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SUMMARIES

KINSHIP TERMINOLOGY AND ENDOGAMOUS MARRIAGE IN THE MISHNAIC AND TALMUDIC PERIODS

by Adiel Schremer (pp. 5–35)

Kinship terminology has engaged the interest of anthropologists for a considerable time. It has also been the subject of several historical studies, which have uncovered and analysed the usage of kinship terms among certain societies in the past. The importance of the subject lies in the widespread and accepted assumption, that usage of kinship terms reflects the ideal structure of the kinship system in a given society. The present paper, which concentrates on a single term, takes a first step towards the analysis of kinship terminology in talmudic literature.

The term 'sister's son' appears frequently in talmudic literature. A proverb in BT Yoma 18a suggests that this term does not always actually designate a sister's son, but might rather be used of any relative. This is corroborated by other texts, which speak of one's 'sister's son' while other sources show that the person referred to was not really a nephew.

Moreover, in many cases, when rabbis discuss kinship relations to problematic or negative persons, the talmudic sources designate that relative as a 'sister's son'. This fact, as well as the very frequent use of this kinship term in many other (though non-problematic) cases, suggests that it serves as a general term, equivalent to 'relative', but bearing a certain negative valence.

Why would this term become a general term for relative? In trying to answer this question, the author looks at the rabbinic encouragement of marriage with one's sister's daughter. It is suggested that the rabbis encouraged such marriages contrary to the popular preference not to marry a sister's daughter, but rather a brother's daughter. This popular preference was a corollary of the preference for marriage within the family, given the fact that, in a patrilineal society, sisters, upon marriage, were considered to have left the family – so that their children too were not considered of the original family. A preference for endogamous marriage, which prevailed during the Second Temple, Mishnaic and Talmudic periods, could, therefore, lead to preference of marriage with a brother's daughter much more than with a sister's daughter. The same social forces that engendered such preference, it is further suggested, resulted in the use of 'sister's son' to designate a relative. For just as use of the word 'relative' itself bespeaks a subjective apprehension of non-closeness, so too the term 'sister's son'.

The above suggestion is applied to the question of Rabbi Hiyya's designation of Rav as 'my sister's son', and Rabbi Judah the Prince's refusal to fully ordain the latter (BT Sanhedrin 5a). We suggest, that since Rabbi Hiyya designated Rabba bar Hannas 'my brother's son'

(ibid.), and Rav – ‘my sister’s son’, Rabbi Judah felt that Rabbi Hiyya was trying to say something negative about Rav (‘he is my relative, but not a close one’), and therefore did not grant him full ordination.

Since the story in Sanhedrin is aggadic in its nature, and since other sources suggest that Rav was in fact Rabbi Hiyya’s brother’s son, we conclude that one should not take the terminology literally (namely: that Rav really was Rabbi Hiyya’s sister’s son). Rather, use of ‘my sister’s son’ represents the tradition’s attempt to resolve the perplexing question of Rabbi Judah’s failure to fully ordain Rav.

THE CENTRALITY OF ERETZ-ISRAEL IN EARLY KARAITE CIRCLES AS REFLECTED IN THE HALAKHA OF MISHAWAYAH AL-‘UKBARI

by Yoram Erder (pp. 37–67)

Numerous Jewish sects were active in Babylonia and Persia during the eighth and ninth centuries. One of these was the group founded by Mishawayah al-‘Ukbari in the second half of the ninth century, and known as the Mishawayahites. This study addresses the nature of that sect in light of its religious laws, which were preserved in Karaite sources. The halakhot discussed are: (1) The date of the Festival of Shavuot and its cancellation in the *golah*; (2) The abrogation of the Festival of Mazzot (Passover) in the *golah*; (3) The prohibition of offering up the Sabbath sacrifice on Sabbath; (4) The solar calendar; (5) The permission to partake of the meat of sheep and cattle – ‘meat of desire’ – including the fat, in the *golah*. It appears that R. Abraham ibn Ezra followed Mishawayah on this matter, as was already noted by Karaite sages.

Historical conclusions:

(1) Contrary to the denial by scholars of any connection between the teachings of Mishawayah and Qumran literature, the present study concludes that the Mishawayah sect indeed knew Qumranic halakha and made use of it. It appears that Qumranic halakha was widespread among Karaite circles in Babylonia.

(2) The halakha of the Mishawayah sect was closely related to that of early Karaite groups. This conclusion refutes the claim that Mishawayah evinced a critical approach to the Bible, following the school of Hiwi ha-Balkhi.

(3) The abrogation of numerous laws in the *golah*, which is characteristic of the Mishawayah sect, is a consequence of the group’s perception of the centrality of the Land of Israel and Temple worship therein. This feature also points towards the messianic nature of the sect. The delay in the redemption and the subsequent abrogation of so many laws, ultimately led to the severing of ties between many of the sect’s members in Byzantium and the rest of the Jewish community. In fact, it is even possible that Mishawayah himself converted to Christianity. This would explain the vehement criticism expressed by Karaite sages against the Mishawayahites.

THE ROLE OF MAGIC AND *BA'ALEI-SHEM* IN ASHKENAZIC SOCIETY
IN THE LATE SEVENTEENTH AND EARLY EIGHTEENTH CENTURIES

by Emanuel Etkes (pp. 69–104)

The historiography of Hasidism has established a distorted image of *ba'alei-shem*. This image views magic and its practitioners as a base phenomenon, whose natural field of endeavour was to be found primarily among the ignorant and superstitious masses. The origins of this image may be attributed to the *haskalah* literature of the nineteenth century. The present article will propose a new perspective on the role of magic and the *ba'alei-shem* within Ashkenazic society in the late seventeenth century and the first half of the eighteenth. The emerging picture may serve as a background for examining the element of magic attached to the persona of Israel Ba'al Shem Tov, as well as to early Hasidism in general.

Various sources attest to the fact that demonological beliefs and the employment of magic were common in all levels of society. Moreover, it was the members of learned elites that frequently preserved and transmitted magical knowledge from one generation to the next. In fact, most of the *ba'alei-shem* from the sixteenth to the eighteenth centuries were sages that served as rabbis. Their activity as *ba'alei-shem* was a side-practice, a sort of extra service provided by them to their followers. The new breed of *ba'alei-shem* differed from their predecessors in that they began to employ the use of magic as a primary source of income, while at the same time circulated in various communities. Among this new type of *ba'al-shem* we find R. Binyamin Binush and R. Yoel, whose images and magical texts are discussed in this article.

The first half of the eighteenth century saw a significant rise in the publication of various magical texts. The proliferation and the enhanced professionalization of the *ba'alei-shem* reflect increase in the interest in magic. This development apparently has its roots in the growing involvement of the scholarly elites in Kabbalistic literature during the seventeenth and eighteenth centuries. Further exposure to Kabbalah enhanced various demonological beliefs on the one hand, while at the same time lent greater credence to the potency of magic. The various magical texts were seen as an authentic representation of practical Kabbalah, with the *ba'alei-shem* recognized as kabbalists. The identification of magic and its practitioners with Kabbalah, at a time when Kabbalah enjoyed an enhanced, and indeed unprecedented measure of prestige, explains the acceptance of magic as an honourable phenomenon, firmly based in Jewish tradition.