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SUMMARIES

THE PRIESTLY LEADERSHIP ACCORDING TO 4QMMT AND THE DECREES OF ANTIOCHUS III

By Hagi Sefer (pp. 5–24)

In this paper, the author examines the date of the Halakhic polemics in the Temple as discussed by the writers of 4QMMT. These polemics are instructive concerning the history of the 'Pharisaic' views and the date when the founders of the Qumran sect separated themselves from the Temple service. The author asserts that the second decree of Antiochus III (Ant. 12: 145–146) reflects certain Halakhic principles which can be ascribed to the authorities in the Temple and in Jerusalem. The Halakhic practices described in the decree may shown to be identical to those ascribed to the priestly leadership by the writers of 4QMMT.

THE BARCELONA DISPUTATION AND THE STATUS OF *AGGADAH* IN NAHMANIDES' TEACHINGS

By Shalem Yahalom (pp. 25–43)

In the course of the 'Barcelona Disputation' Nahmanides stated that *Aggadah*, in contrast to the Bible and the Talmud, was not religiously authoritative. Rabbis and scholars have since debated how this statement is to be understood. Some viewed it as an apologetical stance, formulated for polemical purposes alone, but not to be taken as Nahmanides' true position. This approach emerged from an unwillingness to accept that an important religious thinker such as Nahmanides would deny the centrality of *Aggadah*. Others argued that Nahmanides meant exactly what he said. They deduced this from Nahmanides' commentary on the Bible. It is there that one can clearly discern his particular affinity for *peshat* interpretation and the certain misgivings that he felt for elements of Aggadic creativity.

In order to understand Nahmanides' true intention regarding *Aggadah* the discussion

has been broadened to explore various related issues in his writings. Nahmanides' attitude towards *Midrash Aggadah* as it appears in his Biblical commentary has been compared with his attitude towards *Midrash Halakhah* in that work. This comparison reveals that in only two cases does Nahmanides prefer the *peshat* over the *derash* approach. This is not nearly enough data to determine a negative attitude towards *Aggadah*. In addition we found that in his Talmudic commentary Nahmanides integrates *Aggadah* into his Halakhic discussions – a clear sign of its importance in his eyes.

It would seem, then, that Nahmanides' negative statement regarding *Aggadah* was limited to the area of Jewish religious beliefs. However, with regard to Biblical interpretation and to *Halakhah*, the *Aggadah* was to remain important and authoritative.

HISTORIOGRAPHY, NATIONALISM AND BI-NATIONALISM:
CZECH-GERMAN JEWRY, THE PRAGUE ZIONISTS, AND THE ORIGINS OF THE
BI-NATIONAL APPROACH OF HUGO BERGMANN

by Dimitry Shumsky (pp. 45–80)

Studies dealing with Jewish history in *fin-de-siècle* Bohemia depict Jewish society there as polarized between “Czech-assimilated” and “German-assimilated” Jewries. This binary interpretation, however, cannot apply to those numerous Jewish bilinguals who did not see themselves as either “Czech Jews” or “German Jews”, but rather maintained both cultural affinities. To fully appreciate the cultural ambiguity, the present article proposes the concept of “Czech-German Jewry” as a more useful analytical category for capturing the cultural mosaic of the Bohemian Jewish existence. Following this re-conceptualization, the present article contests a common explanation for the background of the Prague Zionist movement. This explanation holds that the Prague Zionist movement was mainly established by former assimilationists, Czech or German, who rejected their previous national affiliations in favour of the separate Jewish identity. Rereading the socio-cultural experience of such prominent Zionists as Hugo Bergmann, Hans Kohn and Max Brod, the article argues that these personalities should not be considered other than as Czech-German Jews, whose Zionism was by no means a way of escaping both German and Czech affinities in favour of a particular Jewish one, but rather an option for the maintenance of all three of them. Inherent in the very socio-cultural foundations of Prague Zionism, this quest for a cultural negotiation between Jewish and Gentile cultures was central to some of its ideological contents, particularly to Hugo Bergmann's criticism of

ethno-nationalism and his subsequent bi-national approach in Zionism. In contrast to the tendency largely accepted in the historiography to see such a *Weltanschauung* as a retreat into the sphere of idealistic, even utopian thinking, this article demonstrates that Bergmann's bi-nationalism was grounded in his rather concrete socio-cultural experience as a Czech-German Jew, which represented in itself a kind of multi-cultural accommodation on a day-to-day basis.

DOCUMENTS AND SOURCES

A COURT DECISION ISSUED IN THE YEAR 5161 (1401) IN THE CITY OF PERUGIA IN THE SYNAGOGUE OF R. SHELOMO YEDIDYA

By Daniel Carpi (pp. 81–100)

This paper concerns a court case conducted in the city of Perugia in the year 5161 (1401). The subject of the proceedings was a complaint from Shabtai, the son of R. Yehiel, the owner of the *hanut* (shop) for lending money with interest in the township of Montepulciano, about Moshe Ritono, a Jew living in Fabriano. According to Shabtai, Ritono had denounced him to the authorities, told them he was a rich man and that he had the means to pay very large amounts for release from the imprisonment that had been imposed on him. The latter, thereby, caused him to be kept in prison for many days, and also 'he was left stripped of his money and his property', for in the end he had been forced to pay 800 ducats for his release, whilst before the denouncement the authorities had been prepared to be satisfied with a quantity of cloth valued around one hundred and thirty ducats.

The Jewish congregation in Perugia which, it seems, had powers also among the Jewish settlements in the surrounding region, responded to the appeal from Shabtai, the son of R. Yehiel, and without delay set up a special court that was given the task of examining the complaint. It was headed by two persons, 'delegated by the congregation', namely elected by the congregation who, before giving their verdict, were joined by three prominent individuals 'invited from among the congregation'.

In the course of the trial, that lasted 11 days, a number of personages were invited to testify that they had heard what had happened from Ritono and from one of the local rulers. They all confirmed the version of the plaintiff. Ritono was also summoned twice, but sent written replies instead of attending on account of poor health. In these he

confirmed, in the main, the version of the witnesses. In the verdict issued the 4th day in Tammuz, 5161 (15th June, 1401), the five delegates of the Perugia congregation decided that Shabtai, the son of R. Yehiel, had been justified in his complaint, and that within one month Ritono had to pay the total amount of the loss he had caused him by his denouncement and if not, they would condemn him to 'cherem and excommunication by a blast from the shofar, and he would be segregated from the Community of the Exile'. This verdict was subsequently endorsed by thirty-two rabbis and well-known personages from Perugia and neighbouring towns who appended their signatures, and a few of them even substantiated their approval by citations from various Halakhic sources.

The importance of this unique document, published in full in this paper, are considered for what can be learned about the judiciary procedures of the Perugia congregation, and neighbouring communities, for this period. Despite the stipulation in the Writ of Privileges granted to the Jews of Perugia in 1385 that affairs of the Jews, both civil and criminal, would only be tried before government representatives, this document reveals that the authorities recognised the Jews' right to have recourse to their own judiciary system, if they so desired.