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SUMMARIES

SOME ASPECTS OF JUDAISM AS PRESENTED IN THE SYNOPTIC GOSPELS

by *Yitzhak Baer* (pp. 117-152)

a. *The polemic against the Halakha.* The writer examines the historical background of polemic in the Gospels concerning the Halakha. The value of the frame-narratives of these discussions appears doubtful. The representatives of Judaism appearing in these polemics are called "the Scribes of the Pharisees", and the like, which proves that the authors of the Gospels were not aware of the true meaning of these terms in the Halakhic tradition.

The writer makes a detailed study of the comprehensive discussion of the "tradition of the elders" cited in the Gospel of Mark 7:1-23. In these verses the author of the Gospel criticizes the ceremonial laws of washing the hands, bodily ablutions and immersing vessels on the one hand and of laws pertaining to vows which might conflict with the commandment to honor one's father and mother on the other hand. This section is a classical example of the criticism of *halakhic* laws based on an exact knowledge of the *halakha*, and utilizing the terminology current in the tannaitic schools. The writer contends that a criticism of this sort could only have been created on the basis of discussions between the "disciples of Jesus" (the members of the newly-founded Christian community), and the Jewish sages in the period following the destruction of the Second Temple. The writer also cites other examples of texts from the Gospels stemming from discussions with Jewish sages which only later became radical moral sayings attributed to Jesus himself.

Sometimes the form of a *logion* ascribed to Jesus recalls the locutions of the Tannaim, but in content it is the creation of an indisputably later polemic, e.g., Matthew 5:38; the basic assumption of this saying concerning *ius talionis* is refuted by an entire section of the Mishna in Baba Qama, Chapter 9, the rulings of which were observed by the Jews many generations before the rise of Christianity (q.v. Zion XXIII, pp. 137-140).

The evangelical criticism of the Halakha is similar in style to the disputes amongst schools and sects which existed in the vicinity of Talmudic academies. It is *inter alia* indicated by the similarity of the phrase "Woe unto you, Scribes and Pharisees", which opens the anti-halakhic criticism in the Gospels to the formula of the complaints at the end of the mishnaic tractate *Yadayim*, "We have a complaint to make about you, O Pharisees." This form of polemics characteristically recurs in the Mishna *Yadayim* 4, 6 in which the Pharisees say, "Sacred writings render the hands unclean, Books of the Heretics do not render the hands unclean." This mishnaic quotation, which dates from the period of Rabbi Johanan ben Zakkai, is the first Jewish evidence in Hebrew of the split between the mishnaic sages and the "Minim" (Christians). Mention of this split is made in *baraitoth* of the Tannaim immediately after the destruction of the Second Temple; there are similar allusions to this split not only in the Gospel of Matthew (as Protestant scholars have demonstrated), but also in that of Mark (as mentioned above).

The synoptic Gospels' disputes on halakhic matters all belong to the period after the destruction of the Temple. They criticize the *halakha* of the rabbinical academies of this period, but they do not reflect the social realities of the period of the Second Temple itself. They contain neither critical allusions to the service in the Temple, the

sacrificial ceremonies, the holidays, the high priest, nor to the Sanhedrin and juridical matters. The few allusions in the disputes of the Gospels which seem to refer to matters relating to the Second Temple are interpreted by the author as being products of imagination. The Gospels' violent attacks against the Pharisees originated in the militant atmosphere of the young Christian community defending its position against the senior body, the Jewish community and the Sages of Israel. Therefore the historian does not have the right to describe Jewish society in the period preceding the destruction of the Second Temple and its spiritual leaders on the basis of the typological polemical expressions cited in the Gospels.

b. *The story of the "Cleansing of the Temple"*. The evangelical account of this occurrence is a mixture of hazy memories and distortions about the Temple and the service in it. The purpose of the story is to symbolize the victory of Jesus' doctrine over ceremonies of worship prevalent in the ancient world.

c. *Jesus' trial*. The Sanhedrin which appears as a decisive factor in the trial of Jesus is not taken from real life, but is a fictional representation portrayed on the basis of hazy memories which the author of the Gospel gleaned from Jewish tradition. On the other hand, the traditional later presentation of the Sanhedrin as being divided between Sadducees and Pharisees or a Sadducee priest being the head of it, is still unknown to the synoptical evangelists. The name of the high priest who sentenced Jesus was not mentioned at all by Mark and was only added in the later versions on the basis of an artificial construction. The story of the cross-examination of Jesus before the high priest and the Sanhedrin as it is related in Mark 14 : 53-64 is the original synoptic version, and the parallel accounts in Matthew and Luke are based on it. The inquisition of Jesus resembles the procedure of Roman criminal law as it was applied especially in the trials of Christians and has come down to us in the famous letter of Pliny to Trajan and in other documents on the trials of Christians. In accordance with this system, the trial is opened with the summoning of witnesses to testify against the accused; testimony and denunciation are heard; then the judge examines the accused himself and endeavours to elicit a confession of guilt. This is how Jesus appeared before the high priest. After the witnesses were heard, Jesus himself was questioned. At first he said nothing, then he answered without hesitation and confessed his messianic mission. The high priest then said in conclusion, "What need we any further witnesses", and they all found him guilty. (The formula of Jesus' messianic proclamation does not belong to the historical framework attributed to it in the Gospels, but is a creation of Christian dogma.) The very fact of Jesus' interrogation by the high priest and the Sanhedrin is not historical, for this description is based on concepts rooted in the development of Roman criminal law, which already in the period of the Roman republic attributed decisive weight to the confession of the accused. This method is alien to the entire known juridical tradition of the Jews. According to the Mishna in *Sanhedrin*, the witnesses are subjected to examinations and the accused is granted permission to defend himself, and the Tosefta states explicitly that the accused is told to keep quiet should he wish to incriminate himself. In any case, the confession of the accused has neither a place nor any weight as evidence in Jewish law. Neither is the accused examined at night nor may he be condemned in the course of a single nocturnal session. The Mishna in *Sanhedrin* states explicitly: "Criminal cases are judged during the day and finished during the day," . . . "If they found facts in his favor, they release him, and if not, they adjourn his trial until the next day." (IV 1, V 5). (See Plato, *Apology* 37, Laws 855-856.)

The procedure of the Sanhedrin cited in the Mishna was established during the period

of Jewish political autonomy and was transmitted from one generation to another orally so it could be applied again when conditions made it possible and appropriate. It is inconceivable that an officially constituted court like the Sanhedrin would allow itself to act improperly in a process, which could lead to capital punishment. The author concludes that the description in the Gospels has no historic value either where the very historical existence of the Sanhedrin is concerned or with regards to legal procedure and other irregularities attributed to the Jews in this connection.

Appendix. The Sanhedrin and Other Jewish Topics in the Acts of the Apostles

The image of the Sanhedrin in the Acts of the Apostles developed as a continuation of the Gospels' stories. The actual historic elements in Acts are limited. The image of the Sanhedrin is part of the fictitious creations of the author, just as the figure of Gamaliel the "Pharisee" speaking in favor of the young Christian movement. The author of the Acts invented the idea of a Sanhedrin split into Pharisees and Sadducees. According to his opinion, the Sadducees, because they denied the idea of Resurrection from the dead, were the principal opponents of the Christians, while those who spoke favorably of the Apostle Paul, the main antagonist of the tradition of the "Scribes and Pharisees", were according to this story . . . Pharisees.

THE JEWISH COMMUNITY OF PINSK FROM THE KHMELINTSKY
MASSACRES TO THE PEACE OF ANDRUSZOW (1648-1667)

by M. Nadav (pp. 153-196)

The community of Pinsk was profoundly affected by the Khmelnitsky rebellion. The town was occupied by Niebaba's Cossacks on October 26, 1648 with the help of the Russian burghers. On November 9 destroyed Pinsk was retaken by the Poles, who took revenge on its citizens. By the end of 1648, the town was in ruins and abandoned by most of its surviving inhabitants. In subsequent years, the life of Pinsk was gradually restored under conditions of relative tranquillity.

The invasion of the Ukraine by Muscovy in 1654 marked the renewal of hostilities between Poland and Muscovy. In the summer of that year, Muscovites and Cossacks occupied regions east of Pinsk. When the danger grew more pronounced in the second half of 1655 the Jews decided to flee. The burghers, however, remained. These decisions had far-reaching consequences.

On October 5, 1655, Pinsk was retaken by a small Muscovite-Cossack force, which killed, looted and devastated the town. A plague reduced the population still more.

During 1656-1657, both Cossacks and Muscovy wished to take over the Polesie district surrounding Pinsk. Life began to return to normal only at the end of 1657, and in the subsequent two years relative quiet prevailed until in December 1659 a gang of Cossacks commanded by Mikhail Kurhan captured Pinsk and held it for five days. They plundered the town and left it after a ransom of 2,000 zloty was paid by both Jews and burghers. The local nobles formed gangs under the pretext of fighting the Muscovites and also plundered the population.

In the summer of 1660, a large Muscovite army attacked Poland. Joining forces, Cossacks, Muscovites and local gangs captured Pinsk again on July 5, occupying it for a fortnight and bringing much suffering to the Jews. From 1661 it was relatively quiet

until 1664, when the imminent renewal of warfare brought much suffering to the population, especially in 1665. The result of the continuous struggle was that the burgher population of Pinsk dwindled considerably and became impoverished during the period 1648-1667. On the other hand, the Jews, displaying greater initiative, saved some of their property, on which they were later able to fall back.

Before the outbreak of the Cossack revolt in 1648, the Jewish population of Pinsk consisted of about 1,000 persons and was one of the three principal communities of Lithuania, together with Brest and Grodno whose representatives instituted the Lithuanian Council. Most of the Jews managed to flee from Pinsk in the months before the arrival of the Cossacks, having four or five weeks in which to make preparations for their escape. Seventy-eight buildings of the Jews, including the synagogue, were not destroyed, but some of the Jews who stayed behind (a small part of the Jewish population) were killed and others saved their lives only by adopting the Orthodox faith.

In December 1648, the Jews of Pinsk began their return home. Normal activities were soon resumed, the community organizations revived, the old leaders still in charge of matters. The Jewish community of Pinsk recovered quickly, as did that of Brest-Litovsk, and took part in the successful effort by the Lithuanian Council to reestablish the life of Lithuanian Jewry.

In 1655, before the joint Muscovite-Cossack occupation of Pinsk, the Jews again managed to leave in time and take along at least part of their property. As soon as the invading troops withdrew, they began to return to the town.

During the occupation of Mikhail Kurhan in 1659, the Jews of Pinsk did not suffer. However, this was not the case in July 1660, when the Muscovites and Cossacks invaded the town. A number of Jews were tortured, slain or taken prisoner, and there was widespread looting and arson. This period of occupation affected them more profoundly than the invasions of 1648 and 1655, and the community was greatly impoverished. But nevertheless there is a striking difference between the consequences of the various occupations for the Jews and for the burghers. Russian burghers were suspected by the Polish authorities, did not have a worthy leadership and the basis of their existence was seriously damaged. On the other hand, the Jews kept a part of their possessions and could proceed at once to rebuild their homes and restore their sources of livelihood.

Moreover, the change of circumstances brought the Jews into new domains of economic activity and their acquisition of houses and land increasingly lent Pinsk the appearance of a Jewish town.

Changes also took place in the fate of small communities surrounding Pinsk. Some disappeared as a consequence of the events of 1648 and 1655, while a number of temporary communities became permanently established. Later, both Pinsk and Brest-Litovsk vied with one another for the protection over these communities, where a number of Pinsk Jews were permanently established.

Political considerations stemming from the change in the relationship between the nobility and Polish authorities on one hand and the Russian burghers of Pinsk on the other, were a factor contributing to the transfer of the important liquor trade into the hands of Jews. Forced to seek new means of livelihood, many Jews opened small taverns.

There were still Jews, even in the sixties, with enough capital to invest in various enterprises, but Jewish commerce had generally suffered. The development of small trade was a characteristic phenomenon of this period. There is reason to assume that the Jews of Pinsk played now a greater role in the crafts.

The growing importance of the Jews in the economic life gave rise to the hatred of the burghers, and in the sixties, the religious issue began to assume a prominent place in this animosity. The heads of the Orthodox Church assumed the leadership of the anti-Jewish campaign. The leaders of the community intervened and managed to put a stop to acts against the Jews in 1666. The activities of the Jews of Pinsk under a capable leadership enabled them during this period, and the three decades that followed, to lay the foundations of a new economic, social and cultural pattern for their community.

THE PERSONALITY OF ELIJAH, GAON OF VILNA, AND HIS HISTORICAL INFLUENCE

by Ḥayyim Hillel Ben-Sasson

(Conclusion)

(pp. 197–216)

The circle of disciples through which he exerted influence in the realm of *halakha* and in the field of social leadership included a *yeshiva* of older students in Vilna whom he taught the principles of study and a small group of Rabbis in the towns and townlets of Lithuania and White Russia who travelled to Vilna at regular intervals to listen to his instruction and come under his influence. This relationship and its effects are quite clear in the descriptions of Rabbi Ḥayyim of Volozhin and in his way of life. From the view of Rabbi Ḥayyim we know that debate and standing by one's opinions were considered permissible — even a duty — on the part of the disciple in his relations with his master. This also included debates and opposition to sages of bygone generations whose views were preserved in books. Rabbi Ḥayyim taught, “a disciple is forbidden to accept the statements of his teacher when he questions them . . . and sometimes the truth will be on the side of the disciple . . . just as a small tree ignites a large one . . . it is a holy war . . . favor must be shown to no man . . . love the truth only.” This struggle was carried on in actual practice. Rabbi Ḥayyim even produced a psychological explanation for a Rabbi with whom he disagreed for interpreting a law strictly, pointing out that theoretically the two of them understood the matter in the same way. However, he, Rabbi Ḥayyim, tended towards a more lenient interpretation because “the burden of deciding has been imposed on my neck,” whereas the person inclined to a stringent interpretation of the law “tended towards a strict interpretation because the matter does not concern him.”

Rabbi Elijah also suggested a way of leading most of the people with moralizing sermons and preaching through the use of homilies and parables. In this case, he demanded the use of moderate expressions, vigorously attacking the person “reproving with harsh words and holding up to scorn,” and *demanding of the preacher to “speak kind and consoling words.”* The theory and practice of his disciples — Rabbi Jacob Kranz, the great preacher, and the head of the *yeshiva*, Rabbi Ḥayyim of Volozhin — laid the foundation of popular preaching in Lithuania, which became an active and moving force among the Jews of Lithuania, until the Hitler holocaust; it was also carried into the Jewish communities of the United States and South Africa.

In view of these facts, revisions must be made in the accepted assumptions that the Ba'al Shem Tov and his companions introduced a new principle in their demand to heal people with “sweetened prescriptions” and their opposition to sharp-tongued critics.

Comparison of the statements of Rabbi Elijah and his disciples about the harm in reproof with the words of the Ba'al Shem Tov and his associates on the same matter indicates that Rabbi Elijah's followers were afraid that a sermon would lose its dictatic influence on the audience if it were offensive and not pleasing and promising. The Ba'al Shem Tov and his disciples, on the other hand, were chiefly afraid of the harm in heaven, of a magical injury resulting from complaints uttered on earth.

From the above, it would appear that Rabbi Elijah declared war on Hassidism because he regarded it as a perversion of the scale of Jewish values: the eternal, all-embracing Torah was considered by this movement as one of the commandments and lower in the scale than prayer. In the name of this system of values, they drew fine young men away from the true path. In his eyes, the Hassidic leaders were ignorant, lost souls seduced by the same visionary delusions from which he knew how to protect himself; and it was their intention to persuade the entire people to follow them. Hassidic propaganda appeared to him to be offering the leadership of the people to those manifestations lacking in the Torah which nauseated him. On the other hand, neither Rabbi Elijah nor his disciples ever made any allegation of a suspicion of false messianism against the Hassidim.

Rabbi Elijah was aware of the spiritual power of a tale. His commentaries show that he conceptualized the existence of an "anti-Torah" — the misleading tales — possessed of a great, terrifying spirit, struggling against the spirit of the Torah and its pleasure. Hassidism shares his evaluation of the power of the tale but regards it a part of the true way of the Hassid.

The article cites several examples of Hassidic tales and teachings as illustrations of the elements they contain which are diametrically opposed to the outlook of Rabbi Elijah and his circle and were liable to arouse Rabbi Elijah's wrath against Hassidism as outspoken heresy. He also judged as an evil inclination the Hassidic way which transforms the positive, spiritual, occasional joy into a "perpetual joy" (a condemnatory expression of his and his circle's) aided by similitudes. An analysis of the documents dealing with the first wave of opposition to Hassidism indicates, in the writer's opinion, that there were two groups which set out to combat Hassidism: One was impelled by religious motives under the leadership of Rabbi Elijah, and the second, motivated primarily by considerations of social order and preservation of good old customs, headed by the leaders of the Jewish communities. There was a tactical alliance between them, which was, however, limited to persecution and suppression. In this case, the leadership faction was more moderate, but its means failed. However, the spiritual and social structures which Rabbi Elijah's circle established for the purpose of making his concepts more true and against the rising tide of Hassidism demonstrated their vitality and the possibility of their continuing development wherever they existed. This applies specifically to the Lithuanian *yeshiva* founded by Rabbi Hayyim of Volozhin and the pattern of Lithuanian sermonizing.

Even the image of the *Litvak* as it is known in fact and in contemporary Jewish folklore was given its shape by the Jews of Lithuania and White Russia by virtue of tendencies immanent in Rabbi Elijah's teachings and by the activities of the institutions and the controversies initiated by his disciples. However, as the people engaged in these activities changed and other times came, transformations of course took place and the image of this Jewish community and its institutions assumed other aspects.

The author ventures to ask whether or not the *amor Dei intellectualis* of Rabbi Elijah's circle and the individuation and striking intellectualization of Rabbi Elijah's

personality should not be examined within the framework of the spiritual and social world of the Jewish sages in the transition period between the observance of tradition and the struggle for its survival.

Lithuanian Jewry — with an eye to the fact that it was more exposed to critical, rationalistic influence than neighbouring communities; Hassidism in the form it took after the changes within it as a result of Rabbi Elijah's struggle against it; the world of the ideals of Judaism and man's life and his values — all of them seem to have been enriched and become more diversified because of this personality, a personality of a genius agitated and disciplined by its own strong spiritual forces and preferences.

ABOUT THE PERSECUTIONS DURING THE FIRST CRUSADE

by Joseph Hacker (pp. 225–231)

The author analyzes some Hebrew sources of the 12th and 13th centuries, thus shedding new light on the events during those persecutions and enabling us to check the stories of the Hebrew chronicles and Latin sources on which our knowledge is based. His conclusions are:

(a) That the distinguished Jewish writers of the twelfth and thirteenth centuries recognized in the events of 1096 a turning point in history. In the persecutions of the first crusade they saw the cause of changes in public mores and the beginning of a moral deterioration within the Jewish communities.

(b) In his opinion one of the three major Hebrew Chronicles describing the events, *Ma'ase Hagezereth Hayeshanoth*, is not reliable in the presentation of the persecution in Worms, when not supported by other sources. As a result he suggests that a re-assessment of this and similar chronicles should be made.

(c) One of the stories included in *Sepher Hassidim* may contain, according to the author, a detailed testimony on the events of the first crusade in Regensburg.

JACOB LESZSCHINSKY י"י, AN OBITUARY

by B. Dinur (pp. 217–221)

N. M. GELBER י"י, AN OBITUARY

by Y. Sloutsky (pp. 222–224)