

TE'UDA

THE CHAIM ROSENBERG SCHOOL OF JEWISH STUDIES RESEARCH SERIES

IV

STUDIES IN JUDAICA

Edited by

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TEL-AVIV UNIVERSITY
UNIVERSITY PUBLISHING PROJECTS 1986

The Custom of Women

by
Aron Dotan

The expression **כי דרך נשים לי** “for the custom of women is upon me” (Gen. 31:35), in the answer of Rachel to her father, is generally accepted as meaning “menstruation”. This understanding of the expression raises some difficulties:

a) Menstruation is no excuse for a woman not to be able to stand up, as Nahmanides already pointed out.

b) Perhaps the greatest difficulty is the implied time-table. Rachel gave birth to Benjamin shortly after this event. How then could she claim to have her menstrual period? A series of calculations show that the time which elapsed between the encounter and the birth was a matter of days.

c) The vulgarity of Rachel's excuse. It is surprising for a chaste woman to speak openly about her impurity, let alone to her respected father.

d) The term for menstruation has already appeared elsewhere in Genesis, in the expression **ארח כנשים** “the manner of women” (Gen. 18:11). It is surprising that different phrases should be used in one and the same book for such a common term.

Nevertheless, this interpretation is very old, going back to all the ancient translations and to the Talmud, and has been adopted by subsequent authorities.

The author suggests that the original meaning does not relate to menstruation but rather to *pregnancy*, which, too, is a “custom (or manner) of women” (as translated in modern versions). A difficult pregnancy may sometimes be a real physical handicap.

According to this interpretation there are no difficulties:

a) A pregnant woman has a good excuse not to rise from her seat.

b) The time-table is in order, as Rachel's pregnancy was already very advanced and visible.

- c) No vulgarity and disrespect are involved in mentioning one's pregnancy.
- d) There is no semantic clash between the two expressions, since they are indeed different.

After the paper had been completed, the author found support for his suggestion in the *Risāla* of Judah ben Quraysh, who adduces a similar interpretation as one of the possibilities.

The Lexicography of the P Document and the Problem Concerning its Dating

by
Yair Hoffman

Lexicographical examination is supposedly one of the most 'objective' methods employed by scholars for dating biblical passages. This paper aims to demonstrate the extreme caution necessary before applying this method, since lexicographical data are sometimes too ambiguous to be unequivocally interpreted. Thus, it is highly doubtful whether this method is applicable to the crucial problem of dating the P document, or, to be more specific, in deciding whether it was composed before or after D, in light of the following objections:

- a) No significant differences are documented between the post-exilic Hebrew of the late seventh century B.C.E. (D) and that of the sixth century B.C.E.
- b) The composition of P was stretched out over a long period of time and, consequently, its lexicography cannot specifically reflect either pre-D or post-D Hebrew.

This paper reconsiders the conclusion of A. Hurvitz (*Te'uda* 2, 1982, pp. 299-305), viz. "The terms שָׂכַר and שָׂאָר may thus join the growing ranks of linguistic items whose presence in P is indicative of the earlier biblical period, well before the Israelites went into exile" (p. 375).

The claim that שָׂכַר and שָׂאָר are proven to be mainly pre-exilic lexemes is refuted. The author's findings show that the biblical evidence inclines to prove just the opposite. However, the data are too ambiguous to substantiate any firm conclusion as to the date of the words, let alone the date of the document employing them.

Lifelong Nazirism – the Evolution of a Motif

by
Yaira Amit

The biblical and post-biblical texts dealing with lifelong nazirism are meager, and difficult. Biblical sources relate to only one single personage who might possibly be termed a "lifelong nazirite": Samson, whose nazirism was from his mother's womb to the day of his death. However, it should be stressed that Samson is referred to as "a nazirite to God". Indeed the stories connected with his nazirism do not contain any material which could illuminate the practices of a lifelong nazirite, since they only deal with his hair and its relationship to his God-given strength (Judg 13-16).

Samuel's nazirism (I Sam 1:11) is linguistically connected with the nazirism of Samson but it raises substantive difficulties within the context of the story itself, as well as within the complete cycle of Samuel stories.

Other instances of nazirism in the Bible involve doubtful nazirites: Joseph (Gen 49:26; Deut 33:16), Absalom (2 Sam 14:25-26; 15:7-8), and Elijah (2 Kgs 1:8), or at the least doubtful lifelong nazirites: Amos 2:11-12; Lamentations 4:7.

The array of available post-biblical sources, both halakhic and historic, hardly touch upon the problem of lifelong nazirism, and most of their discussions and examples are devoted to nazirites for a limited period: Mishnah Nazir 1:2; 9:5; Josephus Flavius; I Maccabees; The New Testament; Philo of Alexandria. Any discussion of lifelong nazirism in talmudic sources (Tosefta, Babylonian and Palestinian Talmud, and Midrash), Maimonides, and various other commentators prefer the archtypical example of the lifelong nazirism of Absalom and the practices that can be learned from it. All these sources raise doubts as to whether any historical model for lifelong nazirism ever existed.

The authoress raises the assumption that lifelong nazirism is apparently never mentioned or alluded to in the Bible. The nazirism of Samson should be explained as the product of editorial embellishments, with specific literary and theological purposes, and not as a tradition reflecting any social reality whatsoever. On the other hand, the nazirism attributed to Samuel, represents a later phase of literary influences operating for situational and associational reasons. In other words, there does not seem to be any basis for the claims made by most later commentators, viz. that the nazirite code of Numbers does not mention the lifelong type because such a nazirite did not make sacrificial offerings, and as if the existence of such is confirmed by the examples found in the Early Prophets. The present investigation indicates the presence of literary motifs and metaphoric illustrations.

Studies in Biblical Phrases Indicating Time

by
Gershon Brin

This paper deals with certain phrases, employed by the Bible in order to denote Time.

During the Biblical Period, there was no general method of dating and various other indications served this purpose. These are fundamentally based on the principle of comparing an actual action or event with some other known point of Time.

These points of Time are familiar and well-known for various reasons: they have been previously described in the text; they represent important events, *etc.*

The linkage-comparison with these point(s) of Time is accomplished by three distinct methods:

1) By indicating the action or event as having taken place *after* a known point of Time. Most of the verses defining Time belong to this method.

2) By indicating the action or event as having taken place *simultaneously* with the point of Time.

3) The smallest group of verses indicating Time describes the action or event as having transpired *before* a specific point of Time.

The first group contains certain sub-groups, *e.g.*: indicating an event according to the person's age; placing the action or event after a famous national event or activity, *etc.*

In the context of Group One, such phrases as *מקץ; אחר; אחרי; עוד; נעוד; אחר* *מקץ; אחר; אחרי; עוד; נעוד; אחר* etc., are discussed.

The second group includes such phrases as: *או, בעת ההיא, בימים ההם, ביום ההוא* etc., which are elaborated upon.

In the third grouping, the usage of the phrases *לפני, טרם, לפני* etc., is explained.

In each discussion the various textual, exegetical and editorial details are dealt with.

Semantic Studies Concerning the Adjectival Predicate in Biblical Hebrew

by
Eliezer Rubinstein

In a linguistic study designed to obtain the exact measure of a certain text, prime importance should be attached to syntactical inquiry. Since, to a serious extent, the connotation of the verb regulates the form of the sentence, it may be assumed that much of the meaning is revealed via an inquiry into the syntactical framework of the verb.

This principle is especially important in sentences wherein the predicate has undergone a change of meaning, since this change is likely to be reflected in syntactical variations, *i.e.* variations within the syntactic framework of the predicate.

In the light of the above-mentioned linguistic approach, the present article investigates the usage of the verb *hazaq* in the Bible. *Hazaq* is an adjectival verb, and as such arouses certain semantic syntactical expectations. Indeed, in most of the appearances of this verb, it is found in syntactic frames befitting an adjectival predicate, and within these syntactic frames, the meaning of the verb is clearly related to the meaning of the adjective *hazaq*.

It is most enlightening to observe the appearances of this verb in unexpected syntactic frames. In numerous instances, it appears in frames which do not contain an adjectival predicate. It is thus noted that by virtue of metaphorical usages, this predicate serves as a verb expressing an emotional state, and as a directive verb, which indicates that a certain action directed against somebody else caused the other person to perform a certain act, or to abstain from action. Other semantic constructions wherein the supposed complements of the verb *hazaq* are actually the potential components of a proposition which is the result of the proposition in which the verb *hazaq* is its major component, are also revealed. The verb *hazaq* is further identified as an adverbial predicate, which actually does not describe anything, but is rather the potential description of a certain action.

The processes reflected in the phenomena of the verb *hazaq* are not unique with this predicate. The present study conducted in conjunction with this single verb thus enables an illumination of the basic relationship between syntax and meaning, and also provides an important instrument for the study of a literary text.

Polemical Attitudes Toward the Septuagint

by
Ithamar Gruenwald

The Greek translation of Scripture, commonly known as the Septuagint, has long been the subject of controversial utterances from a number of quarters. This paper discusses the ancient traditions concerning the very act of translation, as well as the liturgical usage of that translation.

The article begins with a close analysis of the three – Greek written – legendary accounts of the translation, as found in the so-called Letter of Aristeas, in Philo, and in Flavius Josephus. The author argues that in some of the details found in these accounts, one can already discern the need for apologetic statements, which in turn reflect the fact that the very act of translation did not pass unchallenged in the ancient world. The accounts found in rabbinical literature reflect a similar attitude, which in all likelihood, was aimed at repelling certain challenges voiced either against the very act of translation, or the fact that it was written down, or the use made of it in the synagogue-service.

However, not all the material found in the literary sources of Late Antiquity concerning the Greek translation of Scripture is on the defensive. On the one hand, one finds outright condemnations of the Greek text, its being written down and its liturgical usage, and on the other hand, there are clear words of praise which reflect no polemical overtones. All in all, one may argue that the very act of translating Scripture into Greek was considered by certain religious authorities as a direct threat to contemporary Judaism, since it was likely to fall into the hands of non-Jews and provide them with the very text upon which all kinds of sophisticated attacks could be based.

Studies in the Midrashic Exegesis of R. Meir

by
Mordechai A. Friedman

1. Professor Saul Lieberman ב"ר has elucidated a strange midrash of R. Meir found in Tosefta Qiddushin 5:17:

'And the Lord blessed Abraham in all things' (Gen. 24:1)

R. Meir says: That is, he did not have a daughter.

R. Judah says: That is, he had a daughter.

The late Prof. Lieberman identified a sermon delivered by R. Meir in Tiberias

(cited in PT Hagiga 2:5 (77b)), wherein he discussed the blessings granted Job in his old age, as the source of this unusual midrashic explanation of Gen. 24:1. The Yerushalmi passage itself is somewhat laconic, quoting only the beginning of the sermon. Lieberman brilliantly reconstructed the discourse by postulating that R. Meir compared the blessings of Job and Abraham, and has shown how this led him to conclude that Abraham had no daughter.

A passage from the parallel in M. Gaster's *The Exempla of the Rabbis*, p. 101 (referred to by Lieberman), was found to contain a more complete text; it actually cites the comparison between Job and Abraham made by R. Meir, as reconstructed by Lieberman. An echo of R. Meir's *midrash* may also be found in a *piyyut* of Yannai (Z.M. Rabinovitz, *The Liturgical Poems of Rabbi Yannai* (Hebrew), I, Jerusalem 1985, p. 161): "He gave him double at the time of his old age". A number of other passages, both legal and non-legal, in which R. Meir expressed his preference for male progeny, are discussed. These support the texts of Menahot 43b which attribute the daily blessing 'for not making me a woman' to R. Meir rather than to R. Judah. The apparent contradiction between M. Horayot 3:7 ('A man takes precedence over a woman for sustenance') and T. Ketubbot 6:8 ('If an orphan boy and an orphan girl ask for support, the orphan girl is given support before the orphan boy'), could perhaps be explained by assigning the former to R. Meir and the latter to R. Judah.

2. Genesis Rabba 48:16 has two explanations for חדל להיות in Gen. 18:11 לשרה ארה כנשים, literally 'Sarah had stopped having the periods of women': A.) שרי, as in Deut. 23:23 וכי תחדל לנדור; B.) פסק, as in Nu. 9:13 ועשות הפסק. While the second definition פסק ('stopped'), causes no serious difficulties, the first, שרי (or שורי) has been a source of confusion to commentators and scholars. It is suggested that the only acceptable interpretation of שרי (שורי) is that commonly found in Galilean Aramaic: "began." While this contradicts the simple meaning of the verse, it follows another passage in the midrash, attributed to R. Meir, which explicitly states that Sarah began menstruating when the angels appeared to announce Isaac's birth. Accordingly תחדל in Deut. 23:23 must be interpreted "If you *begin* vowing you incur no guilt". This is to be related to a difference of opinion between R. Meir and R. Judah in PT Nedarim 1:1 (36d) and parallels, associated with Kohelet 5:4, in which the former encourages vows which are fulfilled and the latter discourages them, even if fulfilled. (The names are reversed in some sources.) The strange interpretation of תחדל as "begin" thus supports R. Meir's view here as well. It is further suggested that R. Meir may have used exegetical license in interpreting תחדל by the omission of one letter, as תחל 'begin' and similarly חדל as חל (= החל).

Such exegesis, by the omission of a letter, is attributed to R. Meir elsewhere in Talmudic Literature; some of these words were supposedly written in R. Meir's

Torah. The appendix discusses textual problems in one of these traditions, relating to a Torah scroll, taken in captivity from Jerusalem to the Severus synagogue of Rome.

Enquiries into the Meaning of Various Titles and Designations

I. Abba

by
Myron B. Lerner

This is the first in a projected series of studies devoted to titles and designations in Talmudic and Midrashic Literature. In the present article, an attempt is made to clarify and define the usage of one of the more popular epithets – ‘Abba’ (אבא).

‘Abba’ precedes the names of some 30 odd Rabbis in the ancient texts, and aside from Abba Saul, none of them seem to have played a major role in Talmudic and Midrashic Literature.

Maimonides’ definition ‘Abba’ = R. (= Rabbi), seems to be applicable in the case of Abba Saul exclusively, and from the writings of R. Joseph Ibn Akin, it is evident that ‘Abba’ is actually the lowest title.

Several scholars, *viz.* Kohler, Büchler, and Kutscher, have attempted to explain the usage and derivation of ‘Abba’, but their theories are shown to be untenable. Proceeding under the assumption that the feminine epithet ‘Imma’ (אמא) parallels the masculine ‘Abba’, the author has shown that the latter is actually an honorary designation for respected elders. ‘Abba’ should therefore be classified as a ‘designation’ and not as a title, and apparently does not attest to the scholarly achievements or standing of its bearer. These conclusions are based on a detailed analysis of the talmudic discussions on Nidda 1:5 *et al*, and are further confirmed by the writings of the Church Fathers. ‘Abba’ as ‘an old man’ is semantically bolstered by the Palestinian usage of *zaqen* and *sabba*.

On the basis of these findings, the author re-examines the problem of the chronology of Abba Saul. It is postulated that this ‘tanna’ began his studies during the period of the Second Commonwealth, and continued to frequent the rabbinical academies several generations after the Destruction. He was never ordained and never stood at the head of an academy. The appellation ‘Abba’ was given to Abba Saul by virtue of his age and honored status.

The only biblical personage referred to by the designation ‘Abba’ in Talmudic and Midrashic Literature is the Prophet Elijah. It is suggested that here too, this appellation was given to Elijah, who actually never died (*vid.* 2 Kings 2:11),

because of his old age and hoary appearance.

Appendix One focuses attention on the decline in the usage of the designation 'Abba' during the Amoraic Period and attempts to explain this phenomenon.

Appendix Two treats the usage of paternal expressions by disciples in reference to their masters. It is shown that only in cases of death does the disciple refer to his lamented master as 'my father'.

Towards the Talmudic Lexicon III

by
Daniel Boyarin

In honor of the seventieth birthday of Prof. Aaron Mirsky

This paper continues the series of lexicographic studies of Talmudic and Midrashic Hebrew and Aramaic begun in *Tarbiz*, 50 (1981), pp. 164-192 and continued in *Te'uda*, 3 (1983), pp. 113-119. Section one deals with texts and words in *Mekilta de' R. Ishmael*. The second section deals with readings in the Babylonian Talmud. It is shown that the Yemenite manuscripts of the Talmud, which preserve a popular spelling, apparently represent an older form of the text, rather than a vulgarized text.

Concerning the Commentary Attributed to the Disciple of R. Samuel B. Shneur on Tractate Shekalim

by
Moshe Assis

In 1954, the late Abraham Sofer published two medieval commentaries on Massekhet Shekalim from Ms. Oxford 370: the first by R. Meshullam, the second attributed to the disciple of R. Samuel the son of R. Shneur. However, a detailed study of the second commentary has proven that it was actually composed by an anonymous author, who flourished at the end of the 12th – beginning of the 13th century, which indicates that the commentary is earlier than the period of the above – mentioned disciple. In this article, the author discusses some aspects of this extensive and profound commentary:

1. The commentary draws upon numerous sources. These include – *inter alia* – the Yerushalmi, Midrashic Literature, the poetry of R. Elaezar ha'Qalliri, Geonic and Rabbinic works, the Arukh, etc. The author proves himself to be

well versed in the Yerushalmi, even going so far as to record some methodological rules for its study.

2. The readings of the text of the tractate are partly original and partly incorrect. Some sentences are missing, while, compared to the *textus receptus*, others appear to be in juxtaposed order. The obscure readings were either given strange interpretations, or left unexplained.

3. Here and there, the author emends the text. These emendations are sometimes correct, but in many instances they are either incorrect or based upon the Bavli.

4. The author occasionally adduces some original and profound interpretations. In order to maintain harmony between the two Talmuds, he sometimes based his commentary on the Bavli.

In summation, in spite of its shortcomings, this commentary is an important contribution to the study of the text and the interpretation of Massekhet Shekalim.

Do Tiberian Vowel Signs Mark Quantity?

by

Joshua Blau

A. Bendavid (*Leshonenu* 22, (1958), pp. 7-35; 110-136) has demonstrated that the complicated Babylonian vocalization system, as well as Karaite transliterations of the Bible into Arabic characters, mark vowel quantities. On the other hand, the author is of the opinion that the Tiberian vocalization system does not *mark* vowel quantities (even though vowel quantities did exist in the Tiberian pronunciation and, therefore, vowel signs and accents could conceivably *refer* to them). Certain accents were employed in open syllables only. Since, as a rule, these syllables were pronounced with long vowels (but not always, e.g. when preceding the stress immediately), it is quite certain that these accents referred to long vowels, but did not mark them.

Le'azim in the Commentaries of Rashi and in the Old French Glossaries

by

Menahem Banitt

The French words, which accompany some of Rashi's explanations of biblical and talmudic terms are known as *le'azim* (plural of *la'az*). Although in use since the Middle Ages, this term is actually a misnomer. *La'az* originally designated

the Greek translation of the Bible. It was then applied to its retranslation into Latin, and from there to the Romance languages derived from it. The verb ליען is correctly used in the sense of 'translating into a Romance tongue'. Albeit, the glossaries are sometimes called *Books of Le'azim* and the glossators *lo'azim*, instead of the correct ספריי פתרינות, *pathar* (פתר) meaning both 'to interpret' and 'to translate'.

The relationship between these glossaries and Rashi's lexical explanations is clear at first glance: similar composition and reciprocal references. The affinity, however, is much deeper: they are both grounded on the principle that only by establishing the unequivocal translation of the biblical term can one elucidate its true meaning.

The French glosses in Rashi's commentary should, therefore, not be considered mere illustrations, as they are actually the cue for his explanation in Hebrew. A manifest proof for this assumption lies in the numerous repetitions of the same French gloss, often without any Hebrew comment at all. A further inquiry reveals the translational motives behind them. This recurrence projects Rashi's insistence on the need to replace the French word in the traditional version by the more appropriate one advanced in his commentary.

These innovations either serve to distinguish the various acceptations of the biblical term, a discernment made possible by French vocabulary, or to enforce the result of paronomastic etymology between Hebrew, Aramaic, French and even German and Czech vocables. Where no paronym was available, the glossators-exegetes would look for a synonym or a derivative, and even indulge into what seems to be a play on words, the guiding axiom being the common origin of all languages. By detecting some phonetic affinity in any other language, they would attempt to retrieve the true meaning of the term in the Holy Tongue, spoken before Babel. Etymology was thus considered the key to Truth.

The glossaries offer us the key to many of Rashi's intricate lexical interpretations, where no *la'az* appears. The reason for this absence lies in his acceptance of the traditional rendering, and *that* rendering appears in the glossaries. In such cases, Rashi dwells upon the etymological justification of his choice, but his wording and the usage of apparent gallicisms seemingly betray the hermeneutic substructure.

The French words in Rashi's commentary to the Babylonian Talmud are of a slightly different character. In this commentary, stress is laid on the precise designation of articles and actions, so as to warrant proper rabbinical decisions. This brings about occasional contradictions, but, on the whole even in the Talmud, Rashi does not forsake the hermeneutic principles of paronomasia and etymological research. Nevertheless, he is wont to interplay with the lexical material of both commentaries.

A Geniza Fragment of Kitāb Al-tarjih ("Book of Decision") by Judah Ibn Bal'am

by
Dan Becker

Judah Ibn Bal'am, the prominent grammarian and exegete, lived in Spain during the second half of the 11th century. He composed some linguistic treatises and commentaries on all the books of the Bible in Arabic, the language employed by most of his contemporaries as well. His commentary on the Pentateuch is entitled: *Kitāb Al-tarjih* ("Book of Decision"), and that on the Prophets and Hagiographia is known as: *Nukat Al-miqra'* ("Niceties of Scripture"). Numerous manuscripts and fragments of these two commentaries have remained extant, and a considerable portion of this material was published at the end of the nineteenth, and at the beginning of the twentieth century. However, only a very small segment of the commentary of Judah Ibn Bal'am on Genesis has been uncovered. This fragment was published by N. Allony from an Oxford Geniza text in 1964.

The fragment published herein stems from the Cairo Geniza Collection of the Cambridge University Library, and was discovered in 1980. It consists of two leaves and deals with Genesis 4:22-8:10. There is no doubt whatsoever that Ibn Bal'am is the author of this fragment, since in the exegesis on 6:14 the author refers to another treatise of his, viz. *Kitāb Ḥurūf Al-Mā'anī* ("Book of Particles"), which is a very well-known work of Ibn Bal'am. Moreover, paleographical evidence provides positive proof that the above-mentioned fragment from Oxford and the Cambridge fragment are both part of the same manuscript.

The contents of the fragment are very characteristic of Ibn Bal'am's exegesis, which consists of explanations of specific words and selected segments of verses, including numerous grammatical explanations e.g. analysis of verbs and nouns, denominative verbs, gender, etc.

This essay contains the full Arabic text, its Hebrew translation and numerous notes designed to elucidate the text and to compare the author's explanations with those of his predecessors.

This text clearly indicates that Judah Ibn Bal'am has followed in the footsteps of Jonah Ibn Ganah.

Shari'a and *Nāmūs* in the Philosophic Thought of Maimonides

by
Joel L. Kraemer

The primary aim of this study is to clarify Maimonides' use of the terms *nāmūs* and *shari'a*, particularly in the *Guide of the Perplexed*. A proper understanding of these concepts illumines Maimonides' politico-religious thought in general, and his notion of civil and religious law in particular. The implications of his remarks *vis-à-vis* the status of Christianity and Islam are also treated. (It is argued, for instance, that Maimonides ascribed to Islam a divine law, even though the founder of Islam received this law by means of emulation.)

The Philosophic terminology used by Maimonides bears a semantic load inherited from the Falāsifa. On their part, these savants had previously adopted terminology embedded in Arabic texts translated from Greek (or Syriac). A proper understanding of Maimonides' Arabic philosophic vocabulary requires a proper consideration of the following: (1) the Arabic term as a rendition of a Greek *Vorlage*; (2) its semantic range in Arabic philosophic texts; and (3) Maimonides' use of the term. The last consideration is, of course, the most crucial; but in many cases it can only be grasped by reference to the first two.

The prevalent understanding of the terms *nāmūs* and *shari'a* is misleading. It is generally accepted that Arabic *nāmūs* renders Greek *nomos*, and therefore means something like 'civil law.' It is also assumed that Arabic *shari'a* means "religious law." *Nāmūs* was usually rendered in medieval Hebrew translations by *nīmūs* and *shari'a* by "Torah," a practice which has misled modern translators and researchers.

A cursory check of translations from Greek into Arabic reveals that the situation is much more complicated. We find, for instance, that *shari'a* often renders *nomos*, thereby meaning secular or civil law.

The word *shari'a* (and *shar'*) in Maimonides' vocabulary usually denotes "Torah," i.e. the Law of Israel. But he also uses the word *shari'a* for religious law in general, as when he speaks (in the *Guide*) of the *ahl al-shari'a* or *al-mutasharri'ūn*, in which case his purpose is to include Christians and Muslims along with Jews. They are often distinguished from the ancient pagan nations or philosophers. Maimonides uses *shari'a* in the sense of religious law in general in *Guide*, II, 40, where he discusses the difference between *shari'a* and *nāmūs*. However, in the same chapter, the word *shari'a*, is employed in order to denote the concept of law in general. In summation, it may be said that Maimonides uses the term *shari'a* in three senses: (1) the Torah, (2) religious law (of Jews, Christians, Muslims), (3) law in general.

Basic Concepts of Qabbala and their Development – Studies in the Teachings of Todros Abulafia

by
Michal Oron

In the present article, the authoress deals with the crystallization of some basic Qabbalistic concepts, via a study of the writings of R. Todros b. Joseph Ha-Levi Abulafia. R. Todros, who flourished in Spain during the thirteenth century, was a member of the Qabbalistic circle of Castile.

The teachings of R. Todros and his colleagues are replete with numerous concepts which exerted their influence over the Zohar and on later-day Qabbalistic thought.

The topics discussed are:

1. The problems concerning the concept of the Godhead, and the relationship between the concepts of attributes (*middoth*) and spheres (*sephiroth*).
2. The doctrine of the worlds.
3. The doctrine of the soul.
4. The doctrine of evil and the concept of redemption.

“A King Who Had an Orchard”

by
Masha Itzhaki

The famous aggadic parable concerning the king who had an orchard (which deals with the controversy between the body and the soul in the presence of the Almighty) appears in four different liturgical poems of rebuke (*Tokhehot*) composed by four different Hebrew poets, in Spain of the Medieval Period: Yosef Ibn Avitur; Yitzhak Ibn Mar Shaul; Shelomo Ibn Gabirol and Bahya Ibn Paquda.

The purpose of this article is to clarify the poetic functions of this aggadic parable in the various poems and to correlate these functions with the development of the *Tokheha* from the early period, as represented by the ancient Eastern Piyutim, until the Spanish era.

The main conclusions are:

- a) The poem of Ibn Avitur is typical of the ancient period, as it mainly emphasizes the praise of the Lord, in a style popular in ancient hymns.
- b) The poem of Ibn MarShaul is typical of the general character of the

Tokheḥa, as it emphasizes its educational nature.

c) The lyrical approach, which is considered to be unique with Hebrew liturgical poetry in Spain, is first evinced in the poem of Ibn Gabirol. This is no mere coincidence: Shelomo Ibn Gabirol is the initiator of personal style in the Hebrew poetry of Spain.

d) The function of this aggadic parable in the poem of Ibn Paquda is a philosophical one: R. Bahya employs the dramatic structure of this popular story in order to describe the relationship between body and soul in poetical fashion. He was undoubtedly inspired by the ideas expressed in his famous work: *Hovot Ha'levavot* ("The Duties of the Heart").

Tendencies Towards Centralization in Fifteenth Century Castilian Jewish Communities

by
Eleazar Gutwirth

This article attempts to question the tendency of previous studies to minimize the extent of trends towards centralization in the Jewish communities of Castile during the fifteenth century and the emphasis placed on their religious character. The author attempts a reconstruction of the political-administrative functions of Abraham Bienveniste, the *Rav de la Corte*, who belonged to the circle of Juan Furtado and Alvaro de Luna, based on the statutes produced by the Junta of Aljamas, under royal jurisdiction, during May 1432. Rather than repeat the usual attempts which view these as the last link in an old (and poorly documented) chain of central Jewish Castilian legislation, their contemporary background is underlined by a comparison with the *Cortes* held one month earlier at Zamora. It is argued that the similarity in form and content tend to support the view that the *Cortes*, rather than ecclesiastic synods, served as the model for the Jewish junta.

The identification of the following structural and procedural rules militates against the accepted view of the juntas as ad hoc, spontaneous events: the division of the participants into aljama envoys, Torah scholars, and those 'who are about the court of our lord the king'; the explicit mention of the procedure of presenting the Jewish equivalent of the *cartas de creencia* (which constituted a

problematic issue at contemporary *Cortes*); reference in a document of the Catholic Monarchs' Council to one of these procedural rules as a *constitucion antigua*; the formulaic presentation of the ordinances (beginning with an *arenga* prefaced by the word *porquanto*). Taken all together, these observations seem to argue for the permanence and intensification of a central Jewish institution during the fifteenth century, whose parallels with the similarly more permanent *Cortes*, should not be ignored. It may also be of some interest to note that the conventions of the *Cortes* during the fifteenth century were much more frequent than during previous periods.

The contents of the statutes issued by the *junta* are shown to illustrate the efforts to increase central power through operative changes in existing local institutions, by curbing local power groups, and by exploiting local conflict. The particular conjuncture of power in the year following the victory at Higuera made such aspirations on the part of a member of Alvaro's circle not unfeasible.

The second part of the article is based on the assumption that a study of centralizing tendencies should not be limited to one particular institution but should rather attempt a global view of the central institutional complex. In this respect, the apparently secondary offices are most important as they exhibit the workings of the administrative infrastructure. An effort is made to reconstruct some of the characteristics of such institutions as the *procurador general* and the *escribanía mayor de las aljamas*. The intensity of the activities of the *procurador general* during the fifteenth century is documented by a list of twenty-two instances recording his contact with the Council. Though scanty, this documentation leaves no doubt as to the existence of the central *escribanía*, cornerstone of the litigation between Juan de Talavera and Abraham Seneor (c. 1485). A comparative analysis of the parallel Moorish office seems to confirm these findings.

Finally, attention is devoted to the possibility of an archive-like arrangement for keeping and coordinating the use of papers obtained and produced by the various institutions, at central level. Such an office seems to parallel developments in fifteenth century Castilian administrative practice, and would also imply the extension of practices, well-documented at local level, to the central Jewish administration. Even though local Jewish archives are almost completely lost, the existence of *libros de fechos* and *registros* are known from references in responsa and other documents. Without postulating such an arrangement (not without parallel in other Mediterranean Jewish communities), it is impossible to offer an adequate explanation to the fact that local communities could make use of privileges given to other local communities, or how local communities could display documents or copies of documents granted to a central procurador. Reference is made to documents which evince such cases in practice.

Muslims and Jews in Morocco: Similarities and Contrasts in the Influence of French Education and Culture in French Morocco (1912-1956)

by
Michael M. Laskier

This study on the influence of French education and culture deals exclusively with French Morocco, excluding the Spanish and International zones of the north.

During the two generations which preceded the Protectorate period, between 1862 and 1912, the Jews were more favorably disposed to modern education than their Muslim compatriots. The penetration of the Alliance Israélite Universelle (AIU) in 1862; the creation of French consular-sponsored schools; the penetration of French and other European cultural and economic influences during the latter half of the nineteenth century; the growing European presence in Morocco – these and other related developments were welcomed by the Jews, especially the better educated, who believed that the colonial penetration would benefit them. The Muslims, suspicious of European intentions, were more reluctant to accept innovations.

The inauguration of the colonial era which commenced with the establishment of a French protectorate over much of the country, led to reforms. The Jews, more than the Muslims, expressed eagerness to benefit from French education, through the AIU (supported financially by the French since 1915) and via French protectorate-sponsored institutions. With the exception of an elite of French-educated Muslims, the majority of Muslims did not look favorably upon French educational policies. The French created special schools for the European settlers, special schools for the Muslims and, in addition to the semi-private AIU, special protectorate schools were set up for Jews. The Muslims disapproved of the secular education in the protectorate schools, intended specifically for their youth, as well as of the vocational/agricultural training offered in many of these schools. As a result, the French helped cultivate a small elite of French-educated Muslims belonging to the more affluent strata, whereas the Muslim masses declined the educational opportunities offered them by the authorities. The French, on the one hand, sought to educate the Muslims but, on the other, they did not go out of their way to encourage them to abandon their hostility and/or indifference to French general and vocational education. The status quo remained as the Muslim student population rose very slowly in certain areas of the country, while desertion from schools was prevalent in others. Positive changes in the field of French education for Muslims appeared only in 1945: eleven years before the termination of the protectorate.

The French did help the AIU network to develop. Nevertheless, similar to policies directed at the Muslims, and in the spirit of maintaining social equilibrium, the protectorate did not grant the Jews political privileges, lest the Muslims become alienated. Though encouraging the Jews to obtain French and vocational education, the French, in contrast to their position during the pre-colonial period, no longer saw in the Jew the indispensable intermediary in economic and commercial pursuits between themselves and the Muslims; the influx of Europeans into Morocco had changed matters considerably. While only a small segment of the Jewish and Muslim populations had access to the excellent schools intended for the children of the European settlers, the majority of Jews and Muslims had no choice but to frequent their respective institutions: the AIU and the Franco-Muslim schools of the protectorate.

The Belated Return
An Interpretation of Bialik's Poem *Upon My Return*

by
Ziva Shamir

Upon My Return ('*Biteshuvati*') belongs to a generic complex in the poetry of Chaim Nachman Bialik in which *Teshuva* (a manifold concept which includes several affiliated meanings: return, repentance, retort, recurrence etc.) is portrayed in its various manifestations. This poem is a terse and pertinent attempt to capture all the levels of the concept, individual and national, personal and impersonal, biographical and fictional, and to weld them together into a homogeneous series of concrete images. These images ultimately lead to the distressing conclusion that everything on earth is doomed.

The first four stanzas of this short lyric include four miniatures, apparently simple and literal, which deal with domesticity that is gradually deteriorating towards morbidity and death. In fact, these seemingly unsophisticated descriptions are interwoven in a highly intricate manner, and at least four simultaneous schemes of composition can be traced in this poem. Its language, too, is seemingly literal and unambiguous, with scarcely any figures of speech. In fact, it is enriched by very elaborate allusive patterns which are subtly created, contributing indirectly to the figurative language as well.

Various prosodic style-makers also add to the complexity of the poem, which is, on the one hand, a pseudo-folksong, rich in repetitive sounds and patterns, and, on the other hand, a calculated work of art in which every single word is highly significant. Seemingly, there is also a disproportion in this poem between

its light and witty tone and its sober, deterministic theme. This “yoking together” of incongruent elements is typical to the genre of the *danse macabre* to which this *Teshuva* poem belongs.

This is not only a personal return to the poet’s home-town from many years of wanderings in distant lands, but also a collective return, experienced by many of Bialik’s contemporaries, as well as an archetypal experience based on well-known literary conventions.