

תוכן העניינים

	הרוצח בשגגה וגואל הדם – זוויות חדשות בפרשנות חז"ל	הלל בייטנר
477	המשתקפות בספרי זוטא במדבר	
503	למקורם של פיוטי הסליחות	שולמית אליצור
543	הפלפול: עדויות ראשונות	שלם יהלום
	ספר 'הזוהר' הראשון מירושלים: כתבי יד קדומים של מדרשות 'הזוהר'	אבישי בר־אשר
575	ודרשה בלתי ידועה מן ה'מדרש הנעלם' (?)	
615	ספרים שנתקבלו במערכת	
v	תקצירים באנגלית	

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TABLE OF CONTENTS

Hallel Baitner	The Unintentional Killer and the Blood-Avenger – New Perspectives in the Rabbinic Exegesis of Num 35	477
Shulamit Elizur	The Origins of the <i>Seliḥot Piyyutim</i>	503
Shalem Yahalom	The <i>Pilpul</i> Method of Talmudic Study: Earliest Evidence	543
Avishai Bar-Asher	The Earliest <i>Sefer ha-Zohar</i> in Jerusalem: Early Manuscripts of <i>Zoharic</i> Texts and an Unknown Fragment from <i>Midrash ha-Ne'lam</i> [?]	575
	<i>Books Received</i>	615
	<i>English Abstracts</i>	v

ENGLISH ABSTRACTS

THE UNINTENTIONAL KILLER AND THE BLOOD-AVenger – NEW PERSPECTIVES IN THE RABBINIC EXEGESIS OF NUM 35

Hallel Baitner

Which killer is eligible for asylum? The answer to this question depends on the interpretation of the homicide laws on Num 35 and Deut 19 and the relationship between them. The Mishna in tractate Makkot followed Deut 19 and stressed accident as the main characteristic of the unintentional homicide. The Mishnah's interpretation, which was adopted and expanded upon in both Talmuds, also influenced the reading of Num 35. However, some scholars have argued that the case described in Num 35:22 is not one of accidental death but rather a deliberate violent action that caused death, yet the attacker is eligible for asylum. This reading probably stood in the background of the homilies of the tannaitic Midrashim for the book of Numbers – *Sifre and Sifre Zuta* – and their halachic views, which differed from that of the Mishnah on this issue.

The limits of the blood-avenger's right to kill the murderer, and its place within the judicial authority are already hard to define in the biblical text. The subordination of blood vengeance to the legal system, which started in the biblical period, is reflected in the tannaitic sources in various ways. From the homilies of *Sifre Zuta* to Numbers we can reconstruct unattested exegetical attitudes and solutions for minimizing the legal role of the blood-avenger.

THE ORIGINS OF THE *SELIHOT PIYYUTIM*

Shulamit Elizur

The genre of *selihot*, current amongst Jewish congregations for a thousand years now, is not attested at all in Classical *piyyut* in Eretz-Israel. The present article investigates the liturgical locus in which the *selihot* first appeared, and the reasons for their appearance.

The liturgical framework within which the *selihot* are embedded in the various Jewish communities manifests a basic nucleus, which is always present: the formula at the head of the recitation of the Thirteen Attributes, אלהי ארץ אפיים אתה, the Thirteen Attributes themselves, which are repeated after each *seliha*, and the fixed presence of verses from the Prayer of Moses, סלה נא לעון העם הזה... (Num 14:19-20), as well as Daniel's prayer (Dan 9:18-19). All of these elements evidently stem from the early, alphabetic, unrhymed framing-*piyyut* ארץ אפיים אתה / בעל הרחמים, which appears in Seadya's *Siddur* and serves as a frame for *selihot* in numerous Genizah fragments. The structure of the *piyyut*, which consists of short pieces of poetry, each one followed by Scriptural verses (in one case, a confessional formula appears instead of verses), is an exact parallel of one of the components of the early *qedushta* for

Yom Kippur: the *seder pesuqim* that comes at the end of the ‘benediction of the (special sanctity of the day)’. There is also a similarity in the choice of verses: specifically the verses from the Thirteen Attributes, the Prayer of Moses, and Daniel’s Prayer are found with almost complete consistency in the early *sidrei pesuqim*. And just as the framing-*piyyut* is cut off by the *seliḥot* close to the verses of the Thirteen Attributes, the *seliḥot* also cut off the *sidrei pesuqim* at the same point.

Thus I suggest that the *seder pesuqim*, in particular the verses of the Thirteen Attributes that are found in it, is the locus of origin of the *seliḥot*. The congregation, which joined the *hazzan* in the recitation of the Thirteen Attributes, did not find a single recitation sufficient, and the function of the *seliḥot* was to make it possible to recite them several times. This process is not attested in Eretz-Israel in the period of the Classical *piyyut*, and it is likely that it emerged in Babylon; in the generation of Seadya Gaon it is already an established custom. The framing-*piyyut* אַתָּה אֵל אֵלֵינוּ אֵלֵינוּ אֵלֵינוּ does not appear originally to have been a *seder pesuqim*, but rather a text that was already composed as a frame for the *seliḥot*, the confessional formula, and the fixed verses that are recited alongside them.

The tendency to repeat central elements embedded within the framing-*piyyut* for the *seliḥot* did not stop at the Thirteen Attributes: there were those who also sought to repeat the verses of the Prayer of Moses and of Daniel’s Prayer over and over again, and especially to repeat the confessional formula many times. For this purpose the confessional-*piyyutim* were created. These are also embedded in the framing-*piyyut* and serve as an introduction either to other verses found in it or to the confessional formula itself. However, these customs remained marginal, unlike the recitation of *seliḥot* and the repetition of the Thirteen Attributes, which were developed and expanded.

Seadya’s *Siddur* describes an additional development: the framing-*piyyut* was transferred from the Yom Kippur liturgy to that of the other fast days, where it was incorporated in the *סְלֵחַ לְנוּ* benediction, and *seliḥot* were also embedded in it in the *‘amidot* of the fast days. This custom survived even when the framing-*piyyut* was no longer employed and all that remained of it were embedded fragments (such as the opening strophe of אֵל אֵלֵינוּ אֵלֵינוּ אֵלֵינוּ). With the passage of time, *seliḥot* also came to be recited on those liturgical occasions when people gathered for nightly vigils to recite *raḥamin*, around the High Holy Days. This transfer frequently resulted in the obscuring of the original framework and the intermixing of *seliḥot* and *raḥamin*-texts. However, in the *seliḥot* liturgy for fast days the close relationship to the early framing-*piyyut* and the point of origin of the *seliḥot* is still evident in most Jewish communities.

THE *PILPUL* METHOD OF TALMUDIC STUDY: EARLIEST EVIDENCE

Shalem Yahalom

After the close of the period of the Tosafists, a new interpretive method grew out of it which was referred to in Ashkenaz as *pilpul* and in Sepharad as *‘lyun*. The gap between the Tosafists and the new *pilpul* is expressed by several important delimitating criteria. A central principle of the Tosafists is that the entire Talmudic corpus is a unified literary work in

which all contradictory halakhic teachings between disparate *sugyot* must be systematically resolved. On the other hand, *pilpul* eschews broader legal comparisons and instead focuses on the structure of the individual *sugya* and its localized textual meaning. Modern scholarly literature has tended to date the development of the *pilpul* method to the 15th century. However, this article presents numerous examples of typical *pilpul* methodology employed in the Tosafot of R. Peretz ben Elijah of Corbeil, active in the second half of the 13th century. It is thus proposed that this emerging stage of *pilpul* parallels the development of scholastic logic in the University of Paris. The new method then proliferated independently in the Talmudic study halls of both Ashkenaz and Sepharad.

THE EARLIEST *SEFER HA-ZOHAR* IN JERUSALEM:
EARLY MANUSCRIPTS OF *ZOHARIC* TEXTS AND AN UNKNOWN FRAGMENT
FROM *MIDRASH HA-NE'ELAM*[?]

Avishai Bar-Asher

The present article discusses a unique collection of Kabbalistic works which was copied several times in Jerusalem in the late fourteenth century, before its arrival in Venice and distribution in Northern Italy. While the majority of works in this collection date back to the second half of the thirteenth century, this group of manuscripts serves as the earliest attestation of most of these texts (and fragments).

Thus, for instance, these valuable manuscripts – all copied within a small circle of Jews of different origins who settled in Mamluk Jerusalem – are the earliest documents from outside Spain to contain texts which were later identified and circulated as parts of *Sefer ha-Zohar*. Yet not all of this material found its way into the printed editions of *Sefer ha-Zohar*. The article focuses in particular on a textual unit of Kabbalistic ‘midrashim’ – in both Aramaic and Hebrew – on the *Yibbum* and *Halitzah* (in levirate marriage law). These midrashim, part of which are identified and edited in this study for the first time, offer a peculiar synthesis of views from early Catalan Kabbalah, pseudepigraphically attributed to Rabbinic figures. The article examines both the theoretical and the polemic Kabbalistic background to the appearance of this unknown ‘zoharic’ text, discusses its literary categorization, and sheds some light on its authorship.