate in several ways. We have found that many tractates and chapters commence with lists. Few cases were found of chapters ending with a list. Lists in the middle of chapters can connect in a variety of different ways with text that precedes it. The list often influences material that follows it in several possible ways. These include being the catalyst for the generation of another list, or providing an agenda of the material for forthcoming text. We also find that the lists occasionally appear to create coherence relationships throughout the entirety of the text of the Mishnah. These links are not announced and rely solely on the reader's recognition and memory.

However, it is important to emphasise that these points are not unique to lists. There are cases in the Mishnah where non-list text can form part of a larger textual pattern locally or across chapters and even tractates. In section 4.a. we noted the use of textual formulae such as the phrase אין בין in Megillah 2:4-11 as an example of a patterning within the tractate and in section 4.c. we saw that the division of the land of Israel into three areas also created coherence links with the whole of the Mishnah text. These links were implicit and only discernable to a reader already aware of the existence of the other textual occurrences.