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## ENGLISH ABSTRACTS

### AN EXTRAORDINARY JEWISH ETHNOGRAPHY RELATED BY A ROMAN-GALLIC AUGUSTAN HISTORIAN

Bezalel Bar-Kochva

The Jewish excursus in Pompeius Trogus' *Historiae Philippicae*, contains a unique and rather bizarre account of the origins of the Jews. This account was generally regarded as valueless by scholars. The present article shows its importance for the understanding of the conflict between Samaritans and Jews as well as between Greeks and Jews in Ptolemaic Egypt, and the implications for a proper evaluation of the Josephan report on the Hasmonean state.

The article begins with a survey of the views about Pompeius Trogus, the man, and his work, focusing on the issues relevant to the Jewish Excursus. The second section defines the genre of the excursus and elaborates on its rules of composition. It then presents the Latin text with an accompanying Hebrew translation. The third section shows that there are two versions of the *origo* of the Jewish people in Trogus' account, and separates them. The following section tries to identify the authors of the original two versions, their place, ethnic descent and purposes. The fifth section delineates the historical background of the stories and suggests that they were composed around the year 107 B.C.E.

The sixth section elaborates on the question of Trogus' immediate source, identifying it with *On the Kings* of Timagenes of Alexandria. The next section explores the information available about Timagenes' eccentric character and behavior, and analyses accordingly his special attitude to the Jews as reflected in the fragments and testimonia preserved by Josephus. Section eight turns to the core of the discussion: the image of the Jews in the excursus itself. The last chapter refers to the question of who was the intermediate source for combining the two versions and how the combined description of the *origo* of the Jewish people reached Timagenes.

## ON HALAKHIC TOLERANCE AS IT EVOLVED: AN EARLY AND FORGOTTEN DISAGREEMENT BETWEEN BEIT SHAMMAI AND BEIT HILLEL

Menahem Kahana

The Talmudic sources contain two narratives about Johanan ben ha-Horoni, a disciple of Beit Shammai who lived in the late Second Temple period. M Sukkah 2:7 relates that he was lenient like Beit Hillel on one matter, while T Sukkah 2:3 attests that he was stringent like Beit Hillel regarding another matter. Comparison of the two sources indicates, albeit without certainty, a fundamental disagreement between the two schools. The Sages of Beit Shammai ruled that a disciple from their school who acted in accordance with Beit Hillel did not fulfill the requirements of the law, while the Sages of Beit Hillel were of the opinion that anyone who consistently followed the rulings of either school acted properly.

My proposed reconstruction of the disagreement between the two schools may facilitate a new understanding of why Beit Hillel also taught the dicta of Beit Shammai in their Mishnah. In the light of this reconstruction, we may also surmise that the exposition by R. Elazar ben Azariah in T Sotah 7:12: ‘You, too, make separate rooms in your heart, in which you introduce the words of Beit Shammai and the words of Beit Hillel, the opinion that declares impure and the opinion that declares pure’, solely reflects the opinion of Beit Hillel. The same holds true for the *bat kol* (heavenly voice), cited in both the Babylonian and Palestinian Talmuds: ‘both [the opinions of Beit Shammai and Beit Hillel] are the words of the living God’. A trace of this disagreement might remain in the nucleus of Samuel’s explanation in BT Eruvin 13b: ‘Why was Beit Hillel entitled to have the Halakhah established in accordance with their opinion? Because they were kindly and modest, they studied their teachings and those of Beit Shammai, and they even mentioned the teachings of Beit Shammai before their own’, which is exemplified with M Sukkah 2:7. In time, however, this disagreement was forgotten, apparently intentionally, as is evident from several editorial interventions. The successors of Beit Hillel adopted the fundamental stance of their disputants and maintained that the Halakhah followed only Beit Hillel, and one who accepted the rulings of Beit Shammai did not fulfill his obligations.

It seems that the original disagreement between the schools arose regarding the question of halakhic tolerance, under the influence of the personal temperament of the schools’ heads, their positions regarding conservatism or innovation and plurality of opinion, their social and religious thought, and perhaps also their differing perceptions as to whether the relative or absolute truth of Halakhah. The historical situation in which Beit Shammai and Beit Hillel were active, too, most likely impacted their views on this issue. The above disagreement in M Sukkah was conducted while the Temple still stood, and Beit Shammai was usually dominant in this early period. We may therefore reasonably conclude that the tolerant approach of the sages of Beit Hillel was also influenced by their desire to embrace the disciples of Beit Shammai such as Johanan ben ha-Horoni, who decided, on their own initiative, to accept the Halakhot of Beit Hillel. It was only to be expected that the sages of Beit Shammai, in contrast, would oppose their students’ defection, and declare that the leniency of Beit Hillel was not halakhically acceptable. Later on, however, when the sages of Beit Hillel had the upper hand, their students and successors adopted views less tolerant of Beit Shammai and at times even forcefully opposed to it.

DID YANNAI'S *QEDUSHA-PIYYUTIM* INFLUENCE THOSE OF OTHER *PAYYETANIM*?

Shulamit Elizur

Yannai developed a special form for the *qedusha-piyyutim*, which serve as transitions between the biblical verses of the versified *qedusha*. The first *piyyut* contains three units: an opening sentence, three short lines, each of which opens with קדוש, and three additional, longer lines, which refer back to those that precede them, each of which also opens with קדוש. After each of these three units, the verse קדוש קדוש קדוש יי צבאות מלא כל הארץ כבודו, which was already recited once before the *piyyut*, is repeated in its entirety. The *piyyut* is therefore designed to repeat the verse four times. The second *piyyut* is also distinct: it consists of three lines, each of which opens with the word ממקומו and concludes with the short refrain והוא במקומו. Once again, after every line, the second verse of the *qedusha*, ברוך כבוד יי ממקומו, which was already recited before the *piyyut*, is repeated. The third *qedusha-piyyut*, which terminates in the verse אני ה' אלהיכם, also has a distinctive form in Yannai's compositions.

The question discussed here is whether this unique structure persisted among *payyetanim* who composed after Yannai. It turns out that other *qedusha-piyyutim* are attested, which are composed in this structure but not copied within the context of *qedushta'ot* by Yannai. However, most scholars automatically attribute these *piyyutim* to Yannai, without considering the possibility that later *payyetanim* might have imitated his structure. So long as the imitation is perfect, there is no way of ascertaining whether such *piyyutim* were written by Yannai or by later *payyetanim*.

However, one *payyetan*, who definitely imitated the *qedusha-piyyutim* of Yannai, slightly altered their form in a manner that, while innovative, clearly preserves their relationship to the *piyyutim* of Yannai. This *payyetan* is Elazar be-rabbi Qillir. The present article offers an edition of two pairs of his *qedusha-piyyutim*, comparing their form to that of the *piyyutim* of Yannai. The Qilliri also imitated the third *qedusha-piyyut* of Yannai, and judging by his approach to it, he probably did not intend the verses of the *qedusha* to be repeated in his imitation of the first two *qedusha-piyyutim*.

HALAKHAH AND CRITICISM IN SOUTHERN FRANCE:  
R. DAVID BEN SAUL ON THE LAWS OF WINE MADE BY GENTILES

Pinchas Roth

David ben Saul, a rabbinic sage active in southern France during the mid-thirteenth century, is known to scholars primarily because of his attempt (alongside his teacher Solomon ben Abraham of Montpellier) to eradicate the rational philosophy of Maimonides from the Jewish community of Provence and Languedoc. This article examines a letter written by David ben Saul in which he criticized a halakhic work on the laws of kosher wine. The critique reveals further significant aspects of Rabbi David's personality as a zealot opposed not only to philosophical innovations but also to new halakhic positions – whether voiced by Maimonides or by the French Tosafists. The article analyzes a number of the legal positions that David ben Saul rejected, placing his opposition in its historical and legal context. An appendix to the article presents a new section of the letter, published from a manuscript in the Bibliothèque nationale de France, in which David ben Saul attacked the legal rulings of Rabbi Jacob ben Meir of Ramerupt (Rabenu Tam).

‘FROM WHERE THE SUN RISES TO WHERE IT SETS’:  
THE RESPONSA BY *RASHBA* TO THE SAGES OF ACRE

Simcha Emanuel

The sages of Acre maintained strong ties with R. Solomon ben Abraham Adret (*Rashba*), who lived in Barcelona – on the Mediterranean shore, but thousands of kilometers from Acre. This close relationship has been known for centuries, from the printed collections of Adret’s responsa. The full – and impressive – extent of these ties, encompassing more than eighty responsa in diverse fields, however, can be seen only from the collections of his responsa that remain in manuscript form.

Two of the queriers from Acre are known to us by name: R. Elijah and R. Joseph di Saintes, but nothing else is known about them. We do not even know the names of the other sages from Acre who directed queries to Adret. All we can say is that they sent their questions to him before 1291, when Acre was destroyed and its Jewish community ceased to exist.

The responsa between the sages of Acre and *Rashba* provide a wealth of information regarding both the Acre Jewish community in the second half of the thirteenth Century and the personality of *Rashba*, who devoted great efforts to answer the questions posed by the members of the most important Jewish community in the Land of Israel at the time. Of even greater importance is the intriguing cultural phenomenon that emerges from the responsa discussed in the current article, that of two Torah scholars, distinctly not of equal standing, who reside thousands of kilometers apart, but who nevertheless study Yevamot together, one of the most difficult tractates in the Babylonian Talmud. This phenomenon teaches about the needs of the querier, who dwelled in the Land of Israel and was separated from the important European Torah centers, and of the thoughts and feelings of *Rashba*, who lived at the end of the West, but whose heart was in the East.