

Alexander Fidora and Gørgo K. Hasselhoff (eds.)

## The Talmud in Dispute During the High Middle Ages

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Primera edició: desembre de 2019

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Edició i impressió:

Servei de Publicacions de la Universitat Autònoma de Barcelona

Plaça de l'Acadèmia. Edifici A

08193 Bellaterra (Cerdanyola del Vallès)

T. 93 581 10 22

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www.uab.cat/publicacions

ISBN: 978-84-490-8947-3

Imprès a Espanya. Printed in Spain

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## Preface

In 1238/9 Nicholas Donin submitted a list of accusations against Judaism to Pope Gregory IX. These accusations consisted of excerpts from the Talmud that the former Jew and converted Christian had translated into Latin. The pope reacted immediately to these accusations and instructed the bishops and kings across Europe to investigate this ‘*alia lex*’ of the Jews, which he perceived as a threat to both the *lex vetus* and the *lex nova*. The only king to respond was Louis IX, later called ‘the Pious’: in June 1240 he summoned leading Jewish scholars from his kingdom and forced them to debate with Nicholas Donin. According to the Hebrew account of the event, this discussion took place as a public disputation at the royal court, in the presence of King Louis IX’s mother, Blanche of Castile. On 25 and 26 June, Donin engaged with Rabbi Yehiel ben Joseph, and on 27 June with Rabbi Judah ben David. After a few days the ‘disputation’ was terminated, but some two years later the Talmud was publicly burned.

Though the books went up in flames at the Place de la Grève in 1241/2, the controversy on the Talmud continued over the following years, since Gregory’s successor, Pope Innocent IV, called for a revision of its condemnation. It was in this context that the Dominicans of the monastery of St Jacques in Paris engaged in the translation into Latin of a series of Jewish writings, among them a bulk of 1,922 excerpts from the Babylonian Talmud. These excerpts, known as the *Extractiones de Talmud* (1245), as well as a systematically rearranged version of them, survive in ten manuscripts known today. The Latin Talmud translation, which is much larger than Donin’s excerpts, but also more extensive than Ramon Martí’s later translations of the Talmud in his *Pugio fidei*, is a landmark in the history of Christian-Jewish relations. Along with other Latin translations of religious texts from the Middle Ages, such as the Latin Qur’ān, the *Extractiones de Talmud* offer highly valuable insights for the study of cross-cultural engagement during the Middle Ages and beyond, which relate to various scholarly interests in philology, history, religious studies, Jewish studies and Christian theology.

With the generous funding of the European Research Council (European Union’s Seventh Framework Programme (FP7/2007-2013) / ERC Grant agreement n° 613694) this monumental translation has been recently published as volume 291 of the *Continuatio Mediaevalis* in the *Corpus Christianorum*-series by an international team at the Universitat Autònoma de Barcelona, led by Alexander Fidora. Early findings of our research on this text were presented and discussed during an international conference, which took place in the Torre Vila-Puig in Bellaterra from 27 to 28 June 2016. This conference combined close reading sessions of passages from the Latin

Talmud with papers on the historical context of the discovery of the Talmud and its reception during the Latin Middle Ages until the early fifteenth century. The articles in this volume, which accompanies the publication of the critical edition of the *Extractiones de Talmud*, reflect both the close reading sessions and the more systematic reconstruction of Christian attitudes towards the Talmud. In addition, the reader will find critical editions of related Latin translations that were produced between 1238/9 and 1245, some of them edited here for the first time.

Eulàlia Vernet i Pons and Enric Cortès offer samples of a close reading of the Latin translations of Berakhot 3a-4b and Sanhedrin 96a-97b, in the light of the underlying Hebrew/Aramaic texts. As for the historical and systematic reconstructions, Ursula Ragacs revisits the trial against the Talmud in Paris in 1240, focusing on the different versions of the Hebrew account of the events. Federico Dal Bo analyses the Latin Talmud from the point of view of translation studies, distinguishing various hermeneutic exercises of de- and re-textualization which were applied to the text during its translation. Wout van Bekkum sheds new light on an intriguing text contained in the Latin Talmud dossier of the *Extractiones de Talmud*, the *Liber krubot*, a collection of liturgical Hebrew hymns. Göрге K. Hasselhoff establishes a direct connection between the translation of the Talmud in the mid-forties of the thirteenth century in Paris and the contemporary translation of Maimonides' *Dux neutrorum*. Alexander Fidora directs the discussion towards later developments, as he traces the use of the *Extractiones* in homiletic literature from the second half of the thirteenth century and first decades of the fourteenth. Such later developments regarding Christian attitudes towards the Talmud are further explored by Moisés Orfali, who examines the work of Jerónimo de Santa Fe (d. 1419). The textual documents offered in this volume include – in chronological order – a new edition by Piero Capelli of Nicholas Donin's 35 Articles against the Talmud, which is based on all extant manuscripts (Loeb's edition from 1880/1 drew on one single manuscript); Ulisse Cecini and Óscar de la Cruz Palma's critical edition of Talmudic fragments which, in all likelihood, were translated into Latin by Nicholas Donin as well, but did not make it into the final version of his articles; and Göрге K. Hasselhoff's critical edition of the afore-mentioned *Liber krubot* (= Appendix II of the article by Wout van Bekkum).

We would like to thank all the participants of our conference who revised and submitted their papers as well as the European Research Council for contributing to the publication of these studies. The publication of this book was kindly supported by the AGAUR-research project on religious controversy during the Middle Ages led by Cándida Ferrero at the Universitat Autònoma de Barcelona (2017 SGR 01787 [GRC]).

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June 2019

## Paris 1240: Further Pieces of the Puzzle\*

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University of Vienna

Sometime between 1235 and 1239 the convert Nicholas Donin formulated thirty-five accusations against the Talmud and presented them to Pope Gregory IX. As a result of the accusations, papal letters were sent to archbishops and kings throughout Europe to ask them to confiscate Jewish books. The only one who carried out the pope's demand was the king of France, Louis IX. In 1240 he also presided over a public disputation between Nicholas Donin, who asked for it, and the then already famous rabbinic scholar R. Jehiel ben Joseph. Most of the Latin sources written either in preparation for the event or in consequence of it are assembled in the 238 folio pages of the manuscript Paris, Bibliothèque nationale de France, MS fonds latin 16558. In addition to these Christian sources we also have Jewish ones:

The Hebrew narrative has come down to us in three versions, one of which is a mere fragment. These three versions have been carefully analyzed by Judah Galinsky, who convincingly suggests a chronological sequence. According to Galinsky, the brief Vatican fragment is the oldest of the three versions, the Moscow manuscript is next, and the Paris manuscript – which is the basis for the printed version of the text – is the latest. As the versions become later, they also become less historically reliable in Galinsky's view, at least in their portrayal of the opening of the procedures. However, Galinsky indicates that the overwhelming majority of the material in the Moscow and Paris manuscripts is shared, which means that the Christian charges and the Jewish rebuttals are by and large the same in both.<sup>1</sup>

The Hebrew manuscripts referred to above are: Paris, Bibliothèque nationale de France, MS héb. 712; Moscow, National Library of Russia, MS Günzburg 1390; Città del Vaticano, Biblioteca Apostolica Vaticana, MS Vat. ebr. 324. The edition printed on the basis of the Paris manuscript is Samuel Grünbaum's *Sefer Vikkuah Rabbenu Jehiel mi-Paris* (Thorn: C. Dombrowski 1873).

Some of these sources have been recently presented to the interested public in an English translation, with an elaborate introduction written by Robert Chazan. The translation of the Latin sources was produced by Jean Connell Hoff, John Friedman contributed the translation of Grünbaum's Hebrew text. In his introduction to the book, Robert Chazan stated:

\* I thank Piero Capelli, Yosi Yisraeli, and Günter Stemberger for their helpful comments on an earlier draft of this paper.

1. Chazan in *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, pp. 20-21 referring to Galinsky, 'The Different Hebrew Versions', pp. 109-140.

The precise details of the trial, its verdict, and its aftermath are by no means entirely clear. Fortunately, we are provided with a range of source materials, although many of these sources are not as detailed as we would wish them to be and leave significant gaps in our knowledge. Especially useful is the fact that our sources emanate from both sides – the Christian and the Jewish. The disparities between the Christian and Jewish perceptions of events remind us tellingly of the reality of alternative perspectives on all human issues and events. Thus, the trial and condemnation of the Talmud – besides its intrinsic importance – offers an intriguing challenge in historical reconstruction.<sup>2</sup>

The following investigation of two passages of the Hebrew report on the disputation of 1240 was inspired by this statement as well as by Galinsky's article.<sup>3</sup>

### 'He Who Passes All of His Seed to Molekh...'

For the first text in question, I provide a transcription based on the Paris manuscript (which I will label P) which supplies the reader with the major difference between this manuscript and the Moscow manuscript (M):

ותפתח האתון ויען. כתוב בתורתכם המעביר כל זרעו למולך פטור. שנ' מזרעו ולא כל זרעו. על זה ועל כיוצא באלה יפלא כל רוח. ומי יאמין לזאת שאם העביר מקצת חייב. ואם הרבה לחטא והעביר כולו פטור.

M} ויקומו ההגמונים לעם לצחק על זה. והמלכה וההגמונים נפלאו. ויאמר הרב אל הצוחקי עוד יבא יום ועת שלא תצחקו על דבר ריק מכם כי להבהילני כוונתכם. והשם עמדי לא אירא. ועתה השיבני על דבריך. מי חטא יותר הורג א' או הורג שנים וג'. ויאמר הורג שלושה. ויאמר הרב כן דברתם. ולמה צחקתם.<sup>4</sup>

P} ויקומו ההגמונים לצחק והמלכה נפלאה. ויאמר הרב עוד יבא יום אשר לא תצחקו על זה. אך תתנחמו על אשר עשיתם אם תוכלו. ועתה ידעתי דרכיכם כי הפכתם ובדעתכם לה' בהילני. והלא טוב ויושר הוא לשמע דברי טרם תצחקו על התורה. ויאמר הרב את אדונתי שמעי נא מילי מי חוטא יותר ההורג איש אחד או ההורג איש אחד או שנים ותפן המלכה והתורג שנים וגם איש ההורג ארבעה מהורג שנים. ויאמר הרב כן דברת.

והנה כתוב בתורה ארבע מיתות שקילה שריפה הרג וחנק. וכולם נמסרו לבית דין להרג את המחוייב באחת מאלה. וכל המומת מתודה. שכן מצינו בעכן שאמ' לו יהושע שים נא כבוד לאל ותן לו תודה וכל המתודה מתכפר שאמ' יהושע יעכרך ייל היום. היום הזה אתה עכור ואי אתה עכור לעולם הבא. הילכך כשהעביר מקצת זרעו חייב שקילה ומתודה ומתכפר לו. אבל כשהעביר כל זרעו שחטא יותר מדאי לא ניתן רשות לבית דין לתת לו כפרה. אלא ימות בחטאו. והמקום אשר בידו כל הנפשות ידין אותו כראוי.<sup>5</sup>

2. *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, pp. 2-3.

3. Mentioned in n. 1.

4. Moscow, National Library, MS Günzburg 1390, fol. 87b.

5. BnF, MS héb. 712, fols 45b-46a. The supralinear words transcribe a marginal gloss. For the edited text see *Sefer Vikkuah*, ed. by Samuel Grünbaum, pp. 3-4.

My English translation reads as follows:

Then the donkey opened his mouth and answered: ‘It is written in your Torah: “He who passes all of his seed to Molekh is exempt, because it says [in Lev 20:2-3] some of his seed but not all of his seed”.<sup>6</sup> About that and the like, everybody is surprised. Who can believe that, when he passed part [of his seed] he was sentenced, but when he sinned more greatly and passed all of it, he was exempted?’

P {Here, the bishops rose to laugh and the queen was amazed. The rav spoke: ‘The day is coming when you will not laugh at this but regret what you have done, if you are able. And now, I know your ways: you have changed [your way of arguing] as it is your intent to discomfort me. Is it not good and right to listen to my words before you laugh at the Torah?’

And the rav said [to the queen]: ‘Please milady, listen to my words. Who sins more, the one who kills one man or the one who kills one or two men?’ The queen answered: ‘The one who kills two and also the one who kills four [sins more] than the one who kills two’. The rav said: ‘You have spoken correctly’.

M {The crowd rose to laugh about that and the queen and the bishops were amazed by it. The rav said to the ones laughing: ‘The day and the time will come when you will no longer laugh about “a word, meaningless to you”<sup>7</sup> as it is your intention to discomfort me. [But] “the Lord is with me I do not fear”<sup>8</sup>. And now, answer me about your words. Who sins more, the one who kills one man or the one who kills two or three?’ He answered: ‘The one who kills three’. The rav said: ‘You have spoken correctly and why did you laugh?’}

For behold, four methods of execution are mentioned in the Torah: stoning, burning, slaying [by the sword] and strangulation, and all of them have been allotted to the court in order to execute the convicted by one [of them].<sup>9</sup> And anyone sentenced to death confesses, for thus we have found in the case of Achan, whom Joshua instructed: “My son, pay honour to the Lord, the God of Israel, and make confession to him”.<sup>10</sup> Whoever confesses, is [granted] atonement, as Joshua said to him: “The Lord will bring calamity upon you today”.<sup>11</sup> “*Today* you will be troubled but you will not

6. B. Sanhedrin 64b.

7. Cf. Deut 32:47.

8. Ps 23:4.

9. Compare m. Sanhedrin 7:1 and its commentary in b. Sanhedrin 49b.

10. Josh 7:19.

11. Josh 7:25.

be troubled in the world to come”<sup>12</sup> And it follows that when he passes some of his seed [to Molekh] he deserves to be stoned<sup>13</sup> and he confesses and atones. But, if he passes all of his seed, so that his sin is inordinate, it is not within the authority of the rabbinic court to grant him atonement. Rather, he shall die in his sinfulness, and God, in whose hand is the fate of all souls, shall sentence him properly’.<sup>14</sup>

In ‘The Different Hebrew Versions of the “Talmud Trial” of 1240 in Paris’, Judah Galinsky observes that the two major manuscripts of the Hebrew report, Paris and Moscow, contain this text but that it is missing in the fragmentary Vatican manuscript, which in Galinsky’s opinion is the oldest and most reliable of the three manuscripts.<sup>15</sup> To this observation he adds: ‘This passage was singled out by Baer as being particularly problematic since it does not appear in any of the official documents surrounding the events of 1240’.<sup>16</sup> Galinsky’s conclusion is that the author of the two longer versions of the Hebrew report added the debate about the Sanhedrin text to these versions and that in reality it was not discussed during the disputation.<sup>17</sup> However, Galinsky also remarks: ‘It is also worth noting that the question about *molekh* was raised by Christian polemicists, although not necessarily during the events of 1240 in Paris’.<sup>18</sup> Let us reconsider Galinsky’s thoughts step by step, starting with his first argument.

Galinsky’s first argument is based on the very short and fragmentary Vatican manuscript. According to Galinsky, it consists of ten lines only, which are hard to decipher. Galinsky did not provide us with a transcription of the Hebrew text, so I worked with his English translation:

The Responses (*teshuvot she-heshiv*) of Rabbi Jehiel of Paris to Paul [!] the Apostate (*le-Paul ha-min*).<sup>19</sup>

The words of Lemuel,<sup>20</sup> Rabbi Jehiel, who spoke before [representatives of] the monarchy (*lifney ha-malkhut*) and the ecclesiastics to dispute the apostate Donin, may his name be blotted out.<sup>21</sup>

12. B. Sanhedrin 44b. *Sefer Vikkuah*, ed. by Samuel Grünbaum, p. 4, and thus *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 134, shortened the biblical quotes together with a part of their explanation which makes the argumentation hard to follow. Both of the manuscripts give this part of the text in full length.

13. See Lev 20:3.

14. Compare *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, pp. 133-134.

15. Galinsky, ‘The Different Hebrew Versions’, p. 133 and p. 135.

16. Galinsky, ‘The Different Hebrew Versions’, p. 135 with reference to Baer, ‘The Disputations of R. Jehiel of Paris and of Nachmanides’, p. 175.

17. In Galinsky, ‘The Different Hebrew Versions’, Galinsky did not express this conclusion explicitly but he did so in his earlier article Galinsky, ‘Mishpat ha-Talmud be-shnat 1240 be-Paris’, p. 63.

18. Galinsky, ‘The Different Hebrew Versions’, pp. 131-132, n. 60.

19. Concerning the name Paul, Galinsky, ‘The Different Hebrew Versions’, p. 132 explained: ‘Even a cursory glance at the text reveals that R. Jehiel is responding in this tract to Donin and not to the other famous apostate Paul Christian’.

20. See Prov 31:1.

21. Galinsky, ‘The Different Hebrew Versions’, p. 132.

They ordered that no Jew be admitted there but the rabbi himself, so that he alone should answer old questions from days of yore (*she'elot yeshanot mi-yemey kedem*) [...] And he was obligated to respond to all of their cleverness (*ve-hutzrakh lehashiv 'atzat kullam*).<sup>22</sup>

<... ...> They [or 'He']<sup>23</sup> asked the rabbi: Answer 'yes' or 'no' concerning what is written in your books ('*anneh 'o hen 'o lav 'al ha-devarim ha-ketuvim be-sifrekhem*).<sup>24</sup>

**The apostate...said:** Hear how they shame (*mevazzim*) <...> <...> <...> <...> Anyone who mocks the words of the Sages is sentenced to excrement according to the law of heaven [*din shamayim*].

**He [i.e., R. Jehiel] answered:** that it was referring to another [i.e., another Jesus], for with regard to the Nazarene it is [said] that he distorted, incited, and led astray – and many people were named Jesus.

**Then he [i.e., Donin] asked:** citing from a wax tablet that was in his possession [*me-'otah she-hotze' ketav hakuk bi-yemino*]<sup>25</sup> that [it states] his name was Jesus of Nazareth.

**And he [i.e., R. Jehiel] answered with an example:** All those born in Paris who are named Louis are called by the name of Paris. So too there were many Jesuses in the city of Nazareth, for it is the name of a city, [and] he is called Jesus the Nazarene, because of the city.<sup>26</sup>

Galinsky was well aware of the fact that the argumentation on the base of such a short text is problematic. Nevertheless, he was convinced that it 'has preserved an independent and most probably more original version'<sup>27</sup> than the Paris and Moscow manuscripts.

As the base of his conclusion, Galinsky formulated two arguments: According to the first, the short Vatican manuscript provides us with a far more believable description of the procedure actually executed in Paris than the longer versions.<sup>28</sup> The second argument says that the Sanhedrin text on the Molekh and its discussion, which Galinsky thought of as an addition of the author of the longer Hebrew versions, are missing in the fragment altogether. After the part about the procedure the Vatican manuscript immediately continues with the description of the encounter, starting with the topic of Jesus in the Talmud. In Galinsky's view this description of the event resembles the Latin texts of R. Jehiel's and R. Judah's 'confessions' much

22. Galinsky, 'The Different Hebrew Versions', p. 134, n. 67 explained why he decided to translate *etzah* with 'cleverness'.

23. Galinsky, 'The Different Hebrew Versions', p. 134, n. 68 said: 'The end of the word is not legible and therefore may either be read as *sha'al* or as *sha'alu*'.

24. Galinsky, 'The Different Hebrew Versions', p. 134.

25. Galinsky, 'The Different Hebrew Versions', p. 133, n. 65 explains that the Hebrew can be understood as speaking of a wax tablet in Donin's hand.

26. For the dialogue see Galinsky, 'The Different Hebrew Versions', pp. 132-133. The final two lines of the fragment which are, according to Galinsky, difficult to read clearly speak about a quote from b. Sanhedrin 67a that is also quoted in the longer versions.

27. Galinsky, 'The Different Hebrew Versions', p. 135.

28. Galinsky, 'The Different Hebrew Versions', p. 134.

better than the longer Hebrew versions, which in his view can be seen as the proof for the reliability of the Vatican manuscript.<sup>29</sup>

My first objection to Galinsky's argumentation is that, to make it work, it needs to see the longer Hebrew versions as untrustworthy while the Latin texts have to be accepted as trustworthy. Concerning our text in question this means that we have to accept the texts of the Latin 'confessions' as the proof that our text was not discussed during the Paris meeting. However, it is well known – because obvious at first sight – that the major part of the Talmudic quotes debated in Paris did not find its way into the Latin 'confessions'. For example, the whole dispute about the text 'the best of the goyim you shall kill', analyzed at length below, is missing in both texts. Yet, as far as I know, until now nobody has suggested that it was not discussed during the disputation at all.

Secondly, I cannot accept Galinsky's observation that the texts of the Latin 'confessions' and the one of the Hebrew fragment resemble each other because they mention or miss the same topics. On the contrary, the comparison of the texts shows the exact opposite:

The Hebrew text of the Vatican manuscript starts with a short description of the procedure the meeting should have followed, after which the passages about Jesus in the Talmud are discussed. No other topic is mentioned in between these two, our Sanhedrin text is missing.

The Latin text of R. Judah's confession starts with the topic of Jesus in the Talmud. No other topic is mentioned before this one. Our Sanhedrin text is missing. Thus, this text resembles the one of the Hebrew fragment just in one topic.<sup>30</sup>

The Latin text of R. Jehiel's 'confession' starts with three topics. It reads:

- [I.] Predictus magister Vivo nullo modo voluit iurare.
- [II.] Dixit quod liber Talmud nunquam mentitus est.
- [III.] Dixit quod Ihesus Noceris est Ihesus Nazarenus, [...] <sup>31</sup>

Hoff's translation reads as follows:

- [1] The aforesaid Master Vivo was in no way willing to swear an oath.
- [2] He said that the book of the Talmud never lied.
- [3] He said that Jesus Noceris is Jesus of Nazareth [...] <sup>32</sup>

Our Sanhedrin text is missing. The first topic may be read as a 'procedural' one and thus accepted as an equivalent to the one of the Hebrew fragment, although the contents are different. However, for the second topic there is no equivalent in the

29. See Galinsky, 'The Different Hebrew Versions', p. 135 and p. 137.

30. For the text see *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 124.

31. Loeb, 'La controverse de 1240 sur le Talmud', p. 55 based on BnF, MS lat. 16558, fol. 230va.

32. *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 122.

Hebrew fragment. Galinsky defined the first two topics of the Latin text as ‘preliminaries’ to the Talmudic passages about Jesus.<sup>33</sup> However, preliminary or not, an equivalent to the second of these two topics is missing in the Hebrew fragment. Therefore, this Latin text, too, differs from the Hebrew one.

The comparison shows that neither R. Judah’s ‘confession’ nor R. Jehiel’s match the text of the Hebrew fragment. Rather, we have three different versions describing the same event. The answer to the question as to why the authors of the different texts chose to mention one topic but avoided another still remains open. Consequently, this also applies to the question of why our Sanhedrin text is missing in the Latin texts as well as in the Hebrew fragment. Let us now turn to Galinsky’s second argument.

According to Galinsky, Baer said that the Talmudic quote does not appear in ‘any of the official documents surrounding the events of 1240’.<sup>34</sup> Galinsky does not specify what he means by ‘official documents’ but some pages earlier he already states: ‘It is worth noting that Baer’s difficulty with Donin’s questioning the Talmudic law of *molekh* remains, since there is no parallel to it in any of the related Latin documents’.<sup>35</sup>

Nearly all of the Latin sources concerning the disputation of Paris in 1240 – such as the thirty-five accusations of Nicholas Donin, the two ‘confessions’ of R. Judah and R. Jehiel, and the various papal letters – are contained in the manuscript Paris, Bibliothèque nationale de France, MS fonds latin 16558. While the texts mentioned were already published before Baer wrote his article, the major part of the manuscript, the so-called *Extractiones de Talmud*, has appeared only recently.<sup>36</sup> Speaking of the Latin sources on the event, Baer explained that he used only the ones published, and that the unpublished rest of the Latin manuscript needed further investigation.<sup>37</sup> Our Sanhedrin text is contained twice in this part.<sup>38</sup> Galinsky must have known this, since his reference to Christian polemicists, who supposedly also discussed our text in question, is based on an article by David Behrman in which this information is given.<sup>39</sup> Obviously, Galinsky did not make use of this information. So, let us reconsider Galinsky’s last remark as mentioned above.

33. Galinsky, ‘The Different Hebrew Versions’, p. 135 n. 72. However, on p. 138, n. 80 he states that both topics have equivalents in both longer Hebrew versions.

34. Galinsky, ‘The Different Hebrew Versions’, p. 135 with reference to Baer, ‘The Disputations of R. Yechiel of Paris and of Nachmanides’, p. 175.

35. Galinsky, ‘The Different Hebrew Versions’, p. 131, n. 60.

36. Cecini and de la Cruz have edited the so-called sequential version of the *Extractiones de Talmud* as volume 291 of the *Continuatio Mediaevalis* of the *Corpus Christianorum*-series. The edition of the thematic version of the *Extractiones* is in preparation.

37. Baer, ‘The Disputations of R. Yechiel of Paris and of Nachmanides’, p. 172.

38. BnF, MS lat. 16558, fol. 27c and fol. 160c. The second passage can be found in the afore-mentioned edition of the *Extractiones de Talmud per ordinem sequentialem*, p. 295.

39. See Behrman, ‘Volumina Vilissima’ p. 195, n. 18.

Galinsky, referring to the aforesaid article of David Behrman, writes: ‘It is also worth noting that the question about *molekh* was raised by Christian polemicists, although not necessarily during the events of 1240 in Paris’.<sup>40</sup> Galinsky’s term, ‘Christian polemicists’, seems to point to some unknown authors, who, as the rest of the sentence indicates, would have had no connection to the Paris event at all. In fact, however, the title of Behrman’s article makes clear that the text in question is a sermon written by none other than Odo of Châteauroux (1190-1273). In his earlier article Galinsky, quoting the Behrman article, acknowledges Odo’s authorship.<sup>41</sup> Nevertheless, and due to reasons unmentioned, in neither of the two articles does he pay close attention to the text of the Latin sermon.<sup>42</sup>

Behrman called Odo ‘one of the spear heads (*sic*) of the condemnation of the Talmud in Paris’.<sup>43</sup> From 1238 to 1244 Odo was the chancellor of the University of Paris. In 1244 he became the cardinal-Bishop of Tusculum. Concerning the events around the disputation, he is mostly known for his avid efforts to convince Pope Innocent IV of the necessity to burn the Talmud at the stake and his condemnation of it in 1248.<sup>44</sup> In addition to that, we have a Jewish source which in all likelihood shows Odo to have been personally and directly involved in at least one argumentation with R. Jehiel. This text was written by R. Joseph ben R. Nathan ha-Official, who is probably also the author of the Hebrew report of the disputation of Paris.<sup>45</sup> In his polemical treatise, *Joseph ha-Meqanne (Joseph the Zealot)*, R. Joseph reported a face-to-face discussion between ‘the chancellor of Paris’ and R. Jehiel about the correct understanding of Num 23:24.<sup>46</sup> In view of what we have said, it seems more than appropriate to assume that Odo knew every detail of what had been discussed during the disputation of 1240 – which is exactly what the sermon that Behrman edited reflects.<sup>47</sup>

In his long explanation of the Sanhedrin text, as reported in the Paris and Moscow manuscripts, R. Jehiel emphasized that, according to the Sanhedrin text, a rabbinic court is allowed to guarantee atonement after confession only if the crime

40. Galinsky, ‘The Different Hebrew Versions’, p. 131-132, n. 60.

41. Galinsky, ‘Mishpat ha-Talmud be-shnat 1240 be-Paris’, p. 63.

42. Galinsky, ‘The Different Hebrew Versions’, p. 132, n. 60 and Galinsky, ‘Mishpat ha-Talmud be-shnat 1240 be-Paris’, p. 63 each just referred back to Behrman, ‘Volumina Vilissima’, p. 195, where Behrman supplies his readers with a very short summary of the content of the Sanhedrin text as well as the frame in which Odo used it.

43. Behrman, ‘Volumina Vilissima’, p. 191.

44. See *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, pp. 98-101 for the correspondence between Odo and the Pope and pp. 26-30 where Chazan gives a detailed examination of it.

45. See Chazan in *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 21 and n. 34. Galinsky, ‘The Different Hebrew Versions’, p. 136 supposed that R. Joseph in fact wrote the two versions preserved in the Moscow and Paris manuscripts.

46. See Schwarzfuchs, ‘La vie interne des communautés juives’, p. 31. The Hebrew text is to be found in *Sepher Joseph Hamekane*, § 36 p. 53-54.

47. Behrman, ‘Volumina Vilissima’, p. 195 apparently supposed that Odo’s source for all of the Talmudic quotes mentioned in his sermon were the *Extractiones* but, according to what is said below, this is not likely.

committed is of minor importance. Galinsky already pointed out that R. Jehiel, or the Hebrew texts, stressed the part which speaks about the role that the confession of a sin plays in its atonement.<sup>48</sup> The short quotes contained in the *Extractiones* do not reflect this view.<sup>49</sup> Odo's sermon, however, not only does that but may in fact be a direct refutation of R. Jehiel's explanation. The text reads as follows:

Item legitur Leuit. XX° [20:2]: *Si quis de semine suo dederit ydolo Moloch, morte moriatur, populus terre lapidabit eum.* Hoc iudicium Iudei falsificant auctoritate predicti libri, in quo scriptum est quod si dederit totum, tunc interfici non debet, quia haec propositio *de* dicit partem. Qui enim totum dat puniendus est maiori pena quam morte. Ille qui dat partem liberator per mortem, qui uero totum dat, non, immo dampnabitur. Sed quaeritur de his duobus quorum unus dedit totum, alter partem. Isti duo mortui sunt, aut penituerunt, aut non penituerunt; si non penituerunt: neuter est liberatus, sed uterque dampnatus, si penituerunt: liberabuntur, dicente Domino, Ezech. XVIII° [18:21-22], *Si autem impius egerit penitentiam, ab omnibus peccatis suis, que operatus est, et custodierit uniuersa [Note: Vulgate: uniuersa omnia] precepta mea, et fecerit iudicium, et iusticiam: uita uiuet, et non morietur. Omnium iniquitatem eius, quas operatus est, non recordabor,* et Ier. XVIII° [18:8]: *Si penitentiam egerit gens ista a malo suo, [Note: Vulgate: Si paenitentiam egerit gens illa a malo suo, quod loctus [sic] sum aduersus eam: agam...] agam et ego penitentiam super malo, quod cogitauit ut facerem.*<sup>50</sup>

My English translation reads as follows:

It also says in Lev 20:2 'if someone gives [some] of his seed to the Molekh he shall be sentenced to death, the people of the land shall lapidate him'. The Jews distorted this sentence [by using] the authority of the aforementioned book, in which is written that, if someone gives all [of his seed to the Molekh], one is not allowed to kill him, as the preposition 'of' [in Lev 20:2] means only part of it.<sup>51</sup> As a matter of fact, the one who gives all [of his seed to the Molekh] has to be punished [by a penalty] much more severe than death. He who gives only part [of his seed] finds atonement through [his] death, [but] he who gives [it] all, does not [find atonement] but is condemned.

48. Galinsky, 'Mishpat ha-Talmud be-shnat 1240 be-Paris', p. 64. In n. 73 Galinsky noted that Grünbaum's edition of the *Vikkuah* differs in this specific point from the version of the Moscow manuscript. This is correct but the difference is caused by Grünbaum's abridgement of his base text, Paris manuscript. While the two manuscripts differ in part, they provide us with identical versions on this specific point. See my translation of the text above.

49. I thank Dr. Ulisse Cecini, member of the project *The Latin Talmud*, for making his transcriptions of these two parts of the manuscript available to me. For the second instance, see now also *Extractiones de Talmud per ordinem sequentialem*, p. 295.

50. Behrman, 'Volumina Vilissima', p. 204. For his summary of this text see pp. 195-196.

51. B. Sanhedrin 64b.

The question is about these two, the one who gave all [of his seed to the Molekh] and the other who gave just a part of it. Both of them are dead, whether they confessed [their sin] or not. If they did not confess, none of them atoned [for his sin] but both are condemned. If they confessed, both found atonement, as the Lord said: ‘But if the wicked will turn from all his sins that he has committed, and keep all my statutes, and do that which is lawful and right, he shall live, he shall not die. All his transgressions that he has committed, they shall not be mentioned unto him: in his righteousness that he has done he shall live’<sup>52</sup> and ‘If that nation, against whom I have pronounced, turn from their evil, I will repent of the evil that I thought to do unto them’.<sup>53</sup>

Quoting Lev 20:2 and summarizing its interpretation as given in the Sanhedrin text, Odo stated that with this text the Jews falsified the biblical law as formulated in Ezekiel and Jeremiah because according to these verses anyone sentenced to death penalty who confesses his crimes finds atonement, regardless of the type and importance of his crimes. If Odo had not known R. Jehiel’s view of the matter as expressed in the longer Hebrew versions, what reason would he have had to formulate this statement?

To summarize what has been said so far, we may state that contrary to Galinsky’s conclusions the evidence he used allows us to assume that the versions of the Paris and Moscow manuscripts concerning the argumentation about the Talmudic quote on the Molekh are most likely to reflect part of what was discussed during the disputation of Paris 1240. In addition to that, we have some more Jewish sources to support our conclusion.

As is well known originally four rabbis were chosen to answer Donin’s accusations. One of them was R. Moses ben Jacob of Coucy. In his work, *Sefer Mitzvot Gadol* (*SeMaG*), started about 1240 and finished in 1247,<sup>54</sup> we find the following quote:

ועוד תביא העביר כל זרעו פטור שנאמר כי מזרעו נתן למולך זרעו ולא כל זרעו, ויש טעם בזה לתשובת המינים מפני שבמיתת ב"ד מתכפרין המומתין וזה עשה כל כך עבירה גדולה שאין הקב"ה רוצה שיהא לו שום כפרה...<sup>55</sup>

My English translation reads as follows:

And it is also taught: ‘He, who passes all of his seed is exempt’<sup>56</sup> because it says: ‘because he hath given [some] of his seed unto Molekh’.<sup>57</sup> ‘Some of his seed’ and not ‘all of his seed’. And here there is a reasonable response to the infidels [*teshuvat*

52. Ezek 18:21-22.

53. Jer 18:18.

54. Galinsky, ‘The Significance of Form’, p. 295.

55. *SeMaG*, negative precepts no. 40.

56. B. Sanhedrin 64b.

57. Lev 20:3.

*ha-minim*] because as a consequence of the death penalty [imposed] by the court, the ones condemned to death find atonement, but this one committed such an enormous crime that the Lord, blessed be he, did not want him [to have] any atonement.

This text is obviously a shorter version of the rather long explanation of R. Jehiel. Galinsky accepts it as being inspired directly by the events of 1240 although also this text does not convince him that the description of the debate about the Sanhedrin text, as given in both longer Hebrew versions, was not an addition of the author of these texts.<sup>58</sup> However, if we bear in mind that Odo's text reflects R. Jehiel's explanation as well as this text it seems more plausible to accept it as further proof of the historical correctness of the longer Hebrew versions than to suppose the opposite.

A slightly different version of this text, also quoted in the name of R. Moses of Coucy, is contained in a manuscript of R. Isaac b. Judah ha-Levi's work *Pa'aneah Raza*, a compilation of Torah commentaries of different Tosafists composed 'in northern France during the last decades of the thirteenth century'.<sup>59</sup> Interestingly, this manuscript also contains an almost verbatim quote of the core of R. Jehiel's explanation, stating: 'ודבר זה שאל רונין<sup>60</sup> המין יש"ו לרבי הר"ר יהואל מפרי' ('And [about] this [Talmudic passage] Donin the heretic, may his name be blotted out, asked R. Jehiel of Paris [...]')<sup>61</sup> The fact that the rest of the text is very similar to the Paris and Moscow versions indicates that the copyist had a copy of these texts, or at least of one of them, in his hands. As the manuscript stems from the fourteenth or fifteenth century, the question of whether our text was also part of the original text of the compilation remains open to further investigation. If so, this would mean that the texts of the longer Hebrew versions were spread and accepted soon after their composition, which would also mean that they were in fact written not long after the event itself. Let us now turn to our second passage.

### **'The Best of the Goyim You Shall Kill'**

At one point in the disputation Nicholas Donin gave a lengthy speech using one biblical and two rabbinic quotes as a start. Obviously, the biblical text should insult the Jews whereas the two rabbinic quotes marked the actual beginning of the speech. In it Donin expressed his conviction that the rabbinic literature stipulates anti-so-

58. Galinsky, 'Mishpat ha-Talmud be-shnat 1240 be-Paris', p. 63. Before him Woolf, 'Some Polemical Emphases in the *Sefer Mišvot Gadol* of Rabbi Moses of Coucy', p. 94 described our text as one which 'appears to have been drawn directly from the proceedings in Paris'.

59. Kanarfogel, *The Intellectual History*, p. 163. The text can be found in Gellis, *Sefer Tosafot Hashalem*, Vol. 13, p. 195, sect. 5.

60. Either the copyist of the manuscript erred by writing 'Ronin' instead of 'Donin' or the one transcribing it did so.

61. MS Warsaw 260 according to Gellis, *Sefer Tosafot Hashalem*, Vol. 13, p. 194, sect. 3. Gellis, *Sefer Tosafot Hashalem*, Vol. 1, p. 27 dated this manuscript to the fourteenth or fifteenth century.

cial Jewish behaviour towards the Christians. According to the Paris and Moscow manuscripts this part of the text does not indicate any sources for the Jewish texts quoted. In his translation Friedman supplied us with these missing sources but as the following will show for at least one of the two rabbinic texts this seems not to be the best choice. The Hebrew text according to the edition of Grünbaum, and thus manuscript Paris, reads as follows:

ועוד זאת וירם קולו ויאמר בנים סכלים אתם כאשר התרתם לשפוך דם גוים, ומי הביאכם עד כה דא־  
 מריתו טוב שבגוים הרוג, ואמריתו הגוים והרועים בהמה דקה לא מורדין בבור ולא מעלין מן הבור  
 ואפילו טובע בבור לא נתחייבתם להעלותו הכזה נהיה מימי קדם?<sup>62</sup>

Friedman's text with notes reads as follows:

And once again, he [Donin] raised his voice and said, 'You are foolish folk,<sup>63</sup> since you permit the spilling of gentile blood.<sup>64</sup> And who brought you to that which you say, 'The best of the gentiles shall you kill'.<sup>65</sup> And you say, 'Gentiles and shepherds of small cattle, [we do not] throw them into a pit nor [do we] rescue them from a pit'.<sup>66</sup> Even when drowning in the pit, you are not obligated to bring him up. Has there been anything like this since antiquity?'<sup>67</sup>

After Donin ended his speech, R. Jehiel started his counterargument as follows:

פערת פיך בראשית ברוח קדים חרישית על פירוש טוב שבגוים הרוג הידעת איפא נהרת ובאיזה ספר  
 נכרת כרותותו?<sup>68</sup>

Friedman's translation reads as follows:

First, you opened your mouth like a deafening east wind about the meaning of 'Kill the best of the gentiles'. Do you know where it appears and from which book it is taken?<sup>69</sup>

To that Donin answered:

ויאמר לא, אך רש"י גדול הי' ובקי ובו האמתם יותר ממשה רבכם.<sup>70</sup>

62. *Sefer Vikkuah*, ed. by Samuel Grünbaum, p. 8, BnF, MS héb. 712, fol. 49b.

63. Jer 4:22.

64. Deut 12:23-25 and Ibn Ezra on Gen 9.

65. *Hesronot HaShas*, Avodah Zarah, *Tosafot* 26b.

66. *Talmud Babli*, Sanhedrin 57a and Avodah Zarah 24b [sic].

67. *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, pp. 145-146.

68. *Sefer Vikkuah*, ed. by Samuel Grünbaum, p. 9, BnF, héb. 712, fol. 50a.

69. *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 148.

70. *Sefer Vikkuah*, ed. by Samuel Grünbaum, p. 9, BnF, héb. 712, fol. 50b.

Friedman's translation reads as follows:

I do not. But Rashi was a great scholar and an expert. And you trust him more than Moses, your rabbi.<sup>71</sup>

R. Jehiel's answer to Donin's first statement makes clear why the mentioning of any source for Donin's quote 'the best of the goyim you shall kill' in the translation of the first passage at this point is a bit counterproductive: It masks the fact that the crucial point of the debate is the question of which rabbinic source Donin was referring to.

From the viewpoint of the question of which historical details this Hebrew text really reports, Donin's answer to R. Jehiel's question is puzzling: Why did Donin suddenly and seemingly out of the blue mention Rashi? Did he just try to change the subject or are we missing the context in which this reference actually belonged?

The Latin reports do not help to answer these questions as they do not mention this specific argumentation at all. However, the Hebrew version in the Moscow manuscript helps, as it provides us with exactly the words we need to understand what must really have happened:

[...] אך רבכם ש"י שהיה גדול ובקי הבא בפירוש חומש שלו ובו האמנתם יותר ממשה רבכם.<sup>72</sup>

My English translation reads as follows:

[...] but your teacher Sh[lomo] Y[itzhaqi = Rashi], who was [a] great [scholar] and an expert, quoted [this] in his explanation to the Chumash [= Pentateuch]. And you trust him more than Moses, your teacher.

This version of the Hebrew text makes clear that Donin was referring to a gloss made by Rashi to the Bible. Obviously, Rashi quoted the rabbinic text in this gloss but did not mention its source. Otherwise, Donin would most certainly not have alluded to Rashi but quoted directly from the rabbinic text Rashi used.

From the viewpoint of our reconstruction two further questions have to be answered: First, to which biblical commentary of Rashi did Donin exactly refer? Second, how could he be sure that, without explaining it explicitly, his opponent would understand what he was talking about? To answer these questions we have to turn to Donin's thirty-five accusations against the Talmud.

Accusation number nine picked up on an older Christian anti-Jewish charge stating that the Jews of the Middle Ages preferred the rabbinic explanations of the Bible to the Bible itself.<sup>73</sup> With reference to this practice, Donin accused the Jews

71. *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 148.

72. Moscow, National Library, MS Günzburg 1390, fol. 93b.

73. See Chazan on Peter the Venerable in *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan,

of his days of prohibiting their children from studying the Bible and of urging them to study the Talmud instead. As an example of the anti-social texts they were – in his opinion – forced to read in the Talmud, in accusation number ten Donin quoted the following text:

X<sup>us</sup>. IN QUIBUS QUI PRO LEGE DIXERUNT: OPTIMUM XPISTIANORUM OCCIDE. Hoc legitur in *Elle semoz* (Exod. XIV, 7): ‘*Tulitque [Pharao] sexcentos currus electos quotcunque in Egypto curruum fuit.*’ – Glossa Salomonis: ‘Unde erant illa animalia? Si Egypciorum, nonne scriptum est [ib. IX, 6] quod mortua sunt omnia animalia eorum, et si de Israel, nonne scriptum est: *Omnes greges pergent nobiscum, non remanebit ex eis ungula* [ib. X, 26]’; unde ergo fuerunt? Non nisi de hoc quod qui timuit verbum Domini de servis Pharaonis fecit confugere servos suos et iumenta in domos; per hoc dicebat Rby Symeon: Optimum goym occide, melioris serpentum contere caput’; q. d. ex quo illi qui boni fuerunt et timuerunt verbum Dei tradiderunt animalia sua ad persequendum populum Domini, optimus goym tamquam malus occidi potest.<sup>74</sup>

Hoff’s English translation reads as follows:

AMONG THEM [ARE] SOME WHO PRESCRIBED AS LAW: KILL THE BEST CHRISTIAN. One reads this in *Elle Shemot* (Ex 14:7): ‘And [Pharaoh] took six hundred select chariots and however many chariots there were in Egypt’. Solomon’s gloss, ‘Where did those animals come from? If they belonged to the Egyptians, is it not written that all their animals were dead (Ex 9:6)? But if they belonged to the Israelites, is it not written, ‘All our cattle shall go with us; not a hoof of them shall be left behind’ (Ex 10:26)? Where, then, do they come from? Nowhere else than from this: that one of the servants of Pharaoh who feared the word of the Lord had his servants and cattle take refuge together in the houses [during the plagues]. For this reason Rabbi Shimon said: ‘Kill the best of the *goyim*, crush the head of the better of the serpents’; as if to say that, because those who were good and feared the word of God handed over their animals to pursue the Lord’s people, the best of the *goyim* can be killed as well as a bad one.’<sup>75</sup>

This text tells us that the source for Donin’s unspecified rabbinic dictum was Rashi’s commentary to Ex 14:7. Obviously, Donin referred to it because he assumed that his opponent was familiar with the texts and arguments of his thirty-five accusations.

The correctness of Donin’s assumption, and thus also the correctness of our reconstruction, is confirmed by R. Jehiel’s answer to Donin. In view of its content and

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p. 13-14. And more recently Friedman, ‘Anti-Talmudic Invective from Peter the Venerable to Nicholas Donin (1144-1244)’.

74. Loeb, ‘La controverse de 1240 sur le Talmud’, pp. 263-264, with a French translation as well as a list of rabbinic texts containing variants of the rabbinic dictum. See also the new edition by Piero Capelli in this volume.

75. Hoff in *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 108.

wording it is clear that the rabbi was responding to Donin's accusation number ten. However, by making use of Donin's admitted lack of knowledge of Rashi's rabbinic source he brilliantly turned it against his opponent. The Hebrew text reads as follows:

ועתה חטאתך אודיעך ואגיד לך האמת, והנה הוא חרות במסכת סופרים בפ' י"ו<sup>76</sup> ושם תמצאנה, וכת' שם במלחמה טוב שבגוים הרוג והדין נותן כך על המקרא דכתיב ויקח כל סוס רכב מצרים במלחמה פרעה ואותם סוסים מהיכן היו והלא מתו כל סוסי מצרים בברד לא נשאר מקנה<sup>77</sup> רק אל הירא דבר ה' אשר הניס מקנהו אל הבתים והם נתנו סוסייהם אל פרעה להלחם בישראל ומכאן אמר ר' שמעון טוב שבגוים במלחמה הרוג כי אין לך אדם כשר ונאמן שכיון שבא להלחם עמך שלא בא להרגך ואם בא להרגך השכם להרג<sup>78,79</sup>

Friedman's translation reads as follows:

Now, I shall clarify your sin, and I shall tell you the truth. Look, it is written in Tractate Soferim in Chapter 16, and there you will find it. It is written, 'In war you should kill the best of the *goyim*'. And the law permits this, based on Scripture, where it is written that [Egypt] took 'every chariot horse'<sup>80</sup> for the war of Pharaoh. Where did these horses come from? Did not every horse in Egypt die in the [plague of] hail? No livestock survived.<sup>81</sup> Only among those who feared the word of the Lord, who brought their livestock into the houses, [did the horses survive]. But they gave their horses to Pharaoh to do battle against Israel. For this reason, Rabbi Shimon said, 'In a war, you should kill the best of the *goyim*'. For there is no man so proper and faithful who goes to do battle with you, who does not come to kill you. And if he has come to kill you, 'rise early to kill him [first]'.<sup>82</sup>

According to the Latin text of Donin's accusation number ten no source for our rabbinic dictum is given. If we compare the short quote with rabbinic sources, we find that its most plausible source is the Mekhilta.<sup>83</sup> R. Jehiel's answer to Donin makes clear that he too spoke about Rashi's commentary. However, instead of quoting the rabbinic dictum according to the Mekhilta he quoted a variant of this text as given in Tractate Soferim. This modification, as minimal as it was, was decisive for his argumentation as it is this variant which states that a goy may only be killed by a Jew in time of war and when attacking him.

76. Massekhet Soferim 15,7.

77. See Ex 9:6-25.

78. B. Berakhot 58a.

79. *Sefer Vikkuaḥ*, ed. by Samuel Grünbaum, p. 9, with sources supplied by me. BnF, héb. 712, fol. 50b has the same text as Grünbaum. In the parallel of Moscow, National Library, MS Günzburg 1390, fol. 93b only the sequence of some of the sentences differs slightly.

80. Ex 14:9.

81. *Ibid.*, 9:25.

82. *Talmud Bavli*, Berakhot 9. [Sic]. Find the whole quote in *The Trial of the Talmud*, trans. by Friedman, Connell Hoff, Chazan, p. 149.

83. Mekhilta de Rabbi Yishmael to Ex 14:7.

In addition to all the sources mentioned so far we have one more source at hand which provides further evidence for the accuracy of our reconstruction. R. Isaac ben Hayyim, a student of R. Jehiel and a compiler of a Torah commentary called *Peshatim la-Torah*, reported in his commentary to Ex 14:7 that his teacher R. Jehiel was asked about Rashi's commentary on this verse by a heretic. The content of this very short text does not reflect the elaborate answer of R. Jehiel as quoted above.<sup>84</sup> However, the text allows us to conclude that R. Jehiel was more than once confronted with the rabbinic dictum on the basis of Rashi's commentary to Exodus, and not on the basis of a rabbinic text containing it. As the manuscript stems from the fourteenth century,<sup>85</sup> the question of whether the short text was also part of the original compilation of the *Peshatim la-Torah* remains open. If so, the text raises further questions: Did this questioning happen before, during or after the disputation? Who was the heretic asking? Did this discussion motivate Donin or did his disputation of the text with R. Jehiel encourage others to do the same?

## Conclusion

Our investigation concerned two passages of the Hebrew report on the disputation of Paris 1240. In the first one Donin and R. Jehiel argue about a rabbinic text contained in Sanhedrin 64b, according to which a person who passes all of his seed to the Mol-ekh cannot atone for this sin while the one who gave only part of it can. According to Galinsky this text does not reflect an actual part of the debate but was added to the Hebrew texts by their author. In the second passage Donin asked the rabbi about a Jewish text that states that the Jews were allowed to kill even the best of the goyim (gentiles), but when asked about the rabbinic source of the dictum, failed to name it. Rather than that, and seemingly without reason, he stated that the Jews preferred Rashi's commentary to the Bible to the Bible itself. By means of comparison of the relevant texts we were able to show that the first passage in all likelihood actually reflects part of the historical disputation. For the second passage we found the context to which it must originally have belonged.

In addition to what we have said, our investigation points us to another possibility as to why the event of 1240 might have happened and where to look for more traces of it. In one of his articles mentioned above, Galinsky, referring to Israel Ta-Shma, suggested that before his conversion Nicholas Donin had been part of a group of Jews who rebelled against their teachers, the leading Tosafists of their time and

84. See Kanarfogel, *The Intellectual History*, p. 339, and n. 135 for the Hebrew text according to Ms. Oxford, Bodl. 2343, fol. 16a. In his note Kanarfogel pointed to Gellis, *Sefer Tosafot ha-Shalem, Vol. 7*, p. 185, where a version of this text can be found according to which the one questioning R. Jehiel was his pupil and not a heretic. I understand Kanarfogel's version to be a corrected version of Gellis' text as both based their texts on the same manuscript.

85. Gellis did not provide a date for this manuscript. Therefore I refer to the one noted in the online catalogue of the National Library of Israel.

their attempt to replace the authority of the local *minhag* with the authority of the Babylonian Talmud.<sup>86</sup> Ta-Shma saw Donin's attack on the Talmud, and the disputation following it, as his attempt to end this original inner Jewish conflict once and for all.<sup>87</sup> Thus the fact that R. Jehiel ben Joseph of Paris, R. Judah b. David of Melun, R. Samuel b. Solomon of Château Thierry and R. Moses b. Jacob of Coucy – the four rabbis who, according to manuscript Paris<sup>88</sup>, were gathered initially to answer Donin's accusations – were well known tosafists, and in the case of R. Jehiel and R. Moses even Donin's former teachers, surely was no coincidence. It might even have been helpful for the publicity of Donin's case that R. Jehiel together with R. Judah and R. Samuel also acted at that time as the *bet din* of Paris.<sup>89</sup> Thus, what ended as a public affair might have started in a personal disagreement between rabbis of the tosafist circle and their students. As our investigation has shown, in two cases the literature these rabbis left behind provides us with traces of the event. It is likely that a more systematized and detailed research effort on this material will bring to light more of these traces.

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86. Galinsky, 'Mishpat ha-Talmud be-shnat 1240 be-Paris', p. 46, n. 4 with reference to Ta-Shma, 'Rabbi Yéhiel de Paris'.

87. Ta-Shma, 'Rabbi Yéhiel de Paris', p. 217.

88. According to the version of Moscow, National Library, MS Günzburg 1390, fol. 86a R. Jehiel asked for only 'two wise men' to help him claim his case but their names are not mentioned.

89. Kanarfogel, *The Intellectual History*, p. 65.

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## *De articulis litterarum Papae: A Critical Edition*\*

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### 1. Introduction

The thirty-five charges that Nicholas Donin levelled against the Talmud to pope Gregory IX in the twelfth year of his pontificate (1238/39) and documented with Talmudic proof texts translated into Latin for the very first time (in all likelihood first by Donin himself into vernacular French, then from French into Latin by another translator)<sup>1</sup> are the document that ignited the investigation (if not the actual trial) about the Talmud that took place in Paris in 1240 and led after some years to the first assuredly attested public burning of Talmudic manuscripts in the European Middle Ages.<sup>2</sup> Of the three extant medieval witnesses, only MS *P* (along with its *descriptus Z*) bears in the upper margins the title *De articulis litterarum Papae*. Until now, the text was edited only by Isidore Loeb in 1880-1881 on the basis of *P* alone (which Loeb transcribed with some minor mistakes). The text thus edited by Loeb has subsequently been translated into French by Loeb himself and into English by Jean Connell Hoff in 2012.

The present new edition of the *Articuli* is therefore the first based on a thorough collation of all available medieval textual evidence (the three collated manuscripts are listed hereafter in the list of abbreviations). Whereas Loeb's 'edition' was actually little more than a diplomatic transcript, mine is meant to be a proper critical edition, aiming at reconstructing at best the purported original of the *Articuli*, or at least the archetype of all the extant textual witnesses. The readings that I deemed correct are incorporated into the reconstructed text in what is commonly – if incorrectly – called an 'eclectic' way:

\* I conducted most of this work during Spring Term 2017 at the Center for the Study of Conversion and Inter-Religious Encounters directed by Haim Harvey Hames at Ben-Gurion University of the Negev in Beersheva, thanks to both a Bi-national Scholarship for Scientific Cooperation between Italy and Israel, and the funds of 2015 Italian Research Project of National Interest (PRIN) on 'The Long History of Anti-Semitism. Jews in Europe and the Mediterranean (X-XXI Centuries): Socio-Economic Practices and Cultural Processes of Coexistence between Discrimination and Integration, Persecution and Conversion' (prot. 2015NA5XLZ\_003) coordinated by Germano Maifreda. My most heartfelt thanks go to Ulisse Cecini, Óscar de la Cruz Palma and Alexander Fidora of the team of the European Research Council Project on 'The Latin Talmud and Its Influence on Christian-Jewish Polemic' (CoG 613694, FP7/2007-2013) directed by Alexander Fidora at the Universitat Autònoma de Barcelona, for their precious advice and for allowing me to freely use their excellent digital reproductions of all the manuscripts (I had previously transcribed *P* autographically). Had it not been for Giulia Ammannati's and Isaac Lampurlanés Farré's extraordinarily generous and competent help in palaeographical matters, I would never have been able to conduct this work. Any misreading, misinterpretation, or utter mistake is solely my own.

1. See Fidora and Cecini, 'Nicholas Donin's Thirty-Five Articles'.
2. Cf. recently Rose, 'When Was the Talmud Burnt at Paris?'; Chazan, 'Trial, Condemnation, and Censorship'; Capelli, 'Nicolas Donin'.

- indicative errors make it possible to reconstruct a bipartite textual genealogy, one branch being represented by MS *P*, and the other branch by MSS *C* and *G*;
- a great number of errors is shared by *C* and *G*; on the contrary, the errors in *P* are very scanty; also, the rendering of Hebrew and Aramaic names and titles is much more accurate in *P* than in *CG*;
- in such cases, I accepted in the reconstructed text either the very many correct readings of *P* or the very few correct readings of *CG*; in cases of generic cases of variant readings (both correct), I followed the classic criteria of *usus scribendi*, *lectio difficilior*, and the like, finding that in almost all cases the reading provided by *P* was preferable;
- therefore, the reconstructed text does not fully correspond to the text of each of the manuscripts; yet, all the variant readings (thus, the text of each manuscript) can be traced in the critical apparatus.

The readings in my reconstructed text that differ from Loeb's transcript of *P* (and thus from both his French translation and Connell Hoff's English one) are listed below (§§ 3.1, 3.2, 3.5).

## 2. Editing conventions

I resorted to the following editorial criteria:

- a. I used capital initials for ethnonyms, ethnic adjectives, and names of languages (e.g. *Iudaeus*, *Hebraicus sermo*).
- b. I adapted the punctuation to modern usage. In particular, I introduced colons at the beginning of quotations from Scripture or from the Talmud; quotations from Scripture are placed between guillemets, and quotations from the Talmud are placed between inverted commas.
- c. The numbering and underlining of the headings of the *articuli*, the *glosae*, and other parts of the text are given according to *P*. The explanations and translations of Talmudic expressions, also underlined in *P*, are rendered between hyphens and in a smaller font. As for the spelling of proper names and titles of works in Hebrew or Aramaic, I also follow *P*, whose rendering of the Semitic originals is much more accurate than *C*'s and *G*'s.
- d. In the manuscripts, quotations from the Vulgate frequently consist of only the first letters of the words quoted. I have resolved all such abbreviations. *Xpist-* is consistently rendered with *Christ-* and *Ihesus* with *Iesus*. Quotations from the *Psalms* in the *Articuli* are closer to the text of the Gallican Psalter (*Psalmi iuxta Septuaginta emendati*) than to that of the *Psalterium iuxta Hebraeos* (*Psalmi iuxta Hebraicum translati*); therefore I adopted the numbering of the *Psalms* and their verses according to the recension of the

Gallican Psalter as edited by Weber and Gryson in the fifth edition of their *Biblia Sacra Vulgata*.<sup>3</sup>

- e. The Latin spelling is thoroughly uniformed – both in the text and in the apparatus – to the standard of the Vulgate according to Weber and Gryson. Thus, I have not recorded the following spelling alternatives or peculiarities, that are extremely frequent but equally inconsistent in all the manuscripts, as much as they are irrelevant for the constitution of the text:
- i) *u/v* (e.g. *ubi/vbi*);
  - ii) *ae/e* (e.g. *quaedam/quedam, suae/sue*)
  - iii) *oe/e* (e.g. *foedus/fedus*)
  - iv) *t/c* (e.g. *ratio/racio*);
  - v) *iy* (e.g. *Israel/Ysrael*);
  - vi) *ij* (e.g. *iudicium/judicium*), except for the initials of names and titles from the Hebrew or the Aramaic (*Jossua, Jessuhot, Joceb, Jevamot*);
  - vii) *h/ch* (e.g. *mihim/michi*);
  - viii) *x/s* (e.g. *dexteram/desteram, exspectantes/expectantes*);
  - ix) *m/n* (e.g. *quicumque/quicunque, comburitur/conburitur*)
  - x) *b/p* (e.g. *obtineat/optineat*);
  - xi) *c/sc* (e.g. *obicitur/obiscitur*);
  - xii) *c/q* (e.g. *locutus/loqutus*)
  - xiii) *-t/-d* in word endings (e.g. *caput/capud*);
  - xiv) simple metatheses (e.g. *interpretatur/interpetratur*);
  - xv) inconsistent spacing (e.g. *cornupecierit /cornu pecierit*);
  - xvi) consonants doubled or made single and non-morphological assimilations or dissimilations of consonants (especially frequent in MS C: e.g. *edidisse/eddidisse, filius/fillius, buliente/bulliente, mensis/messis o menssis, quiptetur/quitetur, sollempnis/solemnis, depicta/depita*);
- f. Differences in the spelling of Latin words are registered in the critical apparatus only in the rare instances when they bear any relevance for textual reconstruction, whereas differences in the spelling of words, names, and titles transcribed from Hebrew and Aramaic are all registered in the apparatus.

### 3. Indicative Errors and Stemma Codicum

#### 3.1. Conjunctive errors in PCG

VI scribae *coni. Loeb*] scribere PCG XIV || tribuum *coni. Capelli*] tributum P tribus C tribuit G || XVIII et custodiam *coni. Loeb*] est custodia PCG

In XII, Loeb conjectured ‘bovem extranei’ for mistaken ‘bovem Israel’ of PCG; the error is, however, polygenetic and bears no stemmatological relevance. In XIII

3. *Biblia Sacra iuxta Vulgatam versionem*, ed. by Weber and Gryson.

and **XIV**, Loeb resorted to Rashi's gloss and to the Talmudic text to integrate two *sauts du même au même* (*quod... quod* and *qui... qui*) equally shared by *PCG*; *sauts* are polygenetic, textually irrelevant errors, but such a coincidence in all the manuscripts in two *sauts* at such short distance can be considered, if not a proof, at least a clue to the presence of both *sauts* in the archetype. In **XXV**, 'ita' of *PCG* (emendated in 'tristitia' by Loeb) is not a proper error, but rather a simple variant reading (that is, 'tristitia' is contextually and stylistically to prefer, but 'ita' makes good sense too).

### 3.2. Diffraction in *PCG*

**XXII** andetee *coni. Fidora-Cecini*] audecoz *P* audeser *CG* (further conjunctive error of *CG*)

### 3.3. Correct readings in *P* vs. conjunctive errors in *CG* (with some cases of diffraction between *C* and *G*)

**Prologue** sunt *P*] super *CG* | incredibilis *P*] incredulum *CG* | fosso pariete *P*] fosse paritate *CG* | reptilium et animalium *P*] reptilia et alium *CG* | plurimum eruditum *P*] populum *C* plurimum *G* | singulisque *P*] singulum quod *CG* || **IV** in inmensum *P*] in tensus *C* intensus *G* | esse *P*] omne *CG* || **VI** faciendi i.e. affirmativis *P*] faciendum affinitatis *CG* | praecipere *P*] praecipe *CG* | mirelab (?) *P*] iubal *CG* | idem *P*] diem *CG* || **IX** oratio *P*] ratio *CG* **X** currus electos *P*] lectos currus *CG* | iumenta *P*] invenit *CG* || **X** non nisi de hoc quod qui *P*] non nisi hoc quod || *CG* **XI** ibi dicitur: Dicit Relakys: Goy qui *P*] *om.* *CG* || **XII** gentibus *P*] eractibus *C* et (?) actibus *G* | tenerunt *P*] torruerunt *CG* | miaudent i.e. *P*] mandavit *CG* || **XIII** facio *P*] serio *CG* || **XIV** manuali *P*] aiali *C* animali *G* || **XV** et praesis diei et nocti *P*] ut praesis diei nox *CG* || **XVII** ad dicendum *P*] adiscendum *CG* | lo per lameth et aleph *P*] io per samer et uau *CG* | lo per lameth et vahu *P*] lophamer et aleph *CG* (alehp *G*) || **XVIII** folio *P*] fillio *C* filo *G* || **XXI** hoc *P*] lxx *CG* | tantum modo locus i.e. quattuor brachiorum ubi *P*] tantummodo igitur (?) *C* tantum modo sibi *G* || **XXIII** intrarem *P*] iterum *CG* || **XXVIII** vergere *P*] verbigene *CG* || **XXXI** macoroz *P*] macozer *CG*

### 3.4. Correct readings in *PG* vs. separative errors in *C*

**III** minorata *PG*] memorata *C* || **XII** petiit *PG*] periit *C*

### 3.5. Correct readings in *CG* vs. separative errors in *P*

**VII** super dextera quod sit sinistra et super sinistra quod sit dextera *CG*] super dextera quod sit sinistra et super dextera quod sit sinistra *P* || **VIII** supple *CG*] supra *P*

**XVIII** magnum *CG*] magisteri *P* || **XXXI** Helurym in pereg *CG* Heluzym in pereg *G* Heruvym in pereg *coni. Loeb*] *om. P*

### 3.6. *Stemma codicum*

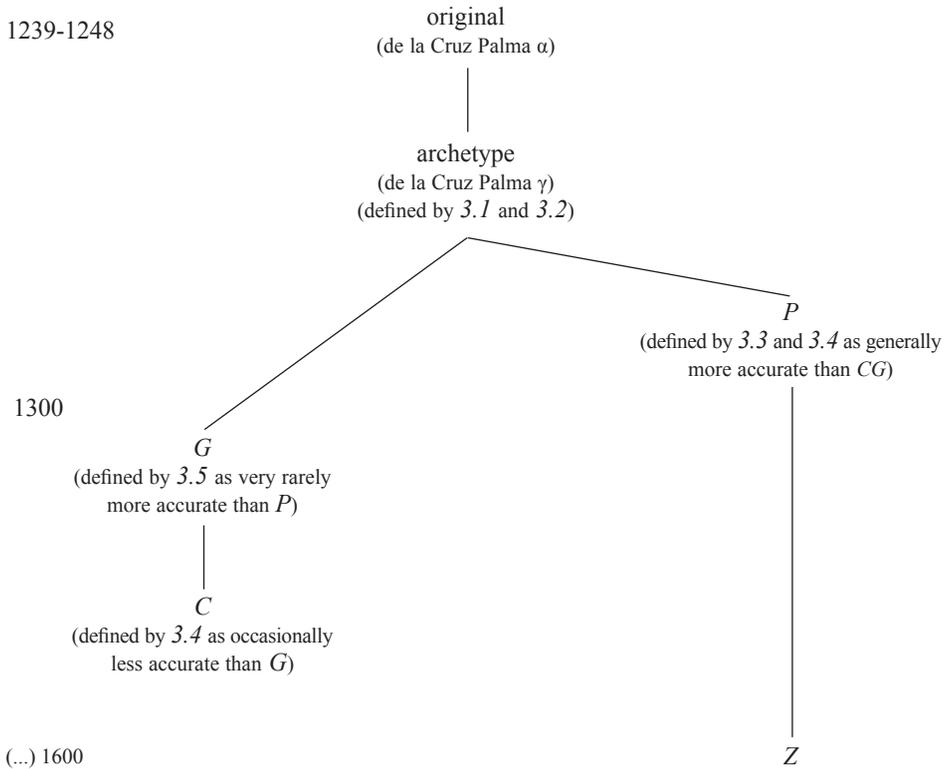
Óscar de la Cruz Palma formulated the hypothesis that the text of the *Extractiones de Talmud* in *P* codicologically pre-dates that of *CG* but is redactionally more recent, as resulting from a process of correction of the original Latin translation of the Talmudic anthology.<sup>4</sup> It seems to me that this *redaktionsgeschichtliche* hypothesis cannot be equally maintained for the translation into Latin of the Talmudic proof texts included in the *Articuli*. Here, *CG* and *P* apparently do not represent respectively an earlier and a later stage in the translation; rather, the few leading errors seem to be mainly due to *CG*'s mechanical misunderstandings of the sometimes *difficilior* (and therefore earlier) text of *P*. Such is the case in: **VI** faciendi i.e. affirmativis *P*] faciendum affinitatis *CG* || **XII** tenerunt *P*] torruerunt *CG* | miaudent i.e. *P*] mandavit *CG* || **XIII** facio *P*] serio *CG* || **XIV** manuali *P*] aiali *C* animali *G* || **XVII** ad dicendum *P*] adiscendum *CG* || **XXIII** intrarem *P*] iterum *CG*.

The opposite case – that of *CG* bearing a primary mistake in translation, later corrected in *P* – possibly occurs only in: **XV** et praesis diei et nocti *P*] ut praesis diei nox *CG*.

Furthermore, the textual tradition of the *Articuli* is represented by fewer witnesses than that of the *Extractiones*. Thus, the *stemma* I propose for the *Articuli* only partly corresponds to the one formulated by de la Cruz Palma for the *Extractiones*,<sup>5</sup> and is as follows:

4. De la Cruz Palma, 'El estadio textual'.

5. De la Cruz Palma, 'El estadio textual', p. 33.



## 4. List of abbreviations

### 4.1. Manuscripts<sup>6</sup>

- $C$  Carpentras, Bibliothèque Inguimbertaine, MS 153, ff. 67vb-71ra (14<sup>th</sup> cent.)
- $G$  Girona, Arxiu Capitular, MS 19b, ff. 73vb-76rb (14<sup>th</sup> cent.)
- [ $Z$ ] Paris, Bibliothèque Mazarine, MS 1115, ff. 390b-401b (17<sup>th</sup> cent.; not collated, as *descriptus* of  $P$ )
- $P$  Paris, Bibliothèque Nationale de France, MS latin 16558, ff. 211rb-217vb (2<sup>nd</sup> half of the 13<sup>th</sup> cent.)

6. For further indications and bibliography on the MSS, see Fidora, 'The Latin Talmud', p. 17; Hasselhoff, 'Rashi's Glosses on Isaiah', p. 126; on  $G$  in particular see Fidora, 'Die Handschrift 19b'; on  $P$  in particular see de la Cruz Palma, 'El estadio textual', pp. 24-26; 30.

#### 4.2. *Biblical Books*

The abbreviations of the titles of the books of the Bible are taken from Weber and Gryson (2007).<sup>7</sup>

#### 4.3. *Technical terms*

<i>add.</i>	integration by a modern scholar
<i>coni.</i>	conjecture by a modern scholar
<i>dittogr.</i>	dittography
<i>ex</i>	ancient source for a modern conjecture or integration (e.g. a Hebrew or Aramaic passage in the Talmud used to correct or integrate a faulty passage in the Latin text)
<i>mg.</i>	indication, addition, or correction in the margin
<i>om.</i>	lack of one or more words in one or more manuscripts
<i>s.l.</i>	indication, addition, or correction above the line
<i>transp.</i>	variation in word order

#### 4.4. *Text-critical literature referred to in the apparatus*

- Connell Hoff* Connell Hoff, Jean, ‘The Christian Evidence’, in *The Trial of the Talmud. Paris, 1240*, ed. by Robert Chazan, Jean Connell Hoff and John Friedman (Toronto: Pontifical Institute of Mediaeval Studies, 2012), 93-125.
- Fidora-Cecini* Fidora, Alexander, and Ulisse Cecini, ‘Nicholas Donin’s Thirty-Five Articles Against the Talmud’, in *Ex Oriente Lux. Translating Words, Scripts and Styles in Medieval Mediterranean Society*, ed. by Charles Burnett and Pedro Mantas-España (Córdoba: UCO Press, CNERU – The Warburg Institute, 2016), 187-99.
- Loeb* Loeb, Isidore, ‘La controverse de 1240 sur le Talmud’, *Revue des Etudes Juives*, 1 (1880), 247-261; 2 (1880), 248-270; 3 (1881), 39-57.

7. See above, n. 4.

### [De articulis litterarum pape]

[P 211rb] [C 67vb] [G 73vb] Quoniam «in ore duorum vel trium testium stat omne verbum» [Dt 19, 15; Mt 18, 16], [C 68ra] ad maiorem praecedentium firmitatem et certitudinem quaedam repetere quaedam super addere utile  
 5 iudicavi, quae ex ore alterius interpretis sunt translata v vel vi annis prius, licet hic ponantur posterius; sciendum autem in primis quod, cum nescio quo Dei occulto iudicio seu permissione Iudaicorum librorum quos Talmut –id est documentum– antonomastice vocant errores et haereses necnon Christi et  
 10 beatae Mariae et sanctorum blasphemiae, christianitatis contemptus et reprobatio, sed et totius Veteris Testamenti incredibilis corruptio, catholicae fidei professores usque ad ista tempora latuerunt; tandem fosso pariete apparuit ostium unum, «et ecce omnis similitudo reptilium et animalium abhominatio, et universa idola domus Israel depicta per totum» [Ez 8, 10]. Anno enim ab incarnatione Domini m° cc° xxxvi° circiter pater misericordiarum  
 15 Iudaeum quendam nomine Nicholaum Donin de Rupella vocavit ad fidem, in Hebraeo plurimum eruditum etiam secundum testimonium Iudaeorum ita ut in natura et grammatica sermonis Hebraici vix sibi similem inveniret. Hic accessit ad sedem apostolicam et bonae memoriae Gregorii papae pontificatus eius anno xii° praedictorum librorum nefandam detexit malitiam et quosdam  
 20 specialiter expressit articulos super quibus ad reges Franciae, Angliae et Hispaniae litteras apostolicas impetravit ut, si in praefatis libris contingeret talia reperiri, igni facerent eos tradi. Collectis igitur auctoritate regia de toto regno Franciae cunctis libris Talmut [P 211va] et Parisius deductis, una die combusti sunt ad xiiii quadrigatas, et sex in alia vice; praedictos itaque libet  
 25 articulos inprimis hic scribere singulisque praepone verba transcripti papalium litterarum quarum in fine huius operis transcripta reperies, verbi causa.

i<sup>us</sup>. Asserunt Iudaei legem quae Talmut dicitur Dominum edidisse. In cezer Mohed in macecta Sabaz, in perec Bama madlikym, quod interpretatur in quo  
 30 illuminantes, dicitur sic: “Miaudent –i.e. dicunt– magistri: accidit in quodam

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2 trium] tri[du]m G testium] om. CG 4 firmitatem] [veritatem] firmitatem CG 5 sunt] super CG 6 ponantur] ponatur C 10 incredibilis] incredulum CG 11 fosso pariete] fosse paritate CG 12 ostium] ut hostium C ut ostium G reptilium – animalium] reptilia et alium CG 14 circiter] s.l. P vel circiter G 15 nomine – Rupella] om. CG 16 plurimum eruditum] populum C plurimum G ita] idem CG 17 vix sibi] vixque CG 19 malitiam] milliciam G 22 eos] om. CG 24 xiiii] xxiiii CG libet] libros libet P 25 singulisque] singulum quod CG 28 legem] s.l. C

**Orth.:** 28-29 cezer Mohed] cezemohed CG 29 Sabaz] sabat CG Bama madlikym] bamamatlikym C bama matlikym G 30 Miaudent] Miadent C Myadent G

goy –gentili– quod venit coram Samay, dixitque ei: quot leges vobis? Respondit: duae, una in scripto alia in ore” [Sab 31a]. Ad idem in eodem libro in macecta Ioma, quod interpretatur dies, in perec Amarahem hamune, quod interpretatur dixit eis ballivus, dicit Rab: “Affirmavit Abraham pater noster totam legem sicut scriptum est: «Quia audivit vocem meam et custodivit 35  
custodiam meam, consuetudines meas et leges meas» [Gn 26, 5]” [Yom 28b], et *infra*: “Dicit Rab Asse: Tenuit Abraham pater noster commixtiones coquinarum”. Glosa: “Quae non erant dandae per Moysen in Syna, sed per scribas instituendae sicut dictum est: Leges meas, duas leges, unam de verbis legis, et unam de verbis –scribarum–. Item in cezer Jessuhot in macecta 40  
Cenezerim in perec Helech: “Etiam si dicat: tota lex, de celo excepto –hoc puncto– hoc caluahomer –i.e. leve et grave, quod nos dicimus locum a maiori vel minori–, vel ista gyeza sana quod est de[P 211vb]cisio equalis, –id est locus a simili–, hoc est: Sermo Domini contemptus est” [San 99a-b], q.d. ille est de quo scriptum est: «Verbum Domini contempsit et preceptum eius fecit irritum, idcirco 45  
delebitur, etc.» [Nm 15, 31].

ii<sup>us</sup>. De verbo Domini dicunt traditam hoc legitur in Brakot, in primo perec: “Dicit [G 74ra] Rby Leuy: [C 68rb] Quid est quod scriptum est: «Et dabo tibi tabulas lapideas et legem ac mandata, quae scripsi ad docendum ea» [Ex 24, 12], tabulas lapideas i.e. legem, legem i.e. Mysna, mandata i.e. consuetudines 50  
et praecepta, que i.e. iudices, scripsi i.e. Mykara –Historiographa et Prophetas–, ad docendum ea i.e. Talmud docens quod omnia ista fuerunt halaka –lectio– Moysi in Syna” [Ber 5a]. Ad idem in cezer Mohed in macecta Meguilla, quod interpretatur rotulus, in perec Hacore et hameguilla: “Quid est quod scriptum est: «Dedit mihi Dominus duas tabulas lapideas et super eas sunt omnia verba 55  
quae locutus est vobis etc.» [Dt 9, 10], docens quod Deus ostendit Mosse puncta legis et puncta scribarum et ea quae scribae erant expectantes ad renovandum” [Meg 19b] –puncta scribarum i.e. traditiones vocant legem super os i.e. Talmut–.

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34 dixit] dicit G 37 Tenuit] tremuit CG 38 sed] om. C 39-40 unam – unam] una – una G 40 de] om. CG in Iessuod macecta *transp.* CG 42 leve] lege C minori] a minori CG 43 quod – equalis] om. CG id] hoc CG 44 est] om. CG 47 De verbo] a verbo C in<sup>2</sup>] om. G 49 ea] eam CG 51 et] i.e. C i.e.] om. C 52 ista omnia *transp.* G 54 Quid] quod G 55 sunt] sicut *Loeb* 56 vobis est locutus *transp.* C vobis locutus est *transp.* G 57 expectantes] spectantes C 58 renovandum] renovandam C

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**In marg.:** 35 Ge. xxvi° P 45 Nu. xv P 55 Deu. ix P

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**Orth.:** 31 Samay] samy C 33 Amarahem hamune] amahan hammune C Amahan hammune G 38 Moysen] moyssem C 41 Cenezerim] cenhezerim CG Helech] helec CG 43 gyeza sana] guezra saua C gzera saua G 47 Brakot] brakarod C brakaod G 48 Rby Leuy] Raby Leui CG 50 Mysna] Myssna G 51 Historiographa] ystoria graffa C hystoriographa G 53 Syna] Sina C Mohed] mohez C 54 Hacore – hameguilla] hacorer et hameguilla C haconzer ha meguilla G 59 Talmut] Talmud CG

- 60 iii<sup>us</sup>. Et insertam eorum mentibus mentiuntur hoc legitur in ceser Nassym in macecta Guytim, quod interpretatur libelli repudii, in perec Hanyzakym i.e. dampnati, ubi dicitur: “Darsat i.e. glosat Iudas filius Nahaman discipulus Relakys: Scriptum est: «Scribe tibi verba haec, quia super os verborum istorum pepigi tecum pactum et cum Israel» [Ex 34, 27]. Istud quomodo? Sed
- 65 hoc est: Verba quae sunt in scripto tu non [P 212ra] potes dicere ore –i.e. verba Bibliae non potes dicere ore, cordetenus nisi in libro–, verba super os –i.e. Talmud– non potes dicere in scripto de domo Rby Hysmael dictum est: Ista tu scribens –verba Bibliae–, sed non scribes Halakod –i.e. Talmud–. Dicit Rby Johan: Non pepigit Deus foedus cum Israel nisi propter verba super os i.e. Talmud, sicut scriptum est: Quia super os verborum istorum pepigi tibi pactum et cum Israel” [Git 60b]. Ad idem in cezer Jessuhot, in macecta Bauamecia i.e. porta media in perec Illumecioz i.e. iste inventiones, in fine ubi dicitur: “Miaudent –i.e. dicunt– magistri: Qui studet in Mikara Biblia, modus est et non ille est modus” [Bm 33a]. Glosa: “Modus est quo ad quid sed non modus simpliciter, quia Mysna et Talmut meliores sunt quam Michara –Biblia–, quia non nisi cordetenus addiscuntur, et oblivioni traduntur; in diebus enim ipsorum magistrorum non erat Talmus scriptus nec concessus ad scribendum sed ex quo corda –ingenia– minorata sunt, coeperunt antecessores nostri scribere Talmud”.
- 80 iv<sup>us</sup>. Dicunt etiam eam tamdiu sine scriptis servatam donec quidam venerunt quos sapientes et scribas appellant qui eam ne per oblivionem a mentibus hominum laberetur in scripturam cuius volumen, in inensum excedit textum Bibliae, redegerunt. Hoc legitur in cezer Nassym, in macecta Guitym, in perec Hanizakym, ubi dicitur: “Raua et Rab Joceb dicunt ambo: Iste liber de
- 85 Aftarta –liber est lectionum sumptarum de Biblia, in quo legitur in [P 212rb] synagoga–, vetitum est legere in ipso. Quare? Quia non fuit datus ad scribendum”. Glosa: “Quia non fuit concessum scribere de Mykara Biblia minus quam librum integrum. “Mor filius Rab Asse dicit: Vetitum est accipere menier –i.e. manuale

64 pepigi] pepugi C Sed] scilicet *Loeb* 65 ore] *om. CG* 67 de domo Rby Hysmael] de domo [Ysrael] Rby Hysmael C Ista] *om. C* scribens] scribes *CG* 68 Talmud] verba Talmud *CG* 69 sicut] i.e. C 71 Jessuhot] Jessua C Jessuot G 72 ubi] ibi *CG* 73 Biblia] in Biblia *CG* 74 quo] de quo *CG* sed] et *CG* 75 non nisi] non est nisi *CG* 78 minorata] memorata C 80 eam] *s.l. C* 81 qui] qua *CG* 82 in inensum] in tensus *C* intensus G 85 lectionum] electionum C electionum G

**In marg.:** 63 Exo. xxxiii P 65-66 i.e. verba Bible non potes dicere G

**Orth.:** 60 ceser] cezer *CG* 61 Guytim] guitym *CG* Hanyzakym] hanykakym C 63 Relakys] relakis C 68 Rby Johan] Rby ioham C Raby iohan G 71 Bauamecia] buua mecia C baua mecia G 72 Illumecioz] illi mecioz C illi mecior G Miaudent] myadent C 73 Mikara] Mykara G 75 Talmut] Talmud *CG* Michara] mykara C mykara i.e. G 77 Talmus] talmud *CG* 83 Guitym] Guitim *CG* 84 Hanizakym] hanyakym C hammyakym G Raua] Raba *CG* Joceb] ioseph *CG* 85 Aftarta] alpha ara C alphaara G

dictum legendarium–. Quare? Quia non est conveniens legere in eo. Quia Rby Johan et Relakys respiciunt in libro de agaza”. –Agaza dicitur [C 68va] expositio 90  
 verborum Biblie per Talmud–. Obicit: “Et numquid datum est ad scribendum. Non,  
 sed ex quo non potest esse, glosa: quin scribatur, ex quo corda –ingenia–  
 minorata sunt et lex oblivioni traditur, «Tempus faciendi Domino,  
 dissipaverunt legem tuam» [Ps 118, 126]” [Git 60a]. Glosa: Tempus est  
scribendi Domino ne tradatur oblivioni, propter hoc dissipaverunt legem 95  
 tuam quia scribunt eam licet prohibuisses “similiter hic ex quo non potest  
 aliud et aliter esse, «Tempus faciendi Domino, dissipaverunt legem tuam»”.  
Glosa: “Sicut supradictum est de libro Agaza, quod potest scribi quia aliter  
non potest esse sine oblivione, eadem ratione liber Aftarta scribi potest quia  
quaelibet synagoga non potest habere Bibliam integram”. 100

v<sup>us</sup>. In qua inter cetera inania continetur, quod dicti sapientes et scribae melius  
valent quam prophetae: hoc legitur in cezer Jessuot, in macecta Bauabatra,  
quod interpretatur porta ultima, in primo perec i.e. [G 74rb] capitulo: “Dicit  
Rab Uuzim: A die qua domus sanctuarii fuit deserta, accepta est prophetia a  
prophetis et data est sapientibus” [Bb 12a]. Obicit: “Sapiens nonne est 105  
propheta ipse? Etiam sed quamvis assumpta fuerit a prophetis, a sapientibus  
non fuit accepta. Dicit [P 212va] Amemar: Et sapiens melior est quam  
propheta”.

vi<sup>us</sup>. Et verba legis scriptae destruere potuerunt. Hoc legitur in cezer Nassym,  
in macecta Ieuamoz, in perec Haissa sehalach quod interpretatur mulier quae  
ivit, ibi dicitur: “Nonne conveniunt ad eradicandum verbum legis” [Yeb 89b].  
Respondit et probat quod sic: postea pluries querit et pluries probat; in fine  
dicit sic: “Sede et non facias, variatum est” [Yeb 90a]. Glosa Salomonis:  
“Quia de praeceptis faciendi i.e. affirmativis possunt scribae praecipere quod  
sedeat, et non faciat quia non est ibi eradicamentum faciundo sed obmittendo, 115

89 eo] *add.* «Mais cela est faux, on peut y lire et on peut le porter le samedi» *Loeb ex* Git 60a  
 ביה ולא היא שרי לטלוליו ושרי למקרי ביה 91 per] *om.* CG 92 scribatur] [ex] <scribatur> C 93 minorata]  
 memorata C Domino] Domina CG 95 propter hoc] ipsi CG 97 aliud <et aliter s.l.> esse P] esse  
 aliter C aliter esse G faciendi] faciendi fa *ditto*gr. P Domino] Domine CG 99 esse] omne CG 101  
 inania] magna [q] C 101 quod] quia C 105 Obicit] abicit C 106 Etiam] est C *om.* G 109 scrip-  
 tae] scripta C 112 Respondit] respondet CG 113 variatum] narratum C Salomonis] Salomonis dicit  
 CG 114 Quia] quod G faciendi – affirmativis] faciendum affinitatis CG scribae *coni.* *Loeb*] scribere  
 PCG praecipere] praecipere CG 114 quod] quae G 115 faciat] faciet C

**In marg.:** 106-107 sapientes iudeorum meliores reputant se prophetis et dicunt quod potuerunt destruere verba legis G

**Orth.:** 90 Johan] iohan C agaza<sup>1</sup>] agazat CG Agaza<sup>2</sup>] agazat C 99 Aftarta] aphaara CG 102 Bauabatra]  
 Bauabazera C bauabacera G 104 Rab Uuzim] Rby mytym C Raby mytym G 109 cezer] cesser C  
 ceser G Nassym] masym C massym G 110 Ieuamoz] iesmanor CG sehalach] stalat CG

per se enim eradicantur”. “Dixit ei: Volui tibi obicere” [Yeb 90b] vii modis, quorum unus est de lege qua praecipitur quod iubilent prima die vii mensis, et scribae prohibuerunt quod die sabbati non fiat hoc. Dicit enim Raua, quia fortassis obliviscerentur portare tubas in synagoga, et sic oporteret eas  
 120 quaerere et deferre per vicos, quod esset grande peccatum, ut legitur in libro Mohed in macecta Chuca, in perec Iubal uaharaua [Suk 42b sqq.]; alius modus est mirelab i.e. palma quam prohibet idem Raua accipere eadem  
 125 ratione xv<sup>a</sup> die mensis vii, scilicet in festo tabernaculorum [Suk 43b] quod tamen praecipit lex [Lv 23, 39-40]. Alii vque modi similiter sunt praeceptorum faciendi que magistri fieri prohibuerunt: “Modo quod mihi respondisti sede et non facias eradicare non est? Omnia haec sunt sede et non facias”. Glosa est: “Ex quo respondisti mihi quod sapientes prohibere possunt praecepta faciendi quoniam sede et non facias non est eradicare, omnia quae volebam tibi [P 212vb] obicere talia sunt unde sede et non facias est in illis propter quod non possum ista tibi obicere”. Ad idem in cezer Mohed in macecta Ros hasana i.e. caput anni, in perec Ymen makyrym, ibi legitur: “Quid docet dicere: «Vos, vos, vos» [Lv 23, 2.3.7]; vos etiam ignorantes; vos etiam scientes; vos etiam errantes” [Rh 25a]. Glosa: “Super sollemnitatibus scriptum est: «Hii sunt termini Dei, quos vocabitis eos» [Lv 23, 2]; pro eos est in Hebraeo: ocem ter, et fingunt de ocem, atem quod est vos. Dicitur autem ibi vos [C 68vb] ter ad docendum nos quod scribae possunt mutare terminos festorum. Ignorantes, scientes errantes; ignorantes, cum non possint invenire novilunium per quod vere possint cognoscere diem festi, et per talem ignorantiam alia die celebrant hoc datur intelligi per primum vos per  
 140 secundum vos, etiam scientes, quod possunt festa mutare et scienter et voluntate propria et mandato; per tertium vos etiam errantes, datur intelligi quod si aliquorum decepti testimonio, crediderint fuisse novilunium quando non fuerit et tunc celebraverint festum, ratum est quod fecerunt”. Unde per hunc modum mutaverunt omnia festa sua. Ad idem in eodem loco: “Hii sunt termini Dei, quos vocabitis eos vocabulo, sanctuarii sive in terminis suis, sive  
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116 eradicantur] erradicatur C modis] modiis C 118 enim] om. G Raua] Rab CG 119 obliviscerentur] obliviscuntur C tubas portare *transp.* CG synagoga] synagogam G 120 libro] cezer C cezer G 122 mirelab] iubal CG accipere] recipere C 124 similiter quinque modi *transp.* CG praeceptorum] praecepta CG 125 fieri] om. C 129 tibi] [q] tibi G sunt unde] unde CG in] *s.l.* P 130 tibi ista *transp.* C 131 Quid] quod CG 132 Vos<sup>1</sup> – ignorantes] om. C 134 quos] quod CG 135 ocem ter] ocimter C ocemiter G 137 possint] possunt CG 138 possint] possunt CG talem] tale C 139 celebrant hoc] celebratur hic C 140 secundum] istut C et<sup>1</sup> – et<sup>2</sup>] etiam scienter quod CG 144 idem] diem CG

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**In marg.:** 124 Leu. xxiii. P 134 Leu. xxiii P

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**Orth.:** 121 Chuca] Thuca CG uaharaua] vahaiaua CG 122 Raua] Raba C Rava G 123 vii] septimi G 131 hasana] assana C Ymen makyrym] himen makyrim C ymen makyrim G 135 atem] acem G

sine terminis suis” [Rh 25a]. Glosa: “Probat per hoc quod possunt sapientes facere festa sua et in terminis suis et extra terminos”. Ad idem in cezer Jessuhot in macecta Makoth, in ultimo perec i.e. capitulo: “Dicit Raua: Tam stulti sunt homines qui coram rotulo assurgunt [P 213ra] et coram magno homine non assurgunt at vero in libro scriptum est –in rotulo–: «xl percutiet illum» [Dt 25,3], et venerunt magistri et diminuerunt unum” [Makk 22b]. Glosa: “Propter hoc dicit Raua, quod magis assurgendum est magno homini i.e. sapienti, seu scribae vel magistro scientiae Talmut, quam rotulo cum maiorem habent potestatem quam ipsa lex”.

vii<sup>us</sup>. Et credi debet eisdem si sinistram dexteram dicerent vel e contrario dexteram verterent in sinistram. Hoc scriptum est: «Non declinabis neque ad dexteram neque ad sinistram» [Dt 17, 11]. Glosa Salomonis: “Etiam si dicant tibi super dextera quod sit sinistra et super sinistra quod sit dextera”. Ad idem in cezer Mohed in macecta Sabat in perec Bama malykym, super hoc quod statuerunt accendere candelas cereas viii diebus in festo Hanuka, pro victoria Iudith, et quando accendunt eas, faciunt benedictionem et dicunt: “Quid benedicitur? Benedictus qui sanctificavit nos, in praeceptis suis, et praecepit nobis accendere candelas in festo Hanuka. Ubi praecepit nobis? Dicit Rab Auoya: De Non declinabis” [Sab 23a]. Glosa: “Accensio candelarum non est ex lege sed a praecepto scribarum, verum[G 74va]tamen per hoc quod supra scriptum est: Non declinabis etc. Intendit Rab Auoya, probare quod illud quod praecipunt tantum valet quantum si Dominus preciperet”. “Rab Naaman filius Ysaac dicit quod «Interroga patrem tuum et annuntiabit, senes et dicent tibi» [Dt 32, 7]”. Unde accidit quod super traditionem [P 213rb] quam fecerunt de lotione manuum dicant ita: “Benedictus Deus Deus noster qui sanctificavit nos in praeceptis suis, et praecepit nobis super lotione manuum” et sic faciunt in multis huiusmodi.

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147 et<sup>1</sup>] om. C 150 at] aut CG 152 Propter] Super CG est] om. CG 154 habent] habeant CG 156 neque] nec C 158 dextera<sup>1</sup>] dexteram G sinistra<sup>2</sup>] sinistram G dextera P dextera<sup>2</sup>] sinistra P 165 quod] om. C 168 Naaman] aamari filius dicit C aamari filius G Ysaac] om. C quod] om. C senes] senes tuos CG 169 quod] om. CG

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**In marg.:** 150 rotulo] Deu. xxvi <xxv> mg. P 155 magistri de talmud maiorem potestatem habent quam lex G 157 Deu. xvii<sup>o</sup> P 168 Deu. 32 P

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**Orth.:** 148 Jessuhot] Jessuot CG Makoth] Makod CG 153 Talmut] talmud G 158 dextera<sup>1</sup>] dextera C 159 Sabat] Sabbat C malykym] mazlikym CG 160 Hanuka] hamyka CG 163 Hanuka] hamyka CG 165 verumtamen] verum tamen G 166 Auoya] auoyhya C auohia G

viii<sup>us</sup>. Morique debet qui non servavit quae dixerunt; hoc legitur in cezer Mohed in macecta Heruvim quod interpretatur mixtiones, in perec Ocym  
 175 pacym quod interpretatur facientes palos, ubi dicitur: “Darsat –i.e. glosat–  
 Raua: Quid est quod scriptum est: «Hiis amplius fili mi, requiras, faciendi  
 plures libros nullus est finis» [Ecl 12, 12]? Fili mi, esto velox in verbis  
 scribarum magis quam in verbis legis, quia in verbis legis est Fac et non fac  
 –supple sine morte–, et qui transgreditur verba scribarum debitor est mortis, et si  
 180 tu dicas, si est in eis substantia –i.e. veritas– quare non fuerunt scripta?  
 «Faciendi plures libros nullus est finis frequensque meditatio carnis est  
 afflictio» [Ecl 12, 12]. Dicit Rab Papa: Docens quod omnis qui irridet verba  
 sapientium punitur in stercore bullienti” [Er 21b].

viii<sup>us</sup>. Qui prohibent ne infantes Biblia utantur quia non est modus ut dicunt  
 185 discendum ea, sed doctrinam Talmut preferentes quaedam ediderunt pro sua  
voluntate mandata. Hoc legitur in macecta Brakot in perec Thephilat [C 69ra]  
hasahar, quod est oratio matutina ubi dicitur: “Cum Rby Elyezer fuit infirmus,  
 discipuli eius intraverunt ad ipsum visitandum, et dixerunt ei: Magister, doce  
 nos vias vitae, verbum in quo lucremur [P 213va] vias futuri saeculi. Dixit  
 190 eis: Estote veloces in honorem sociorum vestrorum, et prohibete filios vestros  
 a studio legis” [Ber 28b]. Glosa Salomonis: “Non assuefaciatis eos in Mykara  
 Biblia, quia nimis abstrahit ad aliam doctrinam –infidelitatem–”. Et iterum ait:  
 “Facite filios vestros sedere inter genua sapientium discipulorum et per hoc  
 lucrabimini vitam alterius saeculi”. Quod autem sequitur in articulo probatur  
 195 per hoc quod legitur in cezer Jessuot, in macecta Bauamecia, in perec  
Illumecioz i.e. inventiones, ubi dicitur: “Qui studet in Biblia, modus est qui  
 non est modus; in Mysna et Talmud, modus est super quo datur premium, sed  
 in Talmud non est modus melior illo” [Bm 33a].

x<sup>us</sup>. In quibus qui pro lege dixerunt optimum Christianorum occide. Hoc  
 200 legitur in Ellesemoz: «Tulitque sexcentos currus electos quotcumque in

173 servavit] reservaverit CG 176-177 faciendi – finis] om. C 177 nullus est finis] om. G 179  
 supple CG] supra P 180 i.e.] om. CG 181 est<sup>2</sup>] om. G 183 bullienti] buliente C bulliente G 184  
 quia] quod G 185 discendum ea] discendi in ea CG 187 hasahar] halafar CG oratio] ratio  
 CG 188 doce magister transp. C 189 vias vitae] vias viae vitae CG vias<sup>2</sup>] vitam con. Loeb. sae-  
 culi futuri transp. CG 192 quia] quod CG 193 per hoc] hoc CG 196 inventiones] inventiones in  
 fine CG 200 Ellesemoz] ellesemoz exodi C ellesemoz exodi G sexcentos] trecentos CG currus  
 electos] lectos currus CG quotcumque] quotquot CG

**In marg.:** 173 qui transgreditur uerba scribarum reus est mortis G 177 Ecc. in fine P 191 prohibet  
 studere in biblia quia trahit ad infidelitatem G 199 goy P

**Orth.:** 174 Mohed] moed G 174-175 Ocym pacym] ociim pasim C ocim pasim G 187 Elyezer]  
 heliezer CG 195 macecta] mactecta C Bauamecia] baua mecia CG 196 Illumecioz] illu meciot C  
 illumecyot G 197 Mysna] Myssna CG 200 Ellesemoz] ellesemoz C

Egypto curruum fuit» [Ex 14, 7]. Glosa Salomonis: “Unde erant illa animalia? Si Aegyptiorum, nonne scriptum est quod «mortua sunt omnia animalia eorum» [Ex 9, 6], et si de Israel, nonne scriptum est: «Omnes greges pergunt nobiscum. Non remanebit ex eis ungula» [Ex 10, 26]? Unde ergo fuerunt? Non nisi de hoc quod qui timuit verbum Domini de servis Pharaonis fecit confugere servos suos et iumenta in domos per hoc dicebat Rby Symeon: Optimum goym occide, melioris serpentum contere caput” –q.d. ex quo illi qui boni fuerunt et timuerunt verbum Dei tradiderunt animalia sua ad persequendum populum Domini, optimus goym tamquam malus occidi potest–. 205

xi<sup>us</sup>. Et Christianus quiescens vel studens [P 213vb] in lege poenae mortis subdatur hoc legitur in cezer Jessuot, in macecta Cenhezerin, in perec Arlamithoz, ibi dicitur: “Dicit Relakys: Goy qui quiescit debet mori ut dicitur: «Die et nocte non requiescent» [Gn 8, 22]” [San 58b]. Et infra: “Dicit Rby Johan: Goy qui studet in lege debitor est mortis, ut dicitur: «Legem praecepit nobis Mosse, hereditatem multitudini Iacob» [Dt 33, 4], ipsa nobis et non eis”. 210 215

xii<sup>us</sup>. Et Christianorum quilibet arte qualibet vel ingenio potest decipi sine peccato hoc legitur in cezer Jessuhot in macecta Bauakama, i.e. porta prima, in perec Sorsenagai, i.e. bos qui petiit, in Mysna, ubi dicitur: “Bos Israel qui cornupetierit bovem extranei immunis est, et bos extranei qui cornupetierit bovem Israel sive sit simplex sive cornupeta reddet damnum integrum” [Bq 38a]. Obicitur contra hoc in macecta Guemara: “Quis est animus tuus? Si socii sui [Ex 21, 35] –i.e. si bos petierit bovem socii sui– si socii sui proprie –sumitur–, extranei –bos– cum cornupeteret bouem Israel quiptetur; et si socii sui non proprie –sumitur–, etiam bos Israel qui cornupetit bovem extranei debitor sit?”. 220 225  
Responsio: “Dicit Rby Abhu: Ita dicit pachus –auctoritas–: Stetit et mensus est [G 74vb] terram, aspexit et solvit goym –gentibus– [Hab 3, 9]. Quid vidit? Vidit vii praecepta quae receperunt filii Nohe super se, et non tenuerunt illa, stetit et

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202 quod mortua sunt] *mg. C* 203 scriptum] *om. C* 205 de hoc] hoc *CG* qui] *om. CG* 206 iumenta] invenit *CG* 207 melioris] meliorum *CG* 212 ibi – qui] *om. CG* 213 et<sup>1</sup>] *om. C* 217 vel] *om. CG* 217-218 sine peccato] sine peccato ab eisdem *CG* 218 Bauakama] bava *C* bava bava *G* 219 petiit] petiit *C* Bos] uos *C* 220 extranei] Israel *CG* et] *om. CG* 223 sui<sup>1</sup>] tui *C* bos] uos *C* petierit] percusserit *CG* sui<sup>2</sup>] tui *C* 224 bos] et bos *C* cornupeteret] cornupetet *CG* sui] *om. C* 225 etiam] et *CG* extranei *coni. Loeb ex Bq 38a*] Israel *PCG* 226 pachus] panchut *CG* 227 gentibus] eractibus *C* et actibus *G* 228 receperunt – se] ceperunt super se filii noe *CG* tenuerunt] torruerunt *CG* illa] *om. CG*

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**In marg.:** 200 exo. xiii° b *P* 209 nota terribile verbum *C* 215 Deu. xxxiii *P* 217 goy *P* 227 Abac. iii *P*

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**Orth.:** 206 Symeon] Simeon *G* 211 Cenhezerin] cenherezim *C* 212 Arlamithoz] arbamythoz *C* arbamithoz *G* 218 Jessuhot] iessuot *CG* 219 Sorsenagai] sorssenagai *C* 226 Abhu] aueu *C* auehu *G*

230 solvit –i.e. dedit gallice abandona– censum eorum Israeli. Rby Johan dicit:  
 Resplendit de monte Pharan, de Pharan resplendit Dominus [Dt 33, 2] –i.e.  
 dedit– [P 214ra] censum goym Israeli”. Et infra: “Miaudent –i.e. dicunt– ma[C  
 69rb]gistri: Olim misit regnum nequitiae duos ballivos ad sapientes Israel  
 235 dixerunt eis: Docete nos legem vestram, legerunt secundaverunt tertiiaverunt in  
 hora transitus eorum dixerunt ipsis: Nos punctavimus in lege vestra, et veritas  
 ipsa praeter verbum illud quod vos dicitis, bos Israel qui cornupetit bovem goy  
 immunis est etc., et hoc verbum notificabimus regno”. Per hoc probant  
sapientes, et dicunt Deum exposuisse Iudaeis res omnes gentium aliarum. Ad  
idem in eadem macecta, in perec Hagocel, i.e. raptor, ibi dicit Rby Hysmael:  
 240 “Goy –Christianus– et Israel qui venerunt coram te ad iudicium si potes facere  
 quod Israel in iudicio obtineat fac et dic ei: ita est iudicium nostrum; in iudicio  
 goym –gentium saeculi– fac eum lucrari et dic ei –Christiano–: sic est iudicium  
 vestrum: si non, venietur contra ipsum per astutias et fraudes” [Bq 113a]. Et  
infra dicit Rby Symenon: “Rapina goy –Christiani– vetita est, sed amissio rei  
 suae absoluta est –i.e. concessa–”. Et infra: “Dicit Rby Samuel: Abnumeratio eius  
 245 –i.e. deceptio in computatione– absoluta est” [Bq 113b]. Hoc probatur ibi multis  
exemplis magistrorum. Item infra: “Fecit Raua praeconizari: Filius Israel qui  
 scit testimonium goy –Christiani– et testificatur pro eo in iudicio gentium super  
 –contra– Israel, socium suum, excommunicamus eum”.

250 xiii<sup>us</sup>. Et quicumque iuramento aliquo vult non teneri [P 214rb] in anni  
principio protestetur quod vota et iuramenta eius non valeant quae facies illo  
anno hoc legitur in cezer Nassim in macecta Nezarim in perec Arbauanezarim  
i.e. iiii<sup>or</sup> vota, ibi dicitur: “Qui vult quod non teneantur vota sua toto anno stet  
 in capite anni, et dicat: Omne votum quod ego expecto vovere toto anno  
 255 impediatur et tali modo quod memoretur –protestationis– in hora voti” [Ned  
 23b]. Et obicitur: “Si memoretur hora voti, eradicavit pactum suum  
 –protestationem– et confirmavit votum suum. Et dixit Abaie: Dicit tali modo,

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229 dedit] dedit CG censum] censum census *dittogr.* C Israeli] Israel G 230 Pharan<sup>2</sup>] phalari  
 CG resplendit] splenduit CG 230-231 i.e. –Israeli] et dedit goym ysraeli CG 231 Miaudent i.e.]  
 mandavit CG 233 tertiiaverunt] tertionaverunt CG 235 illud verbum *transp.* CG goy] Israel  
 CG 236 probant] probat G 237 omnes] omnium CG 239 et Israel] *om.* C 242 si – venietur] sin  
 autem veniet C sin autem venietur G 247 goy] ysrael <goy mg.> C et testificatur] et venit et testifi-  
 catur CG 248 contra] *om.* C 249 Et] *om.* CG 250 quae facies] quaecumque facient CG 251 in  
 perec arbauanezarim] *om.* P (*coni. Loeb*) 254 protestationis] protestestationis C 255 Si memore-  
 tur] *om.* C 256 et<sup>1</sup>] *om.* C

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**Orth.:** 229 abandona] abanduna C ab anduna G 230 Pharan<sup>1</sup>] phaaron CG 238 Hagocel] hagozel  
 CG 238 hysmael] Ysmael CG 239 Goy] Goym G 243 Symenon] Simeon C Symeon G 251  
 Nassim] Nassym CG 256 Abaie] Abbaye CG

quod non memoretur in hora voti. Raua dicit: Nimirum sicut diximus ab initio, sed tali modo quod pactus est in initio anni et in hora voti nescivit quod sponderit et nunc vovet; si memor sit in hora voti protestationis dicit: Sub priori animo facio votum meum, non est in eo –voto– tunc substantia; si non dixerit: Sub priori animo voveo, eradicavit pactum suum –protestationem–”[Ned 23b]. Glosa: “Ambo concordant in hoc quod protestatio facta in principio anni irritet vota illius anni, sed Abaie vult quod non sit memor protestationis in hora voti, et Raua vult quod memor sit illius”.

xiii<sup>us</sup>. Tres quoque Iudaei quicumque sint possunt absolvere quemcumque ab omni iuramento hoc legitur in Mohed, in macecta Aguiga i.e. festivitas, in primo perec ubi dicitur: “Absolutio votorum volat in aere –i.e. non habet fulcimentum a Veteri Testamento–. Rby Elyezer dicit: Est eis –i.e. votis– super quo innitantur, prout dicitur: «Cum admirabuntur» [Lv 27, 2; Nm 6, 2] bis, in una admiratione ad obligationem, et in una admiratione ad absolutionem. [P 214va] Rby Jossua dicit: Est eis –votis– super quod innitantur, prout dicitur: «Quod iuravi in ira mea» [Ps 94, 11] in ira mea iuravi et paenitet me” [Hag 10a]. Glosa: “Per hoc ostenditur quod votum potest revocari, quando illum qui vovit pae[C 69va]nitet voti; probat etiam quod votum et iuramentum quantum ad hoc accipiuntur pro eodem, quoniam Rby Jossua confirmat absolutionem votorum per penitentiam iuramenti Dei”. Hoc etiam probat per illud: «Si quis virorum votum Domino voverit aut se constrinxerit iuramento non faciet irritum verbum suum» [Nm 30, 3], unde Samuel dicit post praedicta verba Rby Jossua: “Si fuisset ibi dixissem eis: Mea probatio melior est vestris, sicut scriptum est: Non facies irritum verbum suum, ille verbum suum non irritat, sed alii –qui absolvunt– irritant ei” [Hag 10a]. Dicit etiam Raua, in praedicto perec Arbaia nezarim, quod omnis qui facit votum, quasi qui edificat bama –excelsum– et qui sustinet [G 75ra] illud –i.e. qui non facit se a voto absolvi–, quasi qui sanctificat –sacrificat– super excelsa” [Ned 22a]. Per hoc patet quod homo non solum potest se facere absolvi a voto sed etiam

257-258 non memoretur – modo quod *coni. Loeb ex Ned 23b] om. PCG 258* in inicio] inncio C inicio G 259 sponderit] respondit C spondit G 260 facio] serio CG 261 protestationem] potestate CG 262 concordant] concordat CG 262 in] et G 264 Raua] rana G 265 quemcumque absolvere *transp. CG 267 ubi] ibi CG 268 a] i.e. CG i.e. votis] votum CG 269 admirabuntur] admirabitur CG 270 admiratione<sup>2</sup>] om. CG 271 votis] votum CG 272 iuravi] iuravi iuravi dittoqr. P 274 vovit] vo[ta]vit P probat] patet CG 276 Dei. Hoc] de hoc CG probat] patet CG 277 constrinxerit] confluerit in CG 278 faciet] faciat C post] om. CG 280 facies] faciet CG 282-283 facit – qui<sup>1</sup> *coni. Loeb ex Ned 22a] om. PCG 283 excelsum] om. CG 284 sanctificat sacrificat] sanctificat sanctificat dittoqr. C sanctificat G excelsa] excelsum CG 285 solum] om. CG**

**In marg.:** 272 Ps. P 278 Nu. xxx a P

**Orth.:** 263 Abaie] abay CG 266 Mohed] mohet CG Aguiga] guyg CG 268 Rby Elyezer] Raby helezer C Rby elezer G 271 Jossua] iosua CG 275 Jossua] iosua CG 277 se] sse C 278 Samuel] vsamuel CG 279 Jossua] iosua CG 282 Raua] Rava CG Arbaia nezarim] arbaahanezerim CG

tenetur. Item in Nassim in macecta Nezarim in pereg Naara hameoratha i.e. puella desponsata, legitur: “Absolutio votorum in tribus idiotis” [Ned 78a]. Obicitur: “Nonne scriptum est: «Capita tribuum ibi locutus est ad principes filiorum Israel. Si quis virorum votum Domino voverit etc.» [Nm 30, 2-3]?”  
 290 Ergo idiotae non debent absolvere sed magistri. “Dicit Rab sive Rby Johan: In uno manuali” –gallice: menier, i.e. uno magistro per hoc probant quod tres idiotae vel unus sapiens [P 214vb] potest absolvere a votis–.

xv<sup>us</sup>. Asserunt etiam Dominum peccasse hoc legitur in Kazassym, in macecta Sirassim, in pereg Illuterefod i.e. istae raptae: “Scriptum est: Fecit Deus duo magna luminaria, et scriptum est: «Luminare magnum et luminare parvum» [Gn 1, 16]. Dixit luna coram Sancto benedictus sit ipse –coram Deo–: Domine saeculi, est possibile duobus regibus quod serviant uni coronae? Dixit ei Deus: Vade et minora te ipsam. Dixit coram eo: Domine saeculi, quia dixi coram te verbum decens, minorabo me? Dixit ei Deus: Vade et praesis diei et nocti.  
 300 Dixit ei: Quid valor candelae ad meridiem? Dixit ei Deus: Vade et Israel computent in te dies et annos. Et ait illa: Similiter per dies computabunt terminos suos sicut scriptum est: «Et erunt ad signa et ad terminos et ad annos et ad dies» [Gn 1, 14], dixitque ei Deus: Vade et iusti vocentur nomine tuo, Iacob parvus, Samuel parvus et David parvus, vidit illam Deus quod non  
 305 resederat animus eius et ait Deus: Afferte super me indulgentiam quod minoravi lunam; et hoc est quod dicit Relakys: Quare demittatus est edulus principii mensis? Quoniam dicitur in eodem: «Dixit Deus edulus iste sit in indulgentiam» [Nm 28, 15] super me, quod minoravi lunam” [Hul 60b].

xvi<sup>us</sup>. Et paenituisse iuramenti quod fecit in ira hoc legitur in Mohed in macecta Aguiga, in primo pereg ubi dicitur: “«Quod iuravi in ira mea» [Ps 94, 11] in ira mea iuravi et paenitet me” [Hag 10a].

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288 tribuum *coni. Capelli*] tributum P tribus C tribuit G 289 domino votum *transp. C* 290 Rab – Johan] [Rby siue] Raby iohan C 291 manuali] aiali C animali G 292 potest] possunt CG 293 Asserunt] Asseruerunt C 294 i.e. iste] in isto C in iste G Deus] dominus C 295 magna luminaria] illuminaria magna C luminaria magna *transp. G* 296 coram] i.e. coram CG 298 quia] *om. CG* 299 decens] dicens CG deus ei *transp. C* et<sup>1</sup> – nocti] ut praesis diei nox CG 300 Quid] Quid est CG 301 computabunt] computabit G 302 terminos<sup>2</sup>] terminos [suos sicut scriptum est] C 304 Samuel parvus *coni. Loeb*] *om. PS* et David CG 305 resederat] recedebat CG quod] et C et <quia *s.l.*> G 306 demittatus] demutatus CG 307-308 in indulgentiam] indulgentia C indulgentiam G 309 penituisse] penituit se CG 310 ubi] ibi CG

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In marg.: 296 Ge. i P 304 blas. P

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Orth.: 286 Nassim] massym CG 286 Naara hameoratha] naarra hamenoratha CG 289 Israel] Ysrael C 294 Illuterefod] illuterofod CG 310 macecta Aguiga] maceta et auguigua C in macecta in anguigua G

[xvii<sup>us</sup>.] Et sibi maledixisse quia iuraverat et absolutionem exinde postulasse hoc legitur in Jessuhot, in macecta Bavabatra, in perec Hamocher, ubi dicitur: “Dixit Raua filius filii Anna: Dixit mihi quidam mercator: Veni ostendam tibi montem Syna. Et vidi quod circumdabant eum scorpiones et erant sicut aggeres albi. Et audivi filiam [P 215ra] vocis –vocem Dei– dicentis: Gay –vhe– mihi quia iuravi [C 69vb] –glosa: de subiectione Israel–, et modo quia iuravi quis absolvet me? Cumque venissem coram magistris, dixerunt mihi: Omnis Raua asinus, omnis filius filii Ana inscius; erat tibi ad dicendum mutharlach mutharlach –i.e. solutum tibi, solutum tibi, hoc est absolvo te–. Et ille putavit quod iuramentum de diluvio illud –esset– et magisteri –dixerunt–: Si ita est quid est vhe mihi?” [Bb 73b-74a]. Glosa: “Si de iuramento diluvii est quare dixit: vhe mihi cum iuramentum esset bonum?” sed quia de iuramento subiectionis erat dicebat vhe mihi propter dolorem quem inde habebat, sicut scriptum est: «In omni tribulatione eorum est ei tribulatio» [Is 63, 9]”. Tamen ibi est lo per lameth et aleph scriptum, quod significat non, et legunt lo per lameth et vahu, quod significat ei.

xviii<sup>us</sup>. Ac singulis noctibus sibi maledicere, quia dimisit templum et Israel subdidit servituti hoc legitur in macecta Brakod, quod interpretatur benedictiones, in primo perec, secundo folio, ubi dicitur: “Tres custodiae sunt in nocte, et supra quamlibet custodiam et custodiam sedens Deus et clamans sicut leo et dicens: Veh mihi quia destruxi domum meam, et combussi palatium meum et captivavi filios meos inter gentes saeculi. Dixit Rby Joce: Semel intravi desertum unum de parietinis Ierusalem ad orandum, venit Helyas rememoratus in bonum et custodivit mihi ostium et expectavit me donec explevi orationem. Exivi et dixit mihi Helyas: [G 75rb] Pax super te magister meus, et respondi: pax super te magister mi et domine” [BM 87a]. Et infra: “Et dixit mihi: [P 215rb] Fili, quam vocem audisti in isto deserto? Dixi ei: Filiam vocis rugientis –gallice: bruient– ut columba et dicentis: Veh mihi quia feci desertam domum meam et combussi palatium meum, et captivavi filios meos inter gentes saeculi. Et ait mihi –Helyas–: Per vitam tuam et vitam capitis tui, non hac hora solum dicit ita, immo

315 Et] *om. C* 316 dicentis] dicentem *CG* Gay (*sic!*) Goy *CG* 319 ad dicendum] adiscendum *CG* 320 illud] id *CG* 324 eorum] *om. CG* 325 lo – aleph] io per samer et uau *CG* 325-326 quod – non] *om. CG* 326 lo – vahu] lophamer et aleph *CG* (aleph *G*) 329 folio] filio *C* filo *G* custodi-ae] custodes *CG* 330 quamlibet custodiam] quemlibet custodem *CG* et custodiam *coni. Loeb*] est custodia *PCG* et<sup>3</sup>] *om. CG* 331 combussi] combuxi *CG* 334 Exivi] exivit *CG* 336 Fili] filii mi *C* fili mi *G* 337 audisti] audivisti *C* Dixi] dixit *CG* bruient] virent *CG* 338 et<sup>1</sup>] *om. C* combussi] combuxi *CG* 340 vitam<sup>2</sup>] per vitam *CG* dicit] dixit *CG*

**In marg.:** 325 *Ys. lxiii c P* 329 *blas. P*

**Orth.:** 313 Jessuhot] jessuod *CG* Bavabatra] bava batera *CG* 314 filius filii] fillia filii *C* 316 vhe] *ve C* 318 Raua] Rava *CG* 319 mutharlach mutharlach] mutavlach mutavlach *C* mutalla<ch s.l.> mutalla<ch s.l.> *G* 321 vhe] *ve CG* 322 vhe] *ve C* *veh G* 323 vhe] *veh CG* 333 Helyas] helias *CG* 335 Helyas] helias *C* 338 Veh mihi] *ve michi CG* 340 Helyas] helias *G*

in omni die et die dicit hoc modo, et non tantum, sed in termino in quo Israel intrant domos orationum et domos scholarum et respondent: Sit nomen eius magnum benedictum, Deus quatit caput suum dicens: Beatus rex qui laudatur in domo sua ita, vhe patri qui captivavit filios suos, et vhe ipsis filiis qui captivati sunt desuper mensam patris sui” [Ber 3a].

xix<sup>us</sup>. Item dicunt eum Abrahae fuisse mentitum hoc legitur in Jessuhot, in macecta Baua mecyā, in perec Hathoker ubit dicit Rby Ysmael: “Magnum quid pax quia Deus variavit in ipsa –i.e. mentitus est pro illa–, sicut scriptum est: «Dixit Deus ad Abraham: Quare risit Sara uxor tua, dicens: Num vere paritura sum anus?» [Gn 18, 13] Et non dixerat sic sed: «Postquam consenui et dominus meus vetulus est etc.» [Gn 18, 12], et Deus mutavit verba ne offenderetur Abraham quia ipse vetulum vocabat eum” [Bm 87a].

xx<sup>us</sup>. Et Samueli prophete mandasse mentiri hoc legitur in Nassym, in macecta Jeuamoz, in perec Habahal jeuimor, ultimo folio, ubi dicitur: “Solutum –concessum– mentiri in re pacis, ut dicitur Pater tuus precepit nobis antequam moreretur, ut hec tibi verba diceremus: obsecro ut obliviscaris sceleris [P 215va] fratrum tuorum –et mentiebantur–. Dicit Rby Nathan: Eleemosina est –mentiri, scilicet pro pace–, sicut scriptum est: «Et ait Samuel: quomodo vadam etc.» [I Sm 16, 2]” [Yeb 65b]. Et infra: “«Et dices: Ad immolandum Domino veni» [I Sm 16, 2]. In domo Rby Hysmael dictum est: Magnum quid pax quia Deus mentitus est in ea, primo enim scriptum est: «Et dominus meus vetulus» [Gn 18, 12], et in fine scriptum est: «Et ego anus» [Gn 18, 13]”.

xxi<sup>us</sup>. Et postquam templum deseruit ad mensuram iiii<sup>or</sup> brachiorum certus sibi locus re[C 70ra]mansit, ubi studet in praefata doctrina; hoc legitur in Mohed, in macecta Brakod, quod interpretatur benedictiones, in primo perec, ubi dicitur: “A die quo deserta fuit domus sanctuarii non sunt Deo nisi iiii<sup>or</sup> ulnae de halaka tantum modo locus” [Ber 8a] –i.e. quattuor brachiorum ubi studet in halaka, i.e. Talmut–.

341 sed] sed etiam CG 342 intrant] intravit CG 343 magnum] magisteri P quatit] traxit CG laudatur] taliter laudatur CG 345 sui] om. CG 346 in<sup>2</sup>] om. CG 347 Hathoker] vathoker C Rby Ysmael] s.l. P om. CG 348 pax] est pax CG quia] quod CG 349 Quare] quia C Sara] sera CG Num vere] nonne CG 350 anus] anno C 352 ipse vetulum] ipsa vetula CG vocabat] vocaverat CG 353 mandasse] mandavit se CG 354 folio] fillio C 356 moreretur] moriretur CG 360 In domo] de domo CG 361 est<sup>1</sup>] om. C 363 Et] Et quod CG 364 ubi] ut <ubi> P hoc] lxx CG 366 Deo] domino CG nisi] ubi CG 367 tantum – ubi] tantummodo igitur C tantum modo sibi G

In marg.: 346 blas. P 350 Ge. xviii° P 353 blas. P 355 Ge. in fine P 362 Ge. 18 P 363 blas. P

Orth.: 344 vhe<sup>1</sup>] ue C ve G vhe<sup>2</sup>] veh CG 346 Abrahe] abrae C Jessuhot] iessuot CG 347 mecyā] mecia CG 349 Abraham] abram C 353 Nassym] nasym C 354 Habahal jeuimor] abahal Jeminor C habahal Jeminor G 357 Rby] Raby C 360 Rby Hysmael] Raby ysmael C Rby ysmael G 364 Mohed] mohet C 365 Brakod] brako CG

xxii<sup>us</sup>. Et cotidie exercet studium docendo pueros qui decedunt tali scientia non imbuti hoc legitur in Jessuhot, in macecta de Auozazara quod interpretatur servitium peregrinorum, in primo pereg ubi dicitur: “Xii horae sunt diei, in tribus primis sedet Deus et myaude –i.e. studet– in lege. In tribus secundis sedet et iudicat totum mundum; quando videt quod totum seculum reum est –gallice andetee–, surgit a sede iustitiae, et sedet in sede misericordiae; in tertiis sedet et regit –i.e. pascit– totum saeculum a rinoceronte usque ad pulices. In quartis sedet et ludit cum Leviathan, sicut dicitur in psalmo: «Leviathan istum creasti ad ludendum in eo» [Ps 103, 26]. Querit Aha a Rab Nahamam: A tempore desertionis templi a quo non fuit risus coram Domino. Sicut dicit Rby Ysaac: Sicut [P 215vb] scriptum est: Et vocavit Dominus Deus exercituum in die illa ad fletum et ad planctum etc. [Is 22, 12]. In tribus quartis horis quid facit? Sedet et docet pueros de domo magistri –i.e. qui decedunt dum docerentur adhuc parvuli–, sicut scriptum est: «Quem docebit scientiam et quem intelligere faciet auditum. Ablactatos a lacte et fortes ab uberibus» [Is 28, 9] et ante qui docebat eos? –q.d. tum ludebat cum Leviathan–. Si vis dic Mytraton –magnus angelus– et si vis dic quod utrumque faciebat Dominus simul” [Az 3b] etc. quae in macecta Auozazara superius reperies magis plene, xc. d.

xxiii<sup>us</sup>. Rogat etiam super re ipsum ut Iudaeorum debeat misereri. Hoc legitur in Mohed in macecta Brakod, in primo pereg: “Dicit Rby Iohan in nomine Rby Ioce: Unde quod Deus orat? Quia scriptum est: «Laetificabo eos in domo orationis meae» [Is 56, 7], non dicitur in domo orationis suae, sed in domo orationis meae, inde quod Deus orat. Quid orat? Dicit Rab Papa: Sit voluntas coram me quod pie[G 75va]tates meae preoccupent iram meam, et volvantur pietates meae super modos meos, et deducam me cum filiis meis in modum pietatis, et quod intrarem cum eis in mensuram iudicii” [Ber 7a].

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368 decedunt] decedent C 369 de] om. CG 371 In<sup>2</sup>] et CG 372 mundum] saeculum CG 373 andetee coni. Fidora-Cecini] audecoz P audeser CG sedet<sup>1</sup>] residet CG misericordiae] pietatis CG 374 i.e.] seu CG a rinoceronte] a cornibus bubalorum imocoete C a cornibus bubalorum imocoete G 375 Leviathan<sup>2</sup>] scilicet Leviatan CG 376 a] om. CG 377 desertionis] destructionis CG 378 Dominus] om. CG 380 decedunt] decedunt C descendunt G docerentur] docentur CG 382 qui] quis CG 383 tum] tunc CG 385 xc. d. coni. Loeb ex P f. 186ra (antea 90a)] ex. d. P om. CG 388 Unde] vnde est CG 389 orationis<sup>2</sup>] om. C 390 inde] inde est CG 391 preoccupent] preoccupant CG volvantur] ynolliantur C <v.s.l.> uolliantur G 393 intrarem] iterum CG

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**In marg.:** 376 Ps. P 382 Ys. 28 P 386 err P 387 deus orat se ipsum ut misereatur iudeorum G 389 Ys. lvi P

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**Orth.:** 367 Talmut] talmud CG 369 Jessuhot] Jessuod C Jessuot G 371 myaude] miaude CG 375 Leviathan<sup>1</sup>] Leviatan CG 376 Aha] acha CG Nahaman] Naamam CG 377 Rby Ysaac] Raby ysac C 383 Leuiathan] leuiatan CG Mytraton] mitraton CG 386 misereri] missereri C 387 Rby Iohan] Raby iohan C 388 Rby] Raby C

395 xxiiii<sup>us</sup>. Ac respondit se ab eis victum in disputatione sua super eadem doctrina  
hoc legitur in Jessuhot in macecta Baua mecia i.e. porta media, in perec Zaha  
i.e. aurum super quadam disputatione inter Rby Elyezer et sapientes discipulos  
ibi dicitur: “Respondit Rby Elyezer omnes responsiones seculi [P 216ra] et  
 400 non receperunt ab ipso. Dixit eis: Si est sicut ego –dico–, arbor ista probet,  
eradicata est arbor a loco et ivit quattuor ulnas, et rediit et stetit in loco suo;  
dixerunt ei: Non affert homo similitudinem –exemplum– de arbore. Dixit eis: Si  
est ut ego –dico–, rivus aquarum probet; redierunt aquae retro; dixerunt ei: Non  
 405 affert homo exemplum de aquis. Dixit eis: Si est sicut ego, parietes domus  
scolae probent; inclinaverunt se parietes scolae ad cadendum, redarguit eos  
–parietes– Rby Jossua: Si discipuli sapientium vincant iste istum quid vobis ad  
casum? Non ceciderunt propter honorem Rby Jossua, et non erexerunt se  
propter honorem Rby Elyezer et adhuc stant inclinati. Dixit eis: Si est sicut ego  
 410 –dico–, de coelis probent; exivit filia vocis –vox Dei– et dixit eis: Quid est vobis  
iuxta Rby Elyezer, verum enim est sicut ipse –dicit– in omni loco. Surrexitque  
Rby Jossua super pedes suos et ait: «Non est in coelis illa» [Dt 30, 12] [C 70rb]  
–lex scilicet–. Quid est: Non est in coelis illa? Iam data est nobis super montem  
Syna, et scriptum est in ea: «Post plures declinabis» [Ex 23, 2]. Invenit Rby  
Nathan Helyam et dixit ei: Quid dixit Deus in illa hora? Respondit: Risit et  
dixit: vicerunt me filii mei, vicerunt filii mei” [Bm 59b].

415 xxv<sup>us</sup>. Et ter die quolibet lacrimatur hoc legitur in Mohed, in macecta Aguigua,  
in primo perec ubi dicitur: “«Et si non audieritis eam, in absconditis plorabit  
anima mea propter superbiam» [Ier 13, 17]. Quid est: «In absconditis»? Dixit  
Rab [P 216rb] Samuel filius Yla in nomine Rab: Locus est Domino, ubi plorat  
 420 in eo et abscondita nomen eius –loci scilicet–. Quid est: «Propter superbiam»?   
Dixit Rab Samuel filius Rby Ysaac: Propter superbiam Israel quae ablata est  
ab eis et data gentibus saeculi, dicit Rab Samuel filius Naaman: Propter

394 ab eis – doctrina] ab eis in disputatione sua super eadem doctrina superatum CG 395 Zaha] Araha C Azaha G 397 responsiones] [sapientes] <responsiones mg.> C 398 arbor ista] arbor ista arbor ista CG 399 eradicata] erradicata C arbor] arbor CG a loco] om. CG rediit] reddit C 400 arbore] arbor CG 401 aquae con. Loeb ex Bm 59b] om. PCG 402 Dixit] dicit CG ego] ego dico CG 404 iste] om. CG 407 Dei] diei CG 408 verum] vera CG 411 declinabis] declinandum CG 411-412 Rby Nathan] in rby natham CG 412 Deus] om. CG in] om. G 414 macecta] mactecta C 415 absconditis] sconditis C 417 Rab<sup>2</sup>] Raby CG 419 ablata] oblata CG 420 dicit – Naaman] Rab Samuel filius namaan dicit CG

In marg.: 394 blas P 396 baua mecia glo P 416 Ie. 13 P

Orth.: 395 Jessuhot] iessuod C Jessuot G Baua mecia] bauamecia G 396 Rby Elyezer] Raby helyer C Rby helyer G 397 Rby Elyezer] Raby helyezer C rby eliezer G 404 Rby Jossua] Raby iosua C Rby iosua G 405 Rby Jossua] Raby iosua CG erexerunt] erex[i]erunt P 406 Elyezer] helezier C heliezer G 408 Rby Elyezer] Raby helezier C Rby heliezer G 409 Jossua] iosua CG 411 Syna] synay C 414 Aguigua] auguigua C auguiga G 417 Yla] Ylla C 419 Rby] Rab CG

superbiam regalitatis celorum. Et estne fletus coram Deo? Et nonne dixit Rab Papa: Non est tristitia coram Deo sicut scriptum est: «Confessio et pulchritudo coram eo, fortitudo et gaudium in loco suo» [Ps 95, 6] [Hag 5b]. Solvunt: “Hoc non gravat. Istud est in domibus intrinsecis, illud in extrinsecis” –q.d. in istis plorat in illis gaudet–. Et nonne scriptum est: Vocavit Dominus Deus exercituum in die illa ad fletum et planctum etc. [Is 22, 12]?” Solvunt: “Variata est desertio domus sanctuarii quia eciam angeli fleverunt sicut scriptum est: «Angeli pacis amare flebunt» [Is 33, 7], et iterum: «Plorans plorabit anima mea et descendet de oculo meo lacrima quia captivatus est grex Domini» [Ier 13, 17]. Dixit Rby Eleizar: Tres istae lacrimae ad quid? Plorans plorabit lacrima una super sanctuarium primum, et una super secundum, et una super Israel, quia sunt captivati. Et aliqui dicunt una super impedimentis legis”. Et infra: “Dicunt magistri: super tres plorat Deus cotidie, super illum qui potest studere in lege et non studet, et super illum qui non potest studere et studet, et super rectorem qui superbit super [P 216va] populum pro nihilo”. 425 430 435

xxvi<sup>us</sup>. De Christo etiam dicere non verentur quod mater eius eum de adulterio concepit ex quodam qui ab eis Pandera vulgariter appellatur. Hoc legitur in Jessuhot in macecta Cenhezerym, in perec Arbamitoz, ubi dicitur: “Et ita fecerunt filio Tatada in Loz, et suspenderunt eum in vespere Paschae”. Obicitur: “Filius Thatada? Fuit filius Pandera. Dicit Rab: Maritus fuit Thatada, adulter Pandera”. Obicitur: “Maritus [G 75vb] fuit Papod filius Iuda”. Solvunt: “Scilicet dic: mater eius Thatada”. Obicitur: “Mater eius fuit Myriam –Maria– stibiatrix et comparatrix mulierum”. Solvunt: “Hoc est sicut 440

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421 dixit] dicit C 422 tristitia *coni. Loeb* (Hag 5b)] ita PCG 422-423 et pulchritudo – suo (in psalmo)] et pulchritudo coram eo, fortitudo et gaudium in loco suo <in psalmo *mg.*> P in psalmo et pulchritudo coram eo fortitudo et gaudium in loco suo C 424 Istud] Istud enim CG d.] dicat C 425 in] et in C 426 etc.] <etc. *mg.*> C Solvunt] solunt G 427 desertio] discretio CG sicut] *om. CG* 428 amare] et amare CG 431 una?] unam C 432 dicunt] *om. CG* 436 dicere] *om. C de]* *om. G* 437 vulgariter] vulgariter CG 439 in Loz] et loch C etloch G 440 Obicitur] obitus CG 443 Myriam] miriam CG 443 et] *om. CG*

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**In marg.:** 425 Ys. xxii P 427 Ys. xxxiii P 430 Jer. xiii e P 436 blas P 436 nota nequiciam iudeorum contra dominum nostrum iesum xpistum et beatissimam eius matrem G

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**Orth.:** 395 Jessuhot] iessuod C Jessuot G 395 Baua mecia] bauamecia G 396 Rby Elyezer] Raby helyer C Rby helyer G 397 Rby Elyezer] Raby helyezer C rby eliezer G 404 Rby Jossua] Raby iosua C Rby iosua G 405 Rby Jossua] Raby iosua CG erexerunt] erex[i]erunt P 406 Elyezer] helezier C heliezer G 408 Rby Elyezer] Raby helezier C Rby heliezer G 409 Jossua] iosua CG 411 Syna] synay C 414 Aguigua] auguigua C auguiga G 417 Yla] Ylla C 419 Rby] Rab CG 430 Eleizar] eliezer CG 438 Jessuhot] jessuod CG 438 Cenhezerym] cenhererim C Arbamitoz] arba mythoz C arba mythor G 439 Tatada] thatada CG Pasche] pasce C 441 Papod] papos G

445 dicitur in Pumbezitha: declinavit haec –adulterando– a viro suo. Super hoc dicit glosa: “Filius Thatada est Iesus Noceri Nazarenus” [San 67a]. Hec eadem verba sunt in Mohed in macecta Sabba, in perec Abone, in fine [Sab 104b].

xxvii<sup>us</sup>. Et quod idem Iesus in stercore calido patitur in inferno, quoniam irridebat verba sapientium praefatorum, hoc legitur in Nassym in macecta Guitim in perec Hanizakym, ubi dicitur: “Encloz filius sororis Tythot –Titi– fuit, et voluit Iudaeus fieri” [Git 56b], et infra: “Ivit et fecit ascendere Ihesum in phitonia –in caldeo dicitur neguigua, in hebreo orif– dixitque ei: Quis valens in alio saeculo? –i.e. qui meliores– Dixit ei: Israel. Quid est ad[C 70va]iungi eis? Respondit: Bonum eorum quaero, malum suum non quaero, quia «omnis qui tangit eos, quasi tangeret in pupilla oculi sui» [Za 2, 8]. Dixit ei: Iudicium illius hominis in quo? –i.e. Iesu– Respondit ei: In stercore bullienti, quia omnis deridens super verba sapientium iudicatur in stercore bullienti” –q.d. propter [P 216vb] hoc taliter sum punitus–.

xxviii<sup>us</sup>. Adhuc dicunt quod quaelibet verba polluta proferre, peccatum est exceptis quae in contemptum ecclesiae vergere dinoscuntur hoc legitur in Jessuhot in macecta Cenhezerym in perec Arbamithot, ubi dicitur: “Omnis blasphemia vetita est, praeter blasphemiam avozazara –ecclesiae–” [San 63b]. Eadem verba sunt in Mohed in macecta Meguilla in perec Hacore ezha meguilla unde habent in usu, quod beatam virginem pollutam ac meretricem, et eucharistiam sacrificium pollutum appellant beatam scilicet virginem themea quod est polluta, et kezeza, quod est meretrix vocant, eucharistiam zeuatame quod est sacrificium pollutum [Meg 25b].

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445 glosa] glosa salomonis CG 452 alio] illo C 453 Respondit] Respondit ei CG Bonum] bonorum CG suum] eorum *coni. Loeb* quaero – quaero] quaere – quaere *coni. Connell Hoff* qui] *om. CG* 454 ei] *om. CG* Iudicium] sic indultum C sic iudicium G 458 proferre] preffere C 459 vergere] verbigene CG dinoscuntur] dinostur C 465 polluta] pollutam G meretrix] meretricem CG 466 zeuatame] reuatame C

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**In marg.:** 458 *goy P* 463 contra beatam Mariam virginem G

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**Orth.:** 444 Pumbezitha] pumbezita C puniberita G 445 Thatada] tatada CG 446 macecta] mathecta C Sabba] saba CG Abone] a bone G 449 Guitim] guytym CG Encloz] Enclor CG Tythot] Titi] tythottiti CG 451 phitonia] phytonia CG neguigua] neguiga CG 460 Jessuhot] Jessuod CD Cenhezerym] cenhezerym G Arbamithot] Arba mytod C Arba mythod G 461 blasphemiam] blasphemiam C 462 Meguilla] meguigua C meguiga G Hacore] achore C ezha] hecha C 463 meguilla] [megula]<meuguigua> C megula G virginem] virginem C 465 themea] temea CG kezeza] hezessa C kezessa G

xxix<sup>us</sup>. Et utuntur quibusdam vocabulis quibus romanum pontificem et Christianitatem dehonstant. Vocant enim sanctos kezessym, quod est scortatores, et sanctas kezesoz quod est meretrices, et ecclesiam beth mossab vel beth kyce quod est latrina. Item crucem et ecclesiam toheua quod est abominatio, aquas benedictas maym temeym i.e. aquas pollutas, benedictionem kelala, quod est maledictio, predicationem nebuta, quod est latratus. Item legitur in Jessuhot, in macecta Auozazara, in primo perec quod vetitum est homini dicere: “Quam pulcher est iste goy –Christianus–” [Az 20a], unde in usu habent pulchrum vocare mekoar quod est turpe, et turpe mekoar maginas quod est turpe proprie. Omnibus etiam festis nostris imponunt nomina blasphemiae. 470

xxx<sup>us</sup>. In singulis diebus ter in oratione quam digniorem asserunt ministris ecclesiae regibus et aliis omnibus ipsis iudeis inimicantibus maledicunt. [P 217ra] Ista oratio est in Talmut et debet dici stando et iunctis pedibus nec ullo modo debet loqui de alio donec illam finierit qui eam dicit, nec eam interrumpere etiam si serpens involveretur talo eius hanc dicunt viri et mulieres, ter ad minus cotidie viri in Hebraeo et mulieres in vulgari et utriusque submitte. Insuper sacerdos dicit eam bis in alto, et alii respondent: “Amen”, ad quamlibet inprecationem. Capitulum autem orationis in qua maledicunt illis quos supra diximus tale est: “Conversis non sit spes et omnes mynym –infideles– in hora –repente– disperdantur et omnes inimici gentis tuae Israel discindantur, et regnum nequitiae eradices, et confringas et conteras, et declines omnes inimicos nostros velociter. In diebus nostris. Benedictus tu Deus frangens inimicos et declinans impios”. Hoc capitulum vocatur benedictio Mynim et tota oratio Semonchecere quod est x et viii quamvis sint xix benedictions, unde super hoc obicitur in Mohed [G 76ra] in macecta 480

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468 dehonstant] [anima veritate]<dehonstant> C enim] eos C 469 beth mossab] bethmossah CG 470 latrina] domus sedis assolationis CG Item] in G 471 benedictionem] benedictione C 472 kelala] kela CG 475 pulchrum] pulchram C maginas] megune *coni. Loeb* 477 quam] in qua CG 478 inimicantibus] limitatibus CG <dominantibus *mg.*> G 479 stando dici *transp.* CG et] *om.* CG 480 dicit] [dix]<dicit> G 481 involveretur] involvetur C 487 discindantur] discindantur C et<sup>1</sup> – nequitiae] in regnum nequitiae Romanum C regnum nequitiae Romanum G 487 conteras] convertas C 488 declines] declinas C nostros] in os C tu] *om.* C 489 vocatur] vocatur vocatur *dittogr.* P 491 in<sup>1</sup>] que CG

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**In marg.:** 467 err P 477 goy P 478 oratio iudeorum contra xpistianos G

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**Orth.:** 468 kezessym] kecesim CG 469 kezesoz] kezessoz C kezesor G 470 beth kyce] ueth ha kyce C beth ha kyce G 470 toheua] theoia CG 471 abominacio] abhominacio CG 471 maym] mahym CG 472 nebua] nyuua C nyvua G 473 Jessuhot] Jessuod G 479 Talmut] talmud CG 485 mynym] mynim CG 490 viii] octo CG

495 Brakot in perec Tefilaz hasalzzyr i.e. oratio matutina: “Iste numquid sunt tantum xviii, xix sunt. Dicit Rby Levy: Benedictionem mynim –infidelium– in Jaune statuerunt eam” [Ber 28b]. Glosa Salomonis: “Longo tempore post alias, prope heresym Iesu Noceri Nazareni qui docuit eos infideles pervertere verba [C 70vb] Dei vivi”. In libro enim Mohed in macecta Roshasana i.e. caput anni in primo perec dicitur: “Mynim sunt discipuli Iesu Noceri qui subverterunt verba Dei vivi in malum” [Rh 17a]. Eadem verba sunt in eodem libro in macecta Brakot.

500 xxxi<sup>us</sup>. Continetur etiam in doctrina praefata quod Iudaei ultra xii menses poenam inferni minime patientur, nec ulterius potest eis poena gehenalis nocere hoc legitur in libro Mo[P 217rb]ed in macecta Helurym, in perec Ocym pacym, ubi dicitur: “Peccatores Israel non habet ignis inferni potestatem in ipsis” [Er 19a]. Et infra obicitur: “Nonne scriptum est: «Transeuntes in vallem plorationis» [Ps 83,7] hoc dictum est super eis, qui transgrediuntur voluntatem Dei, quod profundatur eis infernus et ibi plorant peccata sua”. Solvunt: “Illud est de illis qui debent poenam unius horae in inferno et Abraham descendit et facit eos inde ascendere preter illum qui coit cum goya –Christiana–, quia prepucium eius extenditur et cognoscit eum Abraham”, quia circumcisio non apparet. Quod autem ultra xii menses poenam inferni minime patiantur probatur per illud quod legitur in primo perec de Ros hasana, ubi dicitur: “Peccatores Israel in corporibus suis –i.e. qui non ponunt filacteria in capitibus suis– et peccatores gentium saeculi in corporibus suis descendunt in infernum et iudicantur in eo xii mensibus, post xii menses corpus eorum finitur et anima ipsorum conburitur et ventus dispergit ea –corpora– et fiunt pulvis sub planta pedum iustorum sicut scriptum est: «Et calcabitis impios cum fuerint cinis sub planta pedum vestrorum» [Mal 4, 3]; sed illi qui separati sunt a viis synagoge sicut mynim –infideles– et essicorczym –qui spernunt verba sapientium– et macoroz –accusatores– qui tradunt

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492 Tefilaz hasalzzyr] tefilarha salzzyr CG 492-493 sunt – sunt] [d] xviii sunt tantum xix sicut C xviii sunt tantum xix sicut G 494 eam] illam C illa in eam G 495-496 qui – vivi] qui <docuit eos infideles pervertere verba s.l.> verba [Subverterunt verba dei vivi] docuit eos infideles pervertere verba dei vivi C 501 ulterius] nullatenus C ullatenus G 503 Helurym in perec] om. P (coni. Loeb) Heluzym in perec G 506 plorant] plorans C 508 eos] illos CG 509 eius] ipsius CG 509 extenditur] ostenditur CG 510 Quod – ultra] autem quod C autem quod ultra G 511 legitur] agitur C 513 capitibus] [corporibus]<capitibus s.l.> C 514 iudicantur] iudicant CG 514 post] et post G 517 planta – vestrorum] pulvere pedum vestrorum CG 519 et] in C

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In marg.: 500 err P 500 nota errorem grandem G 517 mal. in fi. P

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Orth.: 492 Brakot] brakod CG 493 Rby Levy] Raby leui C Rby leui G 497 caput] capud C 499 Brakot] brakod CG 501 gehenalis] jehenalis C iehenalis G 502 Moed] mohed CG 503 Ocym] osym CG 515 menses] mensibus C 519 essicorczym] effucrozim CG 519 macoroz] macozer CG

censum Israel in manibus goym –i.e. gentium– et messumatym –apostatae a fide–, 520  
 et qui abnegaverunt legem, et qui abnegaverunt resurrectionem mortuorum,  
 et illi qui dederunt timorem suum in terra vitae –praesentis– et illi qui  
 peccaverunt et alios fecerunt peccare sicut Jeroboam filius [P 217va] Nabath  
 et socii sui descendunt in infernum et iudicantur in eo a generatione in  
 generationem, sicut scriptum est: Egredientur et videbunt cadavera virorum 525  
 qui prevaricati sunt in me, vermis eorum non morietur et ignis non extinguetur.  
 Infernus finit, et ipsi non finiunt” [Rh 17a]. In libro etiam Mohed, in macecta  
 Sabad legitur quod Rby Symeon et filius eius dixerunt: “Iudicium impiorum  
 in inferno xii mensium” [Sab 33b].

xxxii<sup>us</sup>. Ac securus est in futuro qui in doctrina praefata studuerit in presenti 530  
hoc legitur in libro Mohed in macecta Meguilla, in perec Benehair: “Dictum  
 est in domo Helye: Omnis qui studet in halakod –verbis Talmut– assecuratum est  
 ei quod erit filius futuri saeculi” [Meg 28b]; eadem verba sunt in libro  
Nassim, in macecta Nydda in fine [Nid 73a].

xxxiii<sup>us</sup>. Et omnes ieiunantes reputant peccatores hoc legitur in libro Mohed, 535  
in macecta Tahniz, in primo perec, ubi dicitur: “Dicit Rby Samuel: Omnis  
 sedens in ieiunio vocatur peccator sicut legitur de nazareo: «Et ignoscetur ei,  
 quia peccavit super anima» [Nm 6,11]. Et legimus Rby Eleazar hakapar  
 dicentem: “Quid docet discere: «Et ignoscetur ei etc.» In qua anima peccavit  
 iste? Sed quia angustiavit se ipsum a vino –abstinendo– et certe per leve et grave 540  
 –per locum a maiori–. Et quid iste qui non angustiavit se nisi a vino [C 71ra]  
 vocatur peccator, –multo magis– ille qui angustiat se ab omnibus super unam –  
 rationem– tot et tot –i.e. non tantum una ratione sed multis–” [Tan 11a].

xxxiiii<sup>us</sup>. Dicentes Adam cum omnibus brutis et serpentem cum Eva coisse de  
Adam [G 76rb] legitur in libro Nassym, [P 217vb] in macecta Jevamot in 545  
perec Habaal ievamot, ibi dicit Rby Eleazar: “Quid est quod scriptum est:

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521 et qui<sup>2</sup>] *om.* CG resurrectionem] nomine C 526 ignis] igne C 527 finit] finis C in<sup>2</sup>] *om.*  
 CG 528 Sabad] et sabad CG quod] et CG 530 Ac] hoc CG futuro] [infern]<futuro> C [in]  
 inf<uturo> G 531 Benehair] kenear CG. 536 Tahniz] *om.* CG 538 hakapar] halapar CG 539  
 Quid] Qui C qua anima] quo animo CG 540 Sed] Scilicet Loeb 542 ille] *s.l.* C 544 serpentem]  
 [eam] serpentem C 545-546 in<sup>3</sup> – ievamot] *om.* P

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**In marg.:** 525 Ys. in fi. P 530 err aut nassym P 535 err P

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**Orth.:** 520 messumatym] mensym matym C messym matym G 528 Symeon] simeon CG 531  
 Meguilla] megulla CG 532 halakod] halakoz C halakor G Talmut] talmud CG 536 Rby] Raby  
 C 537 nazareo] nacareo G 538 Rby] Raby C 545 Jevamot] ieuamor C ienamor G 545-546 in<sup>3</sup> –  
 ievamot] in perec habaal ieuamor CG 546 Rby] Raby C

«Hoc nunc os ex ossibus meis et caro de carne mea» [Gn 2, 23]? Docet quod venit super omne animal et feram nec fuit refigidatus eius animus donec fuit ei parata Eva” [Yeb 63a]. Glosa Salomonis: “Hoc nunc, ergo aliis vicibus servivit –coiit cum illis– et non ascenderunt in animum eius –i.e. non placuerunt ei–”.

xxxv<sup>us</sup>. Et Cham Nohe patre suo fuisse abusum. Hoc legitur in libro Jessuhot in macecta Cenhezerim, ubi dicitur: “«Et vidit Cham pater Chanaan verenda patris sui etc.» [Gn 9, 22] Rab et Samuel unus dicit: Castravit ipsum, alius dicit: Abusus est illo” [San 70a]. Supra est plenius in macecta predicta.

555 Hii sunt articuli pro quibus praecepit papa Gregorius libros hoc continentes comburi.  
Sequitur de quibusdam de diversis libris collectis, librorum et locorum ordine non servato.

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547 Docet] dicit CG 548 nec] non CG refigidatus] refiguratus C refrigeratus G animus eius transp. CG 549 Hoc nunc] <et ait s.l.> non C et ait non G 552 dicitur] dicit CG 554 est<sup>l</sup>] fuit C 555 praecepit] praecipit C

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**Orth.:** 551 Nohe] noe CG abusum] abussum C Jessuhot] iessuod CG 552 Cenhezerim] cenherim C Chanaan] canaan CG 554 Abusus] abussus C

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# Beyond the Thirty-Five Articles: Nicholas Donin's Latin Anthology of the Talmud (With a Critical Edition)\*

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## 1. Introduction

Nicholas Donin is well known among the scholars who study the Talmud controversy of the 1240s. He is the Jewish convert who in 1238/9 submitted to Pope Gregory IX thirty-five articles of accusation against the Talmud.<sup>1</sup> These articles were based on the Latin translation of those passages of the Talmud that should demonstrate the necessity to burn it as a blasphemous work. After receiving this material, the pope sent letters to the rulers of England, Spain and France, demanding an investigation. Only the king of France responded. The Talmud exemplars of the kingdom of France were confiscated and after the so-called Paris disputation of the year 1240, between Donin and several Rabbis, the Talmud was burnt in 1241/2. After a few years, in 1245, Gregory IX's successor, Innocent IV, started a revision process of this condemnation. The legate of the Apostolic See in France, Odo of Châteauroux, commissioned a new and more extensive translation, known as *Extractiones de Talmud*, which collects almost 2000 passages from the Talmud, following the order in which they appear in the original. We call this translation the sequential version of the *Extractiones de Talmud* (*sT*). On the basis of this newly translated material, the Talmud received a second and definitive condemnation in 1248. The entire material written in the context of the Talmud controversy of the 1240s, i.e. the translations, the papal letters, the depositions of the Rabbis, the final condemnation of 1248, was collected in a *dossier*, which is transmitted in seven manuscripts.

The *dossier* is divided in two parts: the first part contains the sequential *Extractiones de Talmud* and a further translation of a selection of texts taken from a book of liturgical hymns called in Hebrew *Sefer Qerubot* and translated into Latin as *Liber Krubot*.<sup>2</sup> The second part contains further translations – including Donin's thirty-five articles and translations of glosses to the Old Testament written by Rashi, i.e. Rabbi Shlomo Yitzhaqi, the famous French commentator from the eleventh century<sup>3</sup> – along with documental evidence – including the papal letters,<sup>4</sup> the deposition of the

\* This article was prepared within the framework of the research project 'The Latin Talmud and its Influence on Christian-Jewish Polemic', funded by the European Research Council of the European Union (FP7 / 2007-2013 / ERC Grant Agreement n. 613 694 [http://pagines.uab.cat/lattal]).

1. See Piero Capelli's critical edition of the *De articulis litterarum Papae* in this volume.
2. See Wout van Bekkum's contribution in this volume, with an edition by Görg K. Hasselhoff.
3. See the survey of the editions by Gilbert Dahan and by Görg K. Hasselhoff in Hasselhoff, 'Rashi's Glosses on Isaiah', pp. 112-113.
4. Published (among others) in Grayzel, *The Church and the Jews*, pp. 238-242; 250-252; 274-280 and Merchavia, *The Church*, pp. 446-451.

Rabbis during the so-called Paris disputation of 1240<sup>5</sup> and the final condemnation of 1248.<sup>6</sup>

The complete structure of the dossier is the following (the materials which offer translations are highlighted in italics):

First part

- [op. I. Praef.] Praefatio  
 [op. I] *Extractiones de Talmud*  
 [op. IV] *De Libro Krubot*

Second part

- [op. II.1] Prologus in secundam partem  
 [op. II.2] <*De articulis litterarum Papae*>  
 [op. II.3] *Sequitur de quibusdam de diversis libris collectis, librorum et locorum ordine non servato*  
 [op. II.4 Prol.] De glossis Salomonis Trecensis  
 [op. II.4.1-21] <*Glossae Salomonis in (1) Genesim, (2) Exodum, (3) Leviticum, (4) Numeros, (5) Deuteronomium, (6) Iosue, (7) Iudices, (8) I Regum, (9) II Regum, (9b) III Regum, (10) Iob, (11) Psalmos, (12) Proverbia, (13) Ecclesiastem, (14) Canticum Canticorum, (15) Isaiam, (16) Threnos, (17) Danihelem, (18) Ionam, (19) Micham, (20) Abdiam, (21) Habacuc, (22) Zacchariam*>  
 [op. II.5] <Epilogus<sup>7</sup> cum confessionibus magistri Vivi Meldunensis et magistri Iudae>  
 [op. II.5.1] <Confessio magistri Vivi Meldunensis>  
 [op. II.5.2] <Confessio magistri Iudae>  
 [op. II.6] <Quaedam nomina magistrorum> (i.e. a list of names) of the Rabbis appearing in the Talmud.  
 [op. II.7] <Epistulae super condemnatione Talmud>  
 [op. II.7.1] <Epistula Odonis Tusculanensis ad Innocentium IV Papam> [12 August 1247].  
 [op. II.7.1.1] <Epistula Gregorii Papae ad regni Franciae archiepiscopos> [Lateran-Rome, 9 June 1239].  
 [op. II.7.1.2] <Epistula Gregorii Papae ad Portugalliae regem> [Lateran, 20 June 1239].  
 [op. II.7.1.3] <Epistula Gregorii Papae ad Parisiensem episcopum> [Lateran, 9 June 1239].

5. Published in Merchavia, *The Church*, pp. 453-455.

6. Published in Grayzel, *The Church and the Jews*, pp. 278-279 and Merchavia, *The Church*, pp. 453-455.451-452.

7. Dahan, 'Les traductions latines', p. 119 assigns the title of 'Conclusion' to this part. The title 'Epilogus' is taken from Du Plessis, *Collectio Judiciorum*, I, col. 150b.

- [op. II.7.1.4] <Epistula Gregorii Papae ad episcopum et priorem Praedicatorum et ministrum Minorum fratrum Parisius> [Lateran, 20 June 1239].  
 [op. II.7.2] <Alia epistula Odonis ad litterarum inspectores> [15 May 1248].  
 [op. II.8] <Explicit>

Op. II.3, a collection of some passages translated from the Talmud and put one after the other without a precise sequence or further explanation – which we call Talmudic Anthology –, has so far been neglected by scholarship on the Talmud translations of the 1240s. In this study, we will not only present the first critical edition of this work, but we will also show that it shares origin and author with the preceding work: <*De articulis litterarum Papae*> [op. II.2], i.e. Nicholas Donin's thirty-five articles.

## 2. The Manuscript Transmission and the Literary Context

The manuscripts that transmit the *dossier*, or parts of it, are the following:

**P:** Paris, Bibliothèque nationale de France, lat. 16558. Parchment, in 12°, 238 fols. in double columns (mid-13th c.). The entire dossier.

**W:** Wrocław, Biblioteka Uniwersytecka we Wrocławiu, ms. I Q 134 a.<sup>8</sup> Parchment, 21.5 × 15.5 cm, 2 fols. in double columns (mid-13th c.). Consists of two loose parchment folios, deriving from different parts of the sequential *Extractiones de Talmud* [op. I.]. It contains fol. 1: [1226] Mish San X, 2 - [1285] San 94b (2)<sup>9</sup> (with missing passages in between, when compared with other manuscripts); fol. 2: [1648] Nid 17a (2) - [1737] Qid 31a (2) (with missing passages in between as well).

**F** (3 vols):  $F_7 - F_8 - F_9$ : Firenze, Biblioteca Nazionale Centrale, coll. Antonio Magliabechi, Magl. II-I-7, II-I-8 and II-I-9. Parchment, 38/39 × 28/30 cm. The manuscripts are numbered not in folios, but in pages:  $F_7$  335 pp.,  $F_8$  314 pp.,  $F_9$  359 pp.

These are three Hebrew/Aramaic manuscript volumes containing tractates from the Babylonian Talmud. Two of these volumes ( $F_8$  and  $F_9$ ) transmit in the margins part of the *Extractiones* [op. I.] in a script dating from the end of the 13th / beginning of the 14th century.

**G:** Girona, Arxiu Capitular, ms. 19b [olim: ant 1 I-II-17], *Excerpta e Talmud*. Paper, though certain folios are parchment. 40 × 29 cm, 38 fols. 14th c. Some folios are missing from this manuscript at the beginning, at the end and inside the manuscript, which causes *lacunae* in the *dossier*. The first folio starts in the middle of [107] Ber 15a and the last folio ends in the middle of the list of rabbis names, [op. II.6] <Quaedam nomina magistrorum>.

8. Manuscript edited in Klapper, 'Ein Florilegium Talmudicum', pp. 4-23.

9. The identification of the passages corresponds to the one used in the critical edition of the *Extractiones de Talmud per ordinem sequentialem* by Ulisse Cecini and Óscar de la Cruz.

**C:** Carpentras, Bibliothèque Inguimbertaine, lat. 153 [*olim* L.158], *Confutatio Thalmudica & Judaicae perfidiae. Opera Reverendissimi domini Odonis Episcopi Tusculani & Apostolicae sedis Legati*<sup>10</sup>. Paper, with parchment binding, 39 × 29 cm, 142 fols. 14th c. It contains the entire dossier, plus a fragmentary subject index on the fols. 1ra-12va.

**B:** Berlin, Staatsbibliothek Preußischer Kulturbesitz, Ms. theol. lat. fol. 306. (1437). Paper. 20 × 14 cm. 209 fols. Miscellaneous. It contains the *dossier* from the folio 46ra onwards. This is interrupted on folio 136va, in the middle of [1303] San 96b (4). Thus, this manuscript only contains [op. I. Praef.] and part of [op. I] and, as a consequence, it does not contain the work we study here, i.e. [op. II.3].

**Z:** Paris, Bibliothèque Mazarine, lat. 1115 (formerly 2103) (end 17th c.), *Deliramenta rabbinorum*. Paper, 31 × 21,2 cm., 433 fols. *Codex descriptus* of *P* and following its structure, thus containing the entire *dossier*.

A further note should be made about the manuscript *P* and, as a consequence, also about the manuscript *Z*. The manuscript *P* bounds three distinct exemplars, written by separate hands on parchment of different quality, although their palaeographical features indicate a production at similar dates. We name these three exemplars *P*, *P*<sub>1</sub> and *P*<sub>2</sub>.

The exemplar *P* is the one containing the *dossier* and covers the folios 97r-238v of the manuscript in its actual state. A further evidence that it was originally a separate unit is the fact that it has a second, older page numbering which goes from 1 to 142. To this unit the exemplar *P*<sub>2</sub> was bound, going from fol. 5ra to fol. 96ra of the manuscript.

*P*<sub>2</sub> contains a work that we call thematic *Extractiones de Talmud*. It consists of translations taken from the *dossier* (i.e. the entries marked in italics in the list above), slightly re-elaborated and rearranged according to topics of anti-Talmudic polemic, thus forming a new work with the following structure:

- [op. III.1] De auctoritate legis super os quod vocant Talmud [*P*<sub>2</sub> 18rb-24rb]
- [op. III.2] De sapientibus et magistris et potestate et honore eorum [*P*<sub>2</sub> 9ra-12va]
- [op. III.3] De blasphemiiis contra Christum et beatam Virginem [*P*<sub>2</sub> 12vb-14vb]
- [op. III.4] Sequitur de blasphemiiis et quibusdam indignis de Deo dictis et scriptis in Talmud [*P*<sub>2</sub> 14vb-18rb]
- [op. III.5] Sequitur de malis quae dicunt de *goyim*, id est christianis [*P*<sub>2</sub> 18rb-24rb]
- [op. III.5.1] De inprecationibus contra *goyim*<sup>11</sup> [*P*<sub>2</sub> 21va-22va]
- [op. III.6] Sequitur de erroribus [*P*<sub>2</sub> 24rb-33va]
- [op. III.7] De sortilegiis [*P*<sub>2</sub> 33vb-37vb]
- [op. III.8] De somniis [*P*<sub>2</sub> 37vb-41va]

10. Such is the title appearing on the spine of the binding.

11. We owe the discovery of this subcategory of the [op. III. 5] to Isaac Lampurlané.

- [op. III.9] De futuro saeculo et statu post mortem [ $P_2$  41va-44rb]  
 [op. III.10] De Messia [ $P_2$  44va-46rb]  
 [op. III.11] Sequitur de quibusdam levioribus erroribus sive stultitiis [ $P_2$  46rb-66va]  
 [op. III.12] De turpitudinibus et inmunditiis [ $P_2$  66va-70va]  
 [op. III.13] De fabulis [ $P_2$  70va-96ra]

This work enjoyed a separate, independent transmission, which is shown not only by the material evidence of the manuscript  $P$  to which  $P_2$  was subsequently bound, but also by the manuscript Schaffhausen, Stadtbibliothek, 71.<sup>12</sup> This manuscript contains in the fols. 60r-153v the thematic *Extractiones* with a unique prologue. This prologue, though very similar to [op. I. Praef.], has differences which are aimed to introduce this specific version of the *Extractiones*, thus marking its circulation as a work of its own.<sup>13</sup> Moreover, the thematic version was the starting point for a further abridgement, called *Excerptum de Talmud*, which does not take into account the other versions contained in the *dossier*.<sup>14</sup>

$P_1$  is a further material addition to the manuscript resulting from  $P$  and  $P_2$ , covering the present fols 1r-4v. It introduces the whole manuscript with a further exemplar of the [op. I. Praef.].

The manuscript  $P$  also contains at its end an index of biblical quotations, which is probably a later addition that must have been incorporated successively on blank folios by one of the owners of the manuscript.

Though being the most ancient exemplar of the *dossier* and having been considered for a long time its original and thus the main manuscript witness of the Latin Talmud, a thorough analysis of the texts it contains shows that the MS lat. 16558 of the BnF is the result of a revision and correction of a previous version. Therefore, it is by no means the original, but rather the most mature version.<sup>15</sup> This underlines

12. A further witness of this work can be found in the one-folio fragment Stuttgart, Hauptstaatsarchiv, SSG Maulbronner Fragment, edited in Hasselhoff and de la Cruz Palma, 'Ein Maulbronner Fragment', pp. 340-344.
13. Among other things, this prologue lists the titles of the chapters of the thematic version and refers explicitly to the order of production of both versions explaining that the thematic version was prepared after the sequential one (fol. 61v): 'Pervagata praelibatione proluxa, sed ad translatorum intelligentiam admodum necessaria, revertendum est ad propositum principale. Sciendum igitur quod cum primo scripsissem singula secundum ordinem quo ex libris fuerant excerpta, tunc, ut legentibus facilius occurrant optata, per singulas illa distinxim materias et subiectis redigi titulis et rubricis paucis inde, ut confusionem vitarem: De auctoritate Talmud et laude ipsius; De sapientibus et magistris Talmud; De blasphemis contra Christum et beatam Virginem; De blasphemis in Deum; De hiis quae sunt contra christianos; De erroribus et haeresibus; De sortilegiis; De somniis; De futuro saeculo; De Messia; De stultitiis; De turpitudinibus et inmunditiis; De fabulis. Explicit prologus'.
14. The *Excerptum de Talmud* will be object of a forthcoming monograph by Isaac Lampurlanés, containing a critical edition and an in-depth study of this work.
15. This matter is dealt with in detail in de la Cruz Palma, 'El estadio textual', which also offers a *stemma codicum*, which displays the relations between the subsequent revisions and the manuscripts that transmit them.

the importance of producing critical editions of the texts of the Talmud translations of the 1240s, instead of following only the text offered by *P*. Hence, we offer here the first critical edition of the largely neglected Talmudic Anthology [op. II.3], along with its appraisal within the *dossier* of the Latin translation of the Talmud of the 1240s.

### 3. The Two Latin Translations of the Talmud

The ‘editor’ or compiler of the Paris *dossier* makes it clear that two different translations of the Talmud, produced at two different moments, were the backbone of the ecclesiastical investigative procedure. These two translations are at the core of each of the two parts of the *dossier*. The extent of the prologue to the sequential *Extractiones* and the fact that this version was placed in the first part of the *dossier*, though it was prepared after the thirty-five articles, allows us to think that this translation received most attention.<sup>16</sup> In contrast, the prologue to the second part [op. II.1] which is built around the first Latin translation of the Talmud, consisting of Donin’s thirty-five articles [op. II.2] and the following Talmudic Anthology [op. II.3], is rather short. However, the *Prologus in secundam partem* confirms the hypothesis of two different translations of the Talmud, which is also referred to in the first prologue [op. I. Praef.]. There, the ‘editor’ of the *dossier* and redactor of both prologues had written as follows:

[op. I.1.Praef.]<sup>17</sup> PRAEFATIO IN EXTRACTIONES DE TALMUD

[1] Ad iudaicae perfidiae et malitiae necnon incredibilis excaecationis cordium suorum, secundum inprecationem prophetica<sup>18</sup>, quin potius alienationis mentis ipsorum vel amentiae denudationem, de mandato venerabilis patris Othonis Tusculani episcopi sedis apostolicae legati, pauca de innumeris erroribus, haeresibus, blasphemiiis et fabulis, quibus libri iudaici sunt contexti tamque pleni, ut quasi nihil veritatis et minus utilitatis contineant, nunc verbum ex verbo, nunc sensum ex sensu, ut expressius potui, transtuli diligenter.

[2] Deus autem duos sibi providit interpretes catholicos in hebraea lingua quam plurimum eruditos. Hoc autem fidelitatis eorum infallibile mihi praestitit argumentum: quod, cum multa magna et notabilia de praedictis libris diversis temporibus, posteriore ignorante quae vel qualiter ab ore prioris interpretis transtuleram, etsi, propter

16. The thematic *Extractiones* [op. III.1-13] (for which also other parts of the *dossier* have been used) can be seen as the culmination of the process of rendering the Talmud into Latin, blending two independent translations [op. I and op. II.3-4], which is why it was placed in first position in the manuscript *P* (and as a consequence of *Z*), i.e. preceding the *dossier*.

17. The text is taken from our critical edition of the sequential *Extractiones de Talmud per ordinem sequentialem*, p. 3.

18. See Sap. 2, 13-21 (esp. Sap. 2, 21), and Augustinus, *Contra Faustum Manichaeum* XII, 44.

difficultatem et obscuritatem hebraici, quandoque variaverint verba, eandem tamen sententiam et sensum tenuerunt.<sup>19</sup>

Though the matter of the two *interpretes* has already been explained<sup>20</sup>, we should briefly recall the issue as it is key for the assessment of the Anthology [op. II.3], which receives no further introduction in the *dossier* beyond the short title *Sequitur de quibusdam de diversis libris collectis librorum et locorum ordine non servato*.<sup>21</sup> The prologue to the second part of the *dossier* insists on the matter of the two translators (dealt with in the second paragraph of the first prologue [op. I Praef] which we have just quoted), which is why we present it here in a critical edition.

[op. II.1] Prologus in secundam partem: [P fols. 211rb (115)-211va (115)] [G 30vb (73)] [C 67vb-68ra] [Z 390v (362)-391r (363)] [Ech. (I, 1708) 583-574 *iuxta P*] [ed. Loeb 1881, 252, *partim, iuxta P*] [ed. PLESS. I, 1728, 149b-150, *iuxta P*] [ed. *sT*, xxviii-xxix]

PROLOGUS IN SECUNDAM PARTEM

[1] Quoniam «in ore duorum vel trium testium stat omne verbum», [C 68ra] ad maiorem praecedentium firmitatem et certitudinem, quaedam repetere, quaedam superaddere utile iudicavi quae ex ore alterius interpretis sunt translata quinque vel sex annis prius, licet hic ponantur posterius. Sciendum autem in primis quod, cum nescio quo Dei occulto iudicio seu permissione iudaicorum librorum, quos Talmud –id est, documentum– antonomastice vocant, errores et haereses nec non Christi et beatae Mariae et sanctorum blasphemiae, christianitatis contemptus et reprobatio, sed et totius Veteris Testamenti incredibilis corruptio, catholicae fidei professores usque ad ista tempora latuerunt, tandem, fosso pariete, aperuit ostium unum «et ecce omnis similitudo reptilium et animalium abominatio et universa idola domus Israhel depicta [Z 391r (363)] per totum».

[2] Anno enim ab incarnatione Domini .m<sup>o</sup>cc<sup>o</sup>xxxvi<sup>o</sup>. circiter, Pater miseri-

19. Engl. transl.: ‘Preface to the *Extractiones de Talmud*. [1] In order to reveal the Jewish perfidy and wickedness, the incredible blindness of their hearts – according to the reproach of the prophets –, the alienation and madness of their minds, following the order of the venerable father Odo, bishop of Tusculum and legate of the Apostolic See, I carefully translate a few of the innumerable errors, heresies, blasphemies and tales which the Jewish books are interspersed with and so full of, that they contain almost no truthful thing and even less useful information. I did that, at times, word for word, and, at times, according to the sense, being as precise as I could. [2] As a matter of fact, God provided himself with two Catholic interpreters who were utterly learned in the Hebrew language. The unquestionable argument of their reliability was for me the fact that, having translated many important and remarkable passages from the aforesaid books in different moments, and while the second interpreter was ignoring what I had translated from the mouth of the first interpreter, even if, due to the difficulty and obscurity of the Hebrew language, sometimes the words were different, nevertheless they kept the same meaning and yielded the same sense’.

20. Fidora, ‘Textual Rearrangement’; Fidora and Cecini, ‘Nicholas Donin’s Thirty-Five Articles’.

21. P 217vb; G 33rb (76); C 71ra; Z 401v (384)

cordiarum iudaeum quendam nomine Nicolaum Donin de Rupella vocavit 15  
 ad fidem, in hebraeo plurimum eruditum, etiam secundum testimonium iu-  
 daeorum, ita ut in natura et grammatica sermonis hebraici, vix sibi similem  
 inveniret. Hic accessit ad Sedem Apostolicam et bonae memoriae Gregorio  
 Papae pontificatus eius anno .xii<sup>o</sup>., praedictorum librorum nefandam detexit  
 malitiam et quosdam specialiter expressit articulos, super quibus ad reges 20  
 Franciae, Angliae et Hispaniae litteras apostolicas impetravit, ut, si in praefatis  
 libris contingeret talia reperiri, igni facerent eos tradi. Collectis igitur auc-  
 toritate regia de toto regno Franciae cunctis libris Talmud [P 211va (115)] et  
 Parisius deductis, una die combusti sunt ad quattuordecim quadrigatas et sex 25  
 in alia vice. Praedictos itaque libet articulos in primis hic scribere singulisque  
 praeponere verba transcripti papalium litterarum, quarum in fine huius operis  
 transcripta reperies, verbi causa:<sup>22</sup>

**app. font. 2** in ore - verbum: Matth. 18, 16; cfr Deut. 17, 6 | **9-10** Veteris - corruptio: cfr op. I.1  
 Praef. 45 | **11** fosso - unum: cfr Ez. 8, 8 | **11-13** et ecce - totum: Ez. 8, 10

TITULUS Prologus - partem] *lin. s.v. P*, De articulis litterarum Papae *praem.Z*  
 secundam partem] secunda parte *GC* in primam partem *Z* | **2** trium] triduum *Ga.c.* | **3** firmitatem]  
 veritatem *praem. Ga.c.*, veritatem *Ca.c.* | **4** sunt] super *GC* | **6** Dei] Domini *Z* permissione] pro-  
 missione *C* | **7** id est documentum] *lin. s.v. PZ* | **11** fosso pariete] fossae picatae *G* fossae paericatae  
*C* aperuit] ut *add. GC*, adparuit *Z* | **12** reptilium] reptilia *GC* | **14** circiter] *sup. l. P*, vel *praem. GC*,  
*om. Z* | **15** nomine - Rupella] *om. GC* Donin] dictum *Z* | **16** etiam] et *Z* | **17** ita] idem *GC* sibi]  
 qui *G* quae *C* | **18** Gregorio] Gregorii *Z* | **22** eos] *om. GC* | **24** deductis] eductis *Gp.c.* .xiiii. *P*] .xxi-  
 iii. *GC* | **25** libet] libros *praem. Pa.c.* singulisque] singulis quod *GC* | **26** papalium] per alium *GC*

22. Engl. transl.: ‘Prologue to the second part. [1] Since ‘every matter is established in the mouth of two or three witnesses’, in order to increase the firmness and certainty of what has been said, I thought it useful to repeat and to add some passages which were translated from the mouth of the other translator some five or six years before, even though here these passages are given afterwards. At first it should be known that the errors within the Jewish books that they antonomastically call Talmud, i.e. ‘teaching’, the heresies, as well as the blasphemies against Christ, the blessed Mary and the saints, the reprobation and contempt of Christianity, even the incredible corruption of the whole Old Testament, remained hidden to Christian theologians up to our times because of a secret decision or permission from God. Finally, after it has been dug into the wall, a door was revealed ‘and there – every sort of creeping thing, abominable beasts, and all the idols of the house of Israel, portrayed all around on the walls’. [2] Around the year 1236 of the Incarnation of our Lord, the Father of mercies [i.e. God] called to the faith a certain Jew, named Nicholas Donin of La Rochelle, who was so knowledgeable in Hebrew, even according to the Jews, that one could hardly find anybody who knew so much of the nature and grammar of the Hebrew language as he did. He approached the Apostolic See and revealed to Pope Gregory of happy memory the impious wickedness of the aforesaid books in the twelfth year of his pontificate, producing in particular some articles about which he obtained papal letters for the kings of France, England and Spain to the effect that, if it happened that such things were found in the aforesaid books, they should have them consigned to the fire. Accordingly, having collected all the books of the Talmud from the entire kingdom of France on the king’s authority and having brought them to Paris, up to fourteen cartloads were burnt in one single day and six on another occasion. And so I should primarily like

From this it emerges that one has to distinguish one *translator* common to both translations and two *interpretes* who work independently – and in different moments in time (*diversis temporibus*), specifically with five/six years between them –, although the outcomes of their translation efforts are quite similar to each other. Moreover, the *translator*, who speaks in the first person, can be identified with the ‘editor’ of the *dossier*, who supervises the two translations and, as a result, presents their similarities as a proof of their faithfulness and exactness. According to the first and main prologue [op. I Praef.], this *translator* is not to be identified with Odo of Châteauroux, given that the latter is introduced as the commissioner of the translation that the *translator* is preparing: *de mandato venerabilis patris Othonis Tusculani episcopi sedis apostolicae legati*. This *translator* must have been present in both translation processes.<sup>23</sup> The prologue to the second part refers to the first *interpres* as Nicholas Donin.

In what follows we will show that Donin's translation not only comprised the thirty-five articles [op. II.2], but also included the material which we now edit with the title of “Talmudic Anthology”. Our observations about this Anthology [op. II.3] will demonstrate that it is strictly connected with the articles that Donin prepared for the accusation of the Talmud [op. II.2]. Donin's thirty-five articles consist of the translation of passages extrapolated from different tractates of the Talmud. Our hypothesis is that such material came as a selection from a larger anthology, which can be seen as the first translation of the Latin Talmud. The material which was not selected by Donin (or by the *translator*?) to be included in the thirty-five articles has not been lost. We will show in the following that the compiler of the Paris *dossier* decided to report immediately after Donin's articles the rest of Talmudic passages that had not been used for the redaction of the articles, which is what we call Talmudic Anthology [op. II.3].

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to write here the aforementioned articles and to preface each of them with the words of the transcript of the papal letters – copies of which you will find at the end of this work – as follows’. For the English translation of this passage see also the slightly different versions of Fidora and Cecini, ‘Nicholas Donin's Thirty-Five Articles’, p. 190, and Connell Hoff, ‘The Christian Evidence’, p. 102).

23. The dynamic between *interpres* and *translator* should be understood in the following way: the *interpres* has a good knowledge of the source language, but little or none of Latin; the *translator* puts into good Latin what has been previously translated by the *interpres* orally – in vernacular language or in a Latin strongly affected by vernacular language. A significant variant from the Schaffhausen manuscript proves that for the Talmud translation both *interpretes* were Jewish converts. Where in the rest of the tradition the first prologue has *Deus autem duos sibi providit interpretes catholicos in hebraea lingua quam plurimum eruditos*, in the Schaffhausen manuscript we read (fol. 60r) *Deus autem ad hoc duos sibi providit interpretes ab errore iudaico ad fidem conversos in hebraea lingua quam plurimum eruditos et expertos*. See also Fidora/Cecini ‘Nicholas Donin's Thirty-Five Articles’.

#### 4. Identification of the Talmudic Anthology

Our hypothesis is to consider this Anthology [op. II.3], a collection of seventy-six passages from the Babylonian Talmud, in direct relation with the material used by Donin and explain it as the remnant of quotations from the Talmud which eventually were not selected for the redaction of his articles.<sup>24</sup> Thus, one can observe significant features that the passages from the Anthology share with the Talmud translations in the thirty-five articles; at the same time, the range of the materials in both texts shows that they are clearly complementary.

To corroborate our hypothesis, one should note that the way of quoting the Talmud and localizing its quotations is identical in the thirty-five articles and in the Anthology. The systematic localization of each Talmudic passage quoted according to the tractate (*macecta*) and chapter (*perec*) is a significant common feature of the two works that distinguishes them against the sequential *Extractiones*, in which this identification is far less usual.<sup>25</sup>

The second significant evidence for our hypothesis comes from a comparison between the Talmudic passages quoted in the thirty-five articles [op. II.2] and in the Talmudic Anthology [op. II.3]. If we list them in parallel columns, it becomes obvious that the two works hardly share any passage, being in fact strictly complementary to each other.<sup>26</sup> This further confirms that the material in the Anthology is what remained after the selection that Donin operated for his articles from a first, now lost, anthology that included the totality of the passages later divided in two different works, namely the articles and the Anthology.

24. While one could think that Donin realized a first sequential anthology of the Talmud, from which he took the passages that he deemed most suitable for his articles, this hypothesis is not compelling. On the contrary, on the basis of the material which survived in the manuscript witnesses we believe that Donin directly picked from the original Talmud those passages which interested him, mastering the source well enough as not to need a previous sequential translation thereof.

25. It should suffice here to compare a single common passage between the Anthology and the *Extractiones* to exemplify our argument:

[4] [Sab 55a] –In *perec bama behema*:– Dicit rby  
Aha: Numquam exivit de ore Dei verbum quod  
postea converteret in malum, nisi istud: [...]

[623] [Sab 55a] Dicit rby Aha: Numquam exivit  
ab ore Sancti, benedictus sit ipse, verbum quod  
rediret ad malum, nisi istud: [...]

26. The only exception is a passage from Az 3b, but in this case the argumentation in both texts is different: the passage from the Anthology is structured as a solution to an apparent contradiction between the passage in question and a sentence immediately preceding it, which is not collected in the articles.

Anthology [op. II.3]	Donin [op. II.2]	<i>Extractiones</i> [op. I.1]
	Ber 3a (art. 18)	Ber 3a
	Ber 5a (art. 2)	Ber 5a
	Ber 7a (art. 23)	Ber 7a
	Ber 8a (art. 21)	Ber 8a
	Ber 28b (art. 9)	Ber 28b
	Ber 28b (art. 30)	
[67] Ber 64a		Ber 64a
	Sab 23a (art. 7)	Sab 23a
	Sab 31a (art. 1)	
		Sab 55a
[4] Sab 55a		
[36] Sab 55b		
[37] Sab 55b - 56a		
[38] Sab 56a		
[39] Sab 56b		
[69] Sab 88b - 89a		
[70-71] Sab 89a		
[12] Sab 116a		
[13] Sab 116a - 116b		
[75] Sab 118a		
[16] Sab 119b		
[17] Pes 113b		
[18] Pes 118b		
[19] Pes 119b		
[40] Meg 12a		
	Meg 19b (art. 2)	
	Meg 25b (art. 28)	
	Meg 28b (art. 32)	
	Hag 5b (art. 25)	
	Hag 10a (art. 14)	
	Hag 10a (art. 16)	
[20-22] Hag 13b		
[5] Hag 14a		
[23] Hag 14a		
[24] Hag 16a		
	Er 19a (art. 31)	
	Er 21b (art. 8)	
	Yom 28b (art. 1)	
	Rh 17a (art. 30)	
	Rh 17a (art. 31)	
	Rh 25a (art. 6) (1)	
	Rh 25a (art. 6) (1)	
	Tan 11a (art. 33)	
	Yeb 63a (art. 34)	Yeb 63a
	Yeb 65b (art. 20)	Yeb 65b
	Yeb 89b - 90a (art. 6)	
	Ned 22a (art. 14)	
	Ned 23b (art. 13)	
	Ned 78a (art. 14)	Ned 78a
	Git 56b (art. 27)	Git 56b
[76] Git 57a		
	Git 60a (art. 4)	
	Git 60b (art. 3)	
	Bq 38a (art. 11)	Bq 38a
[42] Bq 84a		

<b>Anthology [op. II.3]</b>	<b>Donin [op. II.2]</b>	<b>Extracciones [op. I.1]</b>
[43] Bq 86b-87a [41] Bq 87a	Bq 113a-b (art. 11) Bm 33a (art. 3) - (art. 9) Bm 59b (art. 24)	Bq 113a-b Bm 33a Bm 59b Bm 85b Bm 87a Bb 12a Bb 12a Bb 73b-74a
[68] Bm 85b	Bm 87a (art. 19) Bb 12a (art. 5) Bb 12a (art. 5) Bb 73b-74a (art. 17)	Bb 12a Bb 12a Bb 73b-74a
[44] Bb 109a-b [45] Bb 126b; Bb133b [46] San 9b [47] San 9b - 10a [48] San 27b [49] San 32a [2] San 39b [50] San 40b [51] San 41a [1] San 46a		San 39b
[7] San 82a [15] San 92a-b	San 58b (art. 11) San 63b (art. 28) San 67a (art. 26) San 70a (art. 35)	San 67a San 70a San 82a San 92a
[6] San 103a [35] San 110a [53] Mak 5a-b [52, 54-55] Mak 5b [56] Mak 6b [57-58] Mak 7a [59] Mak 7b	San 99a (art. 1)	San 103a
[60] Seb 25a [61] Seb 27a [62] Seb 38b; Seb 42b [64] Seb 41b [63] Seb 42b [65] Seb 43b [66] Seb 44b; Seb 45b [8-9] Az 2a [3] Az 3a-b [10] Az 7b [14] Az 8b	Mak 22b (art. 6)	
[11] Az 54b - 55a [73] Ab 4,13 [74] Ab 5,8	Az 3b (art. 22)	Az 2a Az 3a-b
[27-33] Hul 105b [34] Hul 105b - 106a [25-26] Nid 17a [72] Nid 30b	Az 20a (art. 29)	Az 8b Az 20a Az 55a
	Hul 60b (art. 15)	Hul 60b
	Nid 73a (art. 32)	Nid 30b

From these observations, we can draw the following conclusions, which confirm our initial hypothesis:

- 1) From the formal characteristics and the concordance of the Talmudic passages appearing in the thirty-five articles and the Anthology we can postulate a first Latin translation of the Talmud going back to Nicholas Donin, which excerpted such passages according to the topics of accusations chosen by him.
- 2) Certain passages of the Anthology appear to share topics with the thirty-five articles, such as the authority of the Talmud, the blasphemies against God and Jesus or the passages against Christians. This means that, for those topics, Donin did not make use of all passages previously translated, so that what was left remained in the Anthology.
- 3) The Talmudic passages concerning angels, demons and incantations (20-35) and those classified as *de iudiciis* (36-66)<sup>27</sup> were finally not selected at all by Donin for the articles, which may be due to a change in the criterion of selection between the time of the production of the first translation and the composition of the articles.

27. These are the only passages that receive a classification, which appears as *titre courant* at the top of the correspondent manuscript folios.

## 5. Critical Edition of the Talmudic Anthology [op. II.3]

### *Sigla*

- BT The Babylonian Talmud (ed. Jerome Schottenstein, ed. and transl., Brooklyn: Mesorah Publications, 2008 [1984-1995]<sup>1</sup>).
- Mish Mišna (in BT).
- sT Critical edition of the sequential *Extractiones de Talmud*, ed. by Ulisse Cecini and Óscar de la Cruz, CCCM 291, Turnhout: Brepols, 2018, quoted by paragraph numbers.

inc. [P 217vb (120)] [G 33rb (76)] [C 71ra] [Z 401v (384)]

Sequitur de quibusdam de diversis libris collectis librorum et locorum ordine non servato:

- [1] [San 46a] DICIT RBY MEHYR: IN HORA QUA HOMO DOLET, DICIT DEUS: DOLEO CAPUT, DOLEO BRACHIUM –Hoc legitur in *perec nigmar haddyn* in Misna [Mish San VI, 5]–.
- 5 [2] [San 39b] Dicit rby Samuhel –in *perec eadine*–: Quid est quod scriptum est: «ita ut ad se invicem toto noctis tempore accedere non valerent» [Ex. 14, 20]? In illa hora voluerunt angeli ministerii cantare. Dixit eis Deus: Opera manuum mearum submerguntur in mari et vos cantabitis coram me?
- 10 [3] [Az 3a] –In *macecta Avoza zara* dicitur–: Scriptum est: «qui habitat in caelis iridebit eos» etc. [Ps. 2, 4] | [Az 3b] Dicit rby Isaac: Non est ludus coram Deo nisi illa die –iudicii– tantum. Nonne dicit rab Iuda: [P 218ra (121)] Duodecim horae sunt diei et in tribus ultimis ludit cum Leviathan, sicut scriptum est: «draco iste quem formasti ad ludendum in eo» [Ps. 103, 26]? –Solutio:– Dicit rab Naaman: Cum creaturis suis ludit, sed super peccatis creaturarum suarum non ludit, nisi illa die iudicii tantum.
- 15

**App. font.:** [2] cfr sT [1006] San 39b (4) [3] cfr sT [1504-1506] Az 3a; 3b (1); 3b (2)

4 Hoc] om. GC 5 in – eadine] non lin. s.v. codd. 7 cantare] om. Z Dixit] om. GC 9 In – dicitur] non lin. s.v. codd. 11 iudicii] lin. s.v. PZ 12 cum] in Z 13 Solutio] lin. s.v. PZ 15 nisi] in GC

**In marg.:** [1] error] PZ [2] error] PZ [3] error] PZ

**Orth.:** 4 nigmar haddyn] in gynar had G in guinarhad C Misna] Myssua GC 5 eadine] cadine GC sadine Z 14 Naaman] Manaan GC

[4] [Sab 55a] –In *perec Bama behema*– Dicit rby Aha: Numquam exivit de ore Dei verbum quod postea converteret in malum, nisi istud: «transi per mediam civitatem in medio Hierusalem et signa .*thau*. super frontes virorum gementium et dolentium super cunctis abominationibus quae fiunt in medio eius» [Ez. 9, 4]. Dixit Deus ad Gabrihel: Vade et signa super frontes iustorum .*thau*. de incausto, ne angeli dissipationis possint eos dissipare, et super frontes impiorum .*thau*. de sanguine, ita quod angeli dissipationis potestatem habeant in eis. Et dixit Persona Iudicii coram Deo: Domine saeculi, in quo discernuntur isti ab illis? Respondit: Isti iustissimi sunt. Dixit Persona Iudicii: Potuissent malos cohibuisse a malo! Respondit Deus: Licet inhibuissent, non tamen credidissent. Dixit coram Deo: Domine saeculi, si tu scis hoc, ipsi tamen nescierunt. Et hoc est quod scriptum est: «senem, adulescentulum et virginem, parvulum et mulierem interficite. Omnem [Z 402r (385)] super quem videritis .*thau*. ne occidatis et a sanctuario meo incipite. Coeperunt ergo a viris senioribus qui erant ante faciem domus» [Ez. 9, 6-7]. Et dixit rab Ioceph: Ne legas «a templo meo», sed “a sanctificatis meis”: hii sunt homines qui custodiunt totam legem ab .*aleph*. [P 218rb (121)] usque .*thau*. –vult dicere quod hoc quod Deus dixit quod iusti [C 71rb] non punirentur, postea poenituit et retractavit–

[5] [Hag 14a] Scriptum est: «capilli capitis eius quasi lana munda» [Dan. 7, 9]; et scriptum est: «comae eius nigrae sicut corvus» [Cant. 5, 11]. –Solvunt– Istud sedendo, illud in bello. Sicut dicit Rabi: Nullus ita pulcher sedendo, sicut senex; nullus bellando, sicut iuvenis –quasi diceret: sedendo canus est, bellando niger–.

[6] [San 103a] –In *perec helec* dicitur– «Et flagellum non adpropinquabit in tabernaculo tuo» [Ps. 90, 10]. Non erit tibi filius aut discipulus qui faciat adurere –gallice: *accurser*– cibum suum –doctrinam– coram multis –sicut Iesus *Noceri* –Nazareus–.

**App. font.:** [4] cfr *sT* [623] Sab 55a (1) [6] cfr *sT* [1403] San 103a (4)

16 In – behema] *non lin. s.v. codd.* Dicit – Aha] *om. Z* 17 converteret] converteretur *Z* 19 fiunt *Vulg.*] fuerunt *CZ* 21 .*thau*.] *om. C* 23 coram] eorum *G* 24 Respondit] *om. C* sunt] super *GC* Persona] in *praem. PZ* 25 Potuisset] potuissent *GC* 28 mulierem] mulieres *GC* *Vulg.* 29 Coeperunt] inceperunt *C* 29-30 a viris senioribus] auris se moribus *sic C* 32-33 vult – retractavit] *lin. s.v. P* 34 eius capitis *tr. GC* 35 Solvunt] *lin. s.v. P* 36 Rabi *conieci*] *rby codd.* 37 quasi – niger] *lin. s.v. P* [6] *om. PZ* 38 In – dicitur] *non lin. s.v. codd.* 40 adurere *conieci*] adulere *codd.* *accurser*] cfr *aorser in sT* [114] Ber 17b (1) [*sc. fr. brûler*] *et in* [1403] San 103a (4) doctrinam] *non lin. s.v. codd.* 40-41 sicut – Nazareus] *non lin. s.v. codd.*

**In marg.:** [5] error] *PZ*

**Orth.:** 16 bama] bava *G* hama *Z* 30 Ioceph] Ioceb *P* Ioseph *GC*

- [7] [San 82a] Dicit rby Hyia: Qui coit cum *goya* –christiana– idem est acsi esset gener *avoza zara* –idolatriae–, sicut dicitur: «habuerunt filiam dei alieni» [Mal 2, 11]. Habet ergo deus alienus filiam? Sed hoc non est, nisi ille qui cognoscit *goya*.
- 45 [8] [Az 2a] –In *macecta Avoza zara* in principio– vocatur festum christianorum *ez* –id est perditio–, de quo scriptum est: «iuxta est dies [G 33va (76)] perditionis» etc. [Deut. 32, 35].
- [9] [Az 2a] –Item ibidem legitur–: ANTE FESTUM *goym* –gentium– PROHIBITUM EST ALIQUEM CUM EIS HABERE CONTRACTUM. PROHIBITUM EST ETIAM ADCOMMODARE EIS, 50 VEL MUTUUM ACCIPERE AB EIS, VEL ALIQUID REDDERE, VEL AB IPSIS SOLUTIONEM RECIPERE. DICIT RAB IUDA: BENE POTEST Solutio recipi, quia in hoc gravatur. DIXERUNT EI SAPIENTES: LICET AD PRAESENS GRAVETUR, POSTEA LAETABITUR –quia liberatus sit a debito– [Mish Az I, 1].
- [10] [Az 7b] RBY ISMAHEL DICIT: PER TRES DIES ANTE ET PER TRES DIES POST PROHIBITUM EST [Mish Az I, 2]. Dicit Samuhel: Secundum rby Ismahel, *noceri* –christiano– communicare negotiari semper prohibitum est –glossa Salomonis: *noceri* sunt illi qui morantur in errore Iesu, qui praecepit eis sollempnizare in die dominica–.
- [11] [Az 54b] [P 218va (121)] –Legitur in *macecta Avoza zara*–: Quaesivit quidam philosophus a magistro nostro Gamalihele: Scriptum est in lege vestra: «Deus noster ignis consumens est» [Deut. 4, 24]. Quare ulciscitur se de illis qui 60 serviunt ei et non de illis qui serviunt [Z 402v (386)] *avoza zara* –servitio peregrino–? Respondit ei: Dabo tibi exemplum huic simile: filius cuiusdam regis nutrit vitam unam et nomen patris sui inposuit ei. Rex hoc audiens, cui irascitur, filio vel canis? Pro certo, filio. Dixit ei: Canem vocas *avoza zara*? Nonne potestatem habet? Respondit: Qualem potestatem vidisti illud 65 habere? Dixit ei: Semel fuit incendium in villa nostra et tota fuit combusta praeter domum *avoza zara* –ecclesiam–. Respondit ei: Dabo tibi exemplum huic

**App. font.:** [7] cfr *sT* [1186] San 82a (1) [8] *goy*] cfr *sT* [1503] Az 2a (2) [9] cfr *sT* [1502] Az 2a (1)

42 rby] *om. GC* christiana] *lin. s.v. P* 43 idolatriae] *lin. s.v. PZ* 45 In – principio] *non lin. s.v. codd.* 45-46 id est perditio] *lin. s.v. PZ* 46 perditio] *praedictio in marg. Z<sup>ac</sup>* 48 Item – legitur] *lin. s.v. P* *goym*] *goy C* gentium] *lin. s.v. PZ* 49 habere cum eis *tr. GC* contractum] contractatum *P* adcommodare] *concomodare GC* 50 vel] in *G om. C* 51 rab] rby *GC* 52-53 quia – debito] *lin. s.v. PZ* 55 Secundum] sed *Z* 56 christiano] *lin. s.v. PZ* 56-57 glossa – dominica] *lin. s.v. PZ* 57 dominica] dicta *Z* 58 Legitur – Avoza zara] *lin. s.v. P* 60 Quare] qui *C* 61-62 servitio peregrino] *lin. s.v. P* 62 exemplum dabo tibi *tr. GC* 64 cui – filio] irascitur filio *GC* 65 Respondit] et *praem. C* 67 ecclesiam] *om. PZ non lin. s.v. codd.* Respondit] et *praem. C*

**In marg.:** [8] *goy*] *PZ* [9] *goy*] *PZ* [11] *goy*] *PZ*

**Orth.:** 45 *Avoza zara*] *Avozara sic GC* *ez*] *eze G oze C* 61 *avoza zara*] *avozara sic PC*

simile: homines unius regionis rebellant contra dominum suum. Quando pugnabit, pugnabitne cum vivis vel cum mortuis? Pro certo, cum vivis. Dixit ei: Canem et mortuum vocas *avoza zara*? | [Az 55a] Dixit Zaneyn ad rby Akyva: Cor meum et cor tuum sciunt quod *avoza zara* –servitium peregrinum– nullius est potestatis. Quid est ergo quod vadunt ad *avoza zara* confracti et redeunt integri? –Ista quaere supra, in *macecta Avoza zara* plene–.

[12] [Sab 116a] –Legitur in *perec Col kythve*– Libri *mynim* –haeticorum– non debent ab incendio defendi. Rby Ioce dicit: In diebus ferialibus abscindentur nomina Dei quae sunt in illis libris et recludentur in perpetuum et residuum librorum comburetur. Dicit rby Tarphon: Dissecare possim libros meos, nisi comburerem ipsos et nomina –Dei– quae in eis sunt, si venirent ad manum meam. [C 71va] Si quis enim [P 218vb (121)] insequeretur me ad occidendum et serpens curreret post me ad mordendum, intrarem potius domum *avoza zara* –ecclesiam– quam domum apostatarum, quia ipsi cognoscunt et abnegant. Alii –infideles– abnegant, sed non cognoscunt. Dicit rby Symeon: Hinc potest ostendi per leve et grave –per locum a minori–: ad reformandum pacem inter virum et uxorem eius, dicit lex quod nomen Dei, quod sancte scriptum est, deleatur in aqua; multo magis pro illis qui ponunt odium et invidiam et indignationem inter Israhel et patrem eorum. De caelis et super eos –apostatas– dicit David: «nonne qui oderunt te, Domine, oderam» etc. [Ps. 138, 21]; et sicut non debent defendi ab igne, ita nec ab aliquo alio quod [Z 403r (384)] possit eos vertere ad perditionem. Rby Ioceb quaesivit a rby Abhu: Libri de domo Abzan –perditionis–, debentne defendi –ab igne– an non? –glossa: hii sunt libri quos clerici composuerunt ad disputandum contra Israhel–. Respondit: Quandoque sic, quandoque non. Rby Mehyr vocat eos *avenguylion* –id est, falsitas scripturae seu vanitatis rotulus–; et rby Iohannen *avonguilion* –id est, peccatum scripturae vel peccati rotulus– –glossa: propter hoc vocat sic libros *mynim*, quia ipsi vocant eos Evangelia–.

**App. font.:** 70-73 cfr *sT* [1602] Az 55a 84 lex] cfr Num. 5, 23

69 pugnabit] *om.* C pugnabit Z 71 servitium peregrinum] *lin. s.v.* P 73 redeunt integri] redeant integre C Ista – plene] *lin. s.v.* P 74 Legitur – kythve] *non lin. s.v. codd.* haeticorum] *lin. s.v. PZ* 75 ferialibus] finalibus Z 76 Dei quae] quae Dei *tr. G* quae de hiis C libris] *om. PZ* 77 possim] possum *GC* 78 Dei] *lin. s.v. P* 81 ecclesiam] *lin. s.v. PZ* 82 infideles] *lin. s.v. PZ* 83 per – minori] *lin. s.v. PZ* minori] maiori *GC* 85 deleatur] deleteretur *G* deberetur C et] *om. G* 86 apostatas] *lin. s.v. PZ* 89 a] ab Z 90 perditionis] *lin. s.v. PZ* ab igne] *lin. s.v. PZ* 90-91 glossa – Israhel] *lin. s.v. P* 91 clerici] ecclesia<sup>Z<sup>c</sup></sup> concilia<sup>Z<sup>c</sup></sup> Quandoque sic] *om. GC* 92-93 id est – rotulus] *lin. s.v. PZ* 93 vanitatis] veritatis Z 93-94 id est – rotulus] *lin. s.v. P* 94 glossa – Evangelia] *lin. s.v. P*

**In marg.:** [12] goy] *PZ*

**Orth.:** 70 Zaneyn] Zonem *GC* Zeneyn Z 74 Col kythve *conieci*] Col kyeve *PZ* col kechue *G* alkechine C 89 Ioceb] Ioseph *GC* Ioceph Z Abhu] Avehu *GC* (*sc.* Abahu אבהו) 90 Abzan] Abizan *G* Abiram C (*sc.* Abidan אבדן) 92 avenguylion] aven guilym *GC* 93 avonguilion] havonguilion *G* hanoguilion C avonguylion Z

95 [13] [Sab 116a] Yma Sallym, uxor rby Eliezer, soror magistri nostri Gamalihel  
fuit, et erat philosophus in vicinia eorum | [Sab 116b] qui habuit famam quod  
non recipiebat munera. Voluerunt ei inلودere: venit mulier illa et obtulit ei  
candelabrum aureum dicens: Volo habere portionem meam de rebus patris  
100 mei [P 219ra (122)] et matris meae. Dixit philosophus Gamaliheli: Redde ei  
portionem [G 33vb (76)] suam. Respondit: scriptum est: «ubi est filius, non  
debet filia hereditare» [cfr Num. 27, 8]. Dixit ei: A die qua captivavi, ducebamini  
de terra nostra; ablata fuit nobis lex Mose et data fuit vobis *avonguilion* et  
105 scriptum est in eo: «filius et filia pariter hereditabunt». In crastino reditus est  
Gamalihel et obtulit ei pulchrum asinum. Dixit ei philosophus: Vidi in fine  
*avonguilion*: «non veni solvere legem Mose» [cfr Matth. 5, 17], et in lege  
scriptum est: “ubi filius, filia non hereditabit”. Dixit mulier: Clarifica lumen  
tuum, sicut candelae –glossa: innuebat ei quod mereretur candelabrum quod ipsa dederat–.  
Respondit Gamalihel: Venit asinus et deiecit candelam.

[14] [Az 8b] –Scriptum est in *macecta* de *Avoza zara*:– Semel statuit regnum nequitiae  
110 –apostasiam legis Talmud– super Israhel, ita quod quicumque inponeret manum  
occideretur –magistri fiebant per inpositionem manus– et similiter qui reciperet manus  
inpositionem; etiam villa in qua hoc fieret, destrueretur sive etiam terminum  
terrae illius. Quid fecit rby Iuda filius Bava? Perrexit et sedit inter duos montes  
magnos, inter duas valles magnas, inter duos terminos Ussar et Safraham, et  
115 inposuit ibi manum super quinque seniores, scilicet rby Meyr, rby Iuda, (rby  
Ioce,) rby Symeon, [Z 403v (388)] rby Eleazar filium Sannar (rby Avoya  
adiungit eis rby Neemya). Et quando inimici sciverunt hoc, dixit rby Iuda: Filii  
mei, currite –fugite–. Responderunt rby: Etiam de te quid? Ait illis: Ego coram  
inimicis sicut lapis qui non potest volvi. Non recesserunt inimici donec  
120 fixerunt [P 219rb (122)] in eo trecenta iacula et perforaverunt eum quasi cribrum.

**App. font.:** 103 filius – hereditabunt] *loc. cit. non invenitur* [14] cfr *sT* [1528-1529] Az 8b (1-2); cfr *sT* [869] San 13b-14a

97 inلودere] ludere C 100 Respondit] sicut GC 102 ablata] sublata GC Mose] iusse sic G inse  
sic C 103 in eo] met sic GC reditus] reversus GC 104 pulchrum] pulcherrimum GC 107 glos-  
sa – dederat] *lin. s.v. PZ* 109 Scriptum – Avoza zara] *lin. s.v. P* 110 apostasiam legis] *non lin. s.v.*  
*codd.* Talmud] *lin. s.v. P* 111 magistri – manus] *lin. s.v. P* fiebant] flebant C 112 inpositionem]  
inponere C terminum] termini CZ et iter: Z 113 terrae] *om. C* 114 duos] duas GC 115-116 rby  
loce] *om. codd. conieci iuxta BT* 116 rby<sup>1</sup>] *om. G* rby<sup>2</sup>] *om. G* 118 fugite] *lin. s.v. PZ* Etiam de  
te] et de te GC 120 cribrum] corbrum sic C

**In marg.:** [13] fabula] PZ [14] fabula] PZ

**Orth.:** 95 Yma Sallym] Ymassasym GC (sc. Îmmâ Šalôm אִימָא שְׁלוֹם) 102 avonguilion] anon agallion G  
anon agalion C 114 Ussar et Safraham] Ussa et Satrahaham GC (sc. Ūšâ אוֹשָׂא and Šefar‘am שְׁפָרְעָם) 116  
Sannar] Sauuar GZ Sammyar C (BT: R. El‘azar b. Šammûa‘ רַבִּי אֶלְעָזָר בֶּן שַׁמּוּעַ)

[15] [San 92a] –Scriptum est in *perec Helec*:– Discitur a scolis Heliae: Iusti quos Deus suscitabit, numquam in pulverem suum reverterentur. | [San 92b] Et si quaeris: in mille annis in quibus Deus reparabit mundum, sicut scriptum est: «exaltabitur Dominus solus in die illa» [Is. 2, 11], ubi erunt? Quid facient? Deus faciet eis alas sicut aquilarum et volabunt super superficiem aquarum, sicut dicitur: «propterea non timebimus, dum turbabitur terra» etc. [Ps. 45, 3] 125  
Et si dicis: habebunt angustias? Scriptum est: «qui sperant in Domino mutabunt fortitudinem, adsument pinnas sicut aquilae, current et non laborabunt, ambulabunt et non deficient» [Is. 40, 31].

[16] [Sab 119b] Dicit rby Iosua –in *perec Col kythve*–: Omnis qui respondet super omnes in tota virtute sua “amen, sit nomen eius magnum benedictum in saeculum et in saecula saeculorum”, dissolvitur fatum mali eius –praesentia iudicii–. Dicit rby Hyia: Etiam si sit in eo peccatum idolatriae, dimittetur ei. Dicit Reis Lakis: Omnis qui respondet in tota virtu[C 71vb]te sua “amen”, aperiuntur illi portae paradisi. –Praedicta responsio fit ab omnibus ad orationem quae dicitur a sacerdote et vocatur *kadys*–. 130 135

[17] [Pes 113b] Octo sunt tamquam excommunicati a Deo: ille qui uxorem non habet; et qui uxorem habet et non habet ex illa filios; et qui filios habet et non erudit eos in Talmud; et qui philacteria non ponit in capite suo et in brachio suo; et fimbrias in vestimento suo; et *mezuza* in ostio suo –scriptura est quae iubetur scribi in ostiis–; et qui calciamenta non habet in pedibus. 140

[18] [Pes 118b] –Dicit rby Iohannen–: “Et veritas Dei manet in aeternum”, pisces [P 219va (122)] maris hoc dixerunt, ut dicit rby [Z 404r (389)] Hennina: Israhel illius temporis modicae fidei erant; sicut dicit Raba: Quid est quod scriptum est: «et inritaverunt ascendentes in mare, mare Rubrum» [Ps. 105, 7]? Docet quod Israhel inritavit Deum illa hora et dixit: Sicut ascendimus ex una parte, sic et Aegyptii ex alia. Dixit Deus principi maris: Proice illos –Aegyptios– ad aridam. 145

**App. font.:** [15] cfr *sT* [1263] San 92a (14) 142 Et veritas – aeternum] cfr Ps. 60, 8; cfr Ps. 116, 2; cfr Eccli. 18, 22

121 Scriptum – Helec] *lin. s.v. PZ* Deus] *om. C* 127 habebunt] habebis *C* 128 mutabunt] *add. iter. in Domino C* 129 ambulabunt] *iaam sic GC* deficient] deficit *GC* 130 Dicit] dixit *C* in – kythve] *lin. s.v. PZ* in perec kythaie *GC* 131 eius] ei *GC* 132-133 praesentia iudicii] *lin. s.v. P* praesentiam iudicii *lin. s.v. Z* 135-136 Praedicta – kadys] *lin. s.v. PZ* 135 responsio] post *sic C* 137 Octo] *sic codd.*] *lege septem sicut in BT* (שבעה מגדילין לשמשית) excommunicati a Deo] excommunicata Deo *GC* 138 et<sup>1</sup>] *om. GC* 140 et<sup>1</sup>] *om. PZ* 140-141 scriptura – ostiis] *lin. s.v. PZ* 142 Dicit – Iohannen] *lin. s.v. P* Iohannen] *add. in Kazassym sic in marg. PZ* (*intellege in Mohed*) 143 rby] *rab GC* 145 Docet] Dicit *Z* 147 Aegyptios] *lin. s.v. PZ*

**In marg.:** [15] error] *PZ* [16] error] *PZ*

**Orth.:** 134 Reis Lakis] Relakys *codd.* 136 kadys] kadis *GC*

Respondit: Domine saeculi, est aliquis servus cui dominus illius det donum et resumat ab ipso? Dixit ei Deus: Reddam tibi tantum et dimidium [G 34ra (77)]  
 150 tanti. Respondit: Domine saeculi, numquid servus vocat dominum suum ad iudicium? Dixitque Deus: Torrens Cison fiudeiussor sit in isto. Statim proiecit eos ad siccum, et hoc est quod scriptum est: «et viderunt Aegyptios mortuos super litus maris» [Ex. 14, 31]. Unde habetis quod fuit ibi tantum et dimidium tanti? Videte, de Pharaone enim scriptum est: «tulitque sescentos electos currus» [Ex. 14, 7]; et de Sisara scriptum est quod: «nonagentos habebat falcatos currus» [Iud. 4, 3]. Dixit Deus torrenti Cison: Vade et comple fideiussionem tuam mari. Et statim traxit eos torrens Cison et proiecit illos in mari, sicut scriptum est: «torrens Cison traxit cadavera eorum torrens Cadumim» [Iud. 5, 21]. Quid est torrens Cadumin –mare antiquorum–? Torrens qui  
 155 ab antiquitate fideiussor fuit. In illa hora dixerunt pisces: “Veritas Dei in aeternum”.

[19] [Pes 119b] Dicit rby Avyra: Quid est: «crevit puer et ablactatus est» [Gen. 21, 8]? Sanctus, benedictus sit ipse, Deus, faciet in futuro iustis convivium in die qua reddet retributionem semini Isaac. [P 219vb (122)] Postquam comederint et biberint, porrigent scyphum Abrahae ad benedicendum et dicent ei: Accipe et benedic. At ille respondebit eis: Non benedicam, quoniam Ismahel ex me exivit. Dicent Isaac: Accipe et benedic. Qui respondebit: Non benedicam, quoniam Esau de me exivit. Iacob respondebit: Non benedicam, quoniam duxi simul duas sorores quod lex prohibitura erat. Moyses respondebit: Non benedicam, quia non fui dignus [Z 404v (390)] ingredi terram promissionis nec in morte nec in vita. Iosue respondebit: Non benedicam, quia non habui filium: «Nun filius eius, Iosue filius eius» [I Par. 7, 27 –s. hebr.–]. David dicet: Benedicam, mihi enim competit benedicere, sicut scriptum est: «calicem salutaris accipiam» etc. [Ps. 115, 13].  
 165  
 170

[20] [Hag 13b] Scriptum est quod unum animalium «faciem habebat bovis» [Ez. 1, 10] et alibi dicitur: «et facies una facies cherub» [Ez. 10, 14] et non connumerat bovem. Dicit Reis Lakis: Ezechihel oravit pro bove et mutatus est in cherub. Dixit: Domine saeculi, nocivus non potest esse adiutor –glossa: Domine, indigemus quod animalia rogent pro nobis; bos vero nocet, quia idolatriam vituli reducit ad  
 175  
 180 memoriam–.

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150 Respondit] Et G O C 154 tanti] om. PZ 157 in] om. GC 159 mare antiquorum] lin. s.v. PZ 160 Dei] add. manet in marg. G 162 est] add. quod C 166 At] Et PZ 169 sorores] uxores P<sup>a.c.</sup> respondebit] om. GC 172 dicet] dicit Z 173 enim] om. Z 178-180 glossa - memoriam] lin. s.v. PZ 179 quod] ut G in C idolatriam] idolatria PZ

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In marg.: [19] fabula] PZ [20] error] PZ

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Orth.: 162 Avyra] Anyra CZ (sc. R. ‘Avirâ עוֹרֵא) 177 Reis Lakis] Relakys codd.

[21] [Hag 13b] Scriptum est: «sex pinnae uni» [Is. 6, 2]. Iterum scriptum est: «quattuor pinnae uni» [Ez. 1, 6], sed hoc est quia post destructionem templi perdidit duas pinnas quae fuerunt ab eis amotae. Dicit Rab: Illae quae cantum dicebant. Et magistri dicunt quod illae quibus operiebant pedes suos. 185

[22] [Hag 13b] Scriptum est: «milia milium adsistebant ei» etc. [Dan. 7, 10]; et scriptum est: «numquid est numerus militum eius» [Iob 25, 3]. –Solutio:– Quia post destruc[P 220ra (123)]tionem templi sunt redacti ad numerum.

[23] [Hag 14a] Dicit rby Samuhel Ava filio Rab: Veni et dicam tibi bonum verbum quod pater tuus dicebat cotidie: creantur angeli ministerii de igneo fluvio et cantant et rediguntur ad nihilum, sicut scriptum est: «novi diluculis multa est fides tua» [Thren. 3, 23]. 190

[24] [Hag 16a] Dicunt magistri: Sex dicuntur de daemonibus: tria sicut angelorum, tria sicut hominum. Alas habent ut angeli, et volant a fine mundi usque ad finem eius sicut angeli, et audiunt futura sicut angeli; comedunt et bibunt sicut homines, multiplicantur et crescunt sicut homines, et moriuntur sicut homines. 195

[25] [Nid 17a] Dicit rby Symeon –in *perec Col haiaz*–: Quinque sunt quae qui facit damnatur in anima sua et sanguis eius super caput ipsius –et infra–: qui comedit allium et ova sero ante parata, etiam si essent in calato ligata [Z 405r (391)] et sigillata, quia malus spiritus requiescit super illa. Et hoc dicimus quando non remanent testa –ovorum– nec radix [C 72ra] –allii–; sed, si ista remanerent, non essent timendum. Item qui bibit aquas quae per noctem fuerunt in vase. Dicit rab Iuda: [G 34rb (77)] Hoc dicimus quando remanent in vase de metallo. Qui iacet in cimiterio. Item qui scindit ungues et proicit in vico, quia mulier praegnans, quae calcit super illos, abortit; et hoc dicimus quando non scindit cum forcipibus et quando non scindit simul ungues manuum et pedum. Et hoc 200  
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**183** Illae quae] illi qui G ille qui C **184** illae] illi GC **184-185** suos pedes tr. GC **186** adsistebant] add. ministrabant in marg. PZ **187** Solutio] lin. s.v. P **191** fluvio] flumine Z novi diluculis] add. in marg. novi est nominatum [nomen Z] in Tren. iii. secundum hebraeum PZ non in dilinuro sic G non in disidio sic C novae diliculo Vulg. **193** de] om. GC **195** et<sup>2</sup>] om. GC **198** in – haiaz] non lin. s.v. codd. quae] quod Z **199** ipsius] add. etc. GC et infra] lin. s.v. P **201** hoc] haec C **202** ovorum] lin. s.v. P allii] lin. s.v. P **204** Hoc] Haec C **204-205** Qui – cimiterio] om. GC **206** hoc] haec C

In marg.: [21] error] PZ [22] error] PZ [23] error] PZ [24] error] PZ

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**Orth.:** **189** Ava filio Rab] Ana filio Rab C (sc. R. Ḥīyyā bar Rab חייא בר רב **198** Col haiaz] col haiar GC

–iterum– dicimus quoniam nihil postea scindit, sed, si postmodum scindat  
 210 aliquid, non est curandum. Hoc tamen nihil est, [P 220rb (123)] quia omnibus  
 modis timendum est.

[26] [Nid 17a] Dicunt magistri: Tria dicuntur de unguibus: qui comburit eos  
 misericors est; qui infodit eos in terra iustus est; qui proicit eos iniquus est.

[27] [Hul 105b] Dicit Abaie –in *perec Col habasar*–: Solebam dicere quod non  
 215 dimittitur aqua ablutionis manuum cadere in terram. Hoc est propter  
 immunditiam. Dixit mihi Mor: Hoc est ideo, quia malignus spiritus requiescit  
 super aquas illas.

[28] [Hul 105b] Dicit Abaie: solebam dicere quod hoc quod nihil accipitur de  
 mensa dum homo sumit scyphum, ideo est ne aliquod infortunium accidat in  
 220 mensa. Dixit mihi Mor quod hoc est quia nocet spiritui *ceradya*. Et hoc  
 dicimus quando aliquid accipitur et non reponitur; sed, si accipiatur et  
 reponatur, non est curandum.

[29] [Hul 105b] Dicit Abaie: Solebam dicere: Quod micae congregantur est  
 propter munditiam. Dixit mihi Mor quod hoc ideo est quia, si permetterentur  
 225 cadere, adducerent paupertatem. Fuit quidam homo cui daemon paupertatis  
 multum insidiabatur ut depauperaret eum; nec poterat, quia cavebat sibi ne  
 micae caderent in terram. Quadam die comedit panem in uno prato. Dixit  
 daemon: Modo incidet in manus meas. Postquam vero comedit, adtulit  
 230 ligonem et eradicavit omnes herbas [Z 405v (392)] et proiecit in fluvium,  
 audivitque daemone[m] dicentem: Vae mihi, quia homo ille eiecit me de  
 domo sua!

[30] [Hul 105b] Dicit Abaie: Solebam dicere: Quod spuma non bibitur [P 220va  
 (123)] propter abominationem est. Dixit mihi Mor: Hoc est quoniam inducit  
 vertiginem et qui exsufflat illam infirmatur in capite; qui delet eam adducit  
 paupertatem. Quomodo ergo removebitur? Faciat eam residere. Pro vertigine

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208 iterum] *lin. s.v. P* quoniam] quod Z 208-209 sed – curandum] et postmodum GC 212 mise-  
 ricors est] iustissimus GC est<sup>2</sup>] *om. GC* 213 in – habasar] *non lin. s.v. codd.* 215 Hoc est ideo]  
 Hoc ratio est G ratio est C 218 ideo] ratio G et ratio C infortunium] fortinium *sic C* 219 spiritui  
 ceradya (*intellege* causa vertiginis) Et hoc] haec C 223 mihi] *om. C* hoc ideo] hoc G haec ratio  
 C 225 depauperaret] adportaret *P<sup>ac.</sup>* appauperaret GC 231 Solebam] Solebant C

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**In marg.:** [26] sortilegium] PZ [28] sortilegium] PZ [29] sortilegium] PZ [30] stultitia] PZ

**Orth.:** 213 Col habasar] colhabassar G colha basar C colhabasor Z

inducta per spumam vini, bibatur cervisia pro medicamento; pro vertigine 235  
inducta per spumam cervisiae, bibatur aqua; pro vertigine inducta per  
spumam aquae non est curatio. Dicit rab Papa: Hoc est quod dicunt: post  
pauperem sequitur paupertas –quasi diceret: pauperem per potum aquae sequitur  
paupertas curationis–.

[31] [Hul 105b] Dicit Abaie: Solebam dicere: Quod non comeditur herba qua 240  
hortolanus ligat fasciculum suum est quia videretur gulositas. Dixit mihi  
Mor: Hoc est quia, qui facit hoc, facilius incantatur. Rab Hydda et Rava  
ibant in una navi. Dixit eis quaedam *goya* –christiana–: Permittatis me esse  
vobiscum. Noluerunt. Dixit illa quoddam verbum et tenuit navem. Dixerunt  
et ipsi aliud verbum et solverunt illam. Dixit eis: Quid possum facere vobis? 245  
Cavetis enim ne tergatis posteriora vestra de testa et ne occidatis pediculum  
super vestes vestras nec comeditis herbam vinculi quo ligat hortolanus  
fasciculum suum!

[32] [Hul 105b] Dicit Abaie: Solebam dicere: Quod non comeditur illud [C 72rb] 250  
quod cadit in terram de mensa propter abominationem est. Dixit mihi Mor:  
Hoc est quia facit malum anhelitum.

[33] [Hul 105b] Dixit Abaie: Solebam dicere: Quod non sedetur sub stillicidio,  
hoc est propter guttas [P 220vb (123)] cadentes. Dixit mihi Mor: Hoc est quia  
daemones ibi frequentant. Fuerunt portatores qui ferebant dolium vini et,  
volentes [Z 406r (393)] quiescere, posuerunt dolium subtus stillicidium et 255  
crepuit. Veneruntque coram Mor filio rab Asse; accepit ille cornua –tubas– et  
excommunicavit daemonem. Venit daemon coram ipso. Dixit ei Mor: Quare  
fecisti hoc? Respondit: Quid inde potui? Posuerunt dolium super aurem  
meam! Dixit ei Mor: Quid ad te venire ad locum ubi multi frequentant?  
Peccasti! Vade et restitue. Respondit: Adsigna mihi terminum ut possim 260  
restituere. Adsignavit ei Mor; nec tamen restituit in termino. Postmodum  
venit dixitque ei Mor: Quare non venisti ad terminum tibi praefixum?  
Respondit: Non habemus potestatem accipiendi aliquid ligatum vel [G 34va  
(77)] sigillatum vel mensuratum vel numeratum, propter quod oportuit me  
expectare donec invenirem aliquid expositum. 265

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236 inducta<sup>2</sup>] adducta GC 237 Papa] propter C 238-239 quasi – curationis] lin. s.v. P 240 Sole-  
bam] Solebat GC 243 christiana] lin. s.v. PZ 244 tenuit] retinuit GC 246 pediculum] periculum  
C 247 herbam] herbas GC quo ligat hortolanus] quae ligat hortolanos C 249 comeditur] come-  
datur C 250 est] om. C 256 coram] quodam C 257 Mor Quare] maior quae G maiorque C 263  
ligatum] diligitum C 265 invenirem] venirem PZ expositum] spiritum C

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In marg.: [31] sortilegium] PZ 245 Dixit eis] turpitude PZ [32] stultitia] PZ [33] nota. error] PZ

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Orth.: 235 cervisia] servigia C 236 cervisiae] servigiae C 256 tubas lin. s.v. PZ] tuvas sic C

[34] [Hul 105b] Dixit Abaie: Solebam dicere: Quod proicitur parum aquae de vase quando bibendum est, antequam bibatur, hoc fit ut abiciantur sordes. Dixit mihi Mor: Hoc fit propter malas aquas. Quidam filius daemonis erat cum rab Papa. Ivit ad adferendum aquas fluminis et moratus est –deteriorando vel incantando eas–. Quando rediit, | [Hul 106a] vidit eos proicientes aquam de vase antequam biberent, et ait: Si scivissem quod ita frequenter faceretis, non fecissem moram.

[35] [San 110a] «Inritaverunt Mosen in castris» [Ps. 105, 16]. Dicit rab Samuhel: Ostendens quod quilibet concitatus erat contra Moysen [P 221ra (124)] spiritu zelotypiae de uxore sua, unde scriptum est: «Moses ergo tollens tabernaculum tetendit extra castra procul» [Ex. 33, 7] –propter suspitionem quam habebant de eo–.

[36] [Sab 55b] Dicit rby Samuhel –in *perec Bama behema*–: Quicumque dicit: “Filii Heli peccaverunt” errat, unde scriptum est: «erant autem ibi duo filii Heli, Ofni et Finees sacerdotes Domini» [I Reg. 1, 3]. Et ipse intellegit sicut Rab, qui dicit: “Finees non peccavit”. Et quia numerantur simul, [Z 406v (394)] intellegitur quod qualis fuit unus, talis fuit alius. Quid est ergo quod scriptum est, quod «dormiebant cum mulieribus quae excubabant ad ostium tabernaculi» [I Reg. 2, 22]? Quia morabantur faciendo oblationem suam, et per hoc tardabant venire ad lectos virorum suorum –reputat Scriptura acsi essent cognitae a sacerdotibus–. –Et infra:– Nonne scriptum est: «porro filii Heli, filii Belial, non cognoscentes Dominum» etc. [I Reg. 2, 12]? –Solutio:– Hoc quod Finees potuit cohibere Ofni ne peccaret et non fecit, imputat ei Deus pro peccato suo.

[37] [Sab 55b] Dicit rby Samuhel: Quicumque dicit: | [Sab 56a] “Filii Samuhel peccaverunt” errat, sicut legitur: «cum sensisset Samuhel, posuit filios suos iudices Israhel» [I Reg. 8, 1]. –Et infra:– «Non ambulaverunt filii eius in viis ipsius» etc. [I Reg. 8, 3]. In viis eius non ambulaverunt, non tamen peccaverunt.

**App. font.:** [36] cfr Yom 9a-b

269-270 deteriorando – eas] *lin. s.v. PZ* 274 Ostendens] Ostendit *G* 276-277 propter – eo] *lin. s.v. P* 277 habebant] habebat *G* 278 in perec – behema] *non lin. s.v. codd.* 279 Heli!] *praem. raby C* 283 ostium] officium *C<sup>ac</sup>* 285 reputat – sacerdotibus] *non lin. s.v. codd.* acsi] quasi *Z* 286 Et infra] *lin. s.v. P* 287 Solutio] *lin. s.v. PZ* quod hoc *tr. GC* 288 pro – suo] peccato *GC* 289 rby] *om. Z* 291 Et infra] *lin. s.v. PZ*

**In marg.:** [34] stultitia] *PZ* [35] stultitia] *PZ* [36] error] *PZ* 282 alius] *add.* quod duo filii Heli non peccaverunt, scilicet Ofni et Finees, sed contrarium est in sacra scriptura *in marg. G<sup>2</sup>* [37] error] *PZ*

**Orth.:** 273 Mosen *Vulg.*] Moyses *codd.* 275 Mosen *Vulg.*] Moyses *codd.* 278 Bama behema] bama behema *G vama bahema C* 280 Ofni *Vulg.*] Ofny *PG Hofny C Ophni Z* Finees *Vulg.*] Phynees *PG Phynes C Phinees Z* 286 Belial] Helyal *G Elial C*

Quid est ergo quod [C 72va] scriptum est: «declinaverunt post avaritiam acceperuntque munera et perverterunt iudicium» [I Reg. 8, 3]. Hoc est dictum: 295  
 Non fecerunt secundum opera patris sui, quia Samuhel iudicavit Israhel in viis suis propriis, sicut scriptum est: «ibat Samuhel per singulos annos circui[P 221rb (124)]ens Bethel et Galgala» etc. [I Reg. 7, 16], et ipsi non fecerunt ita, immo iudicabant in domibus suis, ut sacerdotes eorum et scribae magis lucrarentur.

[38] [Sab 56a] Dicit rby Samuhel: Quicumque dicit quod “David peccavit” errat, 300  
 sicut legitur: «in omnibus quoque viis suis David prudenter agebat et Dominus erat cum eo» [I Reg. 18, 14]. Non peccavit. Quid est ergo quod scriptum est: «quare contempsisti verbum Domini ut faceres mala, in conspectu meo Uriam Hettheum percussisti gladio» etc. [II Reg. 12, 9]? Voluit 305  
 facere, sed non fecit. Dixit Rab: Rabi, qui venit de domo David, laborat *darsare* –glossare– pro David. Dicit enim Rabi: hoc «malum», quod scriptum est de David, diversum est ab aliis malis quae reperiuntur scripta in lege, quia de aliis malis scriptum est “et [Z 407r (395)] fecit et fecerunt”; de hoc autem scriptum est “ad faciendum”, quia voluit facere et non fecit. «Uriam Hettheum percussisti gladio», quia debuisset produxisse ad iudicandum coram iudicibus 310  
 et non produxit. «Et uxorem illius accepisti in uxorem» [II Reg. 12, 9], hoc est dictum: ‘legitimus erit contractus’. Dicit enim rby Samuhel: Omnes euntes in exercitum David dabant uxoribus suis libellum repudii antequam profisciscerentur in expeditionem. «Et interfecisti eum gladio filiorum Amon» [II Reg. 12, 9] –quasi diceret–: ‘sicut non es reus interficiendo filios Amon, 315  
 sic nec interficiendo Uriam, quia rebellavit contra te’. Vocavit enim Ioab dominum suum, sicut scriptum est: «Dominus meus Ioab et servi domini mei» etc. [II Reg. 11, 11].

[39] [Sab 56b] Dicit rby Samuhel: Quicumque dicit: “Salomon peccavit” errat, sicut scriptum est: «nec [P 221va (124)] erat perfectum cor suum cum Domino 320  
 Deo suo, sicut cor David patris eius» [III Reg. 11, 4]. Non «erat perfectum» «sicut

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295 Non] nam Z 302 Non peccavit] *praem.* ex quod Deus erat cum eo C 306 *darsare]* *darsere* GC glossare] *lin. s.v. PZ 310 ad iudicandum] om. P 312 legitimus]* legimus Z 315 quasi diceret] *lin. s.v. PZ quasi dicat C sicut]* sicuti GC non es] non est *P<sup>acc.</sup>* non esset GC non est Z 319 rby] *sup. l. P om. GC*

**In marg.:** [38] error] *PZ 300 errat]* *add.* quod David non peccavit in homicidio Uriae *in marg. G<sup>2</sup> 306 glossare]* nota glossa rabinorum contra textum Scripturae sacrae *in marg. G<sup>2</sup> [39] error]* *PZ 319 errat]* *add.* quod Salomon non peccavit idola colendo *in marg. G<sup>2</sup>*

**Orth.:** 304 Hettheum *Vulg.] Etheum PGZ et Theum C*

cor David», non tamen peccavit. Et nonne scriptum est: «aedifi[G 34vb(77)]cavit Salomon fanum Chamos idolo Moab» etc. [III Reg. 11, 7]? –Solutio:– Voluit aedificare, sed non aedificavit. Et nonne scriptum est: «fecitque Salomon malum in conspectu Domini» [III Reg. 11, 6 –s. hebr.–], –sed hoc dicitur– quia potuit cohibere uxores suas et non cohibuit. Ideo imputatum est ei acsi fecisset.

[40] [Meg 12a] Dicit Raba: Danihel etiam erravit in computatione, sicut scriptum est: «anno uno regni eius ego Danihel intellexi in libris» etc. [Dan. 9, 2]. Ex quo dicit «intellexi», ergo erraverat.

[41] [Bq 87a] –Legitur in *perec Habonel*–: MALUM EST OCCURRERE SERVO ET MULIERI, QUIA, QUI VERBERARET EOS, OPORTERET EUM SATISFACERE; ET SI IPSI VERBERARENT ALIQUEM, NON SATISFACERENT –quia non habent proprium huiusmodi personae quo satisfaciant– [Mish Bq VIII, 4].

[42] [Bq 84a] Item. «Oculum pro oculo», id est pecuniam. –Et infra dicitur:– In scolis Ezechihel «oculum pro oculo», sed non dicitur “oculum et animam pro oculo” –quasi diceret: redimi debet et non erui, quia per eruitionem oculi posset [Z 407v (396)] homo mori–.

[43] [Bq 86b] Discimus aliud: rby Iuda dicit: Caeco non est confusio –quasi diceret: si quis iniurietur alicui videnti satisfaciatur pro damno et verecundia, sed caeco pro verecundia non–. | [Bq 87a] Similiter dicit rby Iuda quod caecus non tenetur ad aliquid praeceptum legis.

[44] [Bb 109a] Si autem nec patuos habuit, dabitur hereditas consanguinitati –uxoris eius, id est viro–. | [Bb 109b] Scriptum est enim: «et erunt duo in carne una» [Gen. 2, 24], ostendens quod maritus [P 221vb] debet habere uxoris suae hereditatem –mobiliam et immobiliam– nec umquam ad parentelam uxoris revertetur hereditas ipsius.

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**App. font.:** 334 Oculum – oculo] Ex. 21, 24; Lev. 24, 20; Deut. 19, 21 340-341 Similiter – legis] cfr Mish Bq VIII, 1

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323 Solutio] *lin. s.v. PZ* Salomon *GC* 325 sed hoc dicitur] *lin. s.v. PZ* 326 ei] ipsi *GC* acsi] ac *GC* 327 Raba] Rab *C* 328 anno] sermo *GC* 330 Legitur – Habonel] *non lin. s.v. codd.* 332-333 quia – satisfaciant] *lin. s.v. PZ* 334 Et infra] *lin. s.v. PZ* 335-336 sed – oculo] *in marg. P* 336-337 quasi – mori] *lin. s.v. PZ* 336 non] *om. GC* 338 Discimus] dicimus *C* dicit] dixit *GC* 338-340 quasi – non<sup>1</sup>] *lin. s.v. PZ* 339 satisfaciatur] satisfacit *PZ* 339-340 sed – verecundia] *om. GC* 341 legis] *in marg. C* 342 habuit] habuerit *Z* 343 uxoris – viro] *lin. s.v. P* id est viro] in viro *GC lin. s.v. Z* 344-345 hereditatem uxoris suae *tr.GC* 345 mobiliam et immobiliam] *lin. s.v. PZ*

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**In marg.:** [40] error] *PZ* [41] stultitia] *PZ* 340 Similiter] error *PZ* [44] stultitia] *PZ*

[45] [Bb 126b] QUI DIVIDIT RES SUAS HEREDIBUS SUIS ET AUGET PORTIONEM UNIUS ET DIMINUIT ALTERIUS ET AUFERT PRIMOGENITO PROGENITURAM SUAM, ORDINATIO EIUS STABILIS EST; SI VERO DIVI[C 72vb]DAT NOMINE HEREDITATIS, NON EST STABILIS. SED SI SCRIBAT VEL IN PRINCIPIO VEL IN MEDIO VEL IN FINE DONATIONIS NOMINE, VERBA IPSIUS SUNT STABILIA. [Mish Bb VIII, 5] | [Bb 133b] ITEM QUI FACIT SCRIPTURAM DONATIONIS RERUM SUARUM ALIENIS ET NIHIL RELINQUIT FILIUS SUUS, FACTUM EIUS STABILE EST, SED NON PLACET SPIRITUI SAPIENTIUM. MAGISTER NOSTER, RABAN SYMEON FILIUS GAMALIHHEL, DICIT: SI FILII IPSIUS NON SE HABENT SICUT DEBENT, MEMORIA EIUS SIT IN BENEDICTIONE. [Mish Bb VIII, 5]

[46] [San 9b] Dicit Rava: Si quis dicat quod aliquis coit cum ipso violenter, ipse et alius adiungentur ad faciendum eum occidi –glossa: iste patitur potest esse testis contra coeuntem; unde, si alius testificetur pro ipso, coiens testimonio eorum, occidetur–. Si vero dicat quod de adsensu suo sit, non est verum, et lex dicit: «ne recipias impium in testimonio» [cfr Ex. 23, 1 –s. hebr.–]. –Et infra:– Dixit Rava: Homo proximus est sibi ipsi, et ideo non potest facere se ipsum impium –glossa: homo non potest repelli a testimonio confessione oris sui, quia propinquus est sibi ipsi et lex repellit propinquos a testimonio proximi sui. Ergo isti patito non est credendum, modo hoc quod dicit se [P 222ra (125)] esse patitur, quia proximus est sibi. Ideo coiens occidetur eius testimonio, quoniam super alio homine creditur ei, super se ipso non–.

[47] [San 9b] [Z 408r (397)] Dicit Rava: | [San 10a] Si quis dicat “talis concubuit cum uxore mea”, ipse et alius coniungentur ad faciendum eum occidi. Quid vobis ostendit in hoc? Nonne hoc est quod dixit nobis supra? –Solutio:– Licet ostenderit nobis quod non sit credendum homini contra se, quia propinquus est sibi, nihilominus tamen credidisset quod esset ei credendum contra uxorem suam. Et hic ostendit nobis quod non est ei credendum contra ipsam, quia propinquus est ei.

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347 dividit] dividit GC 348 et] om. GC primogenito] om. GC 354 Gamalihel] Gamalihelis GC filii] filiis Z 357 eum occidi] ipsum occidi GC om. Z 357-358 glossa – occidetur] lin. s.v. PZ 357 glossa] lin. s.v. GC patitus] patiens GC 358 pro ipso] cum ipso GC 359 dicat] om. Z 360 Et infra] lin. s.v. PZ 361-365 glossa – non] lin. s.v. PZ 362 sui] eius Z 363 propinquos] propinquo GC propinquus Z patito] parvo sic GC 365 homine] nomine Z 367 eum] illum GC 368 Solutio] lin. s.v. PZ 369 ostenderit] ostendit GC

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In marg.: [45] stultitia] PZ [46] error] P supra] Z [47] error. stultitia] P supra. stultitia] Z

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Orth.: 356 Rava] Raba GC 360 Rava] Raba GC 366 Rava] Raba GC

[48] [San 27b] IŒTI SUNT PROPINQUI QUI A TESTIMONIO REPELLUNTUR –tam pro quam contra–  
 375 FRATER, ET FRATER PATRIS ET MATRIS, ET MARITUS SORORIS, ET MARITUS SORORIS PATRIS  
 ET MATRIS, ET MARITUS MATRIS, ET SOCER, ET MARITUS SORORIS UXORIS; IPSI ET FILII  
 EORUM, ET GENERI, ET PRIVIGNUS TANTUM ET NON FILII EIUS [Mish San III, 4].

[49] [San 32a] –In *perec Hehadine* legitur–: In iudicio rerum, potest incipi ab  
 adiudicatione; sed in iudicio sanguinis, semper incipiendum est ab absolutione  
 380 et numquam a condemnatione. In iudicio rerum, standum est maiori parti in uno  
 –iudicum– tam ad abiudicandum quam ad [G 35ra (78)] adiudicandum. In iudicio  
 sanguinis, standum est parti –iudicum– maiori in uno ad absolvendum, sed ad  
 condemnandum oportet quod maior pars excedat in duobus iudicibus. In iudicio  
 rerum post definitivam sententiam, revocantur partes vel ad iudicandum vel ad  
 385 abiudicandum. In iudicio sanguinis, revocatur iudicatus ad absolvendum, sed  
 non ad condemnandum. In iudicio [P 222rb (125)] rerum, possunt omnes dicere  
 quaecumque sciunt, etiam discipuli, qui non sunt iudices. In iudicio sanguinis,  
 omnes possunt dicere pro absolutione super condemnatione; sed pro  
 condemnatione iudices tantum. In iudicio rerum, potest sententia retractari sive  
 in absolvendo sive in condemnando; sed in iudicio sanguinis, potest retractari  
 390 sententia condemnationis, sed non absolutionis.

[50] [San 40b] –Legitur in *perec Hayu bodkyn*, ubi loquitur de examinatione testium–: Dicunt  
 magistri: Cognoscitiseum–reum, scilicet–? *Goy*–christianum–occidit vel Israhelitam?  
 –quasi diceret: si occidit *goy*, non occidetur–. Prohibuistis eum? Recepit super [Z 408v  
 395 (398)] se prohibitionem? Exposuit se ipsum ad mortem? Occidit eum infra  
 prohibitionem? –quasi diceret: nullus potest puniri morte pro aliquo crimine, nisi testes dixerunt  
 ei antequam faceret: “ne facias; si enim feceris, poena mortis punieris”; et nisi responderit: “ideo  
 faciam, ut puniar morte”; et nisi faciat illud, dum fieri prohibetur. Non enim puniri posset, si tanto  
 tempore tardaret perpetrare crimen, in quanto potest discipulus salutare magistrum–. –Et infra–:

373 tam – contra] *lin. s.v. P 374-375* et<sup>3</sup> – matris<sup>1</sup>] *iter. G 375* matris<sup>2</sup> – maritus<sup>2</sup>] *om. P 376* eius]  
*om. PZ 377* In<sup>1</sup> – legitur] *non lin. s.v. codd. 380* iudicium] *lin. s.v. PZ* abiudicandum<sup>1</sup>] iudicandum  
*C ad<sup>2</sup>] om. Z* adiudicandum<sup>2</sup>] abiudicandum *C 381* iudicum] *lin. s.v. PZ* sed] neque *GC 383*  
*ad<sup>2</sup>] om. Z 387* super condemnatione] *om. PZ* sed] si *GC 391* Legitur – testium] *non lin. s.v.*  
*codd. 392* reum scilicet] *lin. s.v. PZ lac. G* christianum] *lin. s.v. PZ 393* quasi – occidetur] *lin. s.v.*  
*PZ 395-398* quasi – magistrum] *lin. s.v. PZ 395* nisi] nec *PZ 396* ei] *in marg. C* responderit]  
*add. illud GC 397* dum fieri] defieri *GC 398* Et infra] *lin. s.v. PZ*

In marg.: [48] error] *P supra*] *Z* [49] error] *P supra*] *Z* [50] nota] *PZ*

Orth.: 377 Hehadine] hehadme *PZ*

[51] [San 41a] Unde habemus quod oportet se ipsum exponere ad mortem? Dicit Rava: Scriptum est: «in ore duorum vel trium testium interficietur mortuus» 400 etc. [Deut. 17, 6 –s. hebr.–] donec exponat se morti –non dicit “interficietur homo”, sed «mortuus», nam in vita sua est quasi mortuus, quia se obtulit morti–.

[52] [Mak 5b] –In *macecta Makoz* in Misna primi *perec* [Mish Mak I, 7],– DICIT RBY SYMEON: SICUT DUO TESTES NON OCCIDUNTUR DONEC AMBO PROBENTUR OMNES 405 FALSI ESSE, ITA ET TRES NON OCCIDUNTUR DONEC PROBENTUR OMNES ESSE FALSI. ET UNDE HABEMUS QUOD ETIAM CENTUM? [P 222va (215)] EX HOC SIMILITER QUOD SCRIPTUM EST “TESTIUM” –quasi diceret: nullum numerum excludit–. DICIT RBY AKYVA: [C 73ra] TERTIUS TESTIS NON VENIT NISI AD ADGRAVANDUM SUPER SE IPSUM ET AD FACIENDUM IUS SUUM SICUT ALIORUM –quasi diceret: si duo testes convincantur de falsitate 410 et tertius non, nihilominus interficietur sicut alii duo convicti–. SI SCRIPTURA CONDEMNET ILLUM QUI SE CONIUNGIT PECCANTIBUS SICUT PECCANTES, QUANTO MAGIS REMUNERABITUR QUI SE ASSOCIAT IUSTIS! | [Mish Mak I, 8] ET SICUT SI UNUS –duorum– TESTIUM INVENIRETUR CONSANGUINEUS, SINE ALIQUA OCCASIONE REPULSUS ADNIHILARETUR EORUM TESTIMONIUM, ITA ETIAM SI UNUS TRIUM. UNDE HABEMUS 415 QUOD ETIAM SI UNUS DE CENTUM? EX HOC QUOD SCRIPTUM EST “TESTIUM”.

[53] [Mak 5a] –Dicitur in Misna–: TESTES NON CONVINCUNTUR DE FALSITATE, DONEC FALSITAS EGGREDIATUR AB IPSIS HOC MODO: “NOS TESTIFICAMUR QUOD TALIS OCCIDIT TALEM”; ET ALII TESTES DICUNT EIS: “QUOMODO HOC TESTIFICAMINI? NONNE OCCISUS 420 VEL OCCISOR FUIT NOBISCUM ILLA DIE TALI LOCO?”. PER HOC NON CONVINCUNTUR PRIMI DE FALSITATE, LICET TESTIMONIUM EORUM ADNIHILETUR. SED SI DIXERINT EIS: “QUOMODO HOC TESTIFICAMINI? NONNE NOBISCUM FUISTIS ILLA DIE TALI LOCO?”, CONVINCUNTUR DE FALSITATE [Z 409r (399)] ET OCCIDUNTUR TESTIMONIO PRAETERITORUM TESTIUM [Mish Mak I, 4]. | [Mak 5b] –Discimus in *Gemara*–: Dicit Rabi: Si non occiduntur, occiderunt. “Non occiduntur” vult dicere: si convincuntur 425 de falsitate priusquam ille contra quem testificantur occisus sit, tunc occiduntur. Si occisus sit ante, non occiduntur.

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399 ad mortem exponere tr. GC 401-402 non – morti] lin. s.v. PZ 401 dicit] dicitur Z 403-404 In –Symeon] lin. s.v. P 403 primi] prima GC 405 esse falsi<sup>1</sup> tr. GC omnes probentur tr. GC 406 unde] bene C quod<sup>2</sup> quia GC 407 quasi – excludit] lin. s.v. P quasi diceret] lin. s.v. Z 409-410 quasi – duo] non lin. s.v. codd. 410 convicti] lin. s.v. PZ Si] om. GC 412 duorum] lin. s.v. P 414 adnihilaretur] admitteretur Z trium] add. de centum PZ 414-415 Unde – centum] om. PZ 415 de centum] om. GC 416 Dicitur in Misna] non lin. s.v. codd. 421 quomodo] quando C 422 convincuntur] praem. non PZ 423 Discimus in Gemara] non lin. s.v. codd. Discimus] Dicimus GC 424 occiderunt occiduntur tr. GC Non occiduntur<sup>2</sup>] om. G 425 priusquam] primo postquam GC 426 occiduntur<sup>2</sup>] occiduntur GC

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In marg.: [52] error] P supra] Z

Orth.: 400 Rava] Raba GC 423 Gemara] Gmara PG Guyara C Mmara Z

[54] [Mak 5b] –Legitur in Misna [Mish Mak I, 6]:– FALSI TESTES NON OCCIDENTUR NISI SENTENTIA LATA FUERIT AD EORUM TESTIMONIUM; SED ZATHAKYM –qui tradunt legem ad litteram [P 222vb (125)] nec credunt Talmud– DICUNT QUOD FALSI TESTES NON OCCIDENTUR NISI AD EORUM TESTIMONIUM OCCIDATUR REUS, SICUT SCRIPTUM [G 35rb (78)] EST: «ANIMAM PRO ANIMA» [Deut. 19, 21]. DIXERUNT EIS SAPIENTES: NONNE SCRIPTUM EST: «REDDENT EI SICUT FRATRI SUO FACERE COGITAVIT» [Deut. 19, 19] ET ADHUC, EST FRATER SUUS VIVUS! –Ex hoc– ERGO QUOD DICITUR «SICUT FRATRI SUO» ETC. INTELLEGITUR QUOD FRATER EIUS SIT –«vīvus»–. QUID EST ERGO QUOD SCRIPTUM EST «ANIMAM PRO ANIMA»? NISI HOC ESSET SCRIPTUM, FALSI TESTES INTERFICERENTUR, LICET AD EORUM TESTIMONIUM SENTENTIA NON FERRETUR. ET EX HOC SCIMUS QUOD, SI SENTENTIA NON SIT LATA, NON OCCIDENTUR.

[55] [Mak 5b] Dicit rby Iuda: Numquam videam consolationem nisi interfecerim unum –antequam– ad eius testimonium esset reus –occisus– ad amovendum de cordibus zathokym, qui dicunt quod falsi testes non debent interfici nisi reus ad eorum testimonium occidatur. Dixit ei rby Symeon filius Sathay: Numquam videam consolationem nisi effuderis sanguinem innoxium, quia dixerunt sapientes quod falsi testes non occiduntur nisi omnes de falsitate convincantur. Similiter non vapulabunt nisi omnes convincantur, nec restituunt damna nisi omnes convincantur. Continuo novit rby Iuda quod numquam ulterius doceret halaka –Talmud– nisi coram rby Symeon. Rby ergo Iuda omnibus diebus vitae suae extendebat se super sepulchrum occisi –testis– et clamabat, et audita voce eius credebant omnes quod esset vox defuncti. Et ait rby Iuda: Vox mea est et ex hoc sciatis quod cras mortuus fuero. Non audietur ulterius.

[56] [Mak 6b] [P 223ra (126)] [Z 409v (400)] –Discimus:– «NEMO OCCIDATUR UNO CONTRA SE DICENTE TESTIMONIUM» [Deut. 17, 6]. EX HOC HABEMUS QUOD, SI DUO TESTES VIDERINT REUM, UNUS PER UNAM FENESTRAM ET ALIUS PER ALIAM, NEC TAMEN SE MUTUO VIDERUNT, TESTIMONIUM IPSORUM NULLUM EST [Mish Mak I, 9].

427 Legitur in Misna] non lin. s.v. codd. 428 qui tradunt] lin. s.v. P 428–429 legem – credunt] non lin. s.v. codd. 429 ad litteram] alteram C Talmud] lin. s.v. P 430 occidentur] occiduntur GC 432 reddent] respondent C 433 suus] eius Z Ex hoc] lin. s.v. P 434 vivus] lin. s.v. PZ 434–435 est scriptum tr: C 435 scriptum] add. quod sed del. P add. quod Z 437 occidentur] occidetur Z 439 antequam] lin. s.v. PZ testimonium] restitutionem <sup>Pa.c.</sup> restitutionem lin. s.v. Z occisus] lin. s.v. PZ ad amovendum] ad movendum GC 442 quia] quae GC 444 vapulabunt] vapulantur GC 446 Talmud] lin. s.v. PZ 447 testis] lin. s.v. PZ voce] vocem C 448 omnes] add. homines in marg. PZ homines G homines <sup>C<sup>v.c.</sup></sup> 449 quod] quia cum GC 450 Discimus] om. PZ non lin. s.v. codd. 453 est nullum tr: GC

**In marg.:** [54] error] P supra Z [56] stultitia] PZ

**Orth.:** 428 zathakym] zatholkym G rathokym C (sc. saducei הצדוקים) 441 Symeon filius Sathay] Symeon filius Zachay Z (sc. Šim'ôn ben Šaṭaḥ שמעון בן שטח)

[57] [Mak 7a] –Legitur in Misna:– IUDICES QUI INTERFICIUNT SEMEL IN EBDOMADA “DISSIPATORES” VOCANTUR. RBY ELEAZAR [C 73rb] DICIT: SEMEL IN SEPTUAGINTA ANNIS. RBY TARPON ET RBY AKYVA DICUNT: SI NOS ESSEMUS IUDICES, NUMQUAM INTERFICERETUR HOMO [Mish Mak I, 10]. 455

[58] [Mak 7a] –Legitur in Gemara:– Quomodo faciebant hoc ex adnullatione testium? Rby Iohannen et rby Eleazar dicunt: Vidistis utrum occidit hominem laesum vel sanum corpore? –quasi dicat: aliter nihil est testimonium verum–. Dicit rab Ace: Si testificarentur eum sanum fuisse, dicebant iudices: “fortassis in loco in quo percussus est, erat prius plaga mortalis”. Et de testibus super adulterio quos lex condemnat poena mortis, quid faciebant? Abaye et Rava dicunt: Interrogabant a testibus: “vidistis carnem in carne”? –quasi dicat: aliter non valet testimonium–. 460

[59] [Mak 7b] –Item dicit in Gemara:– QUI OCCIDIT DESCENDENDO, TENETUR FUGERE AD CIVITATEM REFUGII; SI ASCENDENDO, NON TENETUR [Mish Mak II, 1]. Unde habemus haec verba? Dicit Samuhel: Scriptum est: «et fecit cadere super eum et mortuus est» [Num. 35, 23 –s. hebr.–]. Oportet quod illud cadat super interfectum in ascensu interfectoris. 465

[60] [Seb 25a] –In *Sebuot* in Misna secundi *perec* dicit rby Ismahel:– NON CONDEMNATUR HOMO SUPER RE FUTURA [Mish Seb III, 5]. 470

[61] [Seb 27a] SI IURAVIT FACERE CONTRA MANDATUM LEGIS ET NON FECIT, NON CONDEMNATUR. SI ETIAM IURAVERIT FACERE PRAECEPTA LEGIS, NON TAMEN FACIT, NON CONDEMNATUR, LICET DE IURE DEBEAT CONDEMNARI [Mish Seb III, 6].

[62] [Seb 38b] –Legitur in *perec Sebuaz* –Iuramenti– *hadaranyim* –iudiciorum– in Misna:– QUIDAM DICIT SOCIO SUO “HABEO IN MANU TUA DUOS ARGENTEOS” ET ALIUS RESPONDEAT “NON EST TIBI IN MANU MEA NISI PICTA UNA”, INMUNIS EST. SIMILITER SI DICAT “CENTUM SOLIDI SUNT MIHI IN MANU TUA” ET IPSE DICAT “NON SUNT TIBI 475

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[57] *tantummodo* in GC 454 Legitur in Misna] *non lin. s.v. codd.* 458 Legitur in Gemara] *non lin. s.v. codd.* Quomodo] Quando C 460 quasi – verum] *non lin. s.v. codd.* 461 sanum] filium C 464 quasi – testimonium] *non lin. s.v. codd.* [59] *tantummodo* in GC 465 Item – Gemara] *non lin. s.v. codd.* descendendo] defendendo C [60] *tantummodo* in GC 470 In – Ismahel] *non lin. s.v. codd.* [61] *tantummodo* in GC 475 Legitur – Misna] *lin. s.v. PZ* *perec*] gamara PZ Iuramenti] *lin. s.v. G* iudiciorum] *lin. s.v. G* 476 dicit] dicunt *P<sup>ac.</sup>* dixit GCZ 477 picta una] una pacta GC Similiter] quare Z 478 dicat<sup>1</sup>] dicit Z sunt<sup>1</sup>] *om. GC* dicat<sup>2</sup>] dicit Z

**Orth.:** 458 Gemara] Gamaza GC 459 Iohannen] Iohan GC 460 rab Ace] rby Ioce C (*sc. R. Ašši* רב אשי) 465 Gemara] Gamara C 470 Sebuot] Sebuor GC 475 Sebuaz] Sebuaz P Sebuhoz Z (*sc. šebū'at* שבויעת) hadaranyim] hadar amyn G hedar amym C (*sc. hadayyanin* הדריינין)

480 NISI QUINQUAGINTA”, DEBET IURARE. SI AUTEM DICAT “CENTUM SOLIDI SUNT PATRI  
MEO IN MANU TUA” ET IPSE DICAT “NON NISI QUINQUAGINTA”, INMUNIS EST, QUIA IPSE  
EST TAMQUAM HOMO QUI RESTITUIT QUOD PERDITUM EST –quia de rebus patris nihil sciret,  
nisi ipse vellet– [Mish Seb VI, 1].

485 SI DICAT “CENTUM SOLIDI SUNT MIHI IN MANU TUA” ET ALIUS RESPONDEAT  
“ETIAM” ET IN CRASTINO DICAT “REDDE MIHI” ET IPSE RESPONDEAT “REDDIDI TIBI”,  
INMUNIS EST [Mish Seb VI, 2].

490 SI DICAT “LIBRA AURI MIHI IN MANU TUA” ET IPSE RESPONDEAT “NON NISI LIBRA  
ARGENTI”, INMUNIS EST. QUÆRIT FRUMENTUM ET IPSE CONFITETUR [G 35va (78)]  
ORDEUM, INMUNIS EST. ET GAMALIHËL MAGISTER NOSTER DICIT QUOD DEBET IURARE.  
QUÆRIT CADOS OLEI A SOCIO SUO ET IPSE CONFITETUR CAMATAS. DICIT AZUNAY: EX  
495 QUO CONFITETUR DE EODEM GENERE DE QUO QUÆRITUR, IURABIT. ET SAPIENTES DICUNT:  
NON EST CONFESSIO DE EODEM GENERE. DICIT MAGISTER NOSTER GAMALIHËL: IUDICI  
CONGRUUNT VERBA AZUNAY. QUÆRIT AB EO MOBILIA ET IMMOBILIA: CONFITETUR  
MOBI[P223rb(126)]LIA ET NEGAT IMMOBILIA AUT E CONTRARIO, INMUNIS EST; CONFITETUR  
PARTEM IMMOBILIUM, INMUNIS EST; PARTEM MOBILIUM, IURABIT [Mish Seb VI, 3].

495 ET NON IURATUR SUPER PETITIONE SURDI, STULTI ET PARVI [Mish Seb VI, 4].

[Seb 42b] “DECEM VITES FRUCTIFICANTES TRADIDI TIBI”, RESPONDET “NON NISI  
QUINQUE” [Mish Seb VI, 6].

[63] [Seb 42b] RBY MEHIR ADIUDICAT IURAMENTUM ET SAPIENTES NON. NON [Z 410r  
500 (401)] IURATUR, NISI SUPER MENSURATO VEL PONDERATO VEL NUMERATO. DIXIT EI  
“DOMUM TRADIDI TIBI”, RESPONDIT “nescio, sed si dimisisti, accipe”, INMUNIS EST.  
ISTE DICIT “PLENA FUIT AD CAVILLAM”, ALTER “PLENA FUIT USQUE AD FENESTRAM”,  
IURABIT [Mish Seb VI, 6].

[64] [Seb 41b] Dicit rab Papa nomine Rava: Verum est quod qui comodat socio  
505 suo coram testibus oportet eum sol[C 73va]vere coram testibus. Et dicit rab  
Papa nomine Rava: Non oportet. Et si creditor dixerit ei “non reddas mihi nisi  
coram testibus”, oportet eum reddere coram testibus; sed dicat ei debitor  
“reddidi tibi coram talibus qui transibant mane”, inmundus est.

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480 dicat] dicit Z ipse<sup>2</sup>] sup. l. C 481-482 quia – vellet] lin. s.v. PZ 483 dicat] dicit Z respon-  
deat] respondet PZ 488 noster] mihi Z 489 camatas] cananas GC 494 partem<sup>1</sup>] in marg. C 495  
surd] add. et GC 496 vites] vires C 498 adiudicat] adiudicavit GC non non] et non GC 505  
dixerit] dixit C

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In marg.: [64] error] P supra] Z

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Orth.: 489 Azunay] azinui GC azuray Z 492 Azunay] azimy G arny C azuray Z 498 Mehir] Meyr  
PZ Mehyr GC 504 rab] rby G raby C

[65] [Seb 43b] Dicit Samuhel: Qui comodat socio suo mille solidos super manubrium falcis, si perdit manubrium, perdit suos mille solidos; sed si comodat super duo manubria, non amittit. Rab Naaman dicit: Etiam, si super duo comodat et perdit unum, perdit quingentos solidos; et si perdit aliud, perdit alios quingentos solidos. Si super unum manubrium et unam laminam, si perdit unum eorum, non propter hoc perdit pecuniam. Homines de Naandya dicunt: Si etiam comodat super manubrium et laminam, si perdit laminam, perdit medietatem pecuniae; si perdit manubrium, perdit totum. 510 515

[66] [Seb 44b] –Legitur in Misna quid est iudicium conducti:– DIXIT CONDUCTUS CONDUCTENTI: DA MIHI MERCEDEM MEAM QUAM MIHI DEBES. RESPONDIT: DEDI. IPSE DIXIT: NON ACCEPI. [P 223va (126)] IURABIT ET ACCIPIET. DICIT RBY IUDA: NON NISI RECOGNOSCERET EI PARTEM [Mish Seb VII, 1]. | [Seb 45b] Dicit rab Naaman: Non dicimus istud nisi quando conduxit eum coram testibus [cfr Deut. 19, 15]; sed si conduxit eum sine testibus, sicut posset dicere “numquam conduxisti te”, ita posset dicere “conduxi et solvi tibi”. Dicit rby Isaac: Ita est verum. Et sic dicit rby Iohannen. 520

[67] [Ber 64a] Dicit rby Auvein: Quicumque comedit in mensa sapientium, acsi reficeretur claritate Dei, sicut scriptum est: «veneruntque Aaron et omnes sapientes Israhel ut comederent panem cum eo coram Deo» [Ex. 18, 12]. Comederunt ergo coram Deo? Comederunt coram Moyse? –Solutio:– Sed ostendit scriptura quod, qui comedit in mensa sapientium, tantum valet acsi viveret de gloria Dei. 525

[68] [Bm 85b] [Z 410v (402)] Helias propheta frequentabat scholas Rabi. Quadam die tardavit nimis et ait illi: Quare tantum tardasti? Respondit: Quia levo Abraham de lecto et do ei aquam ad manus et orat, et iterum facio eum recumbere; deinde Isaac; et deinde Iacob. Et quare non facis eos simul surgere? Respondit: Ipsi tantum abbreviarent horam orando quod Messias 530

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**App. font.:** [67] cfr *sT* [501] Ber 64a (4) 528-529 scriptura – Dei] cfr Rashi in Exodum [op. II.4.2, in *P f.* 226va] [68] cfr *sT* [695] Bm 85b (2)

511 et<sup>2</sup>] *s.l.* P 512 perdit] *add.* et C laminam] baminam C 516 Legitur – conducti] *non lin. s.v. codd.* quid *conieci*] quod *codd.* 517 conducenti] *om. GC* 519 recognosceret] recognosce- tur Z 522 Dicit] dixit C 525 reficeretur] confiteretur GC 526 sapientes] seniores GC ut] *om. GC* 527 Comederunt] comederent GC Solutio] *lin. s.v. PG* Sed] si C 528 quod] et GC 531 Respondit] *om. C* 534 Respondit] *praem.* et GC

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**In marg.:** [65] stultitia. error] P stultitia. supra] Z [66] stultitia] PZ [67] sapientes] PZ [68] fabula] PZ

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**Orth.:** 510 Naaman] Aaman GC 513 Naandya] Naandia G Noandia C 524 Auvein] Avemanuem GC Auveni Z (*sc. R. Abin רבי אבין*) 527 Moyse] Mosse PG Mose C Mosses Z

- 535 veniret ante tempus ipsius. Dixit ei Rabi: Habentne aliquem similem sibi in hac vita? Respondit: Etiam rby Hyia et filios eius, et facit eos esse coram se et orant; et quando dicunt in oratione «faciens flare ventum» [Ex. 10, 19], tunc flat ventus; et quando dicunt “qui facit descendere pluviam”, tunc descendit pluvia; et quando veniunt ad locum orationis ubi dicitur quod “qui facit resuscitare mortuos”, tunc dixerunt in coelo: Quis revelavit istud?
- 540 Responderunt: Helias. [P 223vb (126)] Fecerunt itaque venire Heliam et verberaverunt eum sexaginta virgis igneis et licentiaverunt eum. Tunc venit inter eos [G 35vb (78)] in scholas in similitudine ursi et turbavit eos et fugerunt, et ita non fecerunt omnes mortuos resurgere.
- 545 [69] [Sab 88b] Dicit rby Iosua filius Levi: In hora qua Moses ascendit in caelum, dixerunt angeli ministerii coram Deo: Domine saeculi, quid facit inter nos natus de muliere? Dixit eis: Venit huc ad recipiendum legem meam. Iterum dixerunt: Domine saeculi, desiderabilem quae reposita est apud te per nongentas [C 73vb] septuaginta quattuor generationes ante mundi creationem vis dare carni et sanguini? «Quid est homo quod memor es eius» etc. [Ps. 8, 5].
- 550 Scriptum est etiam: «Domine Dominus noster, quam admirabile est nomen tuum in universa terra, quoniam elevata est magnificentia tua super caelos!» [Ps. 8, 2]. Dixit Deus ad Mose: Responde eis. Et respondit Mose: Timeo ne flammae oris comburant me. Dixitque ei Deus: Adprehende thronum meum et responde eis. Scriptum est enim: «adprehendente eo faciem throni, extendit super eum manum suam» [Iob 26, 9 –s. hebr.–]. Unde dicit rby Nahu: Docet quod Deus extendit super ipsum claritatem deitatis suae. Dixit Mose coram Deo: [Z 411r (403)] Domine saeculi, in lege quae mihi danda est, quid scriptum est?
- 555 Respondit Deus: «ego sum Dominus Deus tuus, qui eduxi te de terra Aegypti de domo servitutis» etc. [Ex. 20, 2]. Dixit Mose angelis: Descendistis unquam in Aegyptum vel fuistis subiecti servituti Pharaonis? Quid ad vos de lege ista? Dixit iterum Deo: Quid amplius scriptum est in ea? Respondit Deus: «non habebis deos alienos [P 224ra (127)] coram me» [Ex. 20, 3]. Et ait angelis: Estisne [Sab 89a] inter idolatras? Quid ad vos de lege? Quid amplius in ea scriptum est? «Non adsumes nomen Dei tui in vanum» [Ex. 20, 7].
- 560 Dixit eis: Numquid est contractus inter vos –propter quod oporteat vos iurare–? Quid amplius in ea

**App. font.:** 545 Moses – caelum] cfr Ex. 19, 3

535 aliquem similem] aliquam similitudinem GC 542 Tunc] et GC 546 Deo] Domino Z 547 Venit] veni P recipiendum] recipiendam Z 548 Domine] praem. et G 549 septuaginta] octoginta C 550 carni] eam Z 551 etiam] om. GC 553 Deus] Dominus GC 554 flammae – me] ne flamen oris eorum comburat me GC 556 Nahu] Tahu Z 557 extendit] ostendit C 563 alienos] om. GC 566 propter – iurare] lin. s.v. PZ

**In marg.:** [69] error. fabula] PZ vide fabula de Moyse in lege] G<sup>2</sup>

**Orth.:** 545 rby] rab PZ raby C Moses Vulg.] Moyses codd. 553 Mose C Vulg.] Mosse PGZ

scriptum est? «Memento ut diem sabbati sanctifices» [Ex. 20, 8]. Dixit eis: Numquid est inter vos labor –propter quod oporteat vos quiescere–? Et quid ad vos de lege? Quid amplius in ea scriptum est? «Honora patrem tuum et matrem tuam» [Ex. 20, 12]. Dixit eis: Numquid patrem et matrem habetis? Quid ad vos de lege? Quid amplius in ea scriptum est? «Non occides» [Ex. 20, 13]; «non moechaberis» [Ex. 20, 14]; «non furtum facies» [Ex. 20, 15]; «non falsum testimonium dices» [Ex. 23, 1]. Dixit eis: Numquid homicidium, luxuria, furtum, invidia aut similes sunt inter vos? Quid amplius in ea scriptum est? «Non concupisces» [Ex. 20, 17]. Numquid aurum et argentum inter vos sunt? Quid ad vos de lege? Statim paenituerunt et concesserunt Domino, sicut dicit psalmus: «Domine Deus noster, quam admirabile est nomen tuum in universa terra»; et non est additum: «quoniam elevata est magnificentia tua super caelos» [Ps. 8, 2]. Continuo quilibet eorum factus est amicus Mose et singuli docuerunt eum aliquid, sicut scriptum est: «ascendisti in altum, cepisti captivitatem, accepisti dona in hominibus» [Ps. 67, 19], quia revocaverunt hominem ad memoriam –dicentes–: «quid est: homo quod memor es eius» etc. [Ps. 8, 5] –propter hoc– recepisti dona –dona scilicet verborum quae docuerunt eum in reconciliationem suam–. Angelus etiam mortis –*malach mavez*– docuit eum unum, sicut scriptum est: «obtulit thymiama» [Num. 16, 47] et «deprecatus est pro populo» [Num. 16, 48]. Si non docuisset hoc eum, quomodo scivisset?

[70] [Sab 89a] Dicit rby Iosua filius [P 224rb (127)] Levi: Quando Mose descendit a Domino, accessit diabolus ad Dominum et dixit ei: Domine saeculi, ubi est [Z 411v (404)] lex? Respondit ei: Investiga terram. Et accessit ad mare ipsum. Respondit: Non est mecum. Ivit ad abyssum. Dixit: Non est in me, sicut scriptum est: «abyssus dicit non est in me et mare non est meus» [Iob 28, 14]. «Perditio et mors dixerunt auribus nostris: Audivimus fame eius» [Iob 28, 22], scilicet quod Deus dedit eam filio Amram –Moysi–. Ivit ad Mose [C 74ra] et ait illi: Ubi est lex? Respondit: Nescio. Et reversus dixit ad Dominum: Circuivi terram et non repperi –legem–. Dixit ei Deus: Iuxta filium Amram est. Et accedens ad eum dixit: Lex quam dedit tibi Deus, ubi est? Qui respondit: Quis ego sum cui Deus dederit legem? Dixitque Dominus ad Mose: Numquid non mendax es? [G 36ra (79)] Respondit ei: De desiderabili, quae apud te reposita est cum

568 propter – quiescere] *lin. s.v. P* 569 Honora] *praem.* non occides non moechaberis *sed del. PZ* 571 Non<sup>1</sup>] ne *C* 578 additum] *auditum GC* 579 amicus] *om. GC* cantus *Z* 580 eum] *coram C* 582 dicentes] *lin. s.v. PZ* 583 propter hoc] *lin. s.v. P* 583-584 dona<sup>2</sup> – suam] *lin. s.v. PZ* 583 dona<sup>2</sup>] *om. GC* 584 malach mavez] *lin. s.v. P om. Z* 585 sicut] *om. G* deprecatus] *depositus Z* 586 quomodo hoc eum *tr. GC* 591 meus] *meritum C* 592 scilicet] *sed C* 593 Moysi] *lin. s.v. PZ* 594 dixit] *dicat P* 595 non] *sup. l. G<sup>2</sup> om. C* legem] *lin. s.v. P* 598 De] *om. GC*

In marg.: [70] error] *PZ*

Orth.: 584 malach mavez] malach mavet *GC*

600 qua ludebas cotidie, usurparem gloriam mihi? Dixit ei Deus: Ex quo humiliasti te ipsum vocabitur nomine tuo, sicut scriptum est: «mementote legis Mosi servi mei» [Mal. 4, 4].

[71] [Sab 89a] Dicit rby Iosua: Quando Mose ascendit in caelum [cfr Ex. 19, 3], invenit Dominum sedentem et facientem coronas litteris. Dixit ei Deus: Numquid pax est in villa tua, quia non salutas me? Qui respondit: Numquam servus aliquis salutatur Dominum suum. Dixit ei Deus: Saltem debes adiuvare me! Statim respondit Mose: «magnificetur fortitudo Domini» [Num. 14, 17].

[72] [Nid 30b] Dixit rby Cemlay: Qualiter est puer in utero matris? Plicatus est, et sedet quasi super tabulam, et duae manus eius super [P 224va (127)] tempora eius, et duae ascellae ipsius super genua illius, et duo talli eius sub duabus naribus ipsius, et caput inter crura eius, os illius clausum est, umbilicus apertus, de nutrimento matris vivit nec egerit, ne matrem suam occidat. Quando autem egreditur, clauditur quod apertum est et aperitur quod clausum est. Aliter enim non viveret. Et candela accensa super caput eius est, et videt et intuetur ab initio mundi usque ad finem, sicut scriptum est: «quando splendebat lucerna eius super caput meum» [Iob 29, 3]. Nec inde mireris; homo enim dormit et per somnium in Hispania videt. –Et infra:– Et docetur eum totam legem. Quando vero exit de utero, angelus eum percutit super buccam et facit eum oblivisci totius legis, sicut scriptum est: «statim in foribus [Z 412r (405)] peccatum aderit» [Gen. 4, 7], nec exit donec iuraverit –quod erit probus homo–, sicut scriptum est: «mihi curvabunt omne genu et confitebitur omnis lingua» [Is. 45, 23].

[73] [Ab 4, 13] –Dicitur in *perec*:– Esto promptus in Talmud, quia ignorantia illius aequiparatur iniquitati –glossa: tantum punitur qui transgreditur ignoranter verba Talmud, quantum si scientur verba legis–.

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**App. font.:** [72] cfr *sT* [1642] Nid 30b

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601 mei] tui *GC* 604 quia – me] *om. PZ* Numquam] numquid *PZ* 608 tempora] tympora *P* tempora *GC* 610 et] *om. C* 612 autem] ergo *C* 616 videt] vadit *Z* Et infra] *lin. s.v. PZ* 616-617 Et docetur – legem] *om. GC* 617 de] ex *C* 619-620 quod – homo] *lin. s.v. P* 620 curvabunt] curvabitur *GC* 622 Dicitur in *perec*] *lin. s.v. P* quia] et *GC* 623-624 glossa – legis] *lin. s.v. PZ*

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**In marg.:** [71] error] *PZ* [73] nota. error. Talmud] *PZ*

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**Orth.:** 600 Mosi *Vulg.*] Mosse *codd*

[74] [Ab 5, 8] Gladius advenit saeculo super docentes in lege et non secundum *halaka* –Talmud–. 625

[75] [Sab 118a] Qui manutenet tres comestiones in sabbato custoditur a tribus: ab angustiis Messiae, et a iudicio inferni, et a bello Gog et Magog.

[76] [Git 57a] –In libro *Nassym* in *perec Hanizakin* dicit glossa Salomonis–: Praevaricatores Israhel, sicut Iesus *Noceri* –Nazareus–. 630

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625 secundum] scientium Z 626 Talmud] *non lin. s.v. codd.* 628 ab] *om. GC* 629 In – Salomonis] *lin. s.v. PZ* 630 Nazareus] *lin. s.v. PZ*

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In marg.: [74] Talmud. nota] *PZ* [75] error] *PZ* [76] nota] *PZ*

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Orth.: 629 Hanizakin *conieci*] *hamyzalkym PZ bannizalzym G banizakym C*

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# Textualizing, De-Textualizing, and Re-Textualizing the Talmud

## The Dimension of Text in the *Extractiones de Talmud*\*

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### 1. Re-Casting Augustine's Paradigm on the Jews

When during the thirteenth century Christians became increasingly aware of Jewish post-biblical literature, their primary interest was directed at the Talmud. Nicholas Donin's accusations against the Talmud – submitted to Pope Gregory IX between 1238-1239 – triggered a trial against the Talmud that resulted in its condemnation (1240) and its burning (1241). Yet this trial eventually suggested the necessity to document Christians on the actual nature of the Talmud. Therefore, a large anthology from the Babylonian Talmud – commonly known as the *Extractiones de Talmud* – was redacted in connection with the 1240 Paris disputation against the Talmud. The text offers a representative selection of textual material that has been extracted from the Babylonian Talmud. This was the first substantial documentation on the Talmud delivered to Christian authorities after centuries of lacking or fragmentary information.<sup>1</sup>

Although the *Extractiones* are part of the legal procedure against the Talmud of the 1240s, it should be emphasized that the translation probably reflects a 'more lenient climate in the mid-1240s under Innocent IV'.<sup>2</sup> The relatively positive nature of this anthology can be appreciated both from the good quality of the translation itself and from the textual arrangement of the text. On the one hand, the anthology text offers a reasonably accurate translation of the text together with most of the commentary of the famous Jewish French scholar Rabbi Shlomo Itzhaki (Rashi), despite the ideological question at stake – whether the Talmud actually manifested an anti-Christian nature. On the other hand, the anthology tends to present the Talmudic material in diachronic order, as it occurs according to what is in the Babylonian Talmud before it was printed – provided some historical differences between the *Vorlage* of the Latin text and the common edition based on the Vilna text.

The main purpose of the *Extractiones de Talmud* was to provide Christian authorities with the necessary documentation to evaluate the spiritual and cultural condition of Jews in the midst of the thirteenth century. Therefore, two kinds of

\* This article has been written thanks to a Marie Curie post-doctoral fellowship at the Autonomous University of Barcelona in connection with the ERC-funded international project 'The Latin Talmud', directed by Alexander Fidora. For more details, see: <http://pagines.uab.cat/lattal/>. I would like to thank Piero Capelli (University of Venice) for the thorough reading of a first draft of this paper as well as Alexander Fidora (Autonomous University of Barcelona) and Chaim (Harvey) Hames (Ben-Gurion University of the Negev) for their many suggestions.

1. Fidora, 'The Latin Talmud and Its Influence' and 'The Latin Talmud and Its Translators'.  
2. Fidora, 'Textual Rearrangement', p. 67.

translation were presented: a sequential one, following the textual order of the Talmud, and a thematic one, re-arranging most of the previous material according to key concepts. Regardless of the definitive presentation of the textual material, either in sequential or anthological order, the *Extractiones de Talmud* present only portions of Talmudic units. In this sense, it is crucial to emphasize that the historical event of providing a Latin translation of the Talmud has also deeply affected the texture of the Talmudic passages themselves. While undergoing the translation process, the Talmud has been almost ‘de-textualized’, in this precise sense: Talmudic texts mostly appear in fragmentary form or in single, shorter units.

The discovery of the Talmud during the thirteenth century required revising Augustine’s paradigm of the Jews that had guided the Christian understanding of Judaism for centuries. The Christian understanding of the Jews in the Middle Ages was still dictated for centuries by Augustine’s notion of the Hebrew Bible: the Jews were unable both to understand Scripture correctly and to produce new knowledge. In other terms, they were a sort of relic of the past. It should also be emphasized that the Babylonian Talmud underwent a historically complex dissemination from Mesopotamia, through North Africa, up to the Iberian Peninsula and finally to France. Therefore, Christian authorities had been unaware of the existence of a parallel, extremely large corpus of religious texts for centuries and had received only fragmentary, often unreliable hints from Jewish converts. Augustine’s words were notoriously harsh. The Jews would have been unable to understand the very books that they had still been transmitting – as ‘tradition’ – since Christian revelation and their role was downgraded to the one of servants:

omnes ipsae Litterae quibus Christus prophetatus est, apud Iudaeos sunt, omnes ipsas Litteras habent Iudaei. Proferimus Codices ab inimicis, ut confundamus alios inimicos. In quali ergo opprobrio sunt Iudaei? Codicem portat Iudaeus, unde credit Christianus. Librarii nostri facti sunt, quomodo solent servi post dominos codices ferre, ut illi portando deficiant, illi legendo proficiant.

(Augustinus, *Enarratio in Psalmum 56*, §9)

All the texts (*litterae*) in which Christ is prophesized are among the Jews. The Jews have all these works. We bring our books (*codices*) from the enemies so that we may confute other enemies. In what sort of disgrace do the Jews find themselves? A Jew carries the book that is the foundation of faith for a Christian. Jews act as book-bearers for us, like the slaves who are accustomed to walk behind their masters carrying their books, so that while the slaves sink under the weight, the masters make great strides through reading.

This passage was quite cleverly arranged. It presupposed the Jews’ inability of interpreting Scripture in a spiritual sense, so that their socially and politically marginal role, as ‘servants’ in a Christian society, would be justified theologically. There was a deep connection between life and hermeneutics: just as the Jews were unable to understand Scripture, so would they persist in leading a carnal life. Such

a carnal life would also lead to dissolution – both in the sense of leading a dissolute life and in the sense of being scattered in the world.

## 2. The ‘Chain of Tradition’ and Its Discontents

The Babylonian Talmud – formally an Aramaic commentary on the Hebrew text-book of the Mishnah – is not only the reference work for Jewish Law but also the most iconic representation of the dimension of text in Jewish literature. Even the less experienced reader can easily become aware that the Talmud reports a ‘protocol’ of series of legal and judicial opinions between generations of scholars – in the form of an uninterrupted ‘dialogue’ beyond differences in language, social setting, and personal theological convictions. Jewish Orthodoxy is typically built on the supposition that different generations of Jewish scholars are connected in an uninterrupted sequence of texts, studies, and commentaries that is commonly designated as ‘chain of tradition’.

This ‘chain’ constitutes the central pillar of Jewish Orthodoxy. Yet it is neither linear nor specifically homogeneous, when examined from a strictly historical point of view. Oral and written traditions are bridged into an allegedly uninterrupted, continuous tradition that seems to overcome differences in text, language, and theology.

Some Rabbinic texts claim that Talmudic tradition should be dated back to the time of God’s Revelation on Mount Sinai, with the clear intent of normalizing this magmatic collection of sources under a coherent – or allegedly coherent – tradition. The most famous description of this ‘chain of tradition’ – opening Tractate *Avot*, a later text that imitates the language of the Mishnah – offers an almost linear chain of transmission from the Sinai that can virtually be extended to the present generation of scholars:<sup>3</sup>

משה קיבל תורה מסיני, ומסרה ליהושוע, ויהושוע לזקנים, וזקנים לנביאים, ונביאים מסרוה לאנשי כנסת הגדולה.

Moses received Scripture from Sinai and transmitted it to Joshua and Joshua to the Elders and the Elders to the Prophets and the Prophets transmitted it to the men of the Great Assembly  
(mAv 1:1)

When examined in more detail, the ‘chain of tradition’ is more articulate. It traditionally begins in Hebrew with the ‘pairs’ of the early Palestinian masters (*zugot*), develops into the two leading exegetical schools of Shammai and Hillel, and contin-

3. Modern scholarship has reached no consensus on the historical assessment of Tractate *Avot*. A later, possibly post-Mishnaic redaction of Tractate *Avot* is maintained especially by Stemmerger. See: Stemmerger, ‘Mischna Avot’ and Neusner, *Oral Tradition in Judaism*, p. 152. For a detailed bibliographical note on the development of Tractate *Avot*, see: Tropper, ‘Tractate *Avot*’, p. 160, n. 3.

ues with the masters of the Mishnah (*tannaim*). This legal tradition then passes into Aramaic and includes the early masters of the Talmud (*amoraim*), the late masters of the Talmud (*savoraim*), and finally the later anonymous redactors of the Talmud (*stammaim*). As the Talmud text was fixed in written form, the ‘chain of tradition’ already included a large number of later interpreters: the Babylonian commentators on the Talmud (*geonim*), the ‘first’ commentators on the Talmud (*rishonim*), and the ‘latest’ commentators on the Talmud (*aharonim*). This almost millenary tradition includes scholars from early and later generations, genuine innovators and compilers, original authors and unoriginal commentators. Despite the obvious linguistic, cultural, and theological differences, this ‘chain’ still offers a strong sense of continuity that has been transmitted between generations because of a specific ideological assumption – each commentary would belong to the uninterrupted tradition of the commentary on the word of God and would then express a deep continuity between generations, despite local and historical differences.

Yet the composition of a ‘chain of tradition’ has hardly been so linear. On the contrary, the process of *centralizing* the Talmudic tradition required several hundred years and went through a series of regressive and progressive steps. In a recently well-acclaimed and yet controversial text, Talya Fishman has shown how the process of ‘textualizing’ the Babylonian Talmud required a difficult negotiation between oral and written traditions as well as how this process implied different notions of authorship and authority – especially between East and West. She has appropriately emphasized how ‘textualization’ should be accounted for as something much more complex than simply ‘putting in words’ (*Verschriftlichung*) oral traditions.<sup>4</sup> It cannot be denied that the process of ‘putting into words’ – here intended to offer practical help for memorizing the increasing mass of Talmudic scholarship – also implied a theological-political dispute on the role of the Rabbinic elite. The ultimate purpose of ‘textualizing’ the Talmud was not simply to make a huge number of traditions available in written form, possibly still subject to the undisputed authority of oral traditions. It also supported a long process that culminated with assessing the Babylonian Talmud as the *central pillar* in Jewish religious life. While describing this long process of textualization, Fishman has importantly emphasized the subtle dialectics that involved members from different Eastern and Western Jewish communities. The former ones would be more inclined to rely on oral traditions supported by written material; the latter ones would progressively be more inclined to accept the written text of the Talmud as the normative reference for European Jewish life. A specific moment in the process of textualization was reached when medieval Christian authorities eventually became aware of the existence of the Talmud and of its importance for contemporaneous Jewish life.

The discovery that Jewish scholars had produced an immense, still totally unknown collection of legal, philosophical, and theological texts had a tremendous

4. For the oral transmission of oral matters, especially in Geonic culture, see Fishman, *Becoming the People of the Talmud*, pp. 32-39.

impact on the Jewish-Christian relationships at the time. Christians had to face the unprecedented matter of fact that Jews had not simply stuck to the literal, carnal sense of Scripture, as Augustine would have claimed. On the contrary, they had actually produced an immense text – the Talmud – whose existence was both fascinating and threatening at the same time.

The Latin translation of the Talmud has a documentary relevance for the history of the Talmud and also offers an ‘outer perspective’ on Judaism, especially from the point of view of Christian and Ecclesiastical authorities. The Latin anthology translated from the Talmud – known as *Extractiones de Talmud* – has also had a substantial impact on the millenary ‘textualization’ of this text. The Latin translation of the Talmud has foremost reflected the Christian ‘discontents’ with respect to the traditional assumption that Judaism would be outdated and long gone, as claimed by Augustine several centuries earlier.

The historical and theological role of emerging Rabbinic literature in medieval Christianity can hardly be underestimated. Before discovering the existence of the Talmud in the twelfth century, quite ironically by means of some diligent Jewish converts, Christians had usually conformed to Augustine’s traditional assumption. Accordingly, they had maintained that the Jews were unable to understand the ‘spiritual’ sense of Scripture; therefore, the Jews would somehow be condemned to be segregated into a culturally and historically passive role; their existence would have been a sort of live example of religious outdatedness – the theological symbol of obsolescence. Accordingly, the Jews could only work as a sort of ‘cultural servants’ for Christians. Augustine had expressed the Jews’ submissive role with a powerful metaphor and had described them as ‘librarians’ (*librarii*) unable to understand the very sense of the ‘books’ that they were still delivering over space and time, for the Christians’ sake.

One should appreciate the psychological dimension in this specific vision of intellectual history. In so doing, one will better understand how the discovery of the Talmud by Christian authorities rapidly culminated into burning and banishment, in little more than a century. Augustine’s traditional assumption was surely ungenerous: he secluded the Jews in the passive role of transmitting texts that they could not really understand. Nevertheless, this was especially reassuring for the Christians who would have nothing to fear, theologically speaking, from the obstinate people who had once rejected Christ. The Jews would be only blinded ‘librarians’, stuck in their Hebrew Bible and prophetically unable of discovering the Christian truth.

Yet this view could no longer be held. On the eve of the twelfth century, Christianity encountered the unprecedented news that the Jews had neither stuck with the Hebrew Bible nor been inactive. For instance, in his *Dialogi contra Judaeos* (1110), the twelfth-century Jewish convert Peter Alfonsi maintains that the Jews are following an ‘outdated’ version of the Law.<sup>5</sup> In similar terms, the twelfth-cen-

5. Peter Alfonsi appears to argue that the Jews are following an ‘outdated’ version of the Law especially

tury abbot of Cluny, Peter the Venerable, argues the same in his *Tractatus adversus Judaeorum inveteratam duritiam* (1142-1143), possibly based on Peter Alfonsi's work and, possibly, on some indirect translations of the Talmud to be found in the French version of the Hebrew satirical text *Alpha Beitha de-Ben Sira* (*The Alphabet of Ben Sira*).<sup>6</sup> This scattered evidence could already show that the Jews had not been culturally inactive for centuries. On the contrary, they had amassed an immense number of texts, mostly unknown to Christians. Suddenly the Jews had appeared to be much more creative and tenacious, than one would expect. The mere existence of the Talmud and its textualization would posit an existential threat to the Christians who would simply rely on Augustine's outdated notions. A revision of this traditional view was indeed necessary. Following the 1240 first Paris disputation and the 1241/2 burning of the Talmud, the *Extractiones de Talmud* – extant in both a chronological and thematic arrangement of the texts – emerged in 1245 as a sort of *emotional reaction* to this unprecedented discovery. The need of having a faithful version of selected material from the Talmud fulfilled the purpose of making it simultaneously accessible and vulnerable to Christian authorities. On the one hand, the Talmud could be studied with an objective, reliable Latin translation of the text; on the other hand, it could be exposed what it actually was. In the eyes of Christian authorities, there was no real contradiction between delivering a 'faithful' translation and providing a tendentious *anthology* of the Talmud. Both these assumptions were simultaneously true and consistent. Indeed, they intended to realign the religious life of the Jews to the traditional assumption that they were still infidel and non-believers. The quality of the Latin translation was the necessary linguistic presupposition for the theological claim that the Talmud would contain blasphemies against Christianity.

The editors of the dossier containing the *Extractiones de Talmud* and other materials frequently insist on the impeccable quality of their documentation. The editors were aware that the translation process was itself trans-cultural and tended to assure the reader on the liability of their sources. Thus, in the prologue to the *Extractiones* they explain:

Deus autem duos sibi providit interpretes catholicos in hebraea lingua quam plurimum eruditos. Hoc autem fidelitatis eorum infallibile mihi praestitit argumentum: quod, cum multa magna et notabilia de praedictis libris diversis temporibus, posteriore ignorante quae vel qualiter ab ore prioris interpretis transtuleram, etsi, propter

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on this account: everybody, he argues, is 'unclean' with respect of the ritual requirements of the Old Testament, and the Jewish Law promulgated by the Rabbis cannot remediate this condition of impurity (*Dialogi contra Judaeos*, 8). This argument seems to reflect some anti-Talmudic attitude of Spanish Jews, possibly under the influence of some residual Karaites. On the Jewish education of Peter Alfonsi, see also: Hasselhoff, 'Petrus Alfonsi'. See also: Tolán, *Petrus Alfonsi*.

6. On these topics, see: Petrus Alfonsi, *Dialogue against the Jews*, trans. by Resnick; see Resnick, 'Humoralism and Adam's Body. Twelfth-Century Debates and Petrus Alfonsi's *Dialogus contra Judaeos*', pp. 181-189; see also: Fishman, *Becoming the People of the Talmud*.

difficultatem et obscuritatem hebraici, quandoque variaverint verba, eandem tamen sententiam et sensum tenuerunt.

(*Praefatio in Extractiones de Talmud per ordinem sequentialem*, p. 4)

God sent two Catholic translators who were very learned in the Hebrew language. It was an unquestionable proof of their reliability for me that, having translated some time before from the mouth of the first translator (ab ore prioris interpretis transtuleram) many important and remarkable passages from the aforesaid books, this translation, as well as that of the second translator, who did not know what I had translated previously and how it had been rendered, both expressed the same opinions and yielded the same sense, though they sometimes used different words because of the difficulty and obscurity of the Hebrew language.

Recent scholarship has shown how the translation was the product of a teamwork and involved at least three phases. In the first phase, an unknown translator, probably Nicholas Donin, made a first selection of the relevant materials and translated them into Latin. In the second phase, another translator redacted a second translation, possibly a larger one, closer to the text now extant in the *Extractiones*. Only with a third editorial phase, was all this material collected, discussed, and redacted, resulting into the anthology now known as the *Extractiones de Talmud*. It cannot be excluded that there were also some intermediary phases, when French was prevalently used with respect to Latin, as it happened, for instance, with Donin's redaction of his notorious thirty-fives articles. If this did actually take place while redacting the thirty-five theses, all the more is it reasonable that it took place also while redacting a significantly larger selection of passages. In any case, it has been established that this complex interaction resulted into a very accurate rendering of the Talmud into Latin that would have served the goal of documenting its content in front to a Christian public.<sup>7</sup>

It should not be surprising if these precautionary remarks were maintained a second time, in the *Prologue* to the second part of the dossier which contains Nicholas Donin's Thirty-Five Articles against the Talmud and other materials. Again, the Latin editor proudly claims for the uncontroversial quality of the Latin translation. Interestingly enough, it refers to the famous commonplace of several translators who have translated independently and yet in very same way:

Quoniam 'in ore duorum vel trium testium stat omne verbum' ad maiorem praecedentium firmitatem et certitudinem, quaedam repetere, quaedam superaddere utile iudicavi quae ex ore alterius interpretis sunt translata quinque vel sex annis prius, licet hic ponantur posterius.

(*Prologue* to the second part of MS Paris, BnF, lat. 16558, fol. 211rb)

7. de la Cruz, 'El estadio textual' and Cecini, 'The *Extractiones de Talmud*'.

‘Since every matter is established in the mouth of two or three witnesses’, in order to increase the firmness and certainty of what had been said, I thought it useful to repeat and to add some passages which were translated from the mouth of the other translator some five or six years before, even though here they are given afterwards.<sup>8</sup>

Yet the wish to produce a reliable Latin translation is not intrinsically a sign of integrity. The Christian sentiment towards the emergence of Talmudic literature is indeed potentially negative and posits an epistemological problem: the mere existence of a large corpus of post-Biblical texts obviously contradicted the traditional notion of the Jews’ intellectual inertia. It is then not surprising that a linguistically impeccable translation of the Talmud has nevertheless produced an ideologically tendentious text, whose main purpose is exposing the Jews’ theological ‘stubbornness’ and their inability to convert to Christianity. This ideological assessment of the Latin translation is reflected in both the selection and arrangement of the textual material. In this respect, the Latin translation represents a sort of ‘de-textualization’ of the tractates of the Talmud as it has affected the ‘textual integrity’ of the source text.

Yet this process has also provoked a second, more subtle ‘textualization’ or, better put, a process of ‘re-textualization’ – namely, a further emphasis on the centrality of the Talmud in Jewish life, albeit described in negative terms. In short, the translation of the Talmud in a Latin anthology has probably compromised its original textual unity (‘de-textualization’) but has also induced the Latin translator to emphasize once more the authoritative nature of the Talmud and to claim for its centrality in Jewish life.

### 3. Textualizing Oral Traditions: the Dimension of Text and Speech in the Talmud

Modern scholarship has disputed on the nature of Talmudic discussions.<sup>9</sup> On the one hand, some scholars have assumed that the assessment of Talmudic discussions within an argumentative frame would have the main purpose of presenting scholarly material as a coherent ‘unity’ (*sugya*); this general systematization apparently suggests that the Talmud would exhibit a conclusive nature and reproduce an argumentative flow – eventually leading to specific, binding juridical conclusions. On the other hand, other scholars like Talya Fishman have insisted on the temporary character of these Talmudic discussions and specifically on their prominently oral nature.<sup>10</sup> The juridical material produced by the Babylonian academies would exhibit a normative value and yet still be subject to a subtle dynamics between orality

8. Text and translation quoted from Fidora and Cecini, ‘Nicholas Donin’s Thirty-Five Articles Against the Talmud’, p. 190.

9. Modern scholarship on the nature of Talmud discussions is extensive and cannot be treated properly in the present context. Most recent studies include: Boyarin, *Sparks of the Logos* and Dolgopolsky, ‘Sense in Making.’

10. Fishman, *Becoming the People of the Talmud*.

and writing. In other terms, the leaders of these Babylonian academies, the *Geonim*, would have put their discussion into writing only reluctantly, mostly for a practical reason – offering a transparent ‘protocol’ of their scholarly discussions, with the implicit purpose of being controlled, supervised, and corrected by later generations.

As was anticipated, the spread of the Babylonian Talmud from East to West – following the expansion of the Islam Empire from Babylon to Andalusia and finally to Northern France and Germany – has also had a significant impact on the ‘textualization’ of the Talmud. The progressive passage from East to West also provoked a sensible change in the relationships between orality and writing. Early Talmudic schools in Islamic countries – led by the *Geonim* – insisted on the supplementary role of ‘writing’ only for the sake of memorizing oral material and still conceived of Talmudic discussion in term of a living, oral dispute. In distinction, Western Jewish communities spreading from North Africa to Spain and ultimately to France progressively assimilated the Talmud as a normative *written* text, similar to Scripture. This change in the relationship between orality and writing has had a clear consequence – assessing the centrality of the Talmud as a ‘handbook’ for any legal dispute in Jewish life, regardless of its original oral nature. At the time of its penetration in contemporary medieval Northern Europe, the Talmud gained a specific normative prominence, especially due to the French commentators – known as *Tosafists*. It is at this point that Christian authorities would have reacted to the emerging of this impressive collection of Jewish Law and tried to contrast its ‘textualization’.

The scholarly dispute – whether the Talmud exhibits a conclusive or temporary nature – hardly affects the assumption that the Talmudic discussions exhibit a prominent ‘oral character’. Regardless of their specific juridical nature, these Talmudic discussions manifestly belong to a prominent dimension of speech. This is indeed evidenced by a number of linguistic marks: the segmentation of the Talmudic discussion in specific minor argumentative units; the large use of verbs of speech for introducing objections and rebutting them; the use of idioms that ultimately reflect a dimension of orality; the use of specific patterns that continuously connect objections, counter-objections, and rebuttals. A Talmudic discussion is usually occasioned by a comment on a specific sentence from the Mishnah; the specific linguistic and ritual nature of the passage may require specific linguistic and expressive remarks as well as the quotation of supplementary material – either from Scripture, the Mishnah, other Hebrew legal texts, or parallel passages from the Talmud. The circulation of these argumentative materials is usually encouraged by the dialogical nature of the discussion – built on a series of objections, counter-objections, and rebuttals, as just mentioned – that allows imparting a number of new references about the topic under discussion.

A Talmudic text usually follows a specific organization of the diverse textual material employed in the analysis – Mishnaic texts, Biblical sources, and additional legal texts. While a formalization of a Talmudic discussion cannot answer to the immense diversity of the Talmud, it is nevertheless possible to reduce the Talmudic discussion to specific patterns or, better put, to formalize it according to a recurring pattern:

- i. A quotation from the Mishnah;
- ii. Some basic annotations on it that might involve linguistic, semantic, or cultural explanation of the original text;
- iii. A first disagreement, typically expressed by one individual who simply makes a statement or asks a question either for polemical purposes or simply for disagreeing with the previous basic annotation;
- iv. If the first disagreement has polemical purposes and has been received as such, the Talmudic discussion usually witnesses a rebuttal to this attack that leads to a longer discussion and further chains of annotating and rejecting;
- v. If the first disagreement has no polemical purposes and, on the contrary, convinces the interlocutor, then the Talmudic discussion can include a sort of general agreement with the objection and then lead to conclusion;
- vi. The conclusion may be framed into a conclusive, anonymous statement.

This stereotypical formalization clearly shows that Talmudic discussions are built on a distinctive dimension of speech that is somehow reproduced in written form – as ‘transcription’ – with linguistic marks, idioms, and particles that signalize the direction of hermeneutical struggle.

These linguistic marks include the profuse use of verbs of speech (‘saying’, ‘telling’, ‘asking’, ‘objecting’, ‘answering’ and so on), the use of interjections that orient the discussion in a specific direction (‘it is obvious!’, ‘it is difficult!’, ‘we cannot agree on this’ and so on), the use of technical terms for introducing additional material (‘it is said’, ‘it is written’, ‘it is taught’, ‘our masters say’ and so on) as well as the use of additional quotations from Scripture and other Jewish books. These linguistic and expressive features are seldom treated as such, especially because they are spontaneously assimilated in the process of becoming conversant with the Talmudic text. It should be emphasized even more clearly that traditional teaching of the Talmud has usually focused on the reception of this increasingly authoritative text and its theological features – without necessarily addressing the *structure* of the discussion itself. The reason for this may hardly be negligence but rather caused by the assimilation of the basic features of Talmudic discussion at a relatively early age while acquiring literacy in Jewish literature.

The *formalization* of a Talmudic discussion obviously presents a number of linguistic difficulties. For instance, the Hebrew-Aramaic bilingual nature of these texts may lead to semantic and expressive *friction* between them and make it difficult to reproduce the dialogical flow at a formal level. Besides, the antiquity of these texts has a clear impact on our ability to understand their original idiomatic setting. Moreover, the written character of these texts clearly contrasts with their alleged original ‘oral nature’, raising a number of issues that have traditionally affected the study of ancient philosophy in general and Platonic dialogues in particular. Finally, the Talmudic text traditionally published as a large column of text that occupies the central section of the page and localizes its commentary on the margins somehow makes it difficult to fully appreciate the dialogical dimension of the Talmud.

The most notable attempt of *segmenting* Talmudic discussions according to their dialogical features has recently been undertaken by Jacob Neusner, who has edited a formalized English translation of both the Palestinian and the Babylonian Talmud. It should be emphasized that Neusner's translations of rabbinic texts and especially of the two Talmuds have encountered negative reviews from prominent scholars; therefore, they should not be regarded as a model for linguistic accuracy. Nevertheless, Neusner's practice of *segmenting* the Talmudic text according to its main oral features has surely had an impact on modern scholarship and represents a useful way of addressing these classical texts. One can refer, for example, to the very beginning of the Talmud – commenting on the first instructions from Tractate *Berakhot* of the Mishnah:<sup>11</sup>

1:1

- [A] From what time do [people] recite the *Shema* ' in the evening?
- [B] From [after the sunset, that is] the hours that the priests enter [the Temple court] to eat their heave-offering,
- [C] '[They may recite the *Shema* ' at any time thereafter up to three hours into the night, that is] until the end of the first watch [in the Temple]',
- [D] the words of R. Eliezer

It is obvious how Neusner rejects the traditional paging of the Talmud. Instead of providing the traditional numeration of a Talmud page (Tractate *Berakhot* 2b), he begins with reporting the pertinent numeration from the Mishnah (Tractate *Berakhot* 1:1) and segments it in a number of minor units, using alphabetical notation. The resulting translation provides the reader with a clear indication of the argumentative flow – namely, an initial question (A), a first answer (B), a second answer (C) to be ascribed to Rabbi Eliezer (D).

In the present case, it is important to show how Neusner's translation intended to supersede the traditional paging of the Talmud, typically based on the pagination of the Bomberg (and later Vilna) edition, and to offer a text divided into discrete units that show the discursive flow. The question over the quality of Neusner's translation is hardly pertinent in the present case, whereas his innovative approach to the Talmudic text is much more relevant here. Neusner's effort of formalizing the Talmudic text reflects the deep need of providing a clear, transparent illustration of a Talmudic dispute – especially when translating it into a Western language. Otherwise, the Talmudic text would appear quite obscure if not bizarre.

11. Neusner, *The Talmud of Babylonia: An American Translation*, Vol. 1 – Tractate *Berakhot*, p. 1.

#### 4. De-Textualizing the Talmud: the *Extractiones de Talmud* and the Babylonian Talmud

Recent scholarship, as already anticipated, has emphasized how the *Extractiones* were redacted in a generally lenient atmosphere, supported by Innocent IV. Yet this could not prevent some collateral effects from taking place, both during the redaction of the anthology and with the later thematic arrangement of the collected material, as discussed further. The impossibility of translating the whole text of the Babylonian Talmud made it necessary to proceed with a *selection* of texts and pertinent passages. The ‘pertinence’ of these passages should be measured with respect of the anti-Jewish stereotypes that guided the entire process of translation, as candidly admitted in the *Prologue* that illustrates quite well the expectations of the Latin translator:

Ad iudaicae perfidiae et malitiae necnon incredibilis excaecationis cordium suorum, secundum inprecationem propheticam, quin potius alienationis mentis ipsorum vel amentiae denudationem, de mandato venerabilis patris Othonis Tusculani episcopi sedis apostolicae legati, pauca de innumeris erroribus, haeresibus, blasphemis et fabulis, quibus libri iudaici sunt contexti tamque pleni, ut quasi nihil veritatis et minus utilitatis contineant, nunc verbum ex verbo, nunc sensum ex sensu, ut expressius potui, transtuli diligenter.

(*Praefatio in Extractiones de Talmud per ordinem sequentialem*, p. 4)

In order to uncover the Jewish perfidy and malice as well as the incredible blindness of their hearts, according to a prophetic curse, and moreover their mental alienation or rather manifest insanity, commissioned by the venerable Father Odo, Bishop of Tusculum, apostolic legate, I have carefully translated sometimes word for word, sometimes sense by sense, as it could best be expressed, few of countless mistakes, heresies, blasphemies and fables, of which Jewish books are made up and full of, so that they contain no truth and less utility.

Some question about authorship – whom Odo, the Bishop of Tusculum had commissioned for this translation – have not been answered yet but one thing is quite clear: this Latin translation could have posed an issue both to the translators and to the readers. While its basic structure was quite fairly described in the *Prologue* to the Latin translation, the Talmud still exhibited a complex, mysterious if not confused structure. The Latin translator was unable to provide the readers with a clear representation of the selected Talmudic passages. The selection of Talmudic passages has usually undergone specific costs in terms of textual and conceptual coherence. With the notable exception of few narratives on Jesus, the *Extractiones de Talmud* mostly report fragments of Talmudic units and rarely bother to describe the hermeneutical dynamics. Most of the Talmudic discussions (*sugyot*) appear to be isolated in minor, often shorter textual units that escape a clear formalization. This segmentation of the Talmud had also another notable consequence – compromising

the structure of a single Talmudic unit. A paradox would then emerge: the selection of textual material would appear to be respectful of the structure of the original text but it would indeed separate many Talmudic remarks from its original setting and would then reinforce the assumption that the Talmud would manifest a confusing nature.

Yet it would be hard if not preposterous to argue that this specific arrangement had the covert finality of derogating the text of the Babylonian Talmud to the eyes of Christians. This hypothesis in fact contrasts with the general excellent quality of the Latin translation – that would often pass the standards of modern translations. The problem of addressing the structure of a Talmudic text seems rather to affect any transmission outside the perimeter of its original linguistic and cultural setting or, in other words, any case of translating the Talmud into a Western language. In the present case, the question of structure was even more relevant, as the text had to be translated by individuals who would have shown much less sympathy for Jewish cultural idiosyncrasies. Internal issues commonly pertaining to translating a text – finding proper expressive equivalents, addressing cultural differences, and negotiating between the ideology of the source text and the one of the target text – had to suffer from an additional burden: providing the reader with a clear structure of the text.

One should more accurately conclude that the Latin translator intended to deliver an exact translation into Latin but encountered difficulties in managing the complex material of the Babylonian Talmud – whose large employment of ‘non-legal narratives’ (*aggadot*) would pose a challenge for a more systematic, ‘Western-oriented’ mind. There is a clear cultural difference in arranging theological material between the redactors of the Talmud and the Latin translator’s intention of showing the anti-Christian nature of the Talmud. Notably this apparent difference did not awake any sentiment of sympathy towards the ‘Oriental’ character of the Babylonian Talmud. It is probable that the assumption that Talmud literature would only be a collection of fables, blasphemies, and fantasies was the consequence of a ‘Western mind’ unable of appreciating the cultural diversity of the Babylonian Talmud – given for sure his discriminatory stereotypes towards the Jews, described both as cursed by the Prophets and also incapable of properly thinking. Moreover, the necessity of providing the Christian readers with ‘few of the countless mistakes, heresies, blasphemies, and fables’ from Jewish literature made it necessary to produce an *anthology* rather than a comprehensive translation of the Talmud. The segmentation in minor units fundamentally followed the main structure of the Talmud and possibly reflected a lenient if not positive appreciation of the source text. Yet this clearly showed not only the inability of coming to terms with the hermeneutical dimension of the Talmud but also the impossibility of appreciating cultural diversity – especially when suffering from the same important stereotypes that culminated in the burning of the Talmud in 1240. The most apparent consequence of it obviously is the deformation of textual material and its assimilation through the same stereotypes.

This tendentious treatment of the material collected in the *Extractiones de Talmud* is particularly evident when taking into account the second text redacted in

connection with the Paris process against the Talmud – a *thematic* arrangement of the selected Talmudic material. After a first, decent translation of Talmudic material according to its diachronic order, the material published in the *Extractiones* underwent a specific re-organization that produced a *thematic* collection of this material: ‘in this sense, little or no progress was achieved in the Christian reassessment of the Talmud; instead, the argument against the Talmud became circular’.<sup>12</sup>

Yet the segmentation in the Latin translation – serving the ideological purposes of exposing its anti-Christian tendencies – is followed by a symmetrical and contrary process of ‘re-textualization’. This process takes place in two different respects: assimilating the glosses into the main text and making specific translation choices.

### 5. The Text and the Commentary: On the Talmud and Its Interpreters

The process of ‘re-textualization’ takes place covertly as an internal, idiosyncratic phenomenon of the *Extractiones de Talmud*. While it is difficult to determine whether it is a deliberate or inadvertent process suggested by single individuals, it cannot be denied that this process of ‘re-textualization’ reflects well a number of theological presuppositions that inspired, guided, and directed the Latin translation of the Talmud. On the one hand, Christian doctrine establishes a prophetic truth: the Jews would intrinsically have been unable to produce anything theologically remarkable since their rejection of Christ, as maintained by Augustine. On the other hand, the discovery of the Talmud thanks to the reports of Jewish converts in the twelfth century has actually shown that this diagnosis was wrong, at least from a strictly empirical point of view. In fact, the Jews had produced an impressive number of texts that seem to contradict this harsh, definitive judgment. The emerging theological dilemma – what the intellectual condition of the Jews after the rejection of Christ ultimately is – has only two possible solutions: either the Talmud *necessarily* contains blasphemy, foolishness, and heresy, or it evokes the same Christian truth anticipated in the Old Testament and equally inaccessible to the carnal Jews. Any other suggestion would immediately imply that the Talmud contradicts Augustine’s judgment on the Jews and disqualify his theology of history. The assumption that the Talmud could somehow anticipate Christian truth would still follow the assumption that it appears, at first, to be foolish and heretical; in the end, it was mostly a question of correct exegesis of the text. When read appropriately with Christian eyes, even the apparently foolish Talmud would necessarily reflect Christian truth.

Yet the *Extractiones de Talmud* would demonstrate, at first, how the Talmud would prove Augustine’s historical and theological correctness. This strong theological presupposition would also imply that the Talmud would somehow *exemplify*, in its monumentality, the Jews’ blindness to Christian truth. As a consequence, the Talmud could not simply be the product of blasphemous individuals who gathered

12. Fidora, ‘Textual Rearrangement’, p. 74.

materials for centuries and produced this huge work. Nevertheless, this impossibility had a theological – not empirical – nature. The Talmud emerged as a prominent concurrent to Christian truth along the path to conversion of the Jews; therefore, it *had to* appear also as a substantial piece of work – whose authorship could be wrong and ungodly but still not inessential – or lacking any theological substance. Not surprisingly would the Talmud somehow manifest a specific theological, albeit negative prominence among the Jews and posit itself as the ultimate sourcebook for contemporaneous Jewish life.

It is then not contradictory that the Talmud emerged as the main ‘adversary’ to Christian truth especially in light of the same cultural centralization supported by its French commentators – the *Tosafists*. On the contrary, one should share Talya Fishman’s judgment on the Talmud and conclude that Christian authorities engaged in a theological-political confrontation against it, especially because of its prominence in the Askhenazi world. The Talmud’s cultural prestige among the Jews would exactly imply that it *necessarily* had to manifest a prominently textual nature and *necessarily* claim for Christian control and censorship over it. Had it simply been a ‘straw book’ – from which anyone would easily distance himself – no theological-political intervention by the Church would even be possible. As a consequence of these presuppositions, the *Extractiones de Talmud* would virtually have offered a formidable historical opportunity: contributing to both deconstruct and reconstruct the textual dimension of this pillar in Jewish medieval life. On the one hand, the Talmudic dialectical units were to be reduced to its blasphemous single, simple nature; on the other hand, its textual prominence was still to be held in order to justify the theological-political intervention by Christian authorities. Therefore, a process of ‘re-textualization’ would reflect the Christian claim for a *sola veritas* – by establishing a formidable ‘adversary’ to Christian faith. Although the *Extractiones* probably had no known Christian reader who might then have wanted to rephrase, they did still have an impact on Augustine’s traditional paradigm, mentioned above. While it is only a *theoretical* supposition that some Christian scholar may have changed his opinion on the Jews because of *actually reading* this anthology from the Talmud, there is no doubt that a new paradigm had risen in connection with the *Extractiones*. The Jews were no longer passive witnesses of Christian faith but actual heretics that forged blasphemous literature. These newly discovered Jewish texts had then become true enemies of Christianity.

The process of ‘re-textualization’ of the Talmud takes place as an internal, idiosyncratic phenomenon – that would emerge only when confronting the Latin translation with its original Hebrew-Aramaic text. An examination of the *Extractiones de Talmud* from a Translation Studies perspective involves the assumption that any translation undergoes a process of revision, adaptation, and transmission of textual material, either due to linguistic or cultural necessity. The ideological setting of the Latin translation and especially the theological need of identifying the Talmud as the prominent obstruction to the conversion of the Jews seem to be reflected in two typical traits of the *Extractiones de Talmud*: the assimilation of glosses within the main text and the emphasis on the textual nature of the Talmud. The assimilation

of glosses took place in two distinct ways: either including the gloss directly *within* the main body of the text, without allowing the reader to be aware of the addition or including the gloss *within* the text with a number of graphical marks in order to emphasize the inclusion of a commentary on the text. Thus the Latin translator included the glosses in the text sometimes mentioning this, sometimes not mentioning this, also under the unexpressed presupposition that the text of the Talmud had no really discrete parts – the Mishnah, its Aramaic commentary (Gemara), the commentary on the Talmud and so on – but rather represented a colossal piece of sinister, blasphemous literature.

When Christian authorities became aware of the dimensions of rabbinic literature, they were also informed of the tireless activity of the most prominent Jewish commentator on Scripture and the Talmud – the famous French scholar Rabbi Shlomo Itzhaqi, commonly known as Rashi. The historical and theological prominence of Rashi is explicitly acknowledged in the *Preface* to the *Extractiones de Talmud*:

De glossis vero Salomonis Trecensis super Vetus Testamentum paene nihil transtuli, licet sint ibi mirabilia infinita, et de Talmud magnam contineant partem; et quamvis taliter totum glossaverit Vetus Testamentum, quod nihil ibi penitus relinquat incorruptum, ita quod nec litteralem nec spiritualem intelligentiam seu sensum derelinquat, sed totum pervertat et convertat ad fabulas, iudaei tamen quicquid dixit auctoritatem reputant, ac si de ore Domini fuerit eis dictum. Huius glossae super Talmud frequenter in sequentibus inveniuntur insertae. Sepultum est corpus eius honorifice Trecis et anima in inferni novissimo.

(*Praefatio in Extractiones de Talmud per ordinem sequentialem*, p. 10)

From the glosses of Salomon of Troyes on the Old Testament, however, I have translated almost nothing, even though [they contain] infinite fantasies<sup>13</sup> and a great part of the Talmud. Although [he] has glossed the whole Old Testament in such a manner that he has left nothing entirely uncorrupted, so that he has left behind neither a literal nor a spiritual intelligence or sense but has perverted everything and converted [it] to fables: the Jews nonetheless believe that whatever [he] says has authority, as if it was told to them by the mouth of the Lord. His glosses on the Talmud will frequently be found inserted in the following [pages]. His body has honourably been buried in Troyes and [his] soul is in the outmost hell.

This explicit mention of Rashi under the sobriquet *Salomon Trecensis* is important, as it provides the theological dimensions under which his intellectual activity was judged by Christian authorities. The author of the *Preface* distinguishes between Rashi's commentary on Scripture and on the Talmud but appears to address directly and negatively only the former one. He emphatically disqualifies Rashi's intellectual efforts and explicitly maintains that they are incapable of providing

13. Literally: 'infinite marvelous things'. Yet the context is clearly negative.

either a literal or a spiritual ‘interpretation’ (*intelligentiam seu sensum*) of the text. Interestingly enough, it seems that Rashi’s commentary on Scripture is unsubstantial especially because it escapes the implicit Pauline alternative between a ‘sense of the body’ and a ‘sense of the spirit’. In other words, Rashi’s commentary could hardly be classified, as it would be neither literal nor allegorical. Consequently, Rashi would appear to reduce Scripture to a sort of an infantile literature – full of ‘fables’ and incapable of any theological truth.

Yet there is apparently a substantial difference in treating Rashi’s glosses on Scripture and on the Talmud. On the one hand, Rashi’s examination of Scripture is believed to be too unsubstantial to be reported in full; on the other hand, Rashi’s examination on the Talmud has ‘frequently’ (*frequenter*) been included in the Latin translation of the Talmud. This differential treatment would hardly pertain to the intrinsic quality of Rashi’s commentary but rather to the text that is addressed in this improper manner. It is particularly clear that the author of the *Preface* has already assumed that Scripture has to be preserved from any corruption and intrinsically requires either a literal or an allegorical interpretation. On the contrary, the Talmud is neither Scripture nor appears to possess any theological dignity. As it does not need to be preserved from intellectual corruption, the Talmud can be reported together with Rashi’s insubstantial glosses that are integrated into the text and that corroborate the Christian assumption that it contains only falsities and blasphemies.

## 6. Re-Textualizing the Babylonian Talmud: Glosses and Other Remedies

The mention that Rashi’s glosses on the Talmud are integrated in the text is particularly important on account of the aforementioned process of re-textualizing. Most of the glosses reported in the *Extractiones de Talmud* are highlighted in a number of ways: by underlining or marking the text. Yet some glosses from Rashi’s commentary on the Talmud are not singled out but seamlessly integrated into the main text, especially when they clarify specific difficult passages. Some examples will suffice to manifest the practical function of integrating Rashi’s glosses into the text. One can read, for instance, a short passage from Tractate *Berakhot* detailing on the consumption of an extract from asparagus that is believed to have medicamental qualities:

Sex dicuntur de *idpergoz*: non bibitur nisi purum; nec nisi pleno scypho; et sumendum est manu dextra et bibendum sinistra.

(*Extractiones de Talmud per ordinem sequentialem*, p. 72, Ber 51a [3]).

Six [things] are said about the *idpergoz*: it is not drunk if not pure, nor [is it drunk] if not with a full cup; and it has to be taken with the right hand and to be drunk with the left [one]

Apart from the use of the term *idpergoz* – either an Old French term for ‘asparagus’ or a idiosyncratic transcription of the Hebrew term *asparagos*, ‘asparagus’

– the Latin text appears to be linear and comprehensible.<sup>14</sup> Yet a closer examination of the text shows well that the Latin translation slightly differs from its Hebrew-Aramaic original. The original text is particularly representative of Rashi's glosses that are typically short, local, and pedagogical. Differently from later commentators on the Talmud, Rashi intended to provide a local explanation of terms, idioms, and sentences that posited difficulties to his students. Therefore, a lexical, expressive, and conceptual explanation had a main pedagogical function: facilitating the study of the Talmud. In the present case, a greater difficulty was caused by the Hebrew idiom that literally reads 'drinking something alive'. Rashi therefore explains the idiomatic expression as follows:

<p>תנו רבנן ששה דברים נאמרו באספרגוס אין שותין  אורתו אלא כשהוא חי ומלא מקבלו בימין ושותהו  בשמאל</p>	<p>Our Masters taught: Six things were said with regard to <i>asparagus</i>: no one drinks it unless when it is alive and full. One receives it in right [hand] and drinks it with [his] left hand (bBer 51a)</p>
<p>אלא חי - יין חי שאינו מוזג</p>	<p><i>Unless when it is alive</i>: alive wine which is not mixed (Rashi on bBer 51a)</p>

This short example clearly shows that the inclusion or assimilation of glosses within the main text is an idiosyncratic phenomenon of the *Extractiones de Talmud*. In truth, Rashi appears not to describe exactly what *asparagus* is or rather he holds it as unproblematic and therefore indulges in describing how much one should take of it – a cup. Yet the Latin translator is clearly assimilating only a specific part of this gloss: while Rashi explains in detail that one should drink 'alive wine which is not mixed' the Latin translator simply specified that one should drink this beverage 'pure'. Nevertheless, the gloss cannot be detected without comparing the Latin translation with its original Hebrew-Aramaic text and Rashi's commentary thereon and would possibly go unnoticed to any inexperienced reader. Yet the impact of this assimilation on the quality of reading the text is remarkable: the Talmud's typical brachylogy is expanded into longer sentences. While the selected passage may sound bizarre or absurd, its superficial content is accessible and transparent even to a Christian reader who would hardly be able to read any line from the Talmud without assistance. It is then clear that the assimilation of these glosses has eminent educational purposes, just like it was Rashi's primitive intention: the text has to be readable and comprehensible.

14. Linguistic evidence is not conclusive on the origin of the term *idpergoz* occurring in the *Extractiones*. On the one hand, the term *idpergoz* seems to reflect a reading from Old French that in turn was borrowed from the medieval Latin term *asparagus* (or *sparagus*). On the other hand, it is also possible that the term derives from the Hebrew אישפרגוס, provided that the sibilant consonant *samekh* is phonetically transcribed as voiced dental *d* and *z*. On this topic, see: Vernet i Pons, 'Index Verborum Gallicorum'. For brevity's sake, I will assume that this term is a 'transcription'.

When examined from a formal perspective, Rashi's commentary had the primary function of reinforcing the texture of the Talmud: it had to fill the expressive and semantic gaps. Yet this does not necessarily mean that the Talmud would appear to be more 'reasonable' also to an alien reader – say, a Christian scholar who was already persuaded of the heretic nature of these texts. As emphasized, Rashi wanted to provide his students with a local clarification of any textual and semantical difficulty but it is disputed whether the assimilation of Rashi's glosses into the main text would still respond to primitive assumption. Infringing the argumentative flow of argumentative units (*sugyot*) had an impact on every component of the Talmud – included its commentaries. In other words, that the Latin translator scattered the argumentative flow of Talmudic units with the obvious consequence of affecting also the commentaries thereon. Since the texture of the main text had been compromised, also the commentaries on the main text could only sound absurd and void of theological sense, as explicitly maintained in the *Preface*.

One should pay attention to two simultaneous yet contradicting effects of this tendentious treatment of the Talmud. On the one hand, the Latin translator compromised the textual integrity of the Talmud, while scattering the argumentative units into a series of 'fables', possibly void of any internal coherence. On the other hand, he systematically assimilated Rashi's *pedagogical* glosses into the main text but this had a paradoxical effect: rather than helping the reader, these glosses resulted to emphasize the inner, inherent absurd nature of the Talmud, especially because the Latin translation would ultimately make it impossible to understand the argumentative logic of the text and therefore Rashi's subtle relationship to it. The intricate law concerning the consumption of *asparagus* – rendered as *idpergoz* in the Latin text – would prove the case. The almost unnoticed assimilation of Rashi's glosses would hardly correspond to a sort of spontaneous reception of his commentary on the Talmud. In much more subtle terms, it would reflect the controversial assumption that this monumental *Jewish* text undoubtedly *has to* correspond to specific expectations by the Christian side – being inherently infantile and folkloristic just as folkloristic and infantile would be the claim that the Talmud has spoken the word of God. The author of the *Preface* has surely overemphasized the importance of Rashi's commentary, when assuming that the Jews would believe that he were as authoritative as the word of God. Yet this sarcastic exaggeration – by which Rashi would be condemned to hell – would anyhow reflect the Jewish assumption that the Talmud would be Oral Law and, as such, reflect the same Scripture given on Mount Sinai.

It is probably in light of this remark that one should understand another typical phenomenon in the Latin translation of the Talmud – the emphasis on its textual over its primitive oral nature. As mentioned above, modern scholarship has evidenced the subtle dialectics between orality and writing in the development of the Talmud. This text has fundamentally emerged as an oral clarification of a Hebrew textbook – the Mishnah – whose authority has been acknowledged by early generations of Jewish scholars and not infrequently described in terms of absolute beauty and perfection by some Babylonian Jewish authorities that were clearly influenced by the Islamic praise for the Quran. Only in time and especially only when reaching Northern

France in the eleventh century after its earlier dissemination in Northern Africa and the Iberian Peninsula would the Talmud progressively have been received as a *written text* – whose intrinsic nature would be textual. More specifically, Fishman has emphasized how the Jewish approach to the Talmud deeply changed in time, especially when moving from the Gaonic to the Tosafistic culture – from a reception of the Talmud in strong connection to oral teachings to its reception mostly as a *written text*. The dissemination of the Talmud in Northern Africa and in the Iberian Peninsula historically played an intermediary role, often producing some first legal compilations. These compilations would neither require strong emphasis on oral teaching as in Gaonic culture, nor would they allow a reception of the Talmud as an autonomous written text, as it would later happen with the Tosafists.<sup>15</sup> For his part, the Latin translator has subtly manipulated some communicative patterns of the Talmud and transformed dialogical features into textual ones. The *Extractiones de Talmud* manifest two very characteristic readings of Hebrew-Aramaic idioms: the insistence on the fact that *the Talmud speaks* to its fellow Jews and on the fact that *one can read* specific teachings *from the Rabbis*.

The assumption that the Talmud actually speaks to the Jews is clearly expressed by a recurring expression: *dicit Dominus meus – scilicet Talmud* (‘says my Lord – namely the Talmud’). One example will be sufficient to describe this interesting rendering of the text with respect to the Hebrew-Aramaic original:

nonne dicit Dominus meus –Talmud scilicet–: Rogavit Moyses quod non requiesceret Spiritus Dei super gentes saeculi.

(*Extractiones de Talmud per ordinem sequentialem*, p. 193, bBB 15b [4]).

והא אמ' מר משה ביקש שלא תשרה שכ"נה על אומות העולם

(bBB 15b, MS Escorial G-I-3)

But doesn't my Lord – that is to say, the Talmud – say: Moses asked that the Spirit of God won't rest on the nations of the world?

But doesn't the Master say: Moses requested that the [Divine] Presence will not rest on the nations of the world<sup>16</sup>?

This Latin expression recurs extremely frequently and apparently translates the unproblematic Aramaic sentence: *we-amar Mar* (‘and said Mar’). The original Aramaic sentence would report the authoritative opinion of a Babylonian master who is typically quoting a Palestinian external source (*baraita*). The Aramaic term *Mar* (‘master’) would either designate an individual called Mar or a Master and the Latin rendering as *Dominus meus* would either reflect a conjectural variant reading *Mari* (‘my master’) in the original text, as occasionally reflected in some manuscripts, or

15. Fishman, *Becoming the People of the Talmud*, pp. 65-90. For a philosophical treatment of these issues, see Dal Bo, *Deconstructing the Talmud*.

16. The Vilna edition carefully reads: עבדי כוכבים (‘star worshippers’).

simply be justified as an idiomatic rendering in Latin. What is particularly important is the specification of the nature of this ‘master’. The Latin translator unequivocally maintains that this ‘master’ is not an individual but rather a book – the Talmud itself. In so doing, the Latin translator imposes a notable transformation on the dialogical setting of the Talmud and transforms it into a textual universe in which the Talmud itself addresses his interlocutors and speak to them. In other terms, the Talmud has become the main actor in the communicative act between God and the Jews. It is the Talmud *itself* that speaks to the Jews and imparts them their instructions, in force of a double process of generalization and textualization. At first, the Latin translator intended to contextualize the Aramaic expression *we-amar Mar* (‘and said Mar’) that usually points to some previous passage in the Talmud; accordingly, he disambiguated this expression and explicitly stated that the Talmud itself says so and so.<sup>17</sup> On the other hand, while providing both a literal and metaphorical translation of this expression, the Latin translator amplifies this technical term and projects it in a deeper theological perspective: the Oral Law is not simply a book but a sort of ‘speaking master’, whose authority is believed to be more important than the Old Testament itself.

This emphasis on the Talmud as main connector between God and the Jews does not seem surprising, at first, and is frequent in Rabbinic literature. Not uncommonly do the Rabbis employ the Aramaic term *Rahmana* (‘the Merciful One’) either to designate Scripture or God Himself. In so doing, they would simultaneously imply that both God and Scripture share a common trait – being ‘merciful’. This common designation would suggest that God and Scripture are interconnected, when not interdependent realities. The assumption emerging from the Latin translation – the Talmud would directly speak to its Jewish fellows – exactly resonates with this second, slightly forced interpretation of God and Scripture as the ‘Merciful One’. The Latin translation would only emphasize an unexpressed theological appreciation of God as a sort of textual reality – God would recursively be embedded in the same divine text that He has delivered to His people.

Deeply coherent with this theological presupposition is then the thesis that the Rabbis themselves do not simply ‘teach’ but rather ‘we read’ them, as if they too were textual realities and not historical individuals. This further transition to a textual dimension takes place in a second typical, idiosyncratic rendering of the text in the *Extractiones*. In several passages from the Latin translation it is particularly evident how the common Aramaic expression *tanya* (‘it is taught’) – usually introducing an external source (*baraita*) in the discussion – is constantly and coherently rendered in the whole Latin text with the Latin expression *legimus* (‘we read’). One can read this Latin passage and compare it with the Hebrew-Aramaic original:

17. I owe this remark to Ari Geiger (Bar-Ilan University) who kindly drew my attention to the technical nature of this expression.

Et Bar Kapara dixit ei: Bene de nihilo consolatus est te pater tuus; legimus nam quod mundus non potest esse sine masculino et femina, sed beatus est cuius pueri sunt masculi et vae illi cuius pueri sunt feminae.

(*Extractiones de Talmud per ordinem sequentialem*, p. 199, bBB 16b [5]).

And Bar Kappara said to him: Your father has consoled you with nothing; indeed we read that the world cannot be without male and female, but blessed is he whose children are males and woe to him whose children are females.

אמר ליה בר קפרא תנחומין של הבל ניחמך אבוך  
[דתניא] אי אפשר לעולם בלא זכרים ובלא נקבות אלא  
אשרי למי שבניו זכרים אוי לו למי שבניו נקבות  
(bBB 16b)

Bar Kappara said to him: Your father has consoled you with vanity,<sup>18</sup> as it is taught: It is impossible for the world [to exist] without males and females, but fortunate is he whose children are males and woe to him whose children are females.

Whereas the original Hebrew-Aramaic text has the main purpose of embedding external sources within the ‘chain of tradition’, the Latin translation tries to harmonize the conflicting interpretation with the theological presupposition that the Talmud has a textual active existence and directly addresses its Jewish fellows. Coherently with this presupposition, the Rabbis themselves are transformed into a sort of textual entity – with a main, appreciable ontological consequence: they no longer ‘teach’ but rather they ‘are read’ by their interpreters.

In light of these two idiosyncratic renderings of the text, one can conclude that the Latin translator of the Talmud has succeeded in reflecting the very textual and theological prominence that his coeval Jewish scholars – the *Tosafists* – were ascribing to it. In addition to this, it is clear that the ideological orientation of the *Extractiones de Talmud* prevents the Christian reader from attributing a positive nature to the Talmud that still rests on foolishness, heresies, and fables. The *Extractiones* eventually succeed in re-textualizing the Talmud after deconstructing its argumentative and dialogical texture. In the end, the Talmud no longer appears as an oral product that comments on an authoritative Hebrew textbook – the Mishnah – but rather a sort of ‘textualized divinity’ that is yet unable of expressing any valuable theological truth.

18. The semantics of the Hebrew term *hevel* is particularly complex. I here refer to the King James Version that renders it as ‘vanity’.

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# Latin Berakhot (3a-4b): Some Observations on the Talmudic Translation \*

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## Introduction

The aim of this paper is to offer some observations and comments on the Latin Talmudic passage of Berakhot 3a-4b that can help us to understand the text and the translation of this Talmudic tractate, providing us with the main characteristics of this Latin translation, known as *Extractiones de Talmud*, in the context of the thirteenth-century theological Disputation of Paris.<sup>1</sup>

## 1. Latin Berakhot (3a-4b)

This passage of Berakhot (3a-4b) was chosen as a paradigmatic example regarding the Latin Talmud translation, because this Talmudic tractate, the first of *Seder Zeraim*, is frequently quoted in the Christian-Jewish polemical literature. As we will see below, besides the Latin translation of the *Extractiones*, there are other historical sources that quote this Talmudic passage in Latin, such as the *Dialogus contra Iudaeorum* (by Petrus Alphonsi), *Adversus Iudaeorum inveteratam duritiam* (by Petrus Venerabilis), *Pugio Fidei* (by Ramon Martí), and even the later work of Jerónimo de Santa Fe, *De Iudaicis Erroribus ex Talmut*.

The thirteen passages on Berakhot analysed in this paper are a good specimen of the textual characteristics of the Latin Talmud translation. In what follows, I will analyse each Talmudic passage following a specific internal order, regarding, first

\* This article was prepared within the framework of the research project 'The Latin Talmud and its Influence on Christian-Jewish Polemic', funded by the European Research Council of the European Union (FP7 / 2007-2013 / ERC Grant Agreement n. 613 694 [<http://pagines.uab.cat/lattal>]).

1. For the manuscript and text transmission of the Latin Talmud, see the following works: Cecini, de la Cruz and Vernet, 'Observacions sobre la traducció llatina'; de la Cruz, 'El estadio textual'; Fidora, 'The Latin Talmud and its Influence'; Fidora, 'The Latin Talmud and its Translators'; Fidora, 'Textual Rearrangement'; González Flores, 'The Latin Talmud Translation'; Hasselhoff and de la Cruz, 'Ein Maulbronner Fragment der lateinischen Talmudübertragung'; Klapper, 'Ein Florilegium Talmudicum'; Lampurlanés, 'The Latin Talmud Translation'; Merchavia, 'Latin Translations in the Margins'; Merchavia, 'Talmudic Terms and Idioms'; Merchavia, *The Church versus Talmudic and Midrashic Literature*; and Millàs Vallicrosa, 'Extractos del Talmud'.

of all, the Latin text and its interpretation,<sup>2</sup> as well as the original Hebrew text of the Talmud.<sup>3</sup> I will also discuss the textual Talmudic authority of the *Extractiones*, because, in several cases, the Latin translation omits the Mishna or the Gemara and translates only the teachings of a secondary Baraita. Moreover, I will set the Latin Talmud quotations in the context of the anti-Jewish polemical literature.

Finally, from a formal point of view, it is also very stimulating to focus our attention on certain details appearing in the Latin translation, regarding, for example, Hebrew onomastics, syntactic punctuation, etc.

## 2. Some Observations on the Latin Talmud (Ber 3a-4b)

In the following pages, I offer a short commentary from different perspectives, which are important for our understanding and for the description of this Latin Talmud translation.<sup>4</sup>

### 2.1. Observations on Berakhot 3a (1)

To start with, I will quote the Latin text of Berakhot 3a (1), followed by a table with the Hebrew text according to some of its most important textual witnesses, that is, the Vilna edition and the textual variants provided by the Florence and Munich manuscripts of the Babylonian Talmud:

2. On the subject of the Latin Talmud and its historical context, see Cecini and Vernet, *Studies on the Latin Talmud*; Chazan, Friedman and Connell Hoff ed., *The Trial of the Talmud*; Chazan, 'Trial, Condemnation'; Dahan and Nicolas, *Le brûlement du Talmud*; Fidora, 'The Latin Talmud and its Translators'; Fidora, 'The Latin Talmud and its Place'; Friedman, 'The Dirge of Rabbi Meir of Rothenberg'; Friedman, 'The Disputation of Rabbi Yehiel'; Hoff, 'The Christian Evidence'; Loeb, 'La controverse de 1240'; and Rose, 'When was the Talmud burnt at Paris?'. Regarding the transmission of the Talmud from its origins to the Middle Ages, see Boyarin, *A Traveling Homeland*; Fishman, *Becoming the People of the Talmud*.
3. Regarding the knowledge of Hebrew in the Medieval Ages, see, among others, Altaner, 'Zur Kenntnis des Hebräischen'; Cortabarría Beitia, 'L'étude des langues au Moyen Âge'; Dahan, 'Juifs et chrétiens en Occident medieval'; Dahan, 'La connaissance de l'hébreu dans les correctoires de la Bible' and Sirat, 'Le livre hébreu en France'. For the translators' knowledge of Hebrew, see Vernet, 'On the Latin Transcription of Hebrew' and Vernet, 'Hebrew *Hapax legomena* from the Bible'.
4. The Latin text of the *Extractiones* (Berakhot) I will quote is taken from the edition which Ulisse Cecini and Óscar de la Cruz have prepared for the *Continuatio Mediaevalis* of the *Corpus Christianorum: Extractiones de Talmud per ordinem sequentialem*, pp. 18-22. For the most important medieval manuscripts of the Babylonian Talmud (the Florence and Munich manuscripts), I quote the editions appearing in the *Sol and Evelyn Henkind Talmud Text Database* (version 5) of the Saul Lieberman Institute of Talmudic Research of the Jewish Theological Seminary. For the targumic sources, *Targum. Material derived from the Hebrew Union College CAL* (Comprehensive Aramaic Lexicon Project). For the English translation of the Vilna Talmud, I quote the translation of the bilingual edition of *The Talmud of Babylonia*, 2008 [1984-1995], also known as [Jerome] Schottenstein Edition. The Hebrew Biblical text is that of the *Biblia Hebraica Stuttgartensia* (1997); for the Septuagint, I quote the edition by A. Rahlfs (1979); the Latin text of the Vulgate is that of the R. Weber ed. (1984). The English translation of the Latin Talmud, adapted sometimes from the Schottenstein edition, is mine.

Ber 3a (1)

Tres custodiae sunt in nocte, et in qualibet Deus sedet et clamat ut leo, sicut scriptum est: ‘Dominus de excelso rugiet’ etc. [Ier 25, 30]. In prima custodia rudit asinus. In secunda latrant canes. In tertia lactet infans ubera matris suae et mulier loquitur cum viro suo.<sup>5</sup>

**Table I: Talmud of Babylonia (Ber 3a<sup>1-2</sup>)**

Vilna (Ber 3a <sup>1-2</sup> )	Florence II-I-7 (Ber 3a <sup>1-2</sup> )	Munich 95 (Ber 3a <sup>1-2</sup> )
<p>דתניא רבי אליעזר אומר שלש משמרות הוי הלילה ועל כל משמר ומשמר יושב הקדוש ברוך הוא ושואג כארי שנאמר ירמיהו כ"ה ה' ממרום ישאג וממעון קדשו יתן קולו שאוג ישאג על נוהו וסימן לדבר משמרה ראשונה חמור נוער שניה כלבים צועקים שלישיית תינוק יונק משדי אמו ואשה מספרת עם בעלה<sup>6</sup></p>	<p>מאי &lt;...&gt; בר ר' אליע' אי קסב' שלש משמרו' הוי הלילה (... עד ארבע שעות) [אי קסבר ארב' משמרות הוי לילה (לימ' עד שלש שעות) [נתני עד... הלילה] לעו[לם]</p> <p>&lt;...&gt; משמרות הוי הלילה וקמ"ל דבי היכי דא...&gt; &lt;...&gt; שמרו...&gt; &lt;...&gt; יעא איכ' נמי משמ' &lt;...&gt; א...&gt; &lt;...&gt; משמרות הוי הליל' ועל כל משמר ומ...&gt; &lt;...&gt; שב הק' ושואג כארי ש...&gt; &lt;...&gt; &lt;...&gt; מרים ישאג (ומ') [וממעון קודשו יתן קולו] שאג ישאג על נויהו וסימן לדבר משמרת ראשונה חמור נוער שניה כלבים צ...&gt; &lt;...&gt; ים שלישיית תינוק יונק שדי אמו ואשה מספרת עם בעלה</p>	<p>דתניא ר' אליעזר [הגדול] א' שלש משמרות הויא הלילה ועל כל משמר ומשמר יושב הקב"ה ושואג כארי[ה] שני ייי ממרום ישאג וממעון קדשו יתן קולו שאג ישאג על נוהו סימן לדבר משמרה ראשונה חמור נוער שנייה כלבים צועקים שלישיית אשה מספרת עם בעלה</p>

In this passage, one can observe one of the most important features of the *Extractiones*, that is, their proximity to the original Hebrew text. The translator of the Latin Talmud offers a faithful Latin translation, when rendering the sound of animals from Hebrew:<sup>7</sup> ‘rudit asinus’ (‘a donkey brays’) for Hebrew ‘נוער חמור’ (‘id.’) and ‘latrant canes’ (‘dogs bark’) for Hebrew ‘כלבים צועקים’ (‘id.’), as well as when translating ‘lactet infans’ (‘a baby sucks’) for Hebrew ‘תינוק יונק’ (‘id.’). Yet, in some instances the epithet of God is omitted, like in this case: Latin ‘Deus sedet’ (‘God sits’) instead of Hebrew ‘יושב הקדוש ברוך הוא’ (‘The Holy One, blessed is He, sits’).

5. Translation: ‘The night consists of three watches; and at each watch God sits and roars like a lion, as the verse states: ‘the Lord will roar from on high’, etc. [Ier 25, 30]. In the first watch, a donkey brays; in the second, dogs howl; in the third, an infant nurses from its mother’s breasts and a woman speaks with her husband’.
6. Schottenstein ed. (Ber 3a<sup>1-2</sup>): ‘(For a Baraita has taught:) R. Eliezer says: the night consists of three watches; and at each and every watch the Holy One, blessed is He, sits and roars like a lion, as the verse states: – Hashem will roar from on High, and from his holy abode will send forth his voice, – he will roar and roar over his lodging. And the sign for this matter is as follows: the first watch, a donkey brays; the second (watch), dogs howl; the third (watch), an infant nurses from its mother’s breasts and a woman speaks with her husband’.
7. On the translator(s) of the *Extractiones*, see Fidora, ‘The Latin Talmud and its Translators’, p. 27.



The table also quotes the Aramaic text of the Targum and the Septuagint next to the Latin Vulgate on Jeremiah 25, 30, showing that the Biblical source for this passage of the Latin Talmud is clearly the Vulgate, which translates directly from the (proto)Masoretic text of the Hebrew Bible, being different from the Targum translation.

**2.2. Observations on Berakhot 3a (2)**

In this passage, the Gemara quotes a teaching of Rav that elaborates on the subject of God’s ‘roaring’. Again, I offer first the Latin text and then, for the sake of comparison, a table (III), containing the original text of the Babylonian Talmud preserved in the Vilna edition and in the manuscripts of Florence and Munich:

Ber 3a (2)

Tres custodiae sunt in nocte, et in qualibet Deus sedet et clamat ut leo, et dicit: Vae mihi, quia destruxi domum meam et combussi palatium meum et captivavi filios meos inter gentes saeculi!<sup>9</sup>

**Table III: Talmud of Babylonia (Ber 3a<sup>2</sup>)**

Vilna (Ber 3a <sup>2</sup> )	Florence II-I-7 (Ber 3a <sup>2</sup> )	Munich 95 (Ber 3a <sup>2</sup> )
אמר רב יצחק בר שמואל משמיה דרב שלש משמרות הוי הלילה ועל כל משמר ומשמר יושב הקדוש ברוך הוא ושואג כארי ואומר אוי לבנים שבעור נותיהם החרבתי את ביתי ושרפתי את היכלי והגליתים לבין אומות העולם <sup>10</sup>	[אמ' (רב)] רב יצח' בר שמו' בר מרתא מש[מיה] דרב שלש משמרות הוי הלילה ועל כל [משמר] ומשמר יושב הק' ואו' אוי לי שחרבתי את ביתי וש[ר]פתי את הכלי והגליתי את בני לבין [...] אומות העולם	נמי א"ר יצחק בריה דרב שמואל בר מרתא משמיה דרב שלשה משמרות הויא הלילה ועל כל משמר ומשמר יושב הקב"ה ושואג כארי ואומ' אוי לי שחרבתי את ביתי ושרפתי את היכלי והגלתי את בני לבין אומות העולם

9. Translation: ‘The night consists of three watches; and at each watch God sits and roars like a lion and says: Woe to me, because I destroyed my temple and burned my sanctuary and exiled my sons among the nations of the world!’

10. Schottenstein ed. (Ber 3a<sup>2</sup>): ‘Rab Yitzchaq bar Shmuel said in the name of Rav: The night consists of three watches, and at each and every watch the Holy One, blessed is He, sits and roars like a lion and says: Woe to the children because of whose sins I destroyed My Temple, and burned My Sanctuary and exiled them among the nations of the world’.

The Latin text of Berakhot 3a (2) is another good example of how literal the Latin translation is, for instance, when translating Latin ‘destruxi domum meam’ (‘I destroyed my house’) for Hebrew ‘החרבתי את ביתי’ (‘I destroyed my house, i.e. ‘my temple’) or ‘et combussi palatium meum’ (‘and I burned my palace’) for ‘ושרפתי את היכלי’ (‘and I burned my sanctuary’).<sup>11</sup>

As for the Talmudic textual tradition, it is interesting to note that in cases with textual variations, the Latin Talmud follows the manuscript tradition appearing in the Munich and Florence manuscripts (Ber 3a<sup>2</sup>), e.g. when translating the Hebrew exclamation ‘אוי לי’ as ‘vae mihi’ (‘woe to me’). The translator does not follow the textual tradition lying behind the Vilna edition, which renders the Hebrew exclamation with a hypercorrection as ‘אוי לבנים’ (i.e., ‘woe to the children, because of whose sins I destroyed my temple’, etc.).

This passage was translated not only in the *Extractiones*, but also by Ramon Martí and Jerónimo de Santa Fe, in addition to the Thirty-Five Articles of the Jewish convert Nicholas Donin. It was used to illustrate God’s anthropomorphism according to Judaism. The following comparative table (IV) gathers the different Latin versions of the passage, so that the reader can assess the importance of the passage in medieval polemical works and the various degrees of accuracy of the different translations:

11. Regarding the expression ‘destroyed My Temple’ and ‘burned My Sanctuary’, see the explanation in Schottenstein ed. (Ber 3a2, n. 15): both expressions ‘would seem to refer to the same thing. *Toras Chaim* (to *Sanhedrin* 96b), however, suggests that the expression ‘destroyed My Temple’ connotes the departure of God’s Presence from the Temple, while the expression ‘burned My Sanctuary’ refers to its actual destruction. It is only after God’s Presence has departed the Temple that it can be physically destroyed. Alternatively, the double expression connotes the loss of both the earthly Temple and its heavenly counterpart. As stated in *Ta’anit* (5a), God does not ‘reside’ in His heavenly Temple while the earthly Temple is in ruins. Thus, in effect, both Temples were destroyed at one time’.

<p><b>Petrus Alphonsi, <i>Dialogus contra Iudaeos</i> (ed. Mieth, p. 26):</b></p> <p>Fletus quoque ipsius, quem Deo indigne ascribunt, Iudeorum captivitatem causam esse dicunt. Quin etiam propter dolorem eum ter in die ut leonem rugire asserunt et propter id celum pulsare pedibus more calcantium in torculari, more etiam columbae quendam susurri sonitum dare et quaque vice caput movere et dolentis <b>dicere voce: Heu michi, heu michi ut quid domum meam in desertum redegisti et templum meum cremavi et filios meos in gentes transtuli?</b> Heu patri, qui transtulit filios suos, et heu filiis, qui translati sunt de mensa patris sui.</p>	<p><b>Petrus Venerabilis, <i>Adversus Iudaeorum inveteratam duritiam</i> (ed. Friedman, p. 151):</b></p> <p>Fletus quoque ipsius quem Deo ascribitis causam Iudeorum captivitatem esse dicitis. Quin etiam propter dolorem eum ter in die ut leonem rugire et ea de causa caelum pulsare pedibus more calcantium in torculari asseritis. More insuper columbae quendam susurri sonitum dare et quaque vice caput movere et <b>dolentis dicere uoce: Heu michi, heu michi! Vt quid domum meam in desertum redegisti et templum meum cremavi et filios meos in gentes transtuli!</b> Heu patri qui transtulit filios suos et heu filiis qui translati sunt de mensa patris sui.</p>	<p><b>Donin's Articles, (ed. Loeb, fol. 215ra):</b></p> <p>XVIII. Ac singulis noctibus sibi male dicere quia dimisit templum et Israhel subdidit servituti. Hoc legitur in macecta <i>Brakod</i> -quod interpretatur benedictiones- in primo perec secundo folio ubi dicitur: Tres custodiae sunt in nocte et supra quamlibet custodiam est custodia sedens Deus et clamans sicut leo et dicens: <b>Vae mihi quia destruxi domum meam et combussi palatium meum et captivavi filios meos inter gentes saeculi.</b></p>	<p><b>Ramon Martí, <i>Pugio Fidei</i> (Leipzig ed. 1687, p. 473):</b></p> <p>Dixit r. Samuel in nomine Rab, Tres custodiae sunt in nocte, et in qualibet earum sedet Deus, et <b>rugit ut leo, dicens: Oy li!</b>, i.e. <b>Vae mihi, quia destruxi domum meam, et combussi templum meum, et captivavi filios meos inter gentes saeculi.</b></p>	<p><b>Jerónimo de Santa Fe, <i>De Iudaicis Erroribus ex Talmut</i> (ed. Orfali, 547G, p. 113):</b></p> <p>In tres custodias dividitur nox, et in earum qualibet Deus <b>tanquam leo rugit, dicens: Vae mihi quia destruxi domum meam, et combussi atrium meum, et intra mundi gentes filios captivavi.</b></p>
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If one compares the literal translation of the *Extractiones* with the calque translation given by Donin's Articles as well as with Martí and Jerónimo's polemical texts, which translate the Hebrew quotation more *ad sensum*, one can distinguish the following renderings of the same passage:

- Babylonian Talmud: יושב הקדוש ברוך הוא ושואג כארי ('the Holy One, blessed is He, sits and roars like a lion').
- *Extractiones* (Latin Talmud): 'Deus sedet et clamat ut leo et dicit' ('God sits and roars like a lion and says').
- Donin's Articles: 'sedens Deus et clamans sicut leo et dicens' ('God sitting and roaring like a lion and saying').
- Ramon Martí: 'sedet Deus, et rugit ut leo, dicens' ('God sits and roars like a lion, saying').
- Jerónimo de Santa Fe: 'Deus tanquam leo rugit, dicens' ('God roars like a lion, saying') (note that the imperfective Hebrew verb יושב is not translated here).

### 2.3. *Observations on Berakhot 3a (3)*

In this passage, the Gemara cites an incident related to the three watches of the night and the subject of God's 'roaring'. The Latin translation of the *Extractiones* runs as follows:

Ber 3a (3)

Rby Ioce dicit: Intravi quadam vice in domum quandam desertam de parietinis Hierusalem ad orandum. Venit Helias, rememoratus in bono, et stetit et custodivit mihi ostium et expectavit me donec explevi orationem meam. Exivi et dixit mihi Helias: Pax super te, magister meus. Et respondi: Pax super te, magister mi et domine. Et dixit mihi: Fili mi, quare intrasti in istam parietinam? Et respondi: Ut orarem. Qui dixit mihi: Fili mi, fuerat tibi orare in via. Et dixi: Forte interromperent transeuntes per viam. Et dixit mihi: Fuerat orandum brevi oratione. In illa hora didici tria: didici quod non est intrandum in parietinam; et didici quod oratur in via; et didici quod, qui orat in via, orabit brevi oratione. Et dixit mihi Helias: Fili mi, quam vocem audisti in ista parietina? Et dixi ei: Audivi filiam vocis quae rugiebat ut columba et dicebat: Vae mihi, quia destruxi domum meam et combussi palatium meum et captivavi filios meos inter gentes saeculi! Dixit mihi Helias: Per vitam tuam et per vitam capitis tui! Non solum ista hora, sed cotidie ter dicit hoc modo. Adhuc amplius, quia quotiens Israhel intrat scolas et domos docentium Talmud et dicit: 'Sit nomen eius magnum benedictum!', Sanctus, benedictus sit ipse, quatit caput et dicit: Beatus rex qui sic laudatur in domo sua, et vae patri qui captivavit filios suos et vae ipsis filiis qui captivati sunt desuper mensam patris sui!<sup>12</sup>

12. Translation: 'R. Yose said: I once entered one of the ruins of Jerusalem to pray. Elijah, who is remembered for good, came and waited for me at the entrance until I finished my prayer. I came out and Elijah said to me: Peace unto you, my teacher. And I responded: Peace unto you, my teacher and master. And he said to me: My son, for what did you enter this ruin? And I responded: to pray. And he said to me: my son, you should have prayed on the road; and I said to him: I was afraid that passersby might interrupt me. And he said to me: You should have prayed the abridged payer. At that time, I learned three things: I learned that one should not enter a ruin; and I learned that one may pray on the road; and I learned that one who prays while on the road should pray the abridged prayer. And Elijah said to me: My son, what voice did you hear in this ruin? And I said to him: I heard a daughter voice that was cooing like a dove and saying: Woe to me, because I destroyed my house and burned my palace, and exiled my sons among the nation. And Elijah said to me: by your life and the life of your head! It is not only at this moment, but on every day it says this three times, and not only this, but at the time that Israel enter the synagogues and houses of study of the Talmud and respond 'may his great name be blessed' the Holy One, blessed is He, shakes his head and says: Fortunate is the king who is praised this way in his house; and woe to the father who has exiled his sons, and woe to the sons who have been exiled from their father's table'.



Once again, the translation is very literal. Note that the Hebrew expression ‘שלום עליך רבי’ (‘peace unto you, my teacher’) is translated into Latin with a calque expression as ‘pax super te, magister mi’, instead of the correct Latin form *pax tibi*.

This passage is also of interest regarding the manuscript tradition lying behind the *Extractiones*: the Latin translation ‘vae mihi, quia destruxi domum meam et combussi palatium meum’ clearly sides the tradition of the manuscripts from Munich (ואומ' אוי לי שחרבתי את ביתי ושרפתי את היכלי), ‘and saying: woe to me, because I destroyed my house and burned my palace’) and Florence (ואו' אוי לי שחרבתי את ביתי ושרפתי את היכלי), ‘and saying: woe to me, because I destroyed My House and burned My Palace’), against Vilna (אוי לבנים שבעונותיהם שחרבתי את ביתי ושרפתי את היכלי), ‘woe to the sons, because of whose sins I destroyed my house and burned my temple’).

#### 2.4. Observations on Berakhot 3b (2)

In this passage, the Gemara cites a Baraita, concerning the evening watches; having cited one teaching from R. Zerika in the name of R. Ami, in the name of R. Yehoshua ben Levi, the Gemara quotes another teaching from the same source. The following text offers the Latin translation of the *Extractiones*; the table below (VI) offers the original Hebrew Talmudic text:

Ber 3b (2)

Coram mortuo non est loquendum, nisi de his quae pertinent ad mortuum. Rby Aba dicit quod de verbis legis non est loquendum coram eo, –quia fit ei verecundia, quia tacet, quasi nesciat quid dicatur–; sed de aliis verbis non est curandum.<sup>14</sup>

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–‘You should have prayed on the road’. And I said to him: –‘I was afraid that passersby might interrupt me’. And he said to me: –‘You should have prayed the abridged prayer’. At that time I learned from (Elijah) three things: I learned that one should not enter a ruin; and I learned that one may pray on the road; and I learned that one who prays while on the road should pray the abridged prayer. And Elijah said to me: –‘My son, what sound did you hear in this ruin?’. And I said to him: –‘I heard a heavenly voice that was cooing like a dove and saying: –‘Woe to the sons, because of whose sins I destroyed my house and burned my Temple and exiled them among the nations’ and (Elijah) said to me: –‘By your life and the life of your head! It is not only at this moment that (the heavenly voice) says this, but on each and every day it says this three times, and not only this, but at the time that Israel enter the synagogues and houses of study and respond (in the Kaddish) ‘may his (God’s) great name be blessed’, the Holy One, blessed is He, shakes his head and says: –‘Fortunate is the King who is praised this way in his house; what is there for the father who has exiled his sons and woe to the sons who have been exiled from their father’s table’.

14. Translation: ‘In the presence of the deceased, one may not say anything except matters that pertain to the deceased. R. Abba said that in regard to matters of the Law, one may not say anything in his presence – because it would be embarrassing to him, because he would shut up and not know what to say – but in regard to other matters, there is no objection’.

Table VI: Talmud of Babylonia (Ber 3b <sup>2</sup> )		
Vilna (Ber 3b <sup>2</sup> )	Florence II-1-7 (Ber 3b <sup>2</sup> )	Munich 95 (Ber 3b <sup>2</sup> )
<p>אמר רבי יהושע בן לוי אין אומרין בפני המת אלא דבריו של מת אמר רבי אבא בר כהנא לא אמרן אלא בדברי תורה אבל מילי דעלמא לית לן בה ואיכא דאמרין אמר רבי אבא בר כהנא לא אמרן אלא [אפילו] בדברי תורה וכל שכן מילי דעלמא<sup>15</sup></p>	<p>וא"ר זריקא א"ר דבריו א' ריש לקיש אין או' בפני המת אלא &lt;...&gt; של מת א"ר אבא בר כהנא לא נצרכ' אלא לדברי תורה אבל מילי דעלמ'</p>	<p>לקיש אין אומרין בפני המת אלא דבריו של מת א"ר אבא בר כהנא לא נצרכה אלא לדבר הלכה אבל מילי דעלמ' לית לן בה ואיכ' דא' א"ר אבא בר כהנא לא נצרכה אלא לדברי תורה (וכל שכן) [ולא מבעיא] מילי דעלמא</p>

*Baraitot* quotations instead of canonical passages from the Mishna or the Gemara are a constant feature in the Latin Talmud. The question we have to raise here is: Which theological significance does this extracanonical choice have in an anti-Jewish polemical context? In other words: Why does the Latin Talmud quote several times a Baraita, rather than a canonical text of the Mishna or the Gemara? What theological intention lies behind this decision?

Regarding this question, the Prologue of the *Extractiones* gives us a precise definition of *Baraitot*: according to this text, a *Baraita* – deverbal noun from Aramaic verbal root *bry* (*br'*) ‘to cut out’ – is something external and inserted later in the Talmudic corpus consisting of Mishna and Gemara:

*Barrraitha*, id est forinseca, et accipitur pro illo quod aliquando non fuit in Talmud, sed postmodum insertum. Sicut enim extravagantes dicimus decretales, sic quaelibet forsitan sententia Talmud *barrraitha* dicitur, id est ‘forinseca’ respect Veteris Testamenti.<sup>16</sup>

When the author of the Prologue of the *Extractiones* compares the *baraitot* with the *Decretales extravagantes*, he is aware of the exegetical, legislative as well as secondary and subordinate character of these exegetical and juridical rabbinical texts.<sup>17</sup>

15. Schottenstein ed. (Ber 3b<sup>2</sup>): ‘And R. Zerika said in the name of R. Ami who said in the name of R. Yehoshua ben Levi: One may not say in the presence of the deceased anything except matters that pertain to the deceased. R. Abba bar Kahana said: This ruling was said only in regard to Torah matters, but worldly matters, there is no objection. And there are those who say: R. Abba bar Kahana said: This was said even with regard to words of Torah, and certainly (with regard to) worldly matters’.

16. Translation: ‘Baraita, that is, from outside, and is to be understood as what was not yet in Talmud, but was inserted later, just as we call the decretals *extravagantes*, and perhaps every sentence of the Talmud could be designated as baraita, that is to say ‘extrinsic’ with respect to the Old Testament’.

17. For more detailed information and bibliography on the *Decretales extravagantes*, see de article of Sabanés i Fernández, ‘Decretales extravagantes’, esp. p. 926. On medieval canonical law and the Jews, see Pakter, *Medieval Canon Law*, pp. 31-142.

### 2.5. *Observations on Berakhot 3b (3) – Ber 3b (4)*

In this passage, the Gemara asks the following question: How did David know when it was the middle of the night? And the Gemara explains how David knew when it was midnight, when it says: David had a sign revealing the exact moment of midnight, as Rav Acha bar Bizna said in the name of R. Shimon Ḥasida.

I offer the quotation of the Latin translation on Berakhot 3b (3-4) in order to allow comparison with the original Hebrew text of the Babylonian Talmud (table VII):

Ber 3b (3)

Discordant magistri quid dicatur ‘media nox’ ibi: ‘media nocte surgebam ad confidentum tibi’ [Ps 118, 62]; et: ‘media nocte egrediar in Aegyptum’ [Ex 11, 4]. Quomodo sciebat David quando erat media nox?<sup>18</sup>

Ber 3b (4)

Hoc modo: habebat citharam super lectum suum habentem foramen ex parte aquilonis –per quod ille ventus intrabat et faciebat eam resonare. Dicit enim Rabi quod quattuor venti perflant in die naturali, singuli per sex horas, inter quos aquilo incipit media nocte–.<sup>19</sup>

18. Translation: ‘The masters disagree about what ‘midnight’ indicates here: ‘At midnight I will arise to thank you’ [Ps 118, 62] and: ‘At about midnight I shall go forth into the midst of Egypt’ [Ex 11, 4]. How did David know when it was the middle of the night?’

19. Translation: ‘In this way: He [David] had a harp hung over his bed, having a hole on the side of the north wind – through which the wind entered and made it resonate. Rabi also says that four winds blow during the day, one every six hours, of which the north wind begins to blow at midnight –’.

Table VII: Talmud of Babylonia (Ber 3b<sup>3</sup>-3b<sup>4</sup>)

Vilna (Ber 3b <sup>3</sup> -3b <sup>4</sup> )	Florence II-I-7 (Ber 3b <sup>3</sup> -3b <sup>4</sup> )	Munich 95 (Ber 3b <sup>3</sup> -3b <sup>4</sup> )
ליליא ודוד מי הוה ידע פלגא דליליא אימת השתא משה רבינו לא הוה ידע דכתיב שמות י"א כחצות הלילה אני יוצא בתוך מצרים מאי כחצות אילימא דאמר ליה קודשא בריך הוא כחצות מי איכא ספיקא קמי שמיא אלא דאמר ליה (למחר) כחצות (כי השתא) ואתא איהו ואמר כחצות אלמא מספקא ליה ודוד הוה ידע דוד סימנא הוה ליה דאמר רב אחא בר ביזנא אמר רבי שמעון חסידא כנור היה תלוי למעלה ממטתו של דוד וכיון שהגיע חצות הלילה בא רוח צפונית ונושבת בו ומנגן מאיליו מיד עומד ועוסק בתורה עד שעלה עמוד השחר <sup>20</sup>	ודוד מי הוה ידע חצות... צות השתא משה רבינו לא הוה ידע דכת ויאמר משה כה אמר יי' כחצות [לא כתיב בחצות] הלילה [היכי...] <מא> כחצות אילימ' דאמר ליה כחצות ואתא איהו וא' כחצות מי איכא ספיק קמיה קו' בר' הוא [הב'ה] אלא דאמר ליה למחר כי השתא ואתא איהו וא' כחצות (אלא) [אלמא] מספק' ליה ודוד הוה ידע [אמר'] דוד סימנא הוה ליה (דכת) דא' רב חנ' [ינא] בר בזנא א' ר' שמ' חסיד' כינור היה תלוי למעל' ממטתו של דוד כיון שהגיע חצות לילה [באתה] רוח צפונית [ו]מנשבת בו והיה מנגן מאיליו מיד יושב דוד ועוסק בתורה עד שיעלה עמוד השחר	ודוד מי ידע פלגא דליליא אימת השתא משה רבינו לא הוה ידע דכתי' כה אמר י"י כחצות הלילה מאי כחצות אילימא דאמ' לי' כחצות מי איכ' ספק ברקיעא אלא דא"ל בחצות ואתא איהו ואמ' כחצות ודוד מידע הוה ידע אלא דוד סימנא הוה ליה דאמ' רב חנ(ה) בר ביזנא א"ר שמעון חס' כנור היה לו למעלה ממטתו של דוד כיון שהגיע חצות הלילה באת רוח צפר' נית ומנשבת בו ומנגן מאיליו מיד עומד דוד ויושב ועוסק בתורה עד שיעלה עמוד השחר

Regarding the Biblical quotations in this passage, it is relevant to note that, once again, the Latin translation of the Talmud quotes the Vulgate text for both verses (Ps 118, 62 and Ex 11, 4), as one can learn from the following comparative tables (VIII and IX), which contain different versions of the Bible for the verses in question:

20. Schottenstein ed. (Ber 3b<sup>3</sup>-3b<sup>4</sup>): 'But did David know when it was the middle of the night? Now Moses, our teacher, did not know (when midnight was) as it is written: *–At about midnight I shall go forth into the midst of Egypt* (Ex 11, 4). What *'at about midnight'*? If you will argue that the Holy One, blessed is He, said to (Moses) *'at about midnight'* is there any doubt before Heaven? Rather, one must conclude that (God) said to (Moses): *'at midnight'*, and then (Moses) came and said: *'at about midnight'*. Thus, we see that (Moses) was in doubt as to when it was midnight and David did know!?' David has a sign, as Rav Acha bar Bizna said in the name of R. Shimon Chasida: *–A harp hung over David's bed, and when midnight arrived, the northern wind came and blew on it, and it played by itself. Immediately, (David) would arise, and engross himself in Torah until the light of dawn rose*'.

<b>Table VIII: Latin Talmud (Ber 3b [3], quoting Ps 118, 62)</b> Discordant magistri quid dicatur ‘media nox’ ibi: ‘ <b>media nocte surgebam ad confidentum tibi</b> ’ [Ps 118, 62].			
<b>Biblia Hebraica</b> (Ps 118, 62)	<b>Targum</b> (Ps 118, 62)	<b>Vulgata</b> (Ps 118, 62)	<b>LXX</b> (Ps 118, 62)
תְּצוֹת לַיְלָה אֲקוּם <sup>26</sup> לְהוֹדוֹת לַךְ עַל מִשְׁפָּטַי צְדִיקָה:	בפּלגות ליליא אקום <sup>26</sup> לשבחא קדמך מטול דיני <sup>1</sup> צדקך <sup>2</sup> צדקתך:	<sup>62</sup> Media nocte surgebam ad confidentum tibi, super iudicia justificationis tuae.	<sup>62</sup> μεσονόκτιον ἐξηγειρόμην τοῦ ἔξιμολογεῖσθαί σοι ἐπὶ τὰ κρίματα τῆς δικαιοσύνης σου.

<b>Table IX: Latin Talmud (Ber 3b [3], quoting Ex 11, 4)</b> Discordant magistri quid dicatur ‘media nox’ ibi: [...] et: ‘ <b>media nocte egrediar in Aegyptum</b> ’ [Ex 11, 4]. Quomodo sciebat David quando erat media nox?			
<b>Biblia Hebraica</b> (Ex 11, 4)	<b>Targum</b> (Ex 11, 4)	<b>Vulgata (Ex 11, 4)</b>	<b>LXX (Ex 11, 4)</b>
וַיֹּאמֶר מֹשֶׁה כֹּה אָמַר יְהוָה כְּתוּבָה בְּתוֹרַת מִצְרַיִם:	וַיֹּאמֶר משה כדון אמר יוי <sup>4</sup> כפּלגות ליליא אבא מתגלי בגו מצרים:	<sup>4</sup> Et ait: Haec dicit Dominus: <b>Media nocte egrediar in Aegyptum.</b>	<sup>4</sup> καὶ εἶπεν Μωϋσῆς τάδε λέγει κύριος περὶ μέσας νύκτας ἐγὼ εἰσπορεύομαι εἰς μέσον Αἰγύπτου.

## 2.6. Observations on Berakhot 4a (1-2)

The next quotations of the Latin Talmud (Ber 4a [1-2]) focus on the matter of midnight: while David knew when it was (see Ber 4a [1]), Moses ignored the exact moment (Ber 4a [2]).

The Gemara above (Ber 3b) assumed that Moses did not know the exact moment of midnight, but in the following quotation (Ber 4a) the Gemara explains the reason why Moses says ‘at about (midnight)’. The Latin translation of the *Extractiones* of this passage states:

Ber 4a (1)

Dicit Talmud quod bene sciebat David quando erat media nox: de quo ergo serviebat ei cithara sua? Ad excitandum eum.<sup>21</sup>

21. Translation: ‘The Talmud says that David really knew the exact moment of midnight: so why did he need his harp? To wake him up’.

## Ber 4a (2)

Cur adposuit Moyses ‘quasi’ ibi, ‘quasi media nocte egrediar in Aegyptum’ [Ex 11, 4]? Propter hoc: ne sapientes Pharaonis deriderent eum si media nocte non venirent, quia astrologi erant et sciebant horas distinguere.<sup>22</sup>

This text can be compared with the original Hebrew as it appears in the following table (X), which confirms again the faithfulness of the translation:

Table X: Talmud of Babylonia (Ber 4a <sup>1</sup> )		
Vilna (Ber 4a <sup>1</sup> )	Florence II-I-7 (Ber 4a <sup>1</sup> )	Munich 95 (Ber 4a <sup>1</sup> )
<p>משה לעולם הוה ידע ודוד נמי הוה ידע וכיון דדוד הוה ידע כנור למה ליה לאתעורי משנתיה וכיון דמשה הוה ידע למה ליה למימר כחצות משה קסבר שמא יטעו אצטגניני פרעה ויאמרו משה בדאי הוא דאמר מר למד לשונך לומר איני יודע שמא תתבדה ותאחזו רב אשי אמר בפלגא אורתא דתליסר נגהי ארבסר הוה קאי והכי קאמר משה לישראל אמר הקדוש ברוך הוא למחר כחצות הלילה כי האידינא אני יוצא בתוך מצרים<sup>23</sup></p>	<p>[...] ר' זירא א' משה (הוה ידע ודוד) נמי מידע הוה ידע אלא דוד כינור למה ליה לאיתעורי ומשה כיון דהוה ידע למה ליה למימ' כחצות סבר שמא יטעו איסט' גנוני פרע' ויאמרו משה בדאי הוא וא' מר למד לשונך לומר איני יודע שמא תתבדא ותאחר' רב אשי א' משה רבינו בפלגא דאורתא [דתליי' סר נגהיי] דארבסר הוה קאי והכי א' משה הכי א' קו' בריך הוה לילה אחרת בשעה זו אני יוצא בתוך מצרים</p>	<p>צפרא ר' זיר' אמ' לעולם תרוייהו ידעי ודוד סימנ' למה ליה לאיתעורי' משינת' ומשה מידע ידע והאי דקאמ' כחצות קאסבר שמא יטעו אצטגנוני פרעה ויאמרו משה בדאי הוא דאמ' מר למד לשונך לומ' איני יודע שמא תתבדה ותאחזו רב אשי אמ' אורתא דתליסר נגהי ארבסר הוה והכי אמ' להם משה לישראל (לילה) אחרת כחצות הלילה הזה קודש' בריך הו' מיתגלי עליכון) [ה"ג למחר כי השתא אני יוצא בתוך מצרי']</p>

In fact, the Hebrew syntagm ‘כחצות הלילה’ (‘like the midnight’ but also ‘at about midnight’) was translated as an adverb into Latin *circa, quasi* (in: *quasi media nocte egrediar in Aegyptum*) while the Vilna Talmud understands it as a comparative

22. Translation: ‘Why did Moses say ‘at about’ here: ‘At about midnight I shall go forth into Egypt’ [Ex 11, 4]? For this reason: so that the wise men of the Pharaoh could not laugh at him, if they did not come at midnight, since they were astrologers and knew how to correctly distinguish the hours’.
23. Schottenstein ed. (Ber 4a<sup>1</sup>): ‘R. Zeira said: Moses really did know (the exact moment of midnight), and David also knew it. And since David knew (the exact moment of midnight), why did he need the harp? He needed it to wake him from his sleep. And since Moses knew the exact moment of midnight, why did he say ‘at about midnight’? Moses thought that Pharaoh’s astrologers might err and say: ‘Moses is a liar’. For the master said: Teach your tongue to say ‘I do not know’, lest you be caught in a falsehood. Rav Ashi said: [Moses] was standing in the middle of the night between the thirteenth of Nissan and the morning of the fourteenth, and this is what Moses was saying to Israel: –The Holy One, blessed is He, said that tomorrow, like the midnight of today, I shall go forth into the midst of Egypt’.

particle ‘like’: אמר הקדוש ברוך הוא למחר כחצות הלילה כי האידינא אני יוצא בתוך מצרים (‘The Holy One, blessed is He, said that tomorrow, *like the midnight* of today, I shall go forth into the midst of Egypt’).

The Hebrew prepositional syntagm (כחצות הלילה) was translated in the old Biblical translations also as a propositional syntagm (cf. LXX ‘περὶ μέσας νύκτας’ and Targum ‘כְּפִלְגֹּת לַיְלִיא’), as one can see in table IX above. .

## 2.7. Observations on Berakhot 4a (3)

In this passage, the Gemara records another teaching about David’s rising at midnight. The Latin translation of the *Extractiones* for this passage runs:

Ber 4a (3)

De hoc verbo: ‘custodi animam meam, quoniam bonus sum’ [Ps 85, 2] contendunt duo magistri. Unus dicit quia in hoc ‘bonus’ fuit quod media nocte surgebat. Alius dicit: Ideo dicebat ‘se esse bonum’, quia alii reges in dignitate magna sunt et honore; et ipse in tantum humiliabat se quod inspiciebat et iudicabat inter sanguinem et sanguinem pollutae et non pollutae, et huiusmodi –sciebat etiam discernere si ille sanguis esset pulicis aut scabiei vel alterius modi–. Et in tantum etiam humiliabat se quod super his requirebat consilium a magistro suo, scilicet Mifiboseth. Et quare vocabatur Mifiboseth, –id est os confusionis–? Quia faciebat confusionem David in Talmud. Et quia tantum humiliavit se, dedit ei Deus filium nomine Chelaab, qui confudit Mifiboseth in *halaka*, –id est in Talmud–.<sup>24</sup>

24. Translation: ‘On this verse: ‘Guard my soul, for a good man am I’, two masters differ. One explains that he was ‘good’, because at midnight he arose [to give thanks to the Lord]. And the other one says that he was ‘good’, for all the other kings have great dignity and glory. And he humbled himself so much that he examined and judged all kinds of blood, contaminated and uncontaminated, and the like – he knew to distinguish between the blood of a flea or a scab, or if he had any other mode of the blood –. And he humbled himself so much that on this question he had to consult his teacher, Mefiboshet. And why was his name Mefiboshet – that is, mouth of confusion –? Because he would confuse David in matters of the Talmud. And because he humbled himself so much, God gave him a son named Chelaab, who confuted Mefiboshet in terms of law – i.e. the Talmud –’.

Table XII offers the original Hebrew text of the Talmudic quotation translated into Latin:

Table XII: Talmud of Babylonia (Ber 4a <sup>1-2</sup> )		
Vilna (Ber 4a <sup>1-2</sup> )	Florence II-1-7 (Ber 4a <sup>1-2</sup> )	Munich 95 (Ber 4a <sup>1-2</sup> )
<p>לדוד שמרה נפשי כי חסיד אני לוי ורבי יצחק חד אמר כך אמר דוד לפני הקדוש ברוך הוא רבוננו של עולם לא חסיד אני שכל מלכי מזרח ומערב ישנים עד שלש שעות ואני תהלים קי"ט חצות לילה אקום להודות לך ואידך כך אמר דוד לפני הקדוש ברוך הוא רבוננו של עולם לא חסיד אני שכל מלכי מזרח ומערב יושבים אגודות אגודות בכ" בודם ואני ידי מלוכלכות בדם ובש" פיר ובשליא כדי לטהר אשה לבעלה ולא עוד אלא כל מה שאני עושה אני נמלך במפיבשת רבי ואומר לו מפ" בשת רבי יפה דנתי יפה חייבתי יפה זכיתי יפה טהרתי יפה טמאתי ולא בושתי אמר רבי יהושע בריה דרב אידי מאי קרא תהלים קי"ט ואדברה בעדותיך נגד מלכים ולא אבוש תנא לא מפבישת שמו אלא איש בשת שמו ולמה נקרא שמו מפבישת שהיה מבייש פני דוד בהלכה לפיכך זכה דוד ויצא ממנו כלאב ואמר רבי יוחנן לא כלאב שמו אלא דניאל שמו ולמה נקרא שמו כלאב שהיה מכלים פני מפבישת בהלכה<sup>25</sup></p>	<p>לדוד שמרה נפשי כי חסיד אני לוי ור' יצחק [חד א' הכי אמ' ... דוד קמיה קודשא בריך הוא לאו] [חד א' לאו] חסיד אני שכל מלכי (1)מזרח ומערב ישנים עד שעות שלש [ת...]. ואני חצות לילה אקום להודות לך ואידך א' כך א' דוד לפני הק' לאו חסיד אני שכל מלכי מזרח ומערב א' יושבין לפני אגודות אגודות בכבודן ואני ידי מלוכלכות בדם בשפיר ובשליא כדי לטהר אשה לבעלה ולא [...] אלא שאני נמלך במפיבשת רבי ואו' לו יפה דנתי יפה זיכיתי יפה חייבתי יפה טמיתי יפה טיהרתי ואיו לי בשת א"ר בריה דרב אידי מאי קראה אדברה בעדותיך נגד מלכים לא אבוש תנא לא מפביש' שמו אלא אישבשת שמו ולמה נקרא שמו מפביש' שהיה מכלים פני דוד בהלכה ולפיכך זכה ויצא ממנו כלאב שהיה מכלים פני מפבישת בהלכה</p>	<p>לדוד שמרה נפשי כי חסיד אני לוי ור' יצחק חד אמ' כך אמ' דוד לפני הקב"ה רבוננו של עולם לא חסיד אני שכל מלכי מזרח ומערב ישנים עד שלש שעות ואני חצות לילה אקום להודות לך ואידך אמ' לא חסיד אני שכל מלכי מזרח ומערב יושבין אגודות אגודות וכתריהן על ראשיהן בכבודן ואני ידי מלוכלכות בדם שפיר ובשליא כדי לטהר אשה לבעלה ולא עוד אלא שכל דבר ודבר שאני עושה אני נמלך במפיבשות רבי וא[ו]מרני לו מפבישת רבי יפה דנתי יפה זכיתי יפה חייבתי יפה טמאתי יפה טהרתי (כדי) לטהר אשה לבעלה ולא בשתי אמ' רב שישא בריה דרב אידי מאי קראה ואדברה בעדותיך נגד מלכים ולא אבוש וגו' תנא לא מפבישת שמו אלא (איש בשת) [ר"ת גריס אשבעל רב שמעי' גרי' מ...נבעל] שמו ולמה נקרא שמו מפבישת שהיה מבייש פני דוד בהלכה לפיכך זכה דוד ויצא ממנו כלאב שהיה מכלים פני מפבישת בהלכה א"ר</p>

25. Schottenstein ed. (Ber 4a<sup>1-2</sup>): '[A psalm] by David: [...] *Guard my soul, for a devout man am I. Levi and R. Yitzhaq (differ regarding which aspect of his devotion David refers to there): –One explains that this is what David said before the Holy One, blessed is He: –Master of the Universe, am I not devout? For all kings of the East and West sleep until three hours, but as for me, 'at midnight I arise to give thanks to You'. And the other one explains the verse as follows: This is what David said before the Holy One, blessed is He: –Master of the Universe, am I not devout? For all the other kings of the East and West sit among their company in their glory, –but as for me, my hands are soiled with blood, embryos, and afterbirths which I examine in order to permit a woman to her husband. And not only that, but I consult Mephiboshes my teacher about everything I do and I ask him: –'Mephiboshes, my teacher, did I judge correctly? Did I declare 'liable' correctly? Did I declare 'exempt' correctly? Did I declare *tahor* correctly? Did I declare *tamei**

Regarding the Biblical quotation of Ps 85, 2, it is noteworthy that the adjective *קָדוֹשׁ* is not translated as in the Vulgate (*sanctus*), but as *bonus*. As for the Septuagint, it uses the word ὁσιός ('righteous, pious, holy'), as one can see in the table below:

<b>Table XIII: Latin Talmud (Ber 4a [3], quoting Ps. 85, 2)</b>			
De hoc verbo: 'custodi animam meam, quoniam <b>bonus</b> sum' [Ps. 85, 2] contendunt duo magistri.			
Biblia Hebraica (Ps 86, 2)	Targum (Ps 86, 2)	Vulgata (Ps 85, 2)	LXX (Ps 85, 2)
שְׁמֵרָה נַפְשִׁי כִּי-חֲסִיד אֲנִי הוֹשֵׁעַ עַבְדְּךָ אֲתָה אֱלֹהִי הַבּוֹטֵחַ אֵלֶיךָ:	נְטוּר נַפְשִׁי אַרְוֵם חֲסִידָא אנא פרוק עבדך את אלהי ידי אנא מתרחיץ עלך:	<sup>2</sup> Custodi animam meam, quoniam <b>sanc-</b> <b>tus</b> sum; salvum fac servum tuum, Deus meus, sperantem in te.	<sup>2</sup> φύλαξον τὴν ψυχὴν μου ὅτι <b>δοσιός</b> εἰμι σῶσον τὸν δοῦλόν σου ὁ θεός μου τὸν ἐλπίζοντα ἐπὶ σέ.

## 2.8. Observations on Berakhot 4b (3)

In this quotation, the Gemara cites another teaching by R. Eleazar bar Rabina. The Latin translation of the *Extractiones* for this passage has:

Ber 4b (3)

Maius est de Michahel quam de Gabrihel, quia de Michahel dicitur: 'et ecce volavit ad me unus de seraphin' [Is 6, 6]. De isto dicitur: 'ecce vir Gabrihel quem videram in visione volando volans' [Dn 9, 21] –de illo scilicet dicitur 'volavit'; de isto bis 'volando volans'-. Ex hoc videtur quod tantum possit Michahel uno volatu quantum Gabrihel duobus. Et quomodo scis quod ille Michahel est? Per hoc quod dicitur in Danihele: 'et ecce Michahel unus de principibus' etc. [Dn 10, 13] et in Esaia similiter: 'et ecce volavit ad me unus de seraphin' [Is 6, 6] –ergo utrobique est idem–.<sup>26</sup>

correctly? And I was not embarrassed to do so. R. Yehoshua the son of Rav Idi said: From which verse do we know this? –I will speak of Your testimonies before kings (i.e. Mephiboshes) and not be ashamed. (The Gemara quotes a related Baraita) It was taught in Baraita: His name was not Mephiboshes; Rather, his name was Ish boshes. And why was he called Mephiboshes? Because he would embarrass David in matters of law. Therefore, David merited that Kilav descended from him. And R. Yochanan said: His name was not Kilav; rather, his name was Daniel. And why was he called Kilav? Because he embarrassed Mephiboshes in matters of law'.

26. Translation: 'Greater is that with regard to Michael than that with regard to Gabriel, because with regard to Michael it is said: 'look, one of the serafim flew to me' [Is 6, 6]. With regard to the latter, it is said: 'look, the man Gabriel, whom I saw in the vision flying in flight' [Dn 9, 21] – with regard to the first, it is said 'he flew', with regard to the other, twice 'flying in flight' –. This shows that Michael can do with one flight what Gabriel does with two. And how do you know that this one is Michael? For it is said in the book of Daniel: 'and behold, Michael, one of the princes', etc. [Dn 10, 13] and similarly in Isaiah: 'and look, one of the seraphim flew to me' [Is 6, 6] – therefore, in either case it is the same –'.

This can be compared to the original Hebrew text of the Talmud:

**Table XIV: Talmud of Babylonia (Ber 4b<sup>5</sup>)**

Vilna (Ber 4b <sup>5</sup> )	Florence II-I-7 (Ber 4b <sup>5</sup> )	Munich 95 (Ber 4b <sup>5</sup> )
אמר רבי אלעזר בר אבינא גדול מה שנאמר במיכאל יותר ממה שנאמר בגבריאל דאילו במיכאל כתיב ישעיהו ו' ויעף אלי אחד מן השרפים ואלו גבי גבריאל כתיב דניאל ט' והאיש גבריאל אשר ראיתי בחזון בתחלה מועף ביעף בשלמ' גבריאל כתי' ביה בהדיא אלא מיכאל ממאי דהאי אחד במיכאל כתי' א"ר יוחנן אתי' אחד אחד כתי' הכא ויעף אלי אחד מן השרפים וכתב התם דניאל י' והנה מיכאל אחד (מן) השרים הראשונים בא לעזרני <sup>27</sup>	וא"ר אלע' בר אבינא גדול במיכאל [ממה] (מ)שנ' בגבריאל דאילו במיכאל כת' ויעף אלי אחד מן השרפים ואילו בגבריאל כת' והאיש גבריאל אשר ראיתי בחזון בתחילה מועף ביעף מאי משמע דהאי [קרא] [אחד] במיכאל כת' [אתיא אחד אחד] (1)כת' [הכא] ויעף אלי אחד מן השרפים וכת' ?התם והנה מיכאל אחד מן השרים <..>שונים <..>א לעזרני תנא	וא"ר אלעזר בר אבינ' גדול מה שנ' במיכאל יותר ממה שנ' בגבריאל במיכאל כתי' ויעף אלי אחד מן השרפים ובידו רצפה ואילו בגבריאל כתי' והאיש גבריאל אשר ראיתי בחזון בתחילה מועף ביעף בשלמ' גבריאל כתי' ביה בהדיא אלא מיכאל ממאי דהאי אחד במיכאל כתי' א"ר יוחנן אתי' אחד אחד כתי' הכא ויעף אלי אחד מן השרפים וכתב' הת' והנה מיכאל אחד מן השרי' הראשו' בא לעזרני

The next table (XV) offers an overview of the Biblical quotation from Dn 9, 21, which appears in the text, according to the Biblia Hebraica, the Septuagint and the Vulgate, which confirms that the Latin Talmud is following here the *textus receptus masoreticus* and not the Vulgate translation:

**Table XV: Latin Talmud (Ber 4b [3], quoting Dn 9, 21)**

Maius est de Michahel quam de Gabrihel, quia de Michahel dicitur: 'et ecce volavit ad me unus de seraphin' [Is 6, 6]. De isto dicitur: 'Ecce vir Gabrihel quem videram in visione volando volans' [Dn 9, 21].

Biblia Hebraica (Dn 9, 21)	Vulgata (Dn 9, 21)	LXX (Dn 9, 21)
<sup>12</sup> וְעוֹד אֶגְיִי מְדַבֵּר בְּתַפְלָה וְהָאִישׁ גַּבְרִיאֵל אֲשֶׁר רָאִיתִי בְּחִזּוֹן בְּתַחֲלָה מְעָף בִּיעָף נִגַּע אֵלַי בְּעֵת מְנַחֲת־עֶרְבִי:	<sup>21</sup> adhuc me loquente in oratione, ecce vir Gabriel, quem videram in visione a principio, cito volans tetigit me in tempore sacrificii vespertini.	<sup>21</sup> καὶ ἔτι λαλοῦντός μου ἐν τῇ προσευχῇ μου καὶ ἰδοὺ ὁ ἀνὴρ ὃν εἶδον ἐν τῷ ὕπνῳ μου τὴν ἀρχὴν Γαβριηλ τάχει φερόμενος προσήγγισέ μοι ἐν ὧρα θυσίας ἑσπερινῆς.

27. Schottenstein ed. (Ber 4b<sup>5</sup>): 'R. Elazar bar Avina said: Greater is that which is said with regard to Michael than that which is said with regard to Gabriel. For with regard to Michael it is written: *One of the serafim flew to me*; whereas with regard to Gabriel it is written: *and the man Gabriel, whom I saw in the earlier vision was lifted in flight*, etc. What implies that this word 'one' refers to Michael? R. Yochanan said: –It is derived from a link between this mention of the word 'one'. It is written here: 'One' of the serafim flew to me, and it is written elsewhere: *and behold! Michael, 'one' of the foremost heavenly princes, came to help me*'.

Apparently, the Biblical quotation from Dn 9, 21 was translated according to the explanatory gloss ('de illo scilicet 'volavit'; de isto bis 'volando volans'), and not according to the Vulgate text ('ecce vir Gabriel, quem videram in visione a principio, cito volans').

## Conclusion

In order to summarize the preceding remarks on the Latin Berakhot (3a-4b), I would like to point out briefly the most important textual features that appear in Berakhot, which are illustrative regarding the Latin translation.

Firstly, as far as the textual transmission is concerned, we must underline that while the Latin Talmud is literal in its translation – compared to the original Hebrew text –, the translator nonetheless omits some passages appearing in the Hebrew. We even come across passages where the Mishna or the Gemara were not translated at all into Latin, but only a Baraita is given; thus the Latin Talmud offers its readers a secondary and extracanonical tradition, as is the case of Berakhot 3b (2): Which intention lies behind this kind of canonical omissions? Although there is no clear evidence, this fact would perhaps be evoking the collateral factors that emboldened the *modus operandi* of Latin translation of the Talmud, such as memory and repetition in the case of the study and transmission of the Talmud, as well as orality in the field of the Christian-Jewish theological Disputation of Paris.

Secondly, it is important to note that in those cases where the Latin translation of the text differs in reading from the Vilna Talmud, this is not due to a mistake or an omission of the Latin translator, but rather to the fact that the translator read a Hebrew text that was very close to the Munich and Florence manuscripts, as one can see, for example, in the case of Ber 3a (3).

Regarding the Biblical text appearing in the Latin Talmud, most of the verses are translated according to the canonical text of the Vulgate, but exceptionally we can find cases where the translation differs from Jerome, when translating partially (or totally) *iuxta hebraeos*, i.e., direct from the Jewish canonical *textus receptus masoreticus*. In some cases, the translator wants to remain faithful to the Hebrew original text adding hypercorrections to the Vulgate quotation and maintaining linguistic phenomena from Hebrew in Latin, like in the case of Daniel 9, 21 quoted in Ber 4b (3) ('Ecce vir Gabrihel, quem videram in visione volando volans').

As for the Biblical and Talmudic proper nouns, the Latin translation is close to the original Hebrew *Vorlage*; but in the case of proper names of rabbis, these are usually deliberately omitted and abbreviated. Finally, regarding the translator of the Latin Talmud, one has to emphasise his profound knowledge of the Hebrew language and the Talmudic text. The translations appearing in the *Extractiones de Talmud* are highly respectful regarding the original Hebrew text. This points to the attitude of the translator, who turns out to be extremely faithful and careful *vis-à-vis* the Hebrew text.

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# The *Extractiones de Talmud* from the Tractate bSanhedrin 96a-97a

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## 1. On the Composition of the Talmud Bavli

There have been different ways in attempting to explain how the text of the Talmud has arisen, has grown and, finally, has been edited. There is no consensus on these subjects.<sup>1</sup> The “editors” of the Talmud in the fifth century, R. Ashi and Rabina (who are called ‘the end of the Mishnah’ and ‘the end of the teaching’ in bBM 86a) had the *Saboraim* as their successors/disciples who introduced many passages in the Gemara after Ashi’s death in their “reedition” of the Talmud up to the middle of the sixth (or seventh) century.<sup>2</sup>

This has been, more or less, a commonly accepted view. But especially the studies of Shamma Friedman and David Weiss Halivni, Jacob Neusner and Jeffrey L. Rubenstein have challenged this opinion.<sup>3</sup> They believe that the successors of the Amoraim were not simply editors but authors indeed. They examined carefully the huge amount of anonymous sayings and aggadot of the Gemara, the so-called “stam material” (the texts initiated by *stam*...). The authors of all this material wanted to correct the errors in the oral transmission of the Amoraim’s dicta, or to adapt them to the new circumstances, to solve the lack of consistency in the way of conveying the halakhah and even to take delight in showing how a halakhah is obtained (even when it has been refused previously) through the Talmudic dialectic; and so they took the principle of “Torah for its own sake” to new levels; they worked hard in trying to avoid all kinds of contradictions in the Gemara transferring motifs from disparate Talmudic passages etc. All this impressive work cannot be done by some “editors” (= the *Saboraim* in the commonly accepted view). So the afore-mentioned scholars prefer to talk of real authors: these were the ones who introduced the *stam* (tannaitic) material, i. e. the *Stammim*, who are everywhere in the Talmud. They worked from the fifth to the seventh centuries.

1. See Stemberger, *Einleitung in Talmud und Midrasch*.

2. Cf. Berkovits already in the EJ ‘Talmud, Babylonian’, col. 761. Basically A. Hanok would say the same: the editors after R. Ashi-Rabina do not add anything new to the Talmud, although the process of editing goes on for many years. The work edited by Jacob Neusner (*The Formation of the Babylonian Talmud*) offers a good summary, especially of the options of Albeck Hanok, Abraham Weiss and David Weiss Halivni. Though Halivni’s work has developed over the next twenty-six years in *Meqorot umesorot*.

3. The last studies were critically summarized by Rubenstein, *Talmudic Stories*, pp. 15-33.

## 2. The Expansion of the Talmud Through Its Codifiers

One cannot understand Jewish life without taking into account the importance of the Talmud. But no Jew, even a learned one or what has been called a Talmudic scholar, could find easily his norms of conduct in the Gemara. The number of *halakhot stam* (theoretic legal conclusions) and *halakhot lma'ašeh* (laws to be observed) is too large and, at the same time, prescriptions are introduced where one would not expect them. The *aggadot* of the Talmud (though they often intend to prepare or to explain the moral point of the halakhah) do not always help the reader. So from the very end of the Talmud Bavli (eighth century) the need for a guide was felt, and therefore we find the first halakhic codes already in the Geonic days with a special interest in the mishnaic Order of *Neziqin* (*Sanhedrin* being one of its main Tractates). The first codifier among the Geonim seems to be Yehudai, eighth century (*Halakhot Pesuqot* and *Halakhot Gedolot*, though the last book seems to be written by Simeon Qayyara who flourished in the middle of the ninth century). The books of Hai (*Mišpete Šebu'ot* and *Sefer Miqqaḥ u-Mimkar*) were particularly important in the field of codification. *Bašar'al gabbe geḥalim*, though most of it has been lost, is already quoted by the Sages of Ashkenaz in the eleventh century. One has to remember also several codifiers from the beginning of the millennium in northern Africa. Amongst them, Alfasi's *Halakhot* deserve particular attention.<sup>4</sup> Isaac b. Judah Ibn Ghayyat and Maimonides are the great codifiers of the Spanish school. We find also excellent codifiers in the Languedoc, northern France and Germany. In northern France, the home of the Tosafists (that is, the scholars who *add* explanations to the Talmud), the need of a guide for practical purposes was often felt. In fact, this guiding function of the codes has been the principal aim of all the codifiers before:

The (French) Tosafists, however, did not consider the study of the Talmud merely as a means to the end of regulating religious life; for them it was an end in itself; and the explanation and exposition of the Talmud were of primary importance, while the reduction of the halakhah to norms was merely secondary.<sup>5</sup>

This seems to be a kind of revival of the tannaitic topic of the priority of study *vis-à-vis* practice.<sup>6</sup> Rashi and the northern France Tosafists, in turn, had a great influence on the German Tosafist school. But at the beginning of the thirteenth century, Isaac b. Moses' book, '*Or Zarua*', marks a change: the book is both a commentary

4. His commentaries on the Talmud were particularly appreciated by the Jewish scholars of the Talmud. Several of his commentaries, copied or reworked in Girona, present his ideas; some of these are discussed in Cortès, 'Fragments de manuscrits hebreus i arameus', pp. 43-44.
5. Ginzberg, *On Jewish Law and Lore*, p. 172. For our comments on Talmudic codifiers in general see pp. 153-184.
6. When R. Yoḥanan b. Zakkay deals with the basics of Judaism, study precedes the practice of halakhah, see Cortès, 'Els fonaments del Judaisme postbiblic', pp. 61-67.

and a code. 'Or Zarua' will become a decisive factor in the religious practice among the German-Polish Jews.

In the Languedoc, in the Catalan-Aragonese Crown, Solomon Abraham Ibn Adret (c. 1235-c. 1310), Nahmanides' famous disciple, wrote a codex which is unique: *Torat ha-Bayit*. The codex has seven divisions (בתים, houses) which are again subdivided into several שערים, gates.<sup>7</sup> We find the same systematization in another of his codifying works, *Abodat ha-Kodesh* on the laws of festivals and on the halakhot of Shabbat. From the same Nahmanic/Asheric school comes the great and most important of all codifiers, Jacob ben Asher (c. 1269-1343) or the *Tur*, as he is briefly called after his codex. The two centuries coming afterwards produced little of value in the field of codification. Joseph ben Ephraim Caro (1488-1575) was the author of the last great codification of Jewish law, the *Shulḥan Aruk*. Although during a century it was met with some serious opposition, at the end it became what it is now: the codex *par excellence* of rabbinic Judaism. 'Nevertheless', says Louis Ginzberg,

it must always be borne in mind that the really decisive authority is the Talmud [...] and a reference to a codex as authoritative is equivalent to saying that its exposition of the Talmud is regarded as the correct one.<sup>8</sup>

Because of its authority the Talmud Bavli has been studied and even scrutinized by Jewish scholars throughout history. When the Geonic period finished (eleventh century), the centre of Talmudic studies shifted to Sepharad: Barcelona, Girona, Toledo, and so on. The *scriptoria* of these Jewish communities issued good copies and original works on the Talmud that were highly appreciated in Ashkenaz, Italy and everywhere, because they contained few copyist's errors. Nevertheless, the *lectiones variantes* were numerous. Some of them are not to be considered additions because they simply reflect another textual tradition. But mostly they were added to render the wording clearer, to update the Talmudic halakhah or to explain the many commentaries that had been attached to the Talmud copies by the 'first' expounders (הראשונים, up to the fifteenth century) and by the 'last' ones (האחרונים, from the sixteenth century on). In fact, their aim was both to be respectful towards the authority of the Talmud and to translate the Talmudic words in such a way as to be spiritually fruitful in a geographical setting and in the midst of a culture that was very different from the environment of the Geonic, Saboraim or Stammam centuries.

Quite different was the process of appropriation and interpretation of the Talmud that took place in the thirteenth century, when Christian scholars prepared the first Latin translation of large portions from this book. In what follows, I will offer a close reading of this translation of bSanhedrin 96a.

7. Curiously, the same kind of divisions and subdivisions has been found in a fragmentary MS from Girona (Girona Diocesan Archive).

8. Ginzberg, *On Jewish Law and Lore*, p. 182.

### 3. The Order of *Neziquin* (Damages) and Its Tractate *Sanhedrin*

The fourth Order of the Mishnah expounded by the Gemara of the Talmud is *Neziquin* (Damages), and its general aim is to settle Israel's social order. The different Tractates of *Neziquin* deal with the origins of the damages, how an acquisition should be made, the criminal laws, how to bear witness for the prosecution and for the defence, the different kinds of penalties, and so on. The fourth Tractate of *Neziquin*, that is, *Sanhedrin*, deals with the civil/religious laws to keep or to establish peace and equity between the people through the institutions of the Jewish government (Great Sanhedrin/Small Sanhedrin).

Some medieval Christian scholars were interested in the Tractate *Sanhedrin*. In the eyes of some learned Christians, it might help to understand Jesus' last trial. For a Jewish scholar, the whole Order *Neziquin* had a special fascination,

partly on account of the fundamental importance of the legal principles with which it deals, and partly on account of the wide range of its digressions and the exceptionally high quality of its aggadic material.<sup>9</sup>

Hence their great interest in the entire *Neziquin Order*. All its tractates were often copied and studied, but it seems that when Johannes Reuchlin (1455-1521), a distinguished Christian scholar interested in Jewish literature, searched all over Europe to find a copy of the Talmud, the only treatise he could find was *Sanhedrin*.

*Sanhedrin* has a lot of aggadot. bSanhedrin chapter XI<sup>10</sup> is almost entirely aggadic. The eleventh chapter, after expounding the mishnaic principle of every Jew having a portion in the world to come, mentions Bar Gebiha ben Pasisa's story (he supposedly made halakhic expositions before Alexander of Macedonia), a certain "Rabbi's" dissertation before Antoninus (on the so-called innocence of the body or of the soul: the cripple and the blind man that are both necessary to steal the figs from the orchard), the stories of Bar Coziba, Sennacherib's siege of Jerusalem and Nebuchadnezzar's siege and conquest of the holy City. The chapter ends expounding the different rabbinic dicta about the times preceding the coming of the Messiah. Both topics, the Sennacherib/Nebuchadnezzar stories and the messianic days, have been selected and translated into Latin, among other materials, by the authors of the *Extractiones de Talmud*.

### 4. The *Extractiones de Talmud*

In 1238/39 the convert Nicholas Donin formulated 35 accusations against the Talmud and submitted them to pope Gregory IX. Though we do not know who is (or who

9. Jacob Schachter and H. Freedman at p. XII of their 'Introduction' to *Neziquin*.

10. In the Jerusalem Talmud and in the Mishnah this is the tenth chapter.

are) the author(s) of the Latin translation of the Talmud, that is, the *Extractiones de Talmud*, we have to bear in mind what has been said recently by Alexander Fidora:

Both the sequential Talmud translation and its subsequent thematic rearrangement display additions and modification which go back to Nicholas's list, or at least clear reminiscences thereof; this was done in a more cursory manner already for the sequential translation, and in a very systematic one, either by the same person or by someone else, for the thematic translation, which incorporates material not only from Nicholas's list but also from the section of Rashi's quotations from the second part of the Paris manuscript.<sup>11</sup>

So it seems that Donin's list is at least a direct source for the final redaction of the *Extractiones de Talmud*.<sup>12</sup>

According to the prologue of MS Paris, BnF lat. 16558, f. 211rb,<sup>13</sup> which contains the Latin Talmud with other material, Nicholas Donin addressed the Pope Gregory IX in the twelfth year of his pontificate (1238/39); the author of the prologue further states that Donin's articles were translated some five or six years before another translator prepared the *Extractiones de Talmud*. This means that the second translator finished his work at 1244 or 1245, after the Talmud trial and its burning in 1241/42. (The identity of the second translator still has to be determined). But the burning of the Talmud in Paris was not the end of the matter. Afterwards some learned and influential Jews approached pope Innocent IV asking him to revoke the condemnation of the Talmud and to obtain the return of the Talmudic literature still in possession of Christian authorities, though in the end they did not succeed. The *Extractiones*, we are going to comment upon, belong to the days of pope Innocent IV.

## 5. The *Extractiones* from bSanhedrin

### 5.1. *The Case of an Angel Named 'Nox'*

Gn 14:1-15 tells the story of Abram fighting against Chedorlaomer and his allies: Abram armed his trained servants and went in pursuit of them as far as Dan (v. 14).

11. Fidora, 'The Latin Talmud and its Translators', p. 25.

12. See the arguments adduced by Fidora, 'Textual Rearrangement and Thwarted Intentions': the passage of the thematic *Extractiones* taken from bAZ 3b, which Fidora analyses, depends on the article XXII of Nicholas' list; also further material that has been included in the thematic *Extractiones* is taken from Nicholas' list; as e.g. the section 'De sapientibus and magistris' (Tractates bYevamot, bSukkah, bRosh ha-Shana, bMakkot). The same is true for the claim that rabbinic teachings can abolish the biblical halakhot (bYev 89b-90b [bSuk 29a]).

13. See the text in Fidora, 'The Latin Talmud and its Translators', pp. 26-27. This manuscript consists of 238 folios.

‘He divided his forces against them by night (לילה), he and his servants, and smote them, and pursued them unto Hobah’ (v. 15). The Gemara, as it has been translated by the *Extractiones*, comments on the passage in the following way (San 96a [2]):

‘Divisis sociis, inruit super eos nocte’ (Gen. 14, 15). Dicit rby Iohannen: Angelus qui missus est Abrahæ vocatus est Nox. Rby Isaac dicit: Factum fuit Abrahæ opus noctis, sicut scriptum est: ‘de coelo dimicatum est contra eos, stellæ manentes in cursu et in ordine suo contra Sisaram pugnaverunt’ (Iud. 5, 20) – glossa: sicut stellæ pugnaverunt pro Barac, ita pro Abraham contra reges –.<sup>14</sup>

Who is the subject of R. Yiṣḥaq’s statement (the real one, not the grammatical)? Probably the same angel adduced by R. Yoḥanan. R. Yiṣḥaq wants to explain how the angel helped Abram: by doing the ‘opus noctis’: the acts by night were performed for Abram. This is how he argues that the angel is called ‘night’ (לילה). His name means and is what he does – *opus noctis* – (as happens very often in the popular etymologies of biblical and Talmudic names). This is stressed at the very beginning of the passage of the *Extractiones*, ‘factum fuit Abrahæ (?) opus noctis’. Possibly ‘Abrahæ’ is understood in the Latin text as a dative case, for Abram.

Another possible meaning, if the text is understood as a *passivum theologicum*: the marvellous acts by night were done, ‘factum est’ (by God himself) on behalf of Abram. But this seems to me against the context; the *Extractiones*, on the other hand, ignore or do not follow Rashi’s interpretation here.

Which are the *Extractiones*’ aims?

The *Extractiones* obviate the decision of the Gemara (that is, R. Yiṣḥaq’s exegesis is better than R. Yoḥanan’s interpretation), and the biblical quotation of the book of Job. Both were unnecessary for their purpose. But this has nothing to do with the aims of the *Extractiones*. If the translators wanted to underline the difficulties of the Talmudic exegesis, why do they omit R. Yoḥanan’s farfetched exegesis of Job 3:3? Why do they not mention it? Perhaps the *Extractiones* wanted to point to the absurdity of understanding the ‘lailah’ (the night) as someone, as an angel. Or they wanted to stress the absurdity of an astrology which is fighting against Sisera, Judges 5:20: ‘They fought from heaven against them, the stars from their courses and orders fought against Sisera’. But, if they wanted to underline the absurdity of the stars fighting, this is precisely what the biblical text says! At any rate, the MSS *P* and *Z* of the *Extractiones* point to such an *absurdity*, adding ‘stultitia’ in the margins.

14. The Latin texts of the *Extractiones* (bSanhedrin), which I quote here and in what follows, are taken from the edition: *Extractiones de Talmud per ordinem sequentialem*, prepared by Ulisse Cecini and Óscar de la Cruz; for the reader’s convenience, the text is given in the Appendix.

### 5.2. *The Pursuit As Far As Dan*

Concerning the war against Chedorlaomer, the king of Elam, the *Extractiones* give a fairly good translation of the Talmudic aggada on the tribe of Dan. According to the aggada Abram could not go further as Dan because of the future idolatry of this tribe, and Sennacherib, on the contrary and for the same reason, could only be powerful when he arrived in Dan (bSan 96a [3]):

‘Persecutus est eos usque Dan’ (Gen. 14, 14). Dicit rby Iohannen: Quando Abraham venit ad Dan, debilitata fuit virtus eius. Vidit enim quod filii filiorum suorum servituri erant in Dan idolatriae, unde scriptum est: ‘posuit unum in Dan et alium in Bethel’ (III Reg. 12, 29 – s. hebr. –). Similiter ille impius – Sennacherib – non habuit vires donec venit in Dan, sicut scriptum est: ‘a Dan auditus est fremitus equorum eius’ (Ier. 8, 16).

Which are the *Extractiones*’ aims?

On the whole this is a good translation. But the Latin text adds ‘Abraham’ (unnecessarily?) and omits ‘šadiq’, righteous. The last omission (if the word was in the Gemara) is difficult to explain, because of the Christian/Jewish respect for Abram. The addition of ‘Abraham’ could be, once more, pedagogic. And so perhaps the authors of the *Extractiones* intended to say: see how the Talmud treated Abram, as a frightened man!

The last statement on ‘horses’ snorting being heard from Dan’ could be taken as a Jewish ‘stultitia’. But it is just what the biblical text says!

### 5.3. *The Honour Due to the Elders and to the Unlearned People*

At bSanhedrin 96a (4) R. Juda quotes the second part of Lv 19:32 on the honour which one owes to the elders. But in fact the rabbi restricted the general biblical pronouncement to the elder people that forgot their learning of the Torah:

Rby Iuda mandavit discipulis suis: Sitis muniti de honorando sene [cf. Lev. 19, 32] qui oblitus est Talmud vi senii.

The *Extractiones* explain the Talmudic מהמת אונסו (that possibly has to be translated as ‘involuntarily, through no fault of his [has forgotten]’)<sup>15</sup> adducing the usual involuntary cause to forget the Torah, that is, the old age: ‘qui oblitus est Talmud vi senii’.

The Latin text goes on with a statement which seems a bit clumsy:

15. Cf. Jastrow, *A Dictionary*, s.v.

et de filiis idiotarum – illiteratorum [gloss] –, quia forsitan de ipsis exhibunt aliqui qui fient magistri.

The correct wording might be understood as ‘et de (honorando) filiis idiotarum –illiteratorum...’.

Which are the *Extractiones*’ aims?

The text wants to be clear, it is brief and pedagogic and quotes only what seems meaningful. It is very difficult to see how any learned Jew (or Christian theologian) could ever blame Judaism because of this Gemara fragment. Do they want to tell the audience of the future trials (not the readers of the text) that the Talmudic doctrine comes sometimes from unlearned people, quoting this *as a kind of* proof? It seems clever to read the Latin fragment as a result of the ‘more lenient climate in the mid 1240s under Innocent IV’.<sup>16</sup>

#### 5.4. A Clock that Loses and Gains Depending on the Moral Standards of the People

Hezekiah, the king of Jerusalem, became mortally ill (bSan 96a [5]). But he obtained his health anew through a prayer. The Lord promises him to add fifteen years to his life (Is 38:1ff). In turn, the day his father, the wicked Ahaz, died, had only two hours, as is stated in the aggada:

Dies in quo mortuus est Ahaz non habuit nisi duas horas; et, quando Ezechias fuit curatus ab infirmitate sua, Sanctus, benedictus sit ipse, restituit illas decem horas, sicut scriptum est: ‘reversus est sol decem lineis per gradus per quos descenderat in horologio Ahaz’ (Is. 38, 8).

Which are the *Extractiones*’ aims?

It should be observed that the Talmudic Gemara has the wording in the first person: ...המעלות את צל המעלות, and so has it the biblical text (‘Behold, I will cause the shadow on the stairway, which has gone down with the sun on the stairway of Ahaz, to go back ten steps ...’, v. 8a). In both (*Extractiones* and Gemara), these are God’s words and it is also God’s action. The Latin translation mentions only v. 8b (and not v. 8a, i.e. the divine authorship) to show clearly that the whole case is nonsense or a ‘fabula’, as one can read at the top of the page in MS F<sub>9</sub>.<sup>17</sup> So the Latin translation seems to pursue a negative intention.

16. The statement goes back to Alexander Fidora (though he applies it to the sequential *Extractiones* in general, not to our fragment which is extant in MSS *P, Z, W, G, C* and *B*). Cf. Fidora, ‘Textual Rearrangement and Thwarted Intentions’, p. 67.

17. MS F<sub>9</sub>: p. 248. On the top of the page: ‘Totum hoc est de fabulis et esset scribendum’. At the beginning of the first column, next to a text relating to the Latin, but which is not in the translation: ‘totum hoc esset scribendum’.

### 5.5. *Israel Killed the Prophet Zechariah*

The Talmudic aggada at bSanhedrin 96b (1) expounds on Zechariah who suffered death at the hands of the Judean people at king's Yoash command (2 Ch 24:21-22).<sup>18</sup> As the prophet and priest Zechariah was dying, he said: 'May the Lord take notice and seek vengeance!'. The *sugya* that contains this aggada clearly wants to underline that the wicked may repent. In fact, says the Gemara, 'Nebuzaradan was a righteous proselyte'. And so says the ending of our fragment. But surely this is not at all what the *Extractiones* aim at. They are only interested in underlying that the Jews killed a prophet, even more, that the Jews of all times kill the prophets. Whence the malicious changes they added to the Gemara:

5.5.1 'Dixit magistris'. The Gemara has only 'said to them (the priests)'. The Jewish Talmud law *teachers* were the only ones known in the days of the *Extractiones* and not the priests. The Latin translation maliciously wants to accuse the whole Jewish learned people of every time.

5.5.2 'Sanguinis sacrificii', which is a more *ad rem* translation than that of the Gemara (*blood of the sacrifices*). The translators into Latin more clearly underline the crime.

5.5.3 'Pontifex et propheta fuit'. The term 'pontifex', and not 'priest' (כֹּהֵן, Gemara), has been chosen so as to magnify the monstrosity of the crime.

5.5.4 'Qui arguebat nos', instead of 'prophesied to Israel about the destruction of Jerusalem' (Gemara), makes more evident the prophetic arguments against the Jewish people of then and now (the days of the *Extractiones*).

5.5.5 'And they killed him' (Gemara). To inculpate the Jews of their own time the *Extractiones* translate 'we killed him'.

5.5.6 'Israhel, qui non perdidit nisi unam animam [...]'. 'Israhel' comes from a mean-spirited Latin translation. The Gemara speaks only about those who killed Zechariah.

### 5.6. *May the Wicked Be under God's Protection?*

De filiis filiorum Nahaman, Nabuzardani, Sisarae, Sennacherib et Aman fuerunt magistri – Talmud –. Et etiam de filiis filiorum illius impii – Nabuchodonosor – voluit Deus facere intrare sub alas suas. Dixerunt angeli ministerii coram Sancto,

18. See the Appendix below.

benedictus sit ipse: Domine saeculi, illius qui destruxit domum tuam et combussit palatium tuum vis filios ponere sub alis tuis? Hoc est quod scriptum est: ‘curavimus Babylonem et non est curata’ (Jer. 51, 9). Hula dicit: Hoc fuit Nabuchodonosor. Rby Samuhel dicit quod fuerunt flumina Babylonis – cantantia destructionem Hierusalem – [bSan 96b (2)].

The *Extractiones* skip between ‘Nahaman’ and ‘illius impii’ the different kinds of conversion (גר תושב and גר צדק), the places where the offspring of Naaman, Nabuzardan etc. have learned or taught the Torah<sup>19</sup> and the great names of Sennacherib’s descendants, Shemayah and Avtalyon. On the other hand, the *Extractiones* specify who is ‘that wicked man’ (Gemara), namely Sennacherib. This they clearly do in order to obtain a more simple and understandable story, a more pedagogic one. The same conclusion applies to the changes that occur between ‘under the wings of the Divine Presence, שכינה’ (Gemara) and ‘sub alis tuis’. The ‘rivers (*flumina Babylonis*)’ ‘as referring to the Babylonian palms’ (Gemara) are also deleted in the *Extractiones*. As it stands now, R. Samuel’s remarks have to be understood in the same basic way as the statement of R. Hula: Babylon ‘non est curata’. Then the meaning of the *Extractiones* may be summarized as follows: ‘Hoc est quod scriptum est: “curavimus Babylonem et non est curata” (Jr 51:9). Hula dicit: Hoc fuit Nabuchodonosor’. (The text runs as in the Gemara). Hula’s probable meaning being: in spite of the precedent Gemara, Nabuchodonosor was not completely cured. R. Samuel applies the same biblical text not to Nabuchodonosor but to the rivers of Babylon that behaved very badly when Jerusalem was conquered. The advantage of the latter pronouncement is that it is not in direct contradiction with what is said in the precedent Gemara.<sup>20</sup> In fact, Rashi’s commentary *ad locum* expands also on the Babylonian rivers and palm-trees’ bitterness or fruitlessness. R. Samuel does not speak of Nabuchodonosor but underlines the moral misconduct of the Babylonians (= the rivers) in the Jewish exile: in spite of tokens of solidarity they were jumping for joy, ‘flumina Babylonis cantantia destructionem Hierusalem’, a clear reference to Ps 137.

Which are the aims of the *Extractiones*?

The *Extractiones* do not seem to underline that the great masters of the Talmud are the descendants of the worst people. Or is this precisely their aim? At least this is not clearly stated. So it seems difficult to see in the Latin text any malicious reference to the Jewish people or to the Talmudic masters. Perhaps the present text of San 96b (2) belongs to the ‘more lenient climate in the mid 1240s under Innocent IV’.

19. Jerome Schottenstein (*Sanhedrin*) translates: ‘the descendants of Sisera taught Torah’, but vocalizes *lamdu*=learned.

20. According to some modern Talmud experts, one of the main aims of the Stammaim was to avoid the contradictions of a *sugya*.

### 5.7. *Ammon and Moab, the Evil Neighbours of Jerusalem*

Ammon and Moab, the wicked neighbours of the holy city, sent seven letters to king Nabuchodonosor asking him to come and conquer Jerusalem (bSan 96b [3]).<sup>21</sup> In the fourth request they want to assure the king that the Lord will not come back soon, because He has taken on his travel enough money for a long absence: “saccum pecuniae secum tulit” [Pr 7:20] et iusti sunt argentum’. Rashi *ad locum* applies the phrase to the righteous who have died. And so probably does the Latin translation. The biblical proof for ‘iusti sunt argentum’ is taken from the metaphor of Hosea 3:2 (‘et fodi eam mihi quindecim argenteis’) as a reference to the deliverance of Israel (the unfaithful wife) from Egypt through the merits of the righteous ones (among the Jews) who are described as *silver* (Schottenstein’s note). ‘Quindecim argenteis’ is seen as an allusion to the acquisition of her – the wife, Israel – on the fifteenth of Nissan.<sup>22</sup> The authors of the *Extractiones* do not develop such a high and complicated theology. They seem here also more pedagogic, even if they retain the idea of acquisition of the unfaithful wife by God through the merits of the righteous: ‘et fodi eam mihi quindecim argenteis’ (Hos 3:2).

In their fifth request, Ammon and Moab want to guarantee that He will only come back at the appointed time: ‘Posuit eis terminum, sicut scriptum est: “in die plenae lunae reversurus”’, Pr 7:20. The Latin translation deletes בְּיָתוֹ (ל) = ‘to his house’ (Gemara) as unnecessary. But it is more difficult to explain why it keeps the next biblical phrase (‘bucinate in neomenia tuba in insigni die sollemnitatis vestrae’, Ps 80:4, which does not offer anything new (not so in the Gemara where the quotation proves the meaning of כֶּסֶף, *plenae lunae*, which appears in Pr and Ps 80 (81), *neomenia*).

Which are the *Extractiones*’ aims?

As before, the authors of the *Extractiones* are more pedagogic in their translation than the original Gemara. But their real aim is difficult to understand. Perhaps they want to say that there were only (!) fifteen Jewish righteous who merited the main salvation act of God, the Exodus. Be that as it may, it is not made clear in the *Extractiones*. In fact, MSS *P* and *Z* of the *Extractiones* in a marginal note see the whole text as a ‘fabula’, i.e. something which is difficult to believe: seven (!) letters to the great king Nabuchodonosor.

21. See again the Appendix.

22. Cf. Hul 92a.

### 5.8. *The Messiah Is Named bar Nafli, i.e. the Son of the Fallen Kingdom of David*

The main subject of all Jewish-Christian controversies is the Messiah. Has the Messiah already come? When will he come? In San 96b (4) – 97a (1), we find a dialogue between R. Nahman and R. Yiṣḥaq on the coming of the Messiah. The pivotal question is the meaning of the expression ‘filius cadens’ which is the name supposedly given to the Messiah in Am 9:11: ‘in die illo suscitabo tabernaculum David *quod cecidit*’. According to R. Nahman, the prophecy refers to the fallen dynastic kingdom of David. R. Yiṣḥaq, who seems to be reporting the words of R. Yoḥanan, interprets metaphorically the biblical quotation as impoverishment of the Talmudic training in the midst of all kinds of calamities:

minorabuntur sapientes magistri et remanentium finient oculi in tristitia et suspirio et angustiae magnae et mala fata renovabuntur: antequam prima finiantur alia festinabunt venire.

The Gemara adds to the decrease of scholars: ‘And for the rest of the people [...] harsh decrees will be constantly appearing anew, גזרות קשות מתחדשות’. The *Extractiones* skip (as unnecessary) ‘for the rest of the people’ and translate גזרות קשות מתחדשות as ‘mala fata renovabuntur’. Perhaps the Latin translators did not want to refer to the persecutions by Christian kingdoms so common in their days.

Which are the *Extractiones*’ aims?

Possibly the Latin translators wanted to show that the Messiah had already come because all these troubles are part of the everyday experience of the contemporary Jews. Of course, this could really be upheld in the controversies. Though the same events could be taken as meaning quite the opposite: all these calamities are not yet totally present, the *heble ha-mašiah* (the messianic sufferings preceding the son of David and announcing the end of the world) are still only a hope, and so is the Messiah. If our literary analysis is not wrong, we might have here another sample of the ‘more lenient climate in the mid 1240s under Innocent IV’, as in our reading of bSanhedrin 96a (4) and 96b (2).

### 5.9. *The Seven-Year Cycle Preceding the Messiah’s Arrival*

The *Extractiones* (bSan 97a [2]) describe what will happen to the world in a cycle of six thousand years. In the first year and in the second there will be famine in some areas (and so also in the fourth year). In the third year ‘morientur viri et mulieres et iusti et homines operum – virtutum –’. ‘Justi’ is not the translation of טף (children). Probably, the translators had another Gemara that did not contain טף, and so ‘justi’ has to be taken as a correct translation of הטידים (Gemara). Next, אנשי מעשה is translated as ‘homines operum’, a Semitism which is difficult to understand in Latin,

whence the gloss ‘virtutum’. In the fifth year ‘saturitas magna et lex revertetur ad discentes’. After ‘saturitas magna’ the Gemara adds: ‘and (people) will eat and drink and rejoice’. This was considered unnecessary by the Latin translators. So the Latin scene becomes more sorrowful. In the sixth year ‘exibunt voces – glossa Salomonis: quia dicetur: Filius David venit, filius David venit –’. This is a literal translation of the Gemara. The gloss adds Rashi’s exegesis: ‘there will be voices that the son of David comes’. The gloss wants to make the text clearer. In the seventh year ‘proelia – glossa Salomonis: inter Israhel et gentes saeculi –’. In fact, Rashi says: ‘between idolatrous nations and Israel’. The *Extractiones* changed ‘idolatrous nations’ into ‘gentes saeculi’, which sounds much better to Christian ears. The fragment ends by announcing when the Messiah will come: ‘In the aftermath of the seventh (year) the son of David will come’.

Which are the *Extractiones*’ aims?

Again, the translators want to offer a clearer text, which is more pedagogic. The gloss takes the idea (not the wording) from Rashi. He in fact explains ‘proelia’ (*milhamot*) as wars ‘between the idolatrous nations and Israel’. The gloss of the *Extractiones* seems to soften Rashi’s wording: ‘[proelia] inter Israhel et gentes saeculi’. If the translators had kept ‘[wars] between the idolatrous nations and the Jews’, they could have argued: see how the Talmud mocks the Christian nations: ‘idolatrous nations’. It is true that we are talking only of a gloss, but one may ask why the translators did not take advantage of Rashi’s pronouncement (as they did in other fragments). Perhaps we have here another sample of a ‘more lenient climate’ of the sequential *Extractiones* (similarly in bSan 96b [4] – 97a [1] and elsewhere).

### 5.10. *When the Synagogue or the bet midrash Is Used for Licentiousness*

The fragment (bSan 97a [3]) is a *baraita*, an old tannaitic piece transmitted orally that was eventually put into writing by the Amoraim or the Stammaim. The *baraitot* often contain biblical exegesis, in our case we have only Is 59:15, understood as a messianic statement. In fact, any of the following verses (vv. 16-20) could be taken as messianic, especially v. 20: וּבֵא לִצִּיּוֹן גּוֹאֵל, ‘and a redeemer will come to Zion’. Yet, the tannaitic tradition chose v. 15, probably because of the general messianic context of the chapter. The Latin translators took the wording of the quotation from the Vulgata, ‘facta est veritas in oblivionem et qui recessit a malo praedae patuit’, but understood the terms as they sound in the Gemara/Hebrew biblical text: וּסְרַ מֵרַע מִשְׁתּוּלֵל, ‘hoc est quicumque recedet a malo deridebitur a creaturis’. The quotation fits very well the *baraita* which has at its very beginning: ‘in tempore quo filius David veniet erunt domus placitorum meretricum<sup>23</sup> – glossa: ubi docebatur lex erunt meretrices’, i.e. the place where the Talmudic truth is to be taught has become a house of licen-

23. MS Z offers ‘meretricium’.

tiousness. ‘Placitorum’ comes from ‘placitum’ and is understood as: there ‘will be houses of (carnal) pleasures, of prostitutes’. However, the translation does not run fluidly, whence the appearance of the gloss ‘ubi docebatur lex erunt meretrices’. The Gemara reads: בית הוועד יהיה לזנות, ‘the meeting place (the *bet ha-midrash* or the synagogue) will be used for licentiousness’. Then the righteous will have to wander from one place to another: ‘iusti ibunt de villa in villam nec aliquis miserabitur illorum’. In the Gemara the subject of the sentence is ‘and the men of the frontier will wander [...]’ The Latin ‘iusti’ probably goes back to Rashi. The picture of the persecuted righteous grows somber in ‘sanguis scribarum fetebit’. The Gemara says: ‘The wisdom of scholars will decay, תסרה (or putrify or become vapid)’. It is difficult to see why the Latin translators have chosen ‘the scholars’ blood’ instead of ‘the wisdom of scholars’. Probably this is a misreading or the translators wanted to dramatize the story.

After the description of the persecuted Jews, appears the pursuers’ identity card: ‘et facies generationis illius quasi facies canum’ (mSot 9:15). The translators speak in general terms, the reference being purposely to the whole ‘generation’, not directly to Christian pursuers. The ‘faces of dogs’ have been differently interpreted in the Jewish Talmudic tradition: to act like a dog, with no shame or to act brazenly.<sup>24</sup>

Which are the *Extractiones*’ aims?

Probably behind this Latin translation one might see the Jewish circumstances in the exile, although a bit dramatized. And so our fragment is probably another sample of the more lenient ambience of the sequential *Extractiones* (cf. our analysis on bSan 96a [4]; bSan 96b [2]; bSan 96b [4] – 97a [1]; bSan 97a [2]).

### 5.11. *Living in a City Named Kushta, ‘Truth’*

The parable (bSan 97a[4]) tells a story about men who spoke only the truth in a city called ‘truth’, קושטא. So the Gemara digresses in order to report an aggada which apparently has nothing to do with the messianic hopes we were talking about. Yet, it has to be observed that the absence of ‘the truth’, האמת, was one of the main signs of the coming of the Messiah in the last fragment. However, in our previous fragment the truth was God’s revelation, while at present the matter is simply not to change the truth in the speech, not to lie. This is what R. Tivioni promises: he would never lie (‘even if they would give him all the riches in the world’)<sup>25</sup> because of what happened to him: ‘Once he visited a certain town named Kushta (Truth) whose inhabitants would not tell a lie’. In such a case the people merit to retain all

24. Schottenstein in his note ad loc. quotes in this sense bBes 25b, though there Simeon b. Lakish is talking about the strength of Israel among the nations and about the dog’s strength: שלוש עוין הוּן (כלב בחיית).

25. ‘Si daretur ei tota concavitas mundi, non mutaret se a verbo suo’ is a literal translation of הוּן יְהִי לִיהּ כֹּל חַלְלֵי דְעֻלְמָא כל חללי דעלמא.

the years that have been predetermined for them, at birth, by God. They kept their word. So God kept His own:<sup>26</sup> no one died before his day in Kushta. R. Tivioni took a woman from that city as his wife and had two sons from her. One day, while his wife was shampooing her hair, her neighbour came and knocked on the door. The rabbi who thought that it would be improper to say what his wife was doing told the neighbour that she was not there. ‘And immediately his two sons died’. The people of the place came and asked what was going on. R. Tivioni told them what happened. Then the inhabitants of the city urged R. Tivioni’s family to leave the city and go away.

Which are the *Extractiones*’ aims?

The aim may be to show the cruelty of the punishment: the ‘lie’ being simply because of the embarrassment (when it is correct to lie), the story could be taken as a cruelty not warranted. The story could be seen by the Latin translators also as a ‘fabula’, as is stated in the margins of MSS *P* and *Z*.

### 5.12. *When the Messiah Will Come, the World Will Be Purified*

R. Nehoray interprets mSota 9:15 (bSan 97a [5]) on the absence of respect towards the elders of the family as a sign of the messianic times. Curiously, at the end of the quotation we read: ‘a son is not ashamed before his father’ (Mishnah and Gemara), but the *Extractiones* seem to read in their Talmudic copy ‘nec filius erubescet matrem’. Then comes another expounding of the messianic times which in the original is attributed to R. Nehemiah: the messianic days will be of increasing presumption and dearth; the whole world ‘will turn to be unbelieving’ (‘convertetur ad infidelitatem de Talmud’), while the Gemara has ‘the entire Kingdom<sup>27</sup> will turn to heresy, *minut*’, which could be understood as a direct reference to the Christian kingdom, because often (though not always) *minim/minut* means Christian heresy in the old Jewish writings. Probably the translators want to avoid a direct confrontation with the Christian faith.

Next we find R. Isaac’s dictum which gives the same meaning to the quotation of the Mishnah. The biblical proof which follows in the original Gemara comes from the mouth of Rabba – and not from R. Isaac as in the *Extractiones* –: ‘teneri lepra mundissima iudicabit eo quod omnis in candorem versa sit’ (Lev 13:13). We do not know where the Latin translators took their text from. But the meaning of the biblical/Talmudic quotation is clear enough: ‘it is all turned white, he is clean’. When all have turned heretics, it is a sign that the world is about to be purified by the coming of the Messiah.<sup>28</sup>

26. Schottenstein’s note.

27. The Mishnah (Sot 9:15) has: ...המלכות.

28. So in the English translation of the *Babylonian Talmud* by Jacob Neusner.

Which are the *Extractiones*' aims?

The *Extractiones* do not want to issue a harsh pronouncement against the Christian kingdom, if our reading of the text is correct. They speak only against heresy in general. Probably this has again to do with the 'more lenient climate' of the sequential *Extractiones* we have found before.<sup>29</sup>

### 5.13. *The Desperation of Salvation Is the Grave Sin of the Jews*

The *Extractiones* (bSan 97a [6]) begin with a biblical quotation ('iudicabit Dominus populum suum et in servis suis consolabitur videbitque infirmata sit manus etc.' Dt 32:36)', which does not seem to be taken from the Vulgata.<sup>30</sup> The Gemara, as usual, gives only the beginning of the verse, כִּי יִדִין ה' עַמּוֹ. For pedagogic reasons the authors of the *Extractiones* write out the whole biblical text that suits them. But they do not translate directly from the Hebrew, otherwise they would not have avoided the biblical כִּי (*because*): the Messiah will come when (or *because*) – כִּי – the Almighty God will see that the hand is going (or 'the hands [of the people] will go [empty]', Rashi).<sup>31</sup> If we compare the Gemara text with the wording of the *Extractiones*, we realize that they differ considerably. The Gemara says: 'the son of David will not come until the informers have become numerous', which is left out by the *Extractiones*. The Schottenstein edition in note 44 speaks of a common Jewish interpretation of the biblical אֲזַלְתָּ יָד as 'the power is going up' (i.e. it is growing) and it refers to those who inform against the Jews to foreign authorities. When these informers become too successful, God will bring the redemption (Rashi). But the *Extractiones* do not seem to me to be using at all אֲזַלְתָּ יָד, 'infirmata sit manus'. Also, the *Extractiones* add to the Gemara: 'et *myinin* – increduli in Talmud – multiplicabuntur'.<sup>32</sup> Here again they interpret *minim* as a general term, at least so does the gloss ('increduli in Talmud').

The *Extractiones* end by quoting R. Zera's dictum: 'quando inveniebat magistros qui orabant pro Messia, dicebat eis: Rogo vos quod non adfligatis vos'. 'Qui orabant pro messia', instead of 'dealing with it, דַּמְעַסְקֵי בֵיה, (the messianic timing)', is also a pedagogic addition. 'Quod non adfligatis vos' stands for 'not to delay (the coming of the Messiah)' (Gemara).

Which are the *Extractiones*' aims?

'Et desperabunt de redemptione [...] istud est contra Deum'. The last statement is

29. bSan 96a (4); 96b (2); 96b (4); 97a (1); 97a (3).

30. The MSS *F9*, *G*, *C* and *Z* offer 'videbit quod', more correct.

31. Note 46 of the ed. of the Talmud Bavli by Schottenstein.

32. 'Et pictavina deficiet'. The rendering of the lowest Talmudic denomination for money, a coin, *pruṭah*, by 'pictavina' (a small coin: *parva pictavina* already used in Poitiers in the tenth century) is a pedagogic adaptation of the translators to their own times.

found only in the Latin translation. The *Extractiones* render literally the preceding pronouncement of the Gemara, ‘et desperabunt de redemptione (איתיישו מן הגאולה)’: the desperation of salvation is a grave sin against the Almighty God. So they can blame Talmudic Judaism, ‘istud est contra Deum’. They do not want to pay attention to the plain context of the Gemara: the Messiah will come when the Jews will lose their confidence in the (imminent) messianic redemption (גאולה).

#### 5.14. Dating the End of the World

The *Extractiones* (bSan 97a [7]) begin by quoting Is 2:11. The biblical context of Is 2:11 suits perfectly the matter that has been treated till now in the Gemara: the entire world will turn to heresy. Is 2:8s says that the world turned to idolatry. In Is 2:11 we see that then ‘exaltabitur Dominus solus in die illa’. The Gemara (and *Extractiones*) tries to propose a date for this day: ‘For six thousand years the world will exist’ and then “‘exaltabitur Dominus solus in die illa’ [Is 2,11] – hoc est in septimo millenario nullus erit nisi Deus –’. The Latin seems to translate the Isaian text from the Gemara (or from the Hebrew biblical text). The glosses are meant to explain the text: but the second one seems to go even a bit further: it *will exist only Almighty God*, which is not necessarily what the Gemara wants to convey (with the Hebrew Bible). Both could be understood perfectly as: *God alone will be exalted on that day*.

Which are the *Extractiones*’ aims?

The *Extractiones* do not seem to be interested in the distinction between the different verbs conveyed by the Gemara (to be destroyed and to cease): ‘the world will be destroyed – הרוב – for one thousand years’. Another opinion: ‘[...] will be destroyed – הרוב – for two thousand years’ (R. Katina and R. Abaye). And in the *baraita* we read that one year out of seven years the world will cease of any activity, ‘requiescet’, משמט, as it suits a ‘sabbatical year’ (‘sabbatical millennium that causes cessation), משמטת. The ‘proof’ is taken from Is 2:11, ‘et exaltabitur Dominus solus in die illa’, because *dies illa* is ‘dies sabbati’ (Ps 91:1 = 92:1 of the Hebrew Bible): ‘Hoc est in die quae tota est sabbatum – id est in septimo millenario –’. The *Extractiones* (and the Gemara) want to finish with the quotation of Ps 89:4 (90:4): ‘because in your eyes a thousand years are like yesterday’; i.e. *that* day means a thousand years. Curiously, the Latin translators kept the intricate rabbinic argument.

Thus, the end of the world is understood in two different ways in the *Extractiones* and in the Gemara: as a destroyed or as a desolate world. In any case, this does not help us to understand the actual aims of the *Extractiones*. Perhaps its authors wanted to earmark the whole fragment as a ‘stultitia’, as it is written in the margin of MS Z. How then should we understand the *Extractiones*’ ‘stultitia’? Is our fragment of the *Extractiones* so labeled because of their disdain for any kind of speculation about the end of the world? Is the marginal note pointing to Joachim of Fiore’s eschatological prophecies?

## 6. Conclusion

In the literary analysis of the sequential *Extractiones* from bSanhedrin one can also observe many small differences between the Latin translation and the extant editions of the Vulgata, like the addition of ‘enim’ or ‘contra’ instead of ‘adversum’ (e.g. at bSan 97a [5]) and so on. However, they do not seem to be meaningful for our purpose. Likewise, our analysis has not paid attention to the names of the rabbis who handed down the oral tannaitic traditions (the *Extractiones* themselves avoided them several times). They do not seem to me to be meaningful at all.

What can be said about the main issue of our study, the aims of the *Extractiones*? First, not all the fragments are hostile. They are not hostile at least in bSanhedrin 96a (4), 96b (2), 96b (4) – 97a (1), 97a (2), 97a (3), 97a (5). The only ones which can definitely be called unfriendly are: bSanhedrin 96a (5) and 96b (1), the last one being particularly opposed and most malicious. The following fragments seem doubtful: bSanhedrin 96a (2), 96a (3), 96b (2), 96b (3), 97a (4), 97a (7). So it has to be underlined that almost half of the fragments (six of fourteen) are not hostile. Both the unfriendly ones and those which I call doubtful, suit perfectly the years after the death of Gregory IX (1241), when pope Innocent IV showed in his letters more understanding for the Jews in spite of his condemnation of the Talmud (May 1244). In any case, the fragments our *Extractiones* do not seem to be written uniformly with the same intention behind every extract.

### Appendix: The Latin Text of bSanhedrin 96a-97a<sup>33</sup>

San 96a (1) Commuta te in quo adfer forcipes et tonde te. Ubi accipiam? Dixit ei Deus: Intra in domum illam et adfer. Ivit et invenit angelos ministerii et visi sunt ei quasi homines qui molebant nucleos et ait illis: Tradite mihi forcipes. Qui dixerunt ei: Mole nobis sextarium istorum nucleorum et quaeremus tibi. Interim, dum moratus est, venit nox. Et ait illis: Date mihi ignem. Abiit unus et adtulit. Dum sufflavit posuit angelus ignem in barba ipsius. Tunc totondit ei caput et hoc est quod scriptum est: ‘et barbam universam’ (Is. 7, 20). Dicit rab Papa: Hoc est quod homines dicunt: Frica goy et placet ei; pone ignem in barba eius, nondum saturatus eris derisione illius. Abiit ergo Sennacherib et invenit asserem de archa Noe et ait: Hic est magnus Deus qui evadere fecit Noe de diluvio. Dixitque Sennacherib: Si prosperatus fuero quo ego vado, offeram coram te duos filios meos. Audierunt hoc filii sui et interfecerunt eum et hoc quod scriptum est: ‘Adramelech et Sarasar filii sui occiderunt eum’ (IV Reg. 19, 37).

33. For the full text with all its variant readings, see the edition *Extractiones de Talmud per ordinem sequentialem*, pp. 350-356. I thank the editors for having shared their text with me.

San 96a (2) ‘Divisis sociis, inruit super eos nocte’ (Gen. 14, 15). Dicit rby Iohannen: Angelus qui missus est Abrahae vocatus est Nox. Rby Isaac dicit: Factum fuit Abrahae opus noctis, sicut scriptum est: ‘de caelo dimicatum est contra eos, stellae manentes in cursu et in ordine suo contra Sisaram pugnaverunt’ (Iud. 5, 20) – glossa: sicut stellae pugnaverunt pro Barac, ita pro Abraham contra reges –.

San 96a (3) ‘Persecutus est eos usque Dan’ (Gen. 14, 14). Dicit rby Iohannen: Quando Abraham venit ad Dan, debilitata fuit virtus eius. Vidit enim quod filii filiorum suorum servituri erant in Dan idolatriae, unde scriptum est: ‘posuit unum in Dan et alium in Bethel’ (III Reg. 12, 29 – s. hebr. –). Similiter ille impius – Sennacherib – non habuit vires donec venit in Dan, sicut scriptum est: ‘a Dan auditus est fremitus equorum eius’ (Ier. 8, 16).

San 96a (4) Rby Iuda mandavit discipulis suis: Sitis muniti de honorando sene qui oblitus est Talmud vi senii et de filiis idiotarum – inlitteratorum –, quia forsitan de ipsis exhibunt aliqui qui fient magistri.

San 96a (5) Dies in qua mortuus est Ahaz non habuit nisi duas horas, et, quando Ezechias fuit curatus ab infirmitate sua, Sanctus, benedictus sit ipse, restituit illas decem horas, sicut scriptum est: ‘reversus est sol decem lineis per gradus per quos descenderat’ (Is. 38, 8) in horologio Ahaz.

San 96b (1) Quando Nabuzardan combussit templum et vidit sanguinem Zachariae qui bulliebat dixit magistris: Quid est hoc? Responderunt: Hic est sanguis sacrificii qui effusus est. Et ait illis: Dicite verum, si non, pectinabo carnes vestras pectine ferreo! Et dixerunt: Pontifex et propheta fuit, qui arguebat nos et occidimus eum et ab illa hora non requievit. Dixitque eis: Pacificabo illum. Fecit itaque adduci magistros et occidit omnes, nec propter hoc quievit sanguis. Dixit eis iterum: Ego pacificabo eum. Et fecit venire de pueris scholarum magistrorum et occidit de illis nonagesies et quater decem milia. Nec propter hoc quievit. Tunc appropriavit ad ipsum et ait illi: Zaccharia, Zaccharia, meliores de eis occidi. Vis quod interficiam omnes? Continuo quievit. In illa hora cogitavit paenitentiam in corde suo et dixit: Quid? Israhel, qui non perdidit nisi unam animam – ita punitur, supple –. Iste homo, qui omnes hos, quid erit de ipso? Fugit et scripsit cartam et posuit in domo sua factusque est iudaeus.

San 96b (2) De filiis filiorum Nahaman, Nabuzardani, Sisarae, Sennacherib et Aman fuerunt magistri – Talmud –. Et etiam de filiis filiorum illius impii – Nabuchodonosor – voluit Deus facere intrare sub alas suas. Dixerunt angeli ministerii coram Sancto, benedictus sit ipse: Domine saeculi, illius qui destruxit domum tuam et combussit palatium tuum vis filios ponere sub alis tuis? Hoc est quod scriptum est: ‘curavimus Babylonem et non est curata’ (Ier. 51, 9). Hula dicit: Hoc fuit Nabuchodonosor. Rby Samuhel dicit quod fuerunt flumina Babylonis – cantantia destructionem Hierusalem –.

San 96b (3) Dicit Hula: Amon et Moab mali vicini fuerunt Hierusalem. Quando audierunt prophetas prophetantes destructionem Hierusalem, mandaverunt Nabuchodonosor: Exi et veni. Mandavitque eis: Timeo ne faciant mihi sicut primis – Sennacherib et aliis –. Et responderunt: ‘non est vir in domo sua’ (Prov. 7, 19): et Deus dicitur ‘vir’, quia scriptum est: ‘Dominus quasi vir pugnator’ (Ex. 15, 3). Et rescripsit: Prope est et redibit. Responderunt: ‘abiit via longissima’ (Prov. 7, 19). Et iterum rescripsit: Sunt ibi iusti qui rogabunt et facient eum venire. Remandaverunt: ‘sacculum pecuniae secum tulit’ (Prov. 7, 20); et iusti sunt argentum, sicut scriptum est: ‘et fodi eam mihi quindecim argenteis’ (Os. 3, 2). Et iterum rescripsit: Paenitebunt et adducent eum. Et remandaverunt: Posuit eis terminum, sicut scriptum est: ‘in die plenae lunae reversurus’ (Prov. 7, 20). Et iterum: ‘bucinate in neomenia tuba in insigni die sollemnitatis vestrae’ (Ps. 80, 4). Et mandavit eis: Hiems est, nec possum venire propter nivem et pluviam. Rescripserunt: Veni per rupes montium, quia scriptum est: ‘emitte agnum, Domine, dominatorem terrae de Petra deserti ad montem filiae Sion’ (Is. 16, 1). Et remandavit: Si venirem, non est ibi locus in quo possem habitare. Et mandaverunt ei: Melius valent sepulchra eorum quam aulae tuae, sicut scriptum est: ‘in tempore illo ait Dominus: eicient ossa regum’ – etc. usque ibi: – ‘super faciem terrae erunt’ (Ier. 8, 1-2). – Tunc venit Nabuchodonosor super Hierusalem –.

#### De Messia

San 96b (4) Dixit rab Nahaman ad rby Isaac: Audisti quando filius cadens veniet? Et respondit: Quis est filius cadens? Qui ait: Messias. Messiam vocas filium cadentem? Ait illi: Etiam vere, sicut scriptum est: ‘in die illo suscitabo

San 97a (1) tabernaculum David quod cecidit’ (Am. 9, 11). Et dixit ei: Ita dicit rby Iohannen: In tempore in quo veniet Messias minorabuntur sapientes magistri et remanentium finient oculi in tristitia et suspirio et angustiae magnae et mala fata renovabuntur: antequam prima finiantur alia festinabunt venire

San 97a (2) Dicunt magistri: In primo anno hebdomadae in qua filius David veniet – Messias – verificabitur illa auctoritas: ‘pluam super unam civitatem et super alteram non pluam’ (Am. 4, 7 – s. hebr. –). In secundo anno mittentur sagittae famis. In tertio fames magna et morientur viri et mulieres et iusti et homines operum – virtutum – et lex tradetur oblivioni. In quarto saturitas et non saturitas. In quinto saturitas magna et lex revertetur ad discentes. In sexto exhibunt voces – glossa Salomonis: quia dicetur: Filius David venit, filius David venit –. In septimo proelia – glossa Salomonis: inter Israhel et gentes saeculi –. In exitu septimi veniet filius David.

San 97a (3) In tempore quo filius David veniet erunt domus placitorum meretricum – glossa: ubi docebatur lex erunt meretrices –. Iusti ibunt de villa in villam nec aliquis miserabitur illorum. Sanguis scribarum fetebit. Timentes peccatum abhorrebuntur et facies generationis illius quasi facies canum et veritas deficiet, sicut

scriptum est: ‘facta est veritas in oblivionem et qui recessit a malo praedae patuit’ (Is. 59, 15). Hoc est quicumque recedet a malo deridebitur a creaturis.

San 97a (4) Dicit Ravena: Ante dicebam quod non erat veritas in saeculo. Dixit mihi unus magistrorum qui vocabatur rab Tivioni quod, si daretur ei tota concavitas mundi, non mutaret se a verbo suo, retulitque mihi: Quidam vice hospitatus sum in quodam loco qui vocabatur ‘veritas’ et non mutabant ibi verba sua nec moriebatur ibi aliquis nisi in termino suo; et accepi uxorem ex eis fueruntque mihi duo filii ex illa. Una die sedit illa et lavabat caput suum, venit vicina eius et pulsavit ad ostium et ego dixi: Non est hic. Et statim mortui sunt duo filii mei. Venerunt homines istius loci coram me et dixerunt mihi: Quid est hoc? Respondi: Ita accidit. Et dixerunt mihi: Precibus rogamus te, exi de loco nostro ne mors impugnet nos sicut istos.

San 97a (5) Dicit rby Nahoray: Tempore quo filius David veniet, pueri facient verecundiam senibus et senes adsurgent pueris et filia consurget adversus matrem suam et nurus contra socrum suam et facies illius generationis sicut facies canis nec filius erubescet matrem. Nequitia crescet et simplicitas corruet. Vineam dabit fructum et vinum carum erit et totus mundus convertetur ad infidelitatem de Talmud – quia non credetur Talmud –. Et similiter dicit rby Isaac quod Messias non veniet, donec totus mundus conversus sit ad infidelitatem, sicut scriptum est: ‘teneri lepra mundissima iudicabit eo quod omnis in candorem versa sit’ (Lev. 13, 13) – hoc est: quando nullus credet in Talmud, tunc mundabuntur per Messiam –.

San 97a (6) Dicunt magistri: Scriptum est: ‘iudicabit Dominus populum suum et in servis suis consolabitur videbit quod infirmata sit manus’ etc. (Deut. 32, 36). Hoc est quia magistri Talmud minuentur et mynin – increduli in Talmud – multiplicabuntur et pictavina deficiet et desperabunt de redemptione et deficient domini et auxiliarii. Istud est contra Deum. Non habebit Israhel adiuvantem aut fulcientem. Sed rby Zera, quando inveniebat magistros qui orabant pro Messia, dicebat eis: Rogo vos quod non adfligatis vos. Legimus enim quod tria ventura sunt in hoc saeculo ex improvise, et ista sunt: Messias, inventio et morsus serpentis.

San 97a (7) Dicit rab Katina: Sex milibus annorum durabit mundus et unus – scilicet septimus millenarius – destruetur, sicut scriptum est: ‘et exaltabitur Dominus solus in die illa’ (Is. 2, 11) – hoc est: in septimo millenario nullus erit nisi Deus –. Dicit Abaie quod duplex millenarius destruetur, sicut scriptum est: ‘vivificabit nos post duos dies et die tertia suscitabit nos et vivemus in conspectu eius’ (Os. 6, 3). Legimus quod sicut requiescit unus annus de septem, ita mundus requiescet in septimo millenario, sicut scriptum est: ‘et exaltabitur Dominus solus in die illa’ (Is. 2, 11); et iterum: ‘psalmus cantici in die sabbati’ (Ps. 91, 1), hoc est, in die quae tota est sabbatum – id est in septimo millenario –, et hoc est quod scriptum est: ‘mille anni ante oculos tuos tamquam dies hesternae quae praeteriit’ (Ps. 89, 4).

San 97a (8) Discimus a domo Heliae prophetae quod sex milibus annorum du-

rabit mundus: duobus milibus in vanitate – sine lege –, duobus milibus sub lege et duobus milibus in diebus Messiae.

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## The Latin Talmud and *Liber Krúbot*: The Religious Hymns of Benjamin bar Samuel in MS Paris BNF Lat. 16558 \*

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The study of translation activities from Hebrew and Aramaic into Latin during the thirteenth century, by means of which parts of the Babylonian Talmud (predominantly known as *Extractiones de Talmud*) became available for Christian readership, leads to a reconsideration of medieval Christian-Jewish relations from a historical and theological perspective.<sup>1</sup> One outstanding corpus of Talmudic citations is extant in a manuscript at the Bibliothèque nationale de France, MS Lat. 16558, with the unique insertion of Latin excerpts from Hebrew hymns under the heading *De Libro Krúbot*. This exceptional title is not without reason: what follows is a series of texts extending to six folios reflecting parts and pieces from Hebrew prayers and poems which must have been within reach of the translator(s)/copyist(s) as a suggested complete source with the name *Liber Krúbot*, *Book of Hymns*. In this essay we shall discuss what the designation of hymns as *Krúbot* actually means.

In the field of medieval Jewish hymnology there are hardly any instances of Hebrew compositions translated into other languages. This has much to do with the original goal of creating Hebrew religious poetry. Since ancient times Hebrew psalms and hymns were intended to be additional to standard synagogue liturgy, in some cases to replace standard synagogue liturgy but the latter is not a primary option. Hebrew hymns are inserted in all segments of Jewish liturgy from the late antique period until early modern days, a vast period of time in which hymns are created and selected and transmitted. Moreover, Hebrew hymnology originated in Palestine but soon spread to neighbouring countries and developed into a history of Jewish hymnography with distinctive main schools of poetic activity: Palestinian, Babylonian or Iraqi, Andalusian, Italian, Provençal-French, and French-German. In advance we can state that the translation of hymns in our Paris MS leads us to a layer

\* This article is the outcome of my participation in a conference at the Universitat Autònoma de Barcelona (UAB), Bellaterra, within the context of the research project ‘The Latin Talmud (LATTAL) and Its Influence on Christian-Jewish Polemic’, under the supervision of Prof. Alexander Fidora (Institució Catalana de Recerca i Estudis Avançats – ICREA). I wish to thank him and especially Dr. Gørgge Hasselhoff for their encouragement to involve me in their research project and for their invitation to Barcelona in June 2016. Alongside them I would like to extend my thanks to Prof. Susan Einbinder for her valuable advice and for her willingness to amend the English translation of Benjamin’s poems.

1. These translation activities were developed against the background of Christian-Jewish disputations and the Paris Talmud trial of 1240 with the consequence of the burning of Talmud manuscripts in 1241-1242, see Schreckenberg, *Die christlichen Adversus-Judaeos-Texte und ihr literarisches und historisches Umfeld (13.-20. Jh.)*, pp. 98-105; Hoff et al., *The Trial of the Talmud*; Capelli, ‘Nicolas Donin, the Talmud Trial of 1240, and the Struggles between Church and States in Medieval Europe’. For a recent evaluation of the medieval Christian-Jewish debate in a broader context: Ben-Shalom, *Medieval Jews and The Christian Past, Jewish Historical Consciousness in Spain and Southern France*.

of poetry from the Franco-German school, defined as Ashkenazic but this does not exclude the transmission of much older compositions from sixth or seventh-century Palestine which gained great popularity in Europe.<sup>2</sup>

One individual name is unconditionally attached to the trend in Ashkenaz to accept Palestinian hymns which acquired fame in North-West European synagogues, and that is Eleazar birabbi Qilir, in early research better known as Kalir.<sup>3</sup> In medieval times he was supposed to be a tenth-century composer of songs and poems for each holiday in the Jewish calendar: his extensive oeuvre consists of lengthy and fancy Hebrew verses for the festivals and special Sabbaths. Nowadays we recognise that he was a composer who can be dated back to the early seventh century during a period of incisive transformation of power and organisation with great impact on the Palestinian Jews, the final period of the Byzantine Empire and the advent of the Arabs as well as the introduction of Islam. Kalir seems to be a witness to these dramatic times, and wrote about them, or at least, scenes from a final battle have been described in biblical and apocalyptic fashion on his behalf (Kalir or Pseudo-Kalir).<sup>4</sup> These pieces were lost quickly – they had little or no liturgical status – and could only be restored on the basis of Genizah fragments, but many other Kalirian works achieved so much popularity that they were often copied and ultimately incorporated in medieval European, that is to say, Ashkenazic prayer rituals: some of them are supposedly detected in the Paris manuscript.<sup>5</sup>

Let us first turn to hymnological terminology either taken from the headings in medieval manuscripts or adopted in modern scholarship since the nineteenth century. Conspicuously, the general term for Hebrew hymnology is *Piyyut*, a rather intercultural term clearly derived from Greek *poietes*. Therefore one occasionally encounters the noun *paytas* in the manuscripts, liturgical poet or composer. This noun is adapted to *paytan*, with an Aramaic ending, denoting a professional liturgical cantor-poet. The earliest recordings of single liturgical compositions for regular synagogue worship reflect a number of generic divisions: *avodah* is reserved for a lengthy poem describing the sacrificial acts of the High Priest on Yom Kippur or the Day of Atonement; the term *yotzer* is used for all poems that are to be inserted in the morning prayer of Deut. 6:4, *qeri'at Shema*. The term *qedushta* is a definition of the poem that has to be inserted in the Prayer of the Eighteen Benedictions (תפילת שמונה עשרה or עמידה) containing the *Qedushah* text, the nucleus of which is

2. Heil, 'Ashkenazic Piyyut: Hebrew Poetic Prayer in a Latin Environment (The Tenth to the Twelfth Centuries)'.
3. His original name is Qeler or Keler, a derivation from Greek *klēros*, see Yahalom, 'A Paytan Papyrus for the Winter Festivals and its Meaning for the Origins of Settlement in the Land of Israel at the End of the Byzantine Period', esp. p. 9, footnote 6.
4. See van Bekkum, 'Jewish Messianic Expectations in the Age of Heraclius'.
5. Kalir's *qerovah* for *Shabbat Sheqalim* is apparently mentioned because of the gigantic measurements of the Torah (fol. 206va), a recurring theme in the Latin translations and in the *qerovah* of Benjamin bar Samuel discussed in this article, see also Elizur, 'On the Early Extent of Parashat Shekalim'; also Urbach, "פירוש לסילוק הקלירי לפרשת שקלים" אז ראית וספרת".

Is. 6:3: קדוש קדוש קדוש ה' צבאות מלוא כל הארץ כבודו (*qadosh, qadosh, qadosh, Hashem Tzevaot, melo khol ha-aretz kevodo* – ‘Holy, holy, holy, is the Lord of hosts, the fullness of all the earth is His glory’), parallel with the threefold repetition in the Syriac *Qurbana Qadisha* liturgy, the Greek *Trishagion*: Ἅγιος ὁ Θεός, Ἅγιος ἰσχυρός, Ἅγιος ἀθάνατος, ἐλέησον ἡμᾶς (*Hagios ho Theos, hagios ischuros, hagios athanatos, eleèson hèmās* – ‘Holy God, Holy Strong One, Holy Immortal One, have mercy on us’) in the Byzantine-orthodox liturgy<sup>6</sup> or the *Sanctus* in Catholic ritual (*Sanctus, sanctus, sanctus, Dominus Deus Sabaoth, pleni sunt coeli et terra gloria tua*).<sup>7</sup>

It is unclear when and why the noun *qerovah* started to substitute for the term *qedushta*. Ancient evidence for this term can be found in Rabbinic literature: the Aramaic verbal form *qerav* (with several connotations: ‘to come or bring close’, ‘to offer’, ‘to sacrifice’, ‘to present’) is understood as a reference to prayer, and therefore the cantor or leader of the congregation is denoted as a *qerova*, with an aleph, the presenter of a *qerovah*, a poetic prayer.<sup>8</sup> In a systematised prayer collection from the mid-ninth century, the *Siddur of Rav Amram Gaon*, we read the following sentence:

ואם ירצה צבור לומר קרובה אומר כמו אשען במעש אזרחי (*we-im yirtzeh tzibbur lomar qerovah omer kmo eshsha'en be-ma'as ezrachi* – ‘And if the audience wishes to say a *qerovah*, he [the cantor] could say [recite] something like ‘Let me rely on the deed(s) of the Ezraite’).<sup>9</sup>

Notably, this *piyyut* is clearly destined for insertion in the Musaph prayer on Yom Kippur, composed by the eighth-century Palestinian *paytan* Yohanan ha-Kohen ben Yehoshua. It seems reasonable to ask if the term *qerovah* retained its sacrificial connotation, and is therefore applied to Musaph, the prayer substitute for Temple sacrifices, but other sources seem to contradict such a narrowed definition. In the introduction to the Italian *Mahzor* Sabtay Donolo writes about Kalir:

ורבי אלעזר ברבי קליר זכר צדיק לברכה פייט בקרובה המתחלת אור חמה ולבנה (*we-Rabbi El'azar birabbi Qalir zekher tzaddiq li-verakhah piyyet bi-qerovah ha-matchelet or chammah u-levenah* – ‘And Rabbi Eleazar birabbi Qalir, the name of this righteous man be blessed, wrote poetry in a *qerovah* which begins with the words ‘The light of sun and moon’).<sup>10</sup>

6. In the alternate version of John Chrysostom and St. Basil based on Is. 6:3: *hagios hagios hagios Kurios Sabaoth, plèrès ho ouranos kai hè gè tèš doxèš sou* – ‘Holy, Holy, Holy is the Lord of Hosts, the heaven and the earth are full of His honour’).
7. See Tuschling, *Angels and Orthodoxy*, esp. pp. 177-196.
8. See *Midrash on Psalms*, par. 19: *chazzana di-qerav we-amar* (‘a cantor who presented and recited’).
9. אשען במעש אזרחי is a well-known composition in different versions within the Rumanian and Italian traditions.
10. Goldschmidt and Cohen, *Samuel David Luzzatto*, p. 30.

This is indeed an intriguing astrologically oriented poem by Kalir for a special Sabbath, but not for Yom Kippur. This is congruent with the observation made in a treatise from the days of the Geonim (tenth century) called *Chemdah Genuzah* ('Hidden Treasure'): הללו קרובות שאומרין החזנים בשבתות ויום הכפורים (*halalu qerovot she-omrin ha-chazzanim be-shabbatot we-yom ha-kippurim u-ve-yamim tovim* – 'These are *qerovot* which the cantors say [recite] on Sabbaths and Yom Kippur and holidays'), as well as in *Teshuvot ha-Geonim*: המתפלל קרובות בחול ובימים טובים (*ha-mitpallel qerovot ba-chol u-va-yamim tovim* – 'The one who prays *qerovot* on weekdays and holidays').<sup>11</sup>

The Provençal grammarian and exegete David Kimhi (1161-1235) describes in his *Sefer Shorashim* ('Book of Roots') the various ways of using the term:

כמו שעשו קצת בני עמינו הנקראים בשם פייטים בקרובות (*kmo she-'asu qetzat bney 'ammeynu ha-niqra'im be-shem payyatim bi-qerovot* – 'This is what some of our people do who are called composers in *qerovot*').

Similarly, Kimhi employs in his *Sefer Mikhlol* ('Comprehensive Book') the appellation בקרובה בעל השירים (*ba'al ha-shirim bi-qerovah* – 'The compiler of songs in *qerovah*[-form]'). Gradually one detects a steady use of the noun *qerovah* in the manuscripts for a single but specific *piyyut*, identical to *qedushta*.

Finally, Rabbenu Gershom Me'or ha-Golah ('the Light of the Exile', eleventh century) concisely surveyed the history of Hebrew liturgical poetry with use of the term in a most generalised way:

וגם יש לנו ללמוד מן הפייטנים הראשונים שהיו חכמים גדולים הרי ר' ינאי שהיה מן החכמים הראשונים ופייט קרובות לכל סדר וסדר שלכל השנה וגם ר' אלעזר ברבי קליר היה מן החכמים הראשונים ופייט קרובות לכל הרגלים והזכיר באבות וגבורות דברי אגדה ועניינים הרבה וגם רבנו קלונימוס זצ"ל שהכם גדול היה ופייט קרובות לכל הרגלים והזכיר במ אגדה ועניינים הרבה ור' משולם בנו ידענו שהכם גדול היה ופייט קרובה לצום כפור ובתוך הברכה אמר עניינים הרבה ובסוף סמוך לחתימתה הזכיר מעין ברכה (*we-gam yesh lanu lilmod min ha-paytanim ha-rishonim she-hayu chakhamim gedolim harey R. Yannai she-hayah min ha-chakhamim ha-rishonim u-fiyet qerovot le-khol seder we-seder she-lekhol ha-shanah we-gam R. Elazar birabbi Qalir hayah min ha-chakhamim ha-rishonim u-fiyet qerovot le-khol ha-regalim we-hizkir be-Avot u-Gevurot divrey Aggadah we-'inyanim harbeh we-gam Rabbenu Qalonimos ztz"l she-chakham gadol hayah u-fiyet qerovot le-khol ha-regalim we-hizkir bam Aggadah we-'inyanim harbeh we-R. Meshullam beno yada 'nu she-chakham gadol hayah u-fiyet qerovah le-tzom kippur u-ve-toxh ha-berakhah amar 'inyanim harbeh u-ve-sof samukh la-chatimatah hizkir me'eyn berakhah we-yesh lilmod mehen we-lo levattel qerovot she-hen shevach le-Ha-Qadosh Barukh Hu*): 'We also have to learn from the early hymnists who were great sages, see R. Yannai who was among the early sages, and he composed *qerovot*

11. *Chemdah Genuzah*, par. 146 (R. Isaac bar Jacob Gaon).

for the entire year. Also R. Eleazar birabbi Qalir was one of the early sages, and he composed *qerovot* for all the holidays, and he mentioned in [his piyyutim for] *Avot* and *Gevurot* [the first two benedictions of the 'amidah] many Aggadic themes. Also our Rabbi Kalonimos was a great sage, and he composed *qerovot* for all the holidays, and he mentioned in them Aggadah and many things. And his son R. Meshullam, we know that he was a great sage; he composed a *qerovah* for the Fast of Yom Kippur, and within the blessing he said many things. Close to its end he mentioned a kind of [own] blessing, and one can learn from them; one should not suspend them because they are a praise to the Holy One, blessed be He'.<sup>12</sup>

This is an outstanding *Responsum* by Rabbenu Gershom who defended the ancient tradition of *qerovot* with the stipulation that they comprise great wisdom and should be revered as praise songs. Any compilation of *qerovot* was in France apparently known as 'les qeroves', turning into the peculiar Hebrew term *qerovetz*; until modern times *qerovetz* was a current term for prayer-book and appeared as such in East-European printed editions.

When we look for a parallel term in Syriac, then we come across the noun *qurava* which means cultic prayer or ritual prayer in connection with a sacrificial act. This is an interesting form because of the vocalisation in the Paris manuscript: *Liber Krúbot, De Libro Krúbot*, returning on fol. 211ra: 'In mane cotidie dicunt hanc krúba id est oracionem: Pater noster, pater pietatis miserans, miserere nostri', etc. I have no doubt that the terminology has been derived from a direct source in which *krúbot* in all probability referred to poetic compositions exclusively, but in the MS we encounter extracts from both prayer texts (in the case of fol. 211ra to be compared with אבינו אב הרחמן המרחם רחם עלינו ותן בלבנו להבין להשכיל לשמוע ללמוד וללמד (לשמור ולעשות ולקיים את כל דברי תורתך באהבה) and *piyyutim*. The copyist took the term *krúbot* as the title of an already existing compilation and left it untranslated. Additionally, the phrase *krúba id est oracionem* may well allude to the term *oratio* with the meaning of prayer or ceremonial speech, suggesting that *Liber Krúbot* was a mix of poetry and prayer for outstanding Sabbaths and festivals, a contemporary *Mahzor*. Of course, the translator/copyist was not interested in a complete rendering of the original nor did he preserve the sequence of lines and strophes or retain devices like alphabetical acrostics, rhyme schemes or metrical schemes – his translations are prosaic. He has primarily chosen these parts and pieces which should demonstrate Jewish superstition or false beliefs. However, occasionally he was carried away by his translation activities and presented larger pieces of one and the same composition.

Our exploration of these textual segments in the Latin version leads us straight to an intriguing researcher and scholar in modern times: Chen-Melekh or Hain Merhavia from Jerusalem (1910-2003) who in 1970 published both a book and a number of articles about the Paris manuscript.<sup>13</sup> Merhavia was born in Bialystock,

12. Eidelberg, *The Responsa of Rabbenu Gershom Meor Hagolah*, pp. 56-57.

13. Merhavia, *The Church Versus Talmudic and Midrashic Literature, 500-1248*, pp. 291-315, 420, 421-463;

Poland, and was involved in various Zionist movements, but became a prominent representative of Beitar, the revisionist Zionist youth movement founded in 1923 in Riga, Latvia, by Vladimir Zhabotinsky. He immigrated to Palestine in 1930 and became secretary of the Hebrew Gymnasium Rehavia in Jerusalem. Among his many different activities as a historian, journalist, opinion-maker, and public thinker, Merhavia occupied himself with *Midrash Tehillim*, mystical studies (*Sefer ha-Razim*), and Ramon Martí's *Pugio Fidei*.<sup>14</sup> In 1968 one of his articles was about an anti-Talmudic fragment from the mid-sixteenth century when the burning of the Talmud was decreed in various Italian cities (decree of 1553).<sup>15</sup> This fragment specifically discusses the burning of the Talmud in Cremona in 1559. In 1980 Merhavia published an article about Nicholas Donin questioning his role of instigator of the Fulda blood libel.<sup>16</sup>

Let us therefore focus on Merhavia's discoveries of Hebrew original texts in *Liber Krúbot* which obviously were linked to his 1965 Ph.D. thesis on the *Extracciones de Talmud* as 'a polemical source against Jewish Law in the Middle Ages'. Based on his doctoral studies of the translated fragments in the Paris manuscript, Merhavia supplied a source list of Hebrew prayers and *piyyutim* which is not congruent with what he found and published some time later: a majority of these *piyyutim* belong to an identifiable *paytan* with the common name Benjamin bar Samuel who supposedly was born mid-eleventh century in Coutances in the Normandy.<sup>17</sup> However, Ezra Fleischer doubted his French origins and described him

id., 'The Latin Translations in the Margins of the Talmud in MS Firenze and MS Paris 16558'; id., 'Talmudic Terms and Idioms in the Latin Manuscript Paris B.N. 16558'; id., 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', id., 'A Spanish Latin MS Concerning the Opposition to the Talmud at the Beginning of the 15th Century'; id., 'On the Transcription of Hebrew Words in a Latin Manuscript from the Thirteenth Century'.

14. Merhavia, 'On the Hebrew Versions of *Pugio Fidei* in MS Ste. Geneviève'; id., '*Pugio Fidei* – An Index of Citations'.
15. Merhavia, 'An Anti-Talmudic Pamphlet from the Period of the Burning of the Talmud in Italy'.
16. For a more recent discussion of this issue, see Eisenberg, *Reading Medieval Religious Disputation*; also Bobichon, *Controverse judéo-chrétienne en Ashkenaz (XIIIe siècle), Florilèges polémiques*.
17. Golb, *The Jews in Medieval Normandy*, pp. 131-132: Benjamin b. Samuel was once lauded by a contemporary (perhaps the teacher of the eminent Rashi of Troyes) as 'a wise and holy one, our elder, master Benjamin bar Samuel of QWSTNY'. According to the *Responsum* of the Levite, no other name is given, quoted in Rashi's *Sefer ha-Pardes*, fol. 143, col. d. Also quoted by Landshut, *Amude ha-Abodah*, p. 53, and by Gross, *Gallia*, p. 553. This term is sometimes identified (during the nineteenth century by Graetz), with Constance, on the lake of that name in South-Western Germany. Yet, as both L. Zunz and H. Gross demonstrated long ago, the circle of early scholars familiar with Benjamin or his writings was entirely French. The place-name is closely akin to the old designations for Coutances, such as the Latin Constantia, and afterwards, Constances and Cosedia. Golb engages into a discussion of other scholars like Fleischer who did not mention the toponym and left his origins undecided. Haim Brody (*Mivchar ha-Shirah ha-Ivrit*, p. 210) and Merhavia already perceived that the considerations advanced by Zunz and Gross are fundamental to the issue of his environment and natal home. In Normandy a tragic dimension of cultural loss lying behind Guibert of Nogent's observation that his learned friend William, plucked during his childhood from the arms of his parents, had to be transferred to Latin from the Hebrew tongue in which he had originally be trained: 'grandiusculus ergo cum foret, ab hebraicis, quibus imbui coeperat, ad latinas

as an Ashkenazic hymnist who used to sign his compositions with a name acrostics in combination with nouns like *ha-poyetan*, the poet, *ha-sofer*, the scribe or the author, *ha-metargem*, the translator (!). One of his better known poems is a lament in memory of R. Samson the Martyr who was burned at the stake in the imperial city of Metz in the year 1276.<sup>18</sup>

Before we go any further, we have to consult Leopold Zunz's unsurpassed work *Literary History of Synagogue Poetry*, even in our times the most important source for any obscure Hebrew composer from the past.<sup>19</sup> Zunz adduced an entire entry on Benjamin bar Samuel, who was older than Rashi and wrote poems for the three holidays Pesach, Shavuot, and Sukkot, as well as for Rosh ha-Shanah and Yom Kippur. Zunz rightly observed that Benjamin was very Kalirian in his language and style, an epigone of Kalir who followed or imitated classical patterns.<sup>20</sup> On the other hand, 'seine Arbeiten erheben sich nicht selten zu dichterischer Schönheit' ('His works often rise to poetic beauty'). This can be asserted, although his language is far from easy. However, either French or Ashkenazic, either conventional or original, the oeuvre of Benjamin bar Samuel fits well into the transmission history of Hebrew hymns in the West although this is a Diaspora track of its own: parts and pieces of his compositions are found in France and in Greece, and sporadically in Poland. One of Benjamin's compositions is a lengthy *qerovah* for Shavuot which was well known to Zunz and reconstructed by Israel Davidson in his *Thesaurus of Mediaeval Hebrew Poetry*.<sup>21</sup> Davidson adduced ten different *piyyutim*, all belonging to the same *qerovah Arukkah me-eretz* ('The measurement of the Torah is longer than land'). Here is his list:

ארכה מארץ (חתימה: ים הגדול)  
 תשע מאות (חתימה: בקול שופר)  
 באלפי שנאן (אקרוסטיכון: בנימן בר שמואל סופר)  
 אל נא אהלים וקורקסיהם  
 אנכי אל מעוזך (עשרת הדברות)  
 פזמון אראלים חמשה

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litteras traditus, brevi coaluit [...]'. Golb's observation is that in the early twelfth century, literature of Norman Jews largely perished after the great destruction of 1096, so that only scattered Hebrew creations of the liturgical poet are still extant; see Weinberger, 'Shirim Hadashim me-ha-Tequfah ha-Bizantinit'.

18. Doniach, 'Le Poème de Benjamin le Scribe sur R. Samson le Martyr'; Einbinder, *Beautiful Death*, pp. 105-107; Offenber, 'Mirroring Samson the Martyr: Reflections of Jewish-Christian Relations in the North French Hebrew Illuminated Miscellany'.
19. Zunz, *Literaturgeschichte der synagogalen Poesie*, pp. 115-120; on the biography of Benjamin bar Samuel, see also Fleischer (ed.), 'The Azharot of Rabbi Benjamin ben Samuel paytan'; Rau, 'Qerobat Agan ha-Sahar'; see for a newer critical edition of the same piyyut: Goldschmidt, *Mahzor le-Yamim Nora'im, Rosh ha-Shanah*, pp. 175-176.
20. This *qerovah* of Benjamin bar Samuel may have been inspired by Kalirian compositions for Shavuot, for instance, חוץ פילצה אימה ('Fear shocked the ends of the [earthly] horizon'): Elizur, *Rabbi El'azar birabbi Kiliri, Hymni Pentecostales*, p. 18, pp. 143-205 (edition).
21. Davidson, *Thesaurus of Mediaeval Hebrew Poetry*, vol. I, p. 347, entry 7639א.

(ובכן ה' קנני) אדני רגובה  
 (סדר הדברות) וירד אגור בין שלולה ושבויה  
 (סלוק) בששה בחדש נתנו לישראל  
 (קדושה) וחיות בוערות לכס לויות<sup>22</sup>

Thanks to a comparison with the critical texts on the website of the Historical Dictionary *Ma'agarim* we can assert that most of Davidson's reconstruction is correct with the exception that the attribution of the tenth and last *Qedushah* hymn (*w-chayyot bo'arot le-khes lewayyot* – 'Fiery Hayyot-angels accompany the throne') to this *qerovah* is doubtful. This *piyyut* is now being classified separately but usually one cannot escape from conclusions drawn by Zunz who is ever more right than wrong. The definite sequence of hymns within this *qerovah* is as follows:

מגן: ארוכה מארץ  
 מחיה: תשע מאות, חתימה  
 משלש: באלפי שנאן, הכינוי סופר  
 פיוט ד: אהולים וקורקסיהם  
 פיוט ה: אנכי אל מעוזך, פיוט על עשרת הדיברות  
 שני פיוטים נוספים בין פיוט ה לבין סדר עולם  
 עיר גבורים חכם עלה  
 כהגבלתנו סביב הר  
 פיוט ו: סדר עולם אדני רגובה  
 פיוט ז: סדר דיברין אגור בין שלולה  
 פיוט ח: סילוק בששה לחודש

The compiler(s) of *Liber Krúbot* were aware of this specific composition, and may have been astonished by the rich imagination and captivating fantasies of its creator. Was this a part of Jewish liturgy and did Jews really believe all these stories? The exalted atmosphere of Shavuot revived in contemporary poetry and prayer which professed to give a detailed account of the divine revelation on Sinai with all the accompanying midrashic explanations and legends, but to the Christian reader all this seemed superstitious and blasphemous. No wonder that some of the polemicists turned to *Piyyut* in order to select more evidence of *stultitia Iudaeorum*, the 'folly of the Jews', thereby attempting to prove the falsehood of Jewish sources in favour of Christian truth. *Piyyut* in general is a highly relevant though often neglected source of information for both Jewish literary history and the history of Christian-Jewish polemics.

Following the sequence of quotations in the folios of the Paris manuscript we can illustrate our estimation of *Liber Krúbot* with one instructive example, also mentioned by Merhavia among many other parallels.<sup>23</sup> The behaviour of the mountains

22. Composed by Benjamin bar Samuel for Yom Kippur.

23. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', pp. 206-207.

Carmel and Tabor in contest with the mountain Sinai for receiving the honour of divine revelation is told in fol. 209ra:

montes autem et valles commoti sunt quasi filii ovium venit Thabor inter montes et Carmelus ex adverso et dixit unus vocatus sum et alius vocatus sum et quando audiverunt vocem domini conversi sunt et fugerunt exivit vox prima ego deus deus tuus [...]

Lines 38-44 in hymn VIII refer to this tradition from *Midrash on Psalms* (68,9, 159b), but the phrase *ובא כרמל מאספמיה* (*u-va Karmel me-Aspamyā* – ‘And Carmel came from Spain/Panyas/Banyas’) is replaced by a different explanation, as if each name represents a different mountain: Carmel, Aspamyā, and Tabor.

The allusion to the well-known traditional idea of the Torah being handed down in seventy languages occurs in fol. 207va: ‘Quando veniet dies in qua verba legis glosari debentur in lxx linguis’. Benjamin bar Samuel has a reference to the seventy languages in line 66 of hymn VIII as well as in a composition for the fast day of Seventeenth Tammuz:

דהר ציר עם אבירים, הוריד מהם לוחות מחוברים, ועליהם עשרת הדברים, זוהרם בשבעים לשון מבוארים (*dahar tzir ‘im abbirim, horid mehem luchot mechubbarim, wa-‘aleyhem ‘asseret ha-devarim, zoharam be-shiv‘im lashon mevo‘arim* – ‘The messenger [Moses] rushed along mighty [angels], he brought down from them the joined tables, on them the Ten Words, their splendour explained in seventy languages’).<sup>24</sup>

Only few *qerovot* have been consulted by the translator/copyist that are not composed by Benjamin so that we can assume that *Liber Krúbot* contained a substantial part of his hymnody. This assumption corroborates with the title *Liber Krúbot*, a compilation of poetic texts and liturgical pieces following the calendar of Sabbaths and festivals. Apart from the above-mentioned *qerovah Arukkah me-eretz* there is a mix of liturgical, talmudic, midrashic, exegetical, mystical, and other piyyutic quotations (all of which Merhavia tried to indicate in his reference list). After all, we cannot rely on the translator/copyist who extracted and manipulated the original redaction for the sake of his polemical agenda, neither are we able to make any relevant guess whether the original source existed as one entire booklet or a set of booklets copied by one or by more hands. A logical liturgical sequence must be assumed but cannot be shown. What is left is this unique series of *piyyutim* which in their selected translations are kept in an original order.

*Liber Krúbot* contains many more surprises than the sequence of translations selected from the extensive *qerovah* by Benjamin bar Samuel. Firstly, for a wider perspective beyond the segments of poetry one can refer to fol. 206va: ‘Myrtraton Enoch offert exenium solio excelso de semine sepultorum in Hebron, id est Abra-

24. A *qerovat shemoneh ‘esreeh* with the opening words *Agan ha-mezeg eykh chaser*; Davidson, *Thesaurus of Mediaeval Hebrew Poetry*, vol. I, p. 23 (446s).

ham Isaac et Jacob'. Parallel traditions for the equation of Henoah with Metatron can be found in III Enoch, Ben-Sira, and *Me'or 'Eynayyim* by Azariah de Rossi.<sup>25</sup> Moreover, the relation between Scripture and poetry is indicated in fol. 207ra: 'Et zyz saday mecum pulcritudo agri mecum est, de piscibus Leuithan de animalibus Behemoth, qui depascit mille montes in die et singulis diebus renascitur herba'. A poetic elaboration of this same tradition can be found in a *yotzer* composition for the Sabbath in the week of Sukkoth by an unknown composer Yehudah who lived around the year 1050:<sup>26</sup>

יחיד כשברא עולמו, וכיללו במינים כנאמו, כשיצר לויתין וזוגתו, כן עש זיו שדי והורתו, ומרעהו אלף  
 הרים ואשתו (yachid ke-she-bara 'olamo, we-khillelo be-minim ki-ne'umo, ke-she-  
 yatzar Liwyatan we-zugato, ken 'as Ziz Shadday we-horato, u-mar'ehu elef harim  
 we-ishto – 'When the One God created His world, and completed the species accord-  
 ing to His utterance; when He formed Leviathan and his spouse, then He made Ziz  
 Shadday and his conceiver, and his cattle on a thousand mountains <Ps. 50:11>, and  
 his wife').

The reference to Ex. 15:16 with extensions in fol. 207rb:

Omnibus afflictionibus nostris congregatis fac cadere super eos timorem, et pauorem  
 ad commouendum corda eorum, ciphum ire tue misce inter eos, timor et angustia  
 veniant in eos vertigo discrecionis in cordibus suis, tremor et consummacio in lumbis  
 eorum, concussio et paralis in omnibus membris suis [...]

recurs in a *qerovah* for Pesach by the tenth-century hymnist Moses ben Kalon-  
 ymos:

תפל עליהם אימתה ופחד. למען למוג לבביהם, כוס חמתך מסוך ביניהם, יראה ורעד יבא בהם, טירוף דעת  
 (tipol 'aleyhem eymatah wa-fachad. Lema'an lamug levaveyhem, kos chatatka mesokh beyneyhem, yir'ah wa-ra'ad  
 yavo bahem, teruf da'at bi-levaveyhem, chalchalah u-ma'ad be-motneyhem, zeya'  
 we-retet be-khol eyveryhem – 'Terror and dread fall upon them. So to dissolve their  
 hearts, pour out the cup of Your anger among them, fear and tremor will come upon  
 them, there will be insanity in their hearts, panic and failure in their loins, sweating  
 and trembling in all their limbs').

Parallel to the cursing of Israel's enemies in the previous example one encoun-  
 ters in fol. 210va-210vb the phrases

25. See Orlov, *The Enoch-Metatron Tradition*; *Toldot Ben-Sira*: 'Henoah is Metatron, and he has seventy names'; De Rossi, *Me'or 'Eynayyim*, fol. 46a: 'This is what the Tosaphists mentioned in chapter 141 of (tractate) *Yebamoth* about Henoah who is Metatron'.

26. The opening line is *Afa'er le-Elohey ma'arakhah*: Davidson, *Thesaurus of Mediaeval Hebrew Poetry*, vol. I, p. 323 (71018).

[...] offende eos et destrue illos, dirue domos goym, discinde pulcritudinem goym, calca torcular inter goym, exalteris iudex super superbos et dicent dues et rex super goym, vilifica regnum goym, scope et destrue goym, videbunt magnolia tua et confunduntur goym, comminue destrue goym, preliare contra reges goym, dominator regnum tuum manifesta super goym, dissipa in ira tua omnes goym, conculca Seyr et omnes goym, fac vlcionem in goym, effunde iram tuam super goym, destrue ossa goym, fundibula congregaciones goym, offensam prebe in goym, effunde furorum tuum super goym, irruat super goym formido et pauor [...]

These words literally recur in an unknown piyyut for Yom Kippur:

יי מלך אבדו גוים, בלע בתי גוים, גדע קרן גוים, דרוך פורה בתוך גוים, הנשא שופט על גוים, ויאמרו יי מלך על גוים, זעום באלופי גוים, חלל ממלכות גוים, טאטא להשמד גוים, יראו פליאיך ויבושו גוים, כתת חרב גוים, לחום במלכי גוים, מלכותך מושל (בגו) תגלה על גוים, נתוץ בהרוגך כל גוים, סלף שעיר וכל גוים, עשה נקמה בגוים, פזר חרוגך בגוים, צרור צבאות גוים, קלע קהילות גוים, רוגז תתן בגוים, שפוך חמתך על הגוים, תפל אימתה ופחד על גוי

The combination of a rabbinic tradition and its piyyutic transmission can be illustrated by ‘the seven things which preceded the creation of the world’ in fol. 208rb: ‘Septem fuerunt antequam terra [...]’ in full concurrence with the *Sidrey Divrin* of Eleazar birabbi Kalir for Shavuot:

וירד משה מן ההר אל העם, אתו מצות וחוקים, ייי קנני ראשית דרכו, אלפים שנה נמתקתי בחכו, מקדמי ארץ, מקודמי ארץ, דברים שבעה קדמו לארץ, כסא רם ונישא קדם לשמי ערץ, כסא ישראל קדם לממלכות הארץ, אבות העולם קדמו למוסדי ארץ, שם משיח קדם לשמות אשר בארץ, גן עדן קדמה לענוי ארץ, ערוך מאתמול קדם לרשעי ארץ, ישראל והתשובה קדמו ליושבי ארץ, ואני להם קדמתי מקד(ו)מי ארץ

With regard to the extent and contents of the Latin quotes vis-à-vis piyyutic as well as midrashic sources further exploration will contribute to our understanding of what has been and what has not been included, given the intentions of the translator(s)/copyist(s) who wished to show the folly of Judaism and the superstition of the Jews.

## Appendix I

These and other illustrations of Hebrew originals that have been retrieved in translation from medieval Latin MSS can be added to the larger excerpts taken from Benjamin's *qerovah Arukkah me-eretz*. The entire *qerovah* consisting of eight piyyutim with two original additions between piyyut V and piyyut VI is presented in English for the first time.<sup>27</sup> Within this comprehensive piyyutic representation of the Sinai event Benjamin bar Samuel exploited and versified numerous midrashic components. He may have received his inspiration from an earlier composition for Shavuot by Eleazar birabbi Kalir but he surely added many original details in his own language and style.<sup>28</sup> Hymns I, II, III keep close to the scriptural readings and associated verses, whereas the opening strophe introduces the main themes of the entire composition: the Torah is an immeasurable gift of heaven, containing multiple secrets for the people of Israel; at the giving of the Torah heaven and earth were shaking; the revelation of God's presence is for humans too hard to bear, therefore Moses is placed between God and Israel as a mediator. Most conspicuous throughout the entire composition is the role of the angels: they appear in myriads to support the divine appearance, and they have to comply with the decision of God to entrust the well stored heavenly Torah to Israel. Hymn IV emphasises God's initiative to offer the Torah to the world, but only Israel accepted and promised to obey the divine law. Hymn V is based on the Ten Commandments, whereas hymn V.1 describes the angels fiercely opposing Moses and subsequently giving in. Hymn V.2 can be considered as a praise song for God who created all the good conditions for Israel to receive and keep the Torah (without mentioning Moses). Hymn VI specifies the roles of God and Torah: God took delight in 'her' for two thousand years, 'she' was His companion during creation and 'she' contains all wisdom and morality. The Torah was to be offered to man, but no one seemed fit: neither Adam nor Noah nor Abraham, Isaac and Jacob, only Moses could be entrusted with the assignment to climb on Sinai and receive the Torah. Interestingly enough, the Torah herself joins in the discussion to whom to be offered.<sup>29</sup> Hymn VII consists of eleven couplets interconnected by *anadiplosis*

27. This division, numbering, and translation is based on the critical edition of *Arukah me-Eretz* by Yonah Fraenkel in *Mahzor Shavuot*, pp. 314-364; see also Scheindlin, 'The Ascension of Moses in a Poem by Amittai ben Shefatiah'; a detailed study of the midrashic accounts of Moses' ascension is found in: Halperin, *Faces of the Chariot*, pp. 289-322.
28. Kalir's compositions were known in the French branch of Ashkenazic Jewish liturgy; for the wider context of *sidrey 'olam* for Shavuot, see Rand, 'Was *Mahzor Eretz Israel – A Geniza Codex* Indeed Used in Eretz Israel? New Fragments of the Codex and their Contribution to an Understanding of the Nature of its Liturgical Rite', esp. pp. 533-534; for translations of Kalir's poetry into French vernacular: Einbinder, 'Exegesis and Romance: Revisiting the Old French Translation of Kallir'; ead. and Rosenberg, 'A Hebrew *Piyyut* and Its Old French Translation'; for traces of Kalir's poetry in Southern France and Spain, see Rand, 'Surviving Fragments of the Qillirian Heritage in Provence/Catalonia and in Spain: In the Wake of New Materials from the Genizah'.
29. The deprecatory judgment of Adam, Noah, and the three Patriarchs as being unfit for the reception of the Torah was controversial in both liturgical tradition and modern scholarship. This was already observed

(the last word of each couplet is the opening word of the next one) and based on Ex. 20:1-14. Finally, hymn VIII is the *silluq*, the transitional hymn to the *Qedushah* with long couplets equally interconnected by *anadiplosis* with descriptions of God's glory and Israel's suitability for fulfilling the commandments of the Torah. The *silluq* concludes with the myriads of angels who mention the threefold holy Name.

## I.

The measure of the Torah is longer than the earth and broader than the sea,  
When You explained her secrets to the multitude of descendants,  
The heavenly abode shook, and the dry land trembled,  
Winged angels were flying like fiery flames.

- 5 You made radiant those who accepted the Torah, You made them shining when they went out from amidst the Egyptians,  
As You saw their fractured and amputated feet and hands,  
You considered: How will I hand over the Torah to these cripples?  
You have sent your glowing angels to cure them on the earth below.<sup>30</sup>

- 10 You manifested yourselves on day fifty, the sixth day of the third month,  
You presented to each nation the reward and punishment of the Torah,  
Its rules and its details, but the [nations] did not wish to learn it,  
You set them ablaze with a fatal blow that caused their complete destruction.

- 15 From Mount Paran You shone forth to Your people,  
You made the earth and its fullness sound like the trees of the forest,  
You stretched above them Mount Sinai like a pail,  
You went on high to present the captive Torah.

- 20 When You opened Your mouth to explain both strict and lenient commandments,  
They stood there and listened in fear and trembling,  
When speaking the first commandment, Your voice split into seven voices,  
Inviting the whole nation to stand up.

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by Mishcon, 'The Suppressed Parts of a Shabu'ot Piyyut'. Christian polemicists may have been aware of this type of criticism of the great Jewish ancestors in Ashkenazic communities, as has been argued by Mintz-Manor, 'Towards a Solution of the Censorship Question Regarding the Shavu'ot Piyyutim'. However, the explanation of Christian-Jewish polemics as the main reason for omitting this *seder 'olam* does not solve the question. Translation activities against the background of Christian-Jewish controversy served other goals, whereas this specific piyyut does not feature in *Liber Krúbot*: Yahalom, 'An Unknown 'Hashem Qanani' Pentecost Sequence', esp. pp. 77-78; see id., 'Shi'ur Qomah in a Misidentified Qalirian Poem for Pentecost'.

30. When Israel went out of Egypt, there were many who had lost their hands or feet as the result of hard labour; they had to be healed first so that the Torah could be given to a perfect people (*Tanhuma, Yitro* 8).

You have placed between You and them a third one [Moses] as a mediator,  
 You planted the root for the birth from the three [tribes],  
 You entrusted them to a third-born [Moses] for the sake of a three-fold people [priests, Levites, Israel],  
 A perfect Torah in the third month.

- 25 As it is written: ‘In the third month after the people of Israel left Egypt, on that day they came into the wilderness of Sinai.’ <Ex. 19:1>

And it is said: ‘The Lord gives the command; great is the host of those who bore the tidings.’ <Ps. 68:12>

And it is said: ‘You did ascend the high mount, leading captives in Your train, and receiving gifts among men, even among the rebellious, that the Lord God may dwell there.’ <Ps. 68:19>

And it is said: ‘The Lord came from Sinai, and dawned from Se‘ir upon us, he shone forth from Mount Paran, he came with myriads of holy ones, with flaming fire at His right hand.’ <Deut. 33:2>

And it is said: ‘He stood and measured the earth; he looked and shook the nations; then the eternal mountains were scattered, the everlasting hills sank low. His ways were as of old.’ <Hab. 3:6>

- 30 And it is said: ‘Have I not written for you thirty sayings of admonition and knowledge?’ <Prov. 22:20>

And it is said: ‘The kings of the armies, they flee, they flee! The women at home divide the spoil.’ <Ps. 68:13>

And it is said: ‘Its measure is longer than the earth, and broader than the sea.’ <Job 11:9>

The great sea He filled up to its limit, and the sun’s shining force increased,  
 When [Moses] inherited the trustworthy stronghold [Torah], for the beloved nation, guarded in His shelter.

## II.

Nine hundred seventy-four generations,  
 Before all creations You rejoiced in the delight [Torah],  
 Until You descended like a column of smoke, to give it to the people,  
 Your voice from amidst the fire sounded powerful.

- 5 A faithful messenger to those who send him [Moses] is like the cold of snow in the time of harvest,  
 They were frightened to hear Your commotion, O Creator of all creatures,  
 ‘You [Moses] speak to us, lest we perish at the gleaning when the vintage is done’,  
 They told their protector and prominent messenger [Moses].

They bounced back and forth,

- 10 Two hundred and forty miles they were moving back and forth,  
 At each utterance [of a commandment] twenty-four miles were counted,  
 You have sent fiery angels to come to their aid and support.

- Together they stated when standing before You,  
 The phrase 'We will do and we will hear', they replied to You,  
 15 You made them cling like a waistcloth to Your loins,  
 This Torah was for them because they kept its ordinances.

- When You revealed Yourself at Sinai like an Ancient One full of compassion,  
 Your glory covered the heaven and Your praise filled the earth below,  
 You said: Who like Me will call forever?  
 20 The greatness of Your deeds is to be exalted exceedingly.

- Amidst an abundance of thundering and lightning,  
 In fogs of clouds and burning sparks,  
 You proclaimed Your teaching to a people of redeemed ones,  
 Who travelled to the wilderness of Sin from Rephidim.
- 25 As it is written: 'And when they set out from Rephidim and came into the wilderness of Sinai, they encamped in the wilderness; and there Israel encamped before the mountain.' <Ex. 19:2>  
 And it is said: 'Now when all the people perceived the thundering and the lightnings and the sound of the trumpet and the mountain smoking, the people were afraid and trembled; and they stood afar off.' <Ex. 20:15>  
 And it is said: 'God came from Teman, and the Holy One from Mount Paran *selah*. His glory covered the heavens, and the earth was full of His praise.' <Hab. 3:3>  
 And it is said: 'Like the cold of snow in the time of harvest, is a faithful messenger to those who send him, he refreshes the spirit of his masters.' <Prov. 25:13>  
 And it is said: 'And as the sound of the trumpet grew louder and louder, Moses spoke, and God answered him in thunder.' <Ex. 19:19>
- 30 By the wondrous force of His voice he thundered, therefore the soul of the beloved ones departed (BNYMN = Benjamin),  
 And He drew the dew of revival near to the great and noble ones; He recovered the breath of those hidden in rocks [the dead].<sup>31</sup>

### III.

- (B) With angels and chariot, thousands upon thousands,  
 (N) You revealed Yourself to those who stay among the sheepfolds [Israel],  
 (Y) The circle of the earth feared and was still with all its limitations,  
 (M) When You who are dwelling on high appeared with two Torahs.

31. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 199.

- 5 (Y) You have founded Your bulwark by the mouth of babes and infants,  
 (N) The sayings were given by one shepherd to those who lay hold of them,  
 (B) In a furnace on the ground, seven times purified,  
 (R) cure and healing for those who are hurt.
- (SH) Three-hundred and sixty-five negative commandments,  
 10 (M) Two-hundred and forty-eight positive commandments,  
 (W) And thirteen rules of interpretation,  
 (') Light and strict prescripts, to get at what is forbidden and what is permitted.
- (L) The weight of the stone tablets is forty *se'ah*,<sup>32</sup>  
 What is (S) disclosed and (W) open, their (P) particularities and their (R) generalities,  
 15 Forty-nine gates of understanding to become wise,  
 You decorated Your messenger with them as an inheritance to the world.

Who is able to speak of His greatness?

To you belongs power and rule,

When You wished to hand over the gift of the bride [Torah],

- 20 You invited Heber [Moses] to go up to You, and he went up.

As it is written: 'And Moses went up to God, and the Lord called to him out of the mountain, saying: Thus you will say to the house of Jacob, and tell the people of Israel.' <Ex. 19:3>

And it is said: 'The words of the Lord are words that are pure; like silver refined in a furnace of clay, purified seven times.' <Ps. 12:6>

And it is said: 'On a mighty chariot, twice ten thousand, thousands upon thousands, the Lord came from Sinai into the holy place.' <Ps. 68:18>

And it is said: 'The Lord will reign forever, your God, O Zion, to all generations.' <Ps. 146:10>

- 25 'Yet You are holy, enthroned on the praises of Israel.' <Ps. 22:4>

#### IV.

EL NA

Until You spread the heavens like a tent, and set their pins,  
 And at first fixed the foundations of the earth over stormy waters,

Two thousand years You spent with her [Torah] in Your care,

- 5 Until after one thousand generations You revealed her secrets,  
 At that moment she shocked the earth to its very ends,  
 Each place and dwelling You shook like a reed in the water,  
 First You offered her to seventy nations,  
 Because they refused to accept her, You struck them in Your anger,

32. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 199.

- 10 With myriads of holy ones You appeared to the descendants of Your friend [Abraham],  
 Big and little, You brought them all to Sinai,  
 On the back of the mountain You leaned Your heavens,  
 Like the smoke of a kiln You spread the smoke all around,  
 Amidst thunders and lightning You announced Your flaming Law,  
 15 And You offered the explanation of its punishment and reward,  
 In accordance with Your wish, You were obeyed:  
 ‘We will do and we will listen’, You attended and You heard,  
 You placed two crowns on the head of every one,  
 You moved the divine Presence from among Your advising angels into their congregation,  
 20 From then on to be acquainted and known by all,  
 Exposing dread and fear of You to everyone in the world,  
 You made every knee and every eminence bow,  
 Also every tongue will swear by Your Name,  
 You have invigorated Your Almightyness and made it strong like a rock.  
 25 [God] is living and enduring, awesome, lofty and holy

## V.

- I AM God, Your stronghold, taking you from the womb,  
 Gathering you amidst mighty waters, with strings of jewels around your neck.  
 DO NOT MAKE disgusting images, man-made and in the shape of a man,  
 Seek the Name glorified among angels, do not desecrate Him by sculptures.  
 5 DO NOT TAKE the good and pleasant Name, distinguished by seventy names,  
 To Him all secrets are known, His powerful Presence is in the heavens.  
 REMEMBER the day of rest and repose, because He rested from the work of creation on that day,  
 Put aside what you want to do, and reduce idle talk, then you will prosper in every way.  
 HONOUR those who carry you on their arms, who raise you with much effort,  
 10 For your sake they cry for help, to the God of salvation.  
 DO NOT KILL the ones crowned with My glory, who have dominated over My work,  
 I gave him understanding through My concealed secret; do not murder him, lest I will be appalled.  
 DO NOT COMMIT ADULTERY, bitter as wormwood in the dark; you will lose your life,  
 Beware yourselves of the flaming fire [of hell], because My eyes range through everything.  
 15 DO NOT STEAL the possessions of your fellow man, lest you be exploited in return,  
 Spend your minutes and hours with studying My Law; she will adorn you and bring you wealth.  
 DO NOT speak in vain against your fellow man – you may perish forever,  
 Await the Radiant and Ruddy [God], strong and mighty and glorious.  
 DO NOT COVET anything in possession and deposit, the goods of seller and buyer,  
 20 Praise My holy Name in public song: You will call upon Me, and I will answer.  
 Please, O God, forever may You be revered, and forever may You be sanctified!

**V.1.**

- A wise man scales the city of the mighty,  
 And he [Moses] brought down an exquisite pearl [Torah];  
 [God is] Awesome and Holy.  
 Five angels stood up against Avigdor [Moses],<sup>33</sup>
- 5 When he went up to take the gift after one thousand generations;  
 They rebuked him: ‘What are you doing in this abode?’  
 They intended to burn him with their vain mouths;  
 A thresher with teeth was put before him [as a protection];  
 He was protected by the throne of the Mighty in deed.
- 10 This is my God, sitting in delight because of His power;  
 When He saw the lamb [Moses] fighting furiously,  
 He was struggling to and fro like a bull attacking with his horns.  
 Together, they [the angels] were filled with anger against him,  
 When they could not prevail, they fled hastily,
- 15 He notified the people, when he descended.  
 From then onward the angels thanked and praised the Mighty to save,  
 They said: ‘How excellent is Your Name’, they rushed to him like a pupil to his master.  
 Each one [of the angels] revealed his work to him [Moses],  
 When you struck him with a bad illness, you healed him from it,
- 20 The divine Name, the oath, and the appellation are his.  
 Also the Angel of Death approached with a gift,  
 He told him the cure for plague and death,  
 Put incense in a bowl, then death will stop.<sup>34</sup>  
 [God,] who planted us firmly like a tree,
- 25 Will give us the Law, the tree of life,  
 And there is safety in a multitude of counsellors.  
 Let my prayer be counted like a cloud of incense,  
 May my meditation be pleasing, and let blessing be plenty,  
 You will wear a crown of might and glory.

**V.2.**

Just as You set bounds for us around the mountain, for anyone to see in broad daylight,

33. Merhavia, ‘Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation’, p. 200; Elizur, *Rabbi El'azar birabbi Kiliri, Hymni Pentecostales*, pp. 148-152.

34. Num. 16:46-48; there is a large number of plague tracts in Latin and Italian from a later date, which prompted Jewish doctors and Kabbalists to write their own Hebrew treatises, often with detailed instructions for incense ceremonies. Benjamin, however, may have well been aware of Galenic medical prescriptions and the theories of Avicenna, both taught in the Paris university, that plague or pestilence due to corruption of the air (*miasma*) should be treated by burning incense and fragrant woods.

You will listen to the ascension of a prayer from the heap of wheat [Israel]; Awesome and Holy.  
 Just as You have proclaimed the Ten Commandments,  
 You will make heard the feet of the one who brings good tidings, of salvation and consolation;  
 Holy.

- 5 A little sister [Israel] about whom You became wrathful,  
 You watched her suffering on the soil of the Putim [Egyptians],  
 You led her by the cords of compassion, and You crowned her with benevolence,  
 Hurry to bring freedom now as of old.

- You made them encircle Mount Horeb to inherit the ancient [Torah],  
 10 You set on its back the entire heaven,  
 You obliged them to keep Your secrets, so that their path would be righteous,  
 Life for those who do [Torah], and death for those who loathe her.

- Good judgment and knowledge You taught to the beloved,  
 More precious than fine gold and sweeter than drippings of the honeycomb,  
 15 A crown of glory for those who strengthen their heart,  
 A fair garland for the head and pendants for the neck.

- A curtain of majestic clouds You drew over them,  
 A sparkle of glowing fire You unfolded for them,  
 Fiery serpents are burned and stoned on their paths,  
 20 Until they come to the pleasant land, the place of their desire.

Rivers and streams flowing with honey and curds,  
 You poured out for the lame and the cast off [Israel];  
 Her hand found her adversaries like a nest,  
 She completely broke their radiant arrows.

- 25 The singers in front, the minstrels last,  
 The faithful people will offer a gift for the One who is to be feared,  
 As of old You will bring back their exiled from the four corners,  
 Make them renowned and praised above all strong nations.

- Just as You set bounds for us around the mountain, for anyone to see in broad daylight,  
 30 You will listen to the ascension of a prayer from the heap of wheat [Israel]; Awesome and Holy.

## VI.

And so, the Lord created me at the beginning of His work, the first of His acts of old.

As long as the fundamentals of the earth of clods were not yet laid,

- As long as the high skies were not yet stretched out,  
 As long as the desolate gloom was not yet disclosed,  
 5 As long as the full moons did not yet appear,  
 As long as the deep rivers did not yet break forth,  
 As long as the chariot of Tarshish did not start to move,  
 As long as the four winds of the world were not quadrupled,  
 As long as fire and hail and snow were not known,  
 10 As long as what is in the ear and in bud were not sown:  
 [God] took delight in the pure words [of the Torah] over two thousand years.

- He saw in the beginning what was to wake up in the end,  
 He watched the childhood of His hosts, the branches of the palm tree [Israel],  
 The ones who study the general and the particular in Mishnah and Gemarah,  
 15 Who are familiar with inferences *a minori ad maius* and analogy,  
 In seventy ways they interpret the secrets of the precious [Torah],  
 In fifty gates of insight they are robed with strength,  
 In two Sanhedrin courts their round-shaped [seating arrangement] is magnificent,  
 Because of them [God] was roused to finish footstool [earth] and ceiling [heaven],  
 20 From the ancient work [Torah] He took advice before He created:  
 I will build the world and put creatures in it.

- The woman at home [Torah in heaven] took delight in issuing insight,  
 She taught the words of the Rock by the answer of her tongue,  
 Who will understand His glorious deeds, the eternal God is a refuge,  
 25 Great in counsel and mighty in deed and insight,  
 I was glad about Your [revelation of the] secret; I rejoiced and was pleased by Your advice,  
 With majesty and dignity, with glory and splendour, You clothed Your word to be confirmed,  
 Spread the roof of the high heaven, and set the world on its foundations,  
 Your shapeless creatures whose slumber and sleep You were able to remove,  
 30 To elucidate the treasure of the Torah, Your pleasure for two thousand years:  
 Fill the soul with desire to sharpen the study of Your testimonies.

- First was the word of the Torah, compared to a tree of life,  
 She leapt and bound to speak to the living God:  
 ‘Beloved, Your Name is living and eternal, and in Your power are death and life,  
 35 Give the flaming Law at Your right hand to those who lay hold of her in life,  
 Get the groups of angels to study the precepts of life by Your and my example,  
 These [angels] who do not die and live forever,  
 Lest You will make me like people who are sad, full of trouble, and not of life,  
 Extinguished and quenched like a wick, even when their soul is still alive,  
 40 Their blood is spilled and their dead body is trodden, because they are not alive:  
 My word will be accepted before You; My pearls are set before the living [angels].’

Give her, O Awesome, a right answer,

- How can I inherit Your secret without being killed for it?  
 Does understanding You not mostly pertain to the explanation of human matters?  
 45 Is what is too difficult for you injustice, injury and murder?  
 Moving a dead man, being in a tent with him, touching a slain man, pierced by an arrow,  
 Men of uncleanness for a discharge and emission of semen, sent outside the camp,  
 People with white and reddish-white spots, bold-headed and with bald forehead,  
 Also the counting of seven days when mourners put away the dead behind a rolling stone:  
 50 I will affix all these rules to the oaks of righteousness [Israel] who are hosted in Your tent:  
 Turning right or left, Your deeds are the best proof.

- The delightful [Torah] foresaw future matters,  
 Answering in the presence of the One who rides on swift clouds,  
 Man who is born in the appearance of Your image is the first among all born,  
 55 From one end to the other end his existence, albeit bones and muscles, is preferable,  
 You made him little less than sons of God, hosts of fire [angels],  
 You bring down Your proud foot upon him when he transgresses commandments,  
 He would cause him to give up his spirit and be gathered with all who are born,  
 If You would not have applied to him the measure of justice,  
 60 He would have been instantly dead like void and treacherous men:  
 He would not have other delight in My garden than by the love of telling [My] teachings.

- If he defiles his path [with sins],  
 And his moral behaviour is seized by evil, moist and dry,  
 I have summoned balm and cure [Torah] to heal his illness,<sup>35</sup>  
 65 Sown before Me is the light of repentance, which preceded My creation,  
 This is the power of the repentant, no curtain is closed in front of him,  
 This one breaks through a wall and repairs a breach forever without punishment,  
 He purifies his body by the water of the upper Gihon until he is immersed up to his neck,  
 Seventy weeks he will chastise his soul because of his guilt,  
 70 The proud of heart and those who bend the right path will find a cure to soothe him:  
 when she [the Torah] heard [all this], she agreed.

- Half the Name (YAH) He drew out in the making of the entire creation,  
 The place of two worlds by cutting the word in half,  
 Fires and waters He mixed into the upper heaven, and stretched it like a garment,  
 75 He girded the round waist of the earth with the pins of the high heaven, and joined them by a word,  
 He signed east and west and south with His highly exalted Name,

35. Deut. 29:19 ('to add drunkenness to thirst'), applied here to a really interesting medical image. In lines 63-64 a connection is assumed between a person's moral stature and his humoral imbalance, signified by a combination of qualities. This gives additional meaning to the expression 'moist and dry' as a poetic hendiadys and as one of the medical primary qualities derived from Aristotelian natural philosophy. Similar assumptions are found in Galenic texts and commentaries, used in the curriculum of the Paris medical faculty from the late thirteenth century on, see O'Boyle, *The Art of Medicine*, pp. 24-25.

He took care of the remaining north to abash and to shame those who walk in darkness [disbelievers],  
 He shaped two fires, and called them darkness and light to shine upon the ends [of the earth],  
 He ordered and appointed with them stars and constellations in their nightly course,  
 80 He assigned seven planets which make circles and turn back:  
 You have created [the world] You love; You finished and completed a precious [world].

The blueprint of the main creature in the world made from dust occurred to His mind,<sup>36</sup>  
 He stirred blood and water together and shaped His image into a figure,  
 Before He made him breathe, his unformed substance was stretched out,  
 85 He explored the chambers [of his heart] with the lamp of his soul,  
 He gave him intelligence and insight to succeed in naming His creation,  
 He proceeded to add to his stature within the limitations of his figure,  
 By the cover of ten tabernacles He set up his canopy,  
 He let fiery princes [angels] dance before him to delight him with the female [Eve],  
 90 He adorned and glorified him from one end to another in all his activity:  
 To tell His goodness and His faithfulness and to extol His praise.

The eternal Rock wished to bequeath the precious [Torah] to him,  
 He favoured the uprightness of her words of truth,  
 I made him with My own hand, and I filled His body with a spirit of understanding and counsel,  
 95 I strongly emphasised his beauty and his strength because of you [Torah],  
 [Adam] is the only and first one like Me, to be found as the first of each creature,  
 I made his hand rule over the cattle of My fields, and [over the birds] covered with feathers,  
 He suits You and You consider him fit to scatter Your springs abroad [to study Torah],  
 He fights Your battle in discussing and explaining Your secrets,  
 100 He refrains from his sleep for learning about You in sitting and walking:  
 Make known to me Your will, if You please.

When He completed His speaking, then she [Torah] replied to Him:  
 Your throne is established from of old, God who carries out what He ordains,  
 How will I proclaim my general and particular rules to the one who is formed from clay?  
 105 You made him little less than the image of God to be exalted above all,  
 You brought him into the garden of Eden to till it and to keep it,  
 When You demanded of him not to taste the fruit, lest he be finished off,  
 He disgracefully did taste and became like the cattle that has to be driven forth,  
 He would have perished by Your anger, had You not bleached the stains of his guilt like wool,  
 110 Can the Ethiopian change his skin and the leopard his spots:  
 Therefore Your word was not to be delivered to him.

36. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 202; Elizur, *Rabbi El'azar birabbi Kiliri, Hymni Pentecostales*, p. 180.

- At the time of the generations [after Adam], the Feared in the council of the holy ones tried  
 To single out the wheat from the straw for inheriting the Law as a possession.  
 Those who continually mocked were fruitful and multiplied, a perverse and crooked generation,  
 115 A sharp tongue like that of deaf adders,  
 After ten generations He presented a man who brought relief to mankind,  
 The word HeN (grace) in reverse order is called NoaH in the council of ancient wisdom,  
 He taught the perplexed to straighten their false ways,  
 To bring forth the precious and not the worthless; an entire year he planted cedar trees,  
 120 God spoke to the woman at home [Torah] about his indulgence in halakhic interpretations:  
 Free of all faults and errors and punishments.

- There is no [obstacle] between me and him, replied the delightful [Torah],  
 To find grace and affection before me,  
 He pulled him and dragged him from among the diluted with the bonds of love,  
 125 Because of Your anger and Your wrath You stored him in the ark,  
 You exterminated all existence but You protected him and he was hidden in Your secrecy,  
 He rejoiced afterwards that the vine began to give fruit,  
 Mixed wine was his drink when his discernment also grew weak,  
 His nakedness was revealed, and he was cut off like the head of grain without hope,  
 130 He prevented him from begetting a fourth son, and he cursed the fourth son in retaliation:  
 The loss of wisdom did not make him rush to seek understanding [Torah].

He who created (B) the world by a word; night (N) and day He tried to tempt her [Torah],  
 He waits (Y) for the moment (M) that this is acceptable for her (Y); the shoot (N) of His planting  
 will inherit [her].

- The light of the Ezrahite [Abraham] came from beyond,  
 135 His radiance was strongly shining like the rising sun,  
 Clean of hands and free from sinful thoughts in purity and innocence,  
 He forgot and put his parents aside, he demolished the house of idols and shattered it to pieces,  
 He turned his heart and obeyed the One who prepares the steps of a man,  
 He tested him ten times, and he passed them all, and [God] was favourable to him,  
 140 He planted a tamarisk tree for eating, drinking and companionship, to host any passer-by,  
 God made known his gentle goodness to the stronghold [Torah] to be associated with him,  
 He said: 'Will you ever find a pure man like him, without sin, in any corner or direction?'  
 Sweeten him softly with the dripping of your honeycomb.

- In reply to his prayer she [Torah] intended to speak,  
 145 An old man whom she praises to grant him grace,  
 A young branch [Isaac] who was pardoned when his strength decreased in his [Abraham] old days,  
 After all, You decreed about him to be slaughtered before You like a one-year old lamb,  
 He [Abraham] arranged the rows of sticks and ignited the willow branches; he was accounted  
 merciless,  
 He trusted Your commands and stretched his hand holding a sharp knife,

150 When he placed a sword on the neck You told him ‘do not destroy’ from the heavenly abode,  
 He did not refuse but he wished to set a prayer and a supplication:  
 You had mercy on me, have mercy on him and reward him because of my faith:  
 Almighty, were it not for Your mercy, he would have slaughtered a blooming youth at that time.<sup>37</sup>

He [God] lifted his barrenness by a holy branch when he was one hundred years old,  
 155 He appeared like a tree of life, a fruitful righteous one, when he was born,  
 A boy resembling his father in uprightness and honesty, detesting pride and [being] proud,  
 The same one he handed over at the age of thirty-seven to complete destruction,  
 He counselled his father, saying ‘bind my hand and foot’, like a lamb brought to the slaughter,  
 Decide, lest I do wrong and defile the commandment of ‘honour’ in sin and transgression,  
 160 The Garden of Eden adopted him and he was hidden for three years until his young wife would  
 come,  
 Arise, [Torah,] created of old, and move into your hiding place, and show him the face,  
 He is pleasant for Me like a fragrant smell more than any being or creature:  
 He feared My word and did not become haughty.

She [Torah] opened her mouth in wisdom before the Creator,  
 165 She held a dispute with Him in conversation and response:  
 You let out his praises and covered his sins by which he was dishonoured,  
 At one time innocent, at another time wicked; he cannot abide with me,  
 Only when his work is right, from head to heel he will encamp in my tent,  
 He preferred an evil man [Esau], portraying a figure, an image of jealousy and provoking jealousy  
 [Christianity],  
 170 You hated him physically, and You laid waste his mountains,; he [Isaac] enabled him to get children,  
 He broke from him the yoke of the beloved who desired to live in Your shadow [Jacob],  
 His wantonness caused his light to dim, and the hardness of his countenance is changed:  
 He was afraid of Your will, You whose presence is in a thorn-bush.

The image of the threefold cord [Jacob] was shining like a star,  
 175 Bright as the noonday is the life of the one who resembles brilliance,  
 His appearance is engraved and sealed on the throne of the clear heaven,  
 His soul longed to study the words of the Law before she was shown on the mountain,  
 His Rock called him god to increase his importance and to exalt him, but he was not haughty,  
 Chariots of angels who immersed in the river Rigyon<sup>38</sup>, descended to see his image,  
 180 His stem brought forth branches [the twelve tribes], strong like an elm-tree,  
 Shout and sing for joy, O princess [Torah], for you he is destined to be married,  
 All who preceded him had to be tested, but after him this was unnecessary:  
 From the day he was born he rushed to do justice and performed what pleases Me.

37. Elizur, *Rabbi El'azar birabbi Kiliri, Hymni Pentecostales*, p. 185.

38. A heavenly river of fire, comparable with *nehar di-nur: Pesiqta Rabbati* 20.

Expansive and established, the [Torah] cried aloud about him [Jacob],  
 185 She charged [him] in front of his defendants, and those who acquit him [turned into accusers],  
 He rushed to the pens, seized two young goats in accordance with the Halakah,  
 He quickly cut their throats and covered his hands with their skins,  
 He presented delicacies in shrewdness and falseness, and he received the blessing,  
 Those who came forth from his loins, they too deceived him, measure for measure,  
 190 They took a young goat, and killed him with a stick to befoul the long robe with sleeves,  
 They were insolent, and they reported to him [Jacob] ‘we found a rejected robe’,  
 They tore it apart in vain as if they had seen him [Joseph] on a death bed:  
 Whoever claims his right by deceit will not profit from his possession.

When a long period of twenty-six [generations] was completed,  
 195 The image of a bridegroom of blood [Moses] rose in the world,  
 Torah was excited: ‘Behold, my end has come and my time is fulfilled’,  
 His name is noted as Heber who united companions [Israel] for their King and Redeemer,  
 When he saw an Egyptian beating a Hebrew his neck gained strength,  
 A faithful shepherd for a people that has not been forsaken; he straightened their path,  
 200 He rushed to seize you [Torah] and said: ‘I will not leave you until you forgive their injustice’,  
 My ordinances are worthy to be given to him [Moses] for specific explanation,  
 Allow him to ascend to the city of mighty [angels] and to catch the spoil [Torah]:  
 I saw him and I chose him for the sake of My Name forever.

When [God] listened to the built Torah (B), He calmed down (N),  
 205 The day (Y) of giving (M) His Torah, He spoke (N) and made known to the faithful of His house.

He uprooted Mount Sinai from its surroundings,<sup>39</sup>  
 He let upper and lower heavens lean on its back,  
 The counsellors’ [angels] presence and the glorious throne dwelled upon it  
 Twenty-two thousand chariots of fire around Him,  
 210 Angels made the sound of an earthquake, and wheels were whirling in its midst,  
 They were asking each other ‘why is today such an earth-shattering day?’  
 The eternal living and holy God answered them and said in His pleasant kindness:  
 ‘There is My people; I will arise and reveal My Torah and her interpretations to be heard,  
 Nine hundred and seventy-four generations I concealed her because of [the mountain]:  
 215 Be off and go away! I will give My insightful [Torah].’

He tested the readiness of her recipients, and He called the one drawn from the boiling water  
 [Moses],  
 He let him know His testimony, and brought her explanation to his attention,  
 Innocent people [Israel] made her known, and before they heard her, they kept her ordinances,  
 The curls of their hair were adorned, and they were embellished with precious crowns,

39. Merhavia, ‘Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation’, p. 203.

- 220 Their image was shining and their radiance was luminous like the light of the lamps [sun and moon],  
 Praise and fame He gave them, and beautified them among all exalted beings,  
 The foundation of the world was firmly laid on lasting fundamentals,  
 The earth was calmed down and brought back to stillness in all its four corners,  
 The wild seas had reached their limits and were held back to their coasts:  
 225 The human beings below and the angels above cheered and rejoiced.

## VII.

And so, Moses descended from the mountain to the people

- Collected insight, looted and exiled; told and taught in thunder and lightning,  
 Fenced and confined, suspended like a vessel; appreciating and healing the gloomy soul,  
 Is she not built as a strong building? Is she not powerful, tied and braced to strength?  
 5 She is likened to a stream flowing to a lower place; she contains heavenly ordinances,  
 She is hidden in the navel [Sanhedrin] of those who carry her [sages]; preciously adorned both left and right,  
 She is [more than] three thousand and two hundred times [wide]; *counted* to be studied with four traits.

*Counted* as high as the highest heaven, she was revealed to a desiring people: *And God spoke*.  
 The fundamentals of heaven shook and trembled at His voice; His footstool was quaking and shaking,

- 10 His human creatures shuddered; the cover of fear surrounded them because of His might,  
 His wheeling angels were flying and gliding before Him [and Moses] his faithful messenger, to defend him and protect him,  
 They cried out to each other to bring him down; he began to shiver, and he was very frightened,  
 The One who reigns and rules answered them in His speaking; [Moses is] the messenger of the holy people who were assembled because of him [Moses],  
 From the beginning I longed to him for giving him the insightful [Torah]; be joyful about those who learn from his *power*.
- 15 I have increased his *power* [Moses] to shed light upon you; I illuminated the splendor of your children: *I am God, your God*.  
 The God of gods and the Lord of lords; probing and interpreting secret matters,  
 Placing the sand as the limit of the stormy seas; they knock on the door and do not change the Law,  
 Esteemed in the council of the upper beings [angels]; sanctified and lauded among ten thousands below [Israel],  
 Lifting the humbled and humbling the haughty ones; exploring what is behind and what is ahead,  
 20 Flying on wings of fire of angelic beings; knowing the terms of all human creatures,  
 I bent My throne [heaven] towards you [earth] properly; you did not observe two *images*,

- Cease to shape *images*; abhor any statue in your destined land: *You shall not make for yourself*.  
 The handwork of carpenters and artisans; cut and carved from the wood blocks of cypresses,  
 Carried on the shoulders of men; they do not see with eyes and do not feel with hands,  
 25 Lame and crippled and mute and deaf; [their] form is weak with little power,  
 Their places of idol worship are made like them,  
 The smell of burnt-offerings neither adds nor detracts,  
 They lose their way, they err and cause confusion; they advance their defeat and their destruction,  
 Their vigour is worthless and their work is for the fires; set your heart on knowing Me, *O holy ones!*
- 30 *O holy ones*, sons of the patriarch who was tested [Abraham]; by the high and lofty Name: *You shall not misuse*.  
 Your tongue will cleave to the jaws if you do not remember Him,  
 The feared and miraculous Name in His glorious majesty,  
 Impressive and ineffable, in seventy names is His remembrance,  
 Setting the three winds is sealed by His binding [Name],  
 35 The bundle [with His Name on it] was sunk into a great depth because of its clarity,  
 He shatters mountains and cleaves rocks when He passes by,  
 Over the fire [the Name] was mentioned, and then it abated for its sake,  
 The Reed [Sea] became dry and dried up by his reproach; written with the crown letters YOD HE,  
 Read with ALEF DALETH [Adonay] to keep it confidential and secret,  
 40 Whoever curses or insults it is wiped out from the world; whoever uses it idly, *his Creator* will  
 not hold him guiltless.

*His Creator* will guard you as the apple of His eye; a delight if rest is taken: *Remember the Sabbath day*.

- The relaxing rest of His Sabbath, the Master of deeds; when He finished His work on the sixth day [of the first week],  
 The unique soul in the walking man [Adam] was saved; before sunset he praised [the first Sabbath],  
 A forced exemption for the prisoners of Hell; ‘remember’ and ‘keep’ are said by the change of a word,  
 45 The obligation of its order is two sheep as a sacrifice; whoever desecrates it intentionally is sentenced to stoning,  
 Its corn [manna] was doubled in the wilderness for the exquisite people; a boundary was set between you and consuming fire,  
 A soothsayer cannot conjure [the dead]; glorify Him in your house, and you will gain strength *Selah*.

*Selah* I will rescue your bones; when you keep the fear of parents: *Honour your father and your mother*.

- They place in your mouth nourishments and drinks; bringing out breasts to nurse you,  
 50 The smell of juices to sweeten your palate; thickening and strengthening the weakness of your arm,

They support your step and do not cause stumbling; they cry and offer a prayer for your sake,  
 When a bone hurts you, their heart shrinks,  
 They rush and rub with eyewash and wound plaster,  
 They straighten and pave your path; they affix a nice wife to your side,  
 55 When death covers them, they leave you with their goods,  
 Pay their reward as long as they are on *earth*.

*Earth* you will inherit for eternity; if you hold back your hand from killing: *You shall not kill*.  
 I mould and bend his image like My image; I gave his soul five names,  
 I set his hand to rule the entire creation; I ordered [them] to procreate with ‘be fruitful and multiply’,  
 60 I did not make it easy to forgive his murderer; his light will be extinguished in My wrath,  
 The fool who hit the two commanders of My community (I Kings 2:5); whoever holds the horns  
 of the altar is My help,  
 I have handled his sentence in detail: he will be cut off from his status so that you learn about My  
 revenge,  
 I handed over his blood into the hands of an avenger; I Myself am his witness, *I formed* his body,

*I formed* his light – you shall not oppress; lest you suffer great anger: *You shall not commit adultery*.  
 65 [An unfaithful woman] is a consuming destructive fire; she burned many in her fiery flames,  
 Those who come to her she sentences to death, and she deprives them, leading them on slippery  
 ways,  
 Whoever follows her she leads like an ox to the slaughter; like one in the fetters of a fool,  
 She weakens and consumes the fornicators; she sweetens the palate but poisons the intestines,  
 She trims her nails and colours her eyelids; by the wayside she sets a snare [of temptation],  
 70 A soul falls in the trap like a bird in the net; adulterers have no hope or *expectation*.

*Expectation* you will find without the catching; if you do not tail after her: *You shall not steal*.  
 Go and learn from the first man; he was ordered to guard and work in the garden with the desirable  
 tree,  
 He was corrupt, and stole, and was removed from his status; the world was affected because of  
 him and he was destroyed by death,  
 The menstruating [Rachel] stole the precious household gods,  
 75 Those who follow her erroneous path do not learn from this,  
 The curse [of Jacob] ‘he will not live’ (Gen. 31:32) dwelled on her, and was attached to her,  
 Her spirit took flight on the way; [however,] the son coming from inside her [Joseph], was pre-  
 cious,  
 Also the Zerahite coveted objects from the spoil (Josh. 7:21),  
 An estimated thirty-six [men] fell because of him,  
 80 A hill was erected and established forever; he was eliminated and because of his rebellion *he was*  
*paid back*.

*He was paid back* and eradicated; explore My commandments meticulously: *You shall not bear*  
*false witness against your neighbour*.

Prevent your mouth from speaking obscenities; put a lock on your mouth and be firm in your truth,  
 Abhor slander and show your anger [about it]; acquire honest words and stay loyal to them;  
 Keep your tongue far from lying so that your success will increase; lest I become angry and furious  
 at you,

- 85 If you speak with a lying tongue, it will not last long; a truthful lip will endure and be received  
 with kindness,

Those who spied out (Canaan) were foolish and they were put to death,  
 The evil report about the land was summoned before the One who speaks uprightly [God],  
 The limbs of two hundred and forty-eight [spies] were full of worms by the plague and *the pest*.

*The pest* lest it find you to destroy; beware and stand before Me: *You shall not covet*.

- 90 Do not desire the goods of your fellow human being; vineyard and corn heap and standing corn  
 and dwelling-place,

Hope for Me all your days and nights; look for My good judgment which has been commanded to  
 you,

The abundance of My blessing will enrich you without any grief; the seed of your loins I will make  
 like a watered garden,

Desiring the goods of a neighbour what is valuable to him; the hand of the vexed and sullen [Ahab]  
 was scorched so that he would not be entirely burned,

The dumb [dogs] licked his blood to satiation; beware of your body and guard it lest you will be  
 equal to him,

- 95 Give heed to My sayings, then I will release you from grievance; learn these commandments and  
*make them public*,

*Make public* My wondrous deeds in awe; for I have taught you agreeable prescriptions: all the  
 people saw.

## VIII.

And so, for You, holiness will excel, because He is the holy and redeeming [God of] Israel

On the sixth of the month the ten commandments were given to Israel,<sup>40</sup>

At the end and completion of one thousand generations,

At the moment that He wished to go forth with her [Torah] from among the secrets,

- 5 You shone forth and appeared for Esau and Ishmael and Ammon to instruct,

He sent angels of flaming fire to the entire multitude of creatures,

They all refused to listen and to receive the words,

Then He revealed Himself to the holy people in great glory,

With Him were ten thousands of chariots and mighty angels were flying,

- 10 Twenty-two thousand chariots were shining in flashing fire,

Each single chariot which Ezekiel saw in the atmospheres,

40. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', pp. 204-207.

Will descend to annihilate the world, until all is air,  
 In the space of the world [the angels] fly like storks with wings,  
 The world cannot contain them because each one is a third of the world [in size],  
 15 When He descended with them the entire existence raged, hills and rocks were split,  
 All the kings of the world, and all the countries, were clothed in great fear,  
 Those in the East and in the West were appalled; horror seized them,  
 They convened with the wicked Balaam from all towns and citadels,  
 They asked him ‘Maybe a watery flood will sweep away all mortals’,  
 20 He replied to them: ‘You fools, it has been sworn that the waters of Noah will not cross in anger’,  
 They answered: ‘Maybe a fiery flood will burn us in a conflagration’,  
 He said to them: ‘Neither a water flood nor a fire flood,  
 Because God will give strength to His people [in] *pure words*.

*Pure words*, when the Guardian of the faithful gave them to the people,  
 25 He bent the heavens below and the most high heavens above,  
 And stretched them on the back of Mount Sinim [Sinai],  
 Like someone who properly stretches a pillow on the bed,  
 The mountain was torn off from its place, and the Lord of lords revealed Himself upon it,  
 Skylight opened in the firmament, and the top of the mountain reached up to hide in it,  
 30 Darkness and fog covered the mountain in thick gloom,  
 The King of kings was sitting upon the throne of glory, set on high from the beginning,  
 Above the fog the treads of His feet were standing firmly,  
 And from Sabbath eve a holy nation stood arrayed and in order,  
 With the men apart and the women apart, great multitudes,  
 35 All stayed there, with one heart, with one speech, with one council,  
 Because from the day that they went out from the forced labour of the Zoanites [Egyptians],  
 They were quarrelling and fighting while journeying and encamping,  
 Until they came to Sinai, a *many-peaked mountain*.

*Many-peaked mountains* and hills danced like the rams of the flocks,  
 40 Carmel came, and Aspamya, and Tabor from the plains,  
 One said ‘I have been called’, and the other said ‘I have been called’,  
 When they heard ‘I’, they turned and rolled from their place,  
 Instantly the one drawn [from the water] ascended to the high clouds spread like a tent,  
 His feet stood on the mountain but all his [body] was in the heavenly abode,  
 45 Conversing face to face with *the God of gods*.

*The God of gods* sent him to testify to the people in clarity,  
 About the prevention of the impurity of sexual intercourse,  
 He said ‘Thus you shall say to the house of Jacob’, first to the women,  
 Because the men will rush to follow [the opinion of] their women,  
 50 After that you will talk to the men of Israel,  
 He went and found them asleep, both young and old,  
 Because of the short night and the long and sunny day,

Their sleep was pleasant until two hours on the day [they were] resting,  
 Get up now, and rise, and take up your arms,  
 55 Because the Mighty wishes to bequeath to you the Law as a heritage,  
 To reveal to you her teachings, warnings, and punishments,  
 To be for Him a kingdom of priests and *a nation of holy ones*.

*A nation of holy ones* presented itself together at the foot of the mountain,  
 Pure and cleaned from all stains,  
 60 Among them there was nobody who was lame or deaf or blind or deformed,  
 And the Ruler of the world spoke to the faithful of His house ‘Go down unto the congregation of  
 the innocents’,  
 Because if you do not go down, they will think and say:  
 ‘The son of Amram chose a cloudy winter day on which there is lightning and thunder,  
 When he heard this, he went down and threatening fire came from the mountain,  
 65 [The fire] approached the cloud, and he shouted ‘God will speak with you in speech’,  
 The first [commandment] resounded ‘I am your God who brought you out from the sufferance of  
 the Anamites [Egyptians],  
 The voice was divided into seven voices, and from seven voices to the seventy languages of the  
 nations,  
 On that day no tree was rocking, no bird was chirping, no ox was mooing, all were silent,  
 But valleys and heights were shaking and moving and fell prostrate and fled,  
 70 Mountain and hill were bowing, and all the high and lofty cedars of the Lebanon kneeled,  
 And the dead of Israel were alive, and the living died because of the sound of enormous thunders,  
 The second [commandment] resounded, and they stood on their feet, alive and enduring,  
 They said to the faithful ‘Speak you with us, and we will enjoy listening’,  
 They said so rightly before the supreme God,  
 75 He sent for Michael and Gabriel, the beloved commanders of the hosts [of angels],  
 They took hold of the two hands of the one drawn from the streams [Moses],  
 They brought him inside the three compartments of dark clouds and dense fog:  
 By his mouth the ten commandments were heard by *those who are sealed by blood* [circumcised].

*Those who are sealed by blood*, You showed them the fire, a fire devouring fire,  
 80 On the day of giving [the Torah] all was fire,  
 The Torah herself was [made] of fire,  
 The high and lofty King, the Law of fire is at His right hand,  
 His host of serving [angels] were blazing, fiery coals,  
 As for Moses, his face also turned to fire,  
 85 The mountain was burning in fire halfway to heaven,  
 At the time that the Word wished to go out by fire,  
 He first proclaimed and shouted before the compartments of fiery angels:  
 ‘Get out of the way because of the utterance, lest the fire burn you’,  
 So they moved to one side in panic because of the fire,  
 90 He brought out the utterance like as a flashing fire to the house of Jacob,  
 Hanging on their ears like ear-rings announcing: ‘You will receive the Law of fire,

Positive commands and prohibitions are inscribed in her; do not despair [to fulfil them]’,  
 They replied ‘Let us do and let us hear – all that the High and Lofty spoke, is judged by fire’,  
 The utterance came of itself and kissed them on their mouths with kisses of fire,<sup>41</sup>  
 95 And if you are surprised, how one can receive fire from fire,  
 Look what is written, and you heard His words out of the fire:  
 He is the One who gives you power to sustain the flame of *fire*.

Accept the *fire* of His Law in love and affection,  
 Unto them [Israel] you [Moses] made loud the voice of the Outstanding among ten thousand,  
 100 They succeeded in becoming like the beings who are hewn from blazing fire [angels],  
 He gave them a weapon to their exaltation,  
 Inscribed on it the Ineffable Name to the regret [of the angels],  
 All the time that it was in the hand of the black and comely [Israel],  
 The Angel of Death could not hold sway over their bodies,  
 105 Nor did they experience any abominable pollution,  
 And when they passed away, no worm prevailed over them,  
 Happy are they, and happy is their destiny in this and in the coming [world],  
 They praised and made [the angels] praise the Awesome in the great council of holy ones,  
 The glorified and praised [God] in a host of ten thousands [angels],  
 110 In the council of fiery Seraphim the speaking is pleasant,  
 Signed by twenty-two letters, a signature of fire,  
 Those who are created every morning anew [angels] speak about His greatness,  
 While they are standing above Him, and posit themselves beneath,  
 From two sides they fly towards the throne of the chariot,  
 115 When they fly they recite ‘Hear, O Israel’ with a willing spirit,  
 After three words [holy, holy, holy] they mention the Name shivering and shuddering,  
 Between them there is no quarrel and no fight,  
 All of them, tens of thousands, are allotted [a place], each by his own standard,  
 They glorify and respect the Name of the One who knows each thought,  
 120 His threefold holiness they sanctify for listening.

41. Merhavia, ‘Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation’, p. 211.

Appendix II. Edition of *De Libro Krubot*

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*P* = Paris, Bibliothèque Nationale de France, MS Latin 16558, ff. 206rb-211rb*Z* = Paris, Bibliothèque Mazarine, MS 1115, ff. 383r-390v*C* = Carpentras, Bibliothèque Inguimbertaine, MS 153, ff. 65va-67vb*G* = Girona, Arxiu Capitular, MS 19b, ff. 71vb-73vb

		[ <i>P</i> f. 206rb; <i>Z</i> f. 383r] <u>De libro krubot</u> <sup>1</sup>
1	goy	[ <i>P</i> f. 206va; <i>C</i> f. 65va; <i>G</i> f. 71vb] Tu domine es super omnes principes tu elegisti hanc gentem super omnes alias respice eam deus et fac dominarij super omnes alias illos <sup>2</sup> qui abominantur <sup>3</sup> illam pone in commocionem <sup>4</sup> capitis et ipsius exalta caput <sup>5</sup> .
2 <sup>6</sup>		Dixit deus patri prophetie et ostendit ei quasi formam cunei ignej
	stult.	<u>glosa salomonis</u> hic <sup>7</sup> est moyses qui est pater in lege pater in sciencia pater in prophetia et in tribus fuit Moyses durus quia <sup>8</sup> non poterat aduertere, donec deus ostendit ei digito <sup>9</sup> et que fuit <sup>10</sup> illa <sup>11</sup> ? candelabrum et siclus <sup>12</sup> et nodus philacteriorum <sup>13</sup> et dixit <sup>14</sup> deus Moysi tale dabunt pro se, <u>scilicet siclum</u> et per hoc inuenient misericordium coram me et <sup>15</sup> angustiatores eorum macerabuntur et gens mea per [ <i>Z</i> f. 383v] hoc habundabit bonis et erit digna uidere gloriam meam, et hoc merito expellet multos, et <u>infra</u> angustiatores eius minorentur,
	no. goy	et deficiant <sup>16</sup> et super colla illorum corroborentur.
3	stult.	Mytraton <u>Enoch</u> <sup>17</sup> offert exenium solio excelso de semine sepultorum in Hebron <sup>18</sup> , <u>id est Abraham Isaac</u> [ <i>G</i> f. 72ra] et <u>Jacob</u> .
4	Nu xi <sup>19</sup> goy	Labor omnis <sup>20</sup> filiorum Israel <sup>21</sup> denunciatus fuit Moysi, ad sustinendum et ad <sup>22</sup> loquendum pro eis, iusticiam, et ad dandum aliis populis <sup>23</sup> infernum, in quo comburentur <sup>24</sup> in eternum.

\* The criteria of the edition are the same that I employed in the edition of the excerpts from Rashi, see Hasselhoff, 'Rashi's Glosses on Isaiah in Bibliothèque nationale de France, Ms. lat. 16558', p. 126. – The edition was prepared within the European Union's Seventh Framework Programme (FP7/2007-2013/ERC Grant Agreement n. 613694) ('The Latin Talmud and Its Influence on Christian-Jewish Polemic' at the Universitat Autònoma de Barcelona, Bellaterra); I would like to thank Ulisse Cecini and Óscar de la Cruz Palma (both Bellaterra) for helpful remarks on the edition and to Wout van Bekkum (Groningen) for the collaboration on this article.

- |                           |                                |                            |
|---------------------------|--------------------------------|----------------------------|
| 1. <i>Om. CG</i>          | 9. <i>C degito</i>             | 17. <i>P enohc C hnoch</i> |
| 2. <i>Om. Z</i>           | 10. <i>CG fuerunt</i>          | 18. <i>PG ebron</i>        |
| 3. <i>CG abhominantur</i> | 11. <i>CG ei</i>               | 19. <i>Z Nu xi v. 23</i>   |
| 4. <i>G comocionem</i>    | 12. <i>C stillus G sciclus</i> | 20. <i>CG honoris</i>      |
| 5. <i>C capud</i>         | 13. <i>CG filacteriorum</i>    | 21. <i>Om. G</i>           |
| 6. <i>bMeg 13a</i>        | 14. <i>CG dicit</i>            | 22. <i>Om. PZ</i>          |
| 7. <i>CG hoc</i>          | 15. <i>Om. Z</i>               | 23. <i>Om. Z</i>           |
| 8. <i>CG quod</i>         | 16. <i>C deficiet</i>          | 24. <i>Z comburentur</i>   |

5	prou iii <sup>25</sup>	Lex maior est toto mundo bis millesies quadringentesies et data est seculo pro sanitate et medicina longitudo dierum in dextera <sup>26</sup> eius et in sinistra illius diuicie et gloria et fecit scire omnia verba abscondita et imposuit omnes thesauros <sup>27</sup> [P f. 206vb] et inuestigauit numerum <sup>28</sup> hominum, et <sup>29</sup> numerum angelorum superiorum et fecit nos scire quod <sup>30</sup> vnus ab alio in altitudine <sup>31</sup> diuersificatur aliqui sunt qui ita magni sunt <sup>32</sup> sicut magnitudo maris mag[C f. 65vb]ni et aliqui sunt qui ita magni sunt <sup>33</sup> sicut totus mundus et aliqui sunt qui duobus volatibus transuolant mundum et aliqui qui vno volatu <u>glosa salomonis</u> sicut legimus in brakot <sup>34</sup> quod Michael vno volatu, Gabriel duobus, et inuenimus in macecta heguigua <sup>35</sup> quod cendalfon <sup>36</sup> alcior <sup>37</sup> est <sup>38</sup> omnibus aliis <sup>39</sup> quingentis annis itineris.
6	goy	Deus manutene nos <sup>40</sup> et da malum gentibus pro animabus notris <sup>41</sup> exalta gentem tuam, quia tempus miserendi eius quia venit tempus, fac obliuisci nominis <sup>42</sup> delicate, <u>id est Edom id est ecclesie</u> de omni loco et omni angulo, et reuerti facias regnum ad dominum suum <sup>43</sup> , <u>id est ad Israel</u> .
7	goy ps.	Memor esto domine filiorum Edom [Ps 137:7] qui destruxerunt domum tuam angustiatorum qui eradicauerunt muros [Z f. 384r] et usque ad fundamentum eruerunt <sup>44</sup> , et non sit coram te traditum <sup>45</sup> obliuioni offense eorum in seculum non <sup>46</sup> obliuiscaris quia nescierunt <sup>47</sup> facere veritatem sigilla <sup>48</sup> cartas eorum <u>sue dampnacionis</u> <sup>49</sup> in die angustie in die qua venies ad disputandum <sup>50</sup> cum illis.
8	goy	Visita et <sup>51</sup> rememorare <sup>52</sup> ad turbandum dolorem angustiatoris nostri et ad obstruendum os eius ad commouendum ut ebrium.
9	tal.	Quando Moyses intellexit mysna et deum dicentem quod raby Elyezer <sup>53</sup> dicit quod <sup>54</sup> vaca <sup>55</sup> [P f. 207ra] duorum annorum et vitula vnus anni tunc rogauit deum quod ille magister de sua stirpe nasceretur deus docuit tunc Moysen illa halakod
	stult.	et quando dixit ei quod homo mundus acciperat <sup>56</sup> cineris <sup>57</sup> combustionis et mitteret <sup>58</sup> aquas vinas super eos, et ex eis aspergeret <sup>59</sup> in mundum die tercio, et die septimo, et sic mundaretur, mitatus <sup>60</sup> est Moyses dicens quid mundabitur a polluto?
	numer. 19 <sup>61</sup>	Cinis vitule rufe eciam <sup>62</sup> mundum polluit, et quomodo tollet speciem pollutionis respondit deus: legem statui, quid laboras scire? profundior est inferno quomodo scires? veniat <sup>63</sup> cinis vitule, ad <sup>64</sup> mundandum sordes vituli, ut <sup>65</sup> sit mundacio Israel qui vocatur vaca lasciuens, omnes vace finientur et <sup>66</sup> tua semper durabit.

25. Z Prou 3.16

26. C dextera

27. P thōs C thesauros

28. G numerorum

29. Om. CG

30. CG et

31. Z om. in altitudine

32. G qui sunt ita magni

33. CG qui sunt infra magni

34. Z brachot

35. Z beguigua; CG henguina

36. C cendabbo G cendab-  
b(er)o

37. CG alcioem

38. Om. CG

39. P ilus

40. CG eos

41. C vestris

42. C omnes G omnis

43. C deum suum

44. CG errauerut

45. CG traditorum

46. C no Z ne

47. CG nesciunt Z nescierum

48. C sigillas G sigillas

49. C dapnacionis

50. CG disceptandum

51. P et et

52. CG memorare

53. C eleasar G elizer

54. Om. CG

55. G corr. ex vasa

56. C accipet G acciperet

57. CG cineres

58. C micteret

59. C sprageret

60. CG miratus

61. Z Num 19.3

62. C in

63. CG veniet

64. C add. in marg. inferno ...  
ad

65. C et

66. C in

10	goy No	Deus spiritum <sup>67</sup> maior omni laude conuerte <sup>68</sup> aurem tuam ad preces nostras <sup>69</sup> affligentes nos precipita in infernum, et anime nostre letabuntur.
11	blasph	Affligentes vitam meam <sup>70</sup> angustia <sup>71</sup> <u>afflige</u> relinquentes deum veritatis ad dandum coronam mortuo <u>Ihesu Xristo scilicet</u> .
12		Vinum custoditum in racemis suis creauit ex ipsis deus, ad reseruandum <u>glosa</u> Salomonis de omni specie rerum quas deus creauit reseruauit pro seculo futuro, iustis de arboribus reseruauit vitem in qua vinum conseruatur in racemis suis, a sex primis diebus de aibus reser[Z f. 384v]uauit ziz <sup>72</sup> sicut scriptum est:
	ps	Et <sup>73</sup> ziz <sup>74</sup> saday <sup>75</sup> mecum, <u>pulcritudo agri mecum est</u> [Ps 50:11], de piscibus Leuiathan, de animalibus Behemoth, qui depascit mille montes in die et singulis [P f. 207rb] diebus renascitur herba.
13	in ka- zassim Gen i	Deus quando creauit solem et lunam fuerunt eiusdem claritatis aperuit luna os [G f. 72rb] suum ad accusandum socium suum et ait: Non decet duos reges seruire in vna corona et sanctus benedictus si <sup>76</sup> ipse reddidit ei [C f. 66ra] mercedem suam et dixit <sup>77</sup> illi vade et <sup>78</sup> minorate ipsam et quando deus vidit quod erat minorata misertus est eius et fecit <sup>79</sup> stellas in auxilium eius <sup>80</sup> et dixit quod iusti suo nomine vocarentur.
14	stult. ys 27	Behemot qui depascit <sup>81</sup> mille montes <sup>82</sup> statuit deus victum suum posuit serpentem vectem in profundum maris, reseruati que sunt vsque dum visitet <sup>83</sup> super eos, qui loquitur iusticias in gladio suo duro et <sup>84</sup> forti [Is 27:1], <u>glosa Salomonis sanctus benedictus sit ipse occidet illos</u> .
15	goy No	Omnibus afflictionibus nostris congregatis fac cadere super eos timorem, et pauorem ad commouendum corda eorum, cifum <sup>85</sup> ire tue misce <sup>86</sup> inter eos, timor et angustia veniant <sup>87</sup> in eos vertigo <sup>88</sup> discrecionis in cordibus suis, tremor <sup>89</sup> et consummatio in lumbis <sup>90</sup> eorum concussio et paralis in omnibus membris suis et corruant <sup>91</sup> in seipsis et a seipsis dolor super dolorem veniat super eos muti <sup>92</sup> sedeant <sup>93</sup> in locis suis, tot repleantur angustiis quod <sup>94</sup> non possint <sup>95</sup> creari <sup>96</sup> , donec filii tui transeant ad metas suas in terram quam iurasti dare patribus eorum.

67. CG spiritum magis

68. CG mite

69. CG meas

70. C affligentes vitam meam  
affligentes vitam meam71. G affligentes vitam meam  
angustia affligentes vitam  
meam angustia72. P reseruauit zibz C re-  
seruauit et azisadai G  
reseruauit et a zyzsada

73. CG psalmo

74. P zyb; Z zib

75. CG zizsada

76. CGZ sit

77. Z dixi

78. Om. CG

79. CG eius inferat

80. CG in adiutorium illius

81. C depacit

82. Om. P

83. CG uidisset

84. P add. supra lineam; om.

Z

85. CG ciphum

86. C mixte G mixce

87. CG venient

88. Z ferigo.

89. Z timor

90. Z labiis

91. CG cor inanet

92. CG commuti

93. Z muri scindant

94. CG et

95. CG possit

96. CG curari

16	goy ps No	Nisi quia dominus erat in nobis etc. [Ps 124:1] in omni ore denotauerunt nos et iugum suum aggrauauerunt super nos donec dominus mictat spiritum sanctum de alt(er) <sup>97</sup> superno i.e. (?) <sup>98</sup> ad consolandum nos <sup>99</sup> et in Edom <sup>100</sup> <i>ecclesia</i> det uindictam suam per manus [P f. 207va] nostras, quia festum Esau veniet super eum quando visitabit eum consumet semen illius <sup>101</sup> et vicinorum et amicorum suorum [Z f. 385r] et fecibus calicis soporis potabit illos et si exaltauerit <sup>102</sup> vt Aquila nidum suum inde detrahet eum in peste et <sup>103</sup> sanguine iudicabit eum sicut subuersionem Sodome et Gomorre vertet illum vindictam sanguinis eorum <sup>104</sup> seruorum suorum dabit super goym <sup>105</sup> coram oculis nostris et sicut audiimus de Egypto <sup>106</sup> eis <sup>107</sup> faciat nos audire de inimicis nostris Ysmael et Edom et omnibus afflictioribus nostris.
17	fab.	Deus quando voluit creare <sup>108</sup> mundum accepit licenciam a lege et detexit ei omnia occulta et ait illi si bonum est in oculis tuis ego creabo mundum quia per hoc diffundetur honor tuus in seculum et ad lumen tuum ibunt omnes venientes in mundum. Quis enim laudaret pulcritudinem tuam nisi esset mundus? Respondit lex:
	Nu xiiii <sup>o</sup>	magnificetur <sup>109</sup> fortitudo tua [Num 14:17] <sup>110</sup> quid tibi placet domine fac quis dicit <sup>111</sup> tibi: quid est quod facis? et si retrahente <sup>112</sup> ab hoc opere, quomodo inuenirem gratiam coram te? Quando audiuit hoc lusit cum verbis legis, que duobus milibus annorum fuerant occultata <sup>113</sup> cum illo et <sup>114</sup> sperabat dicens: Quando veniet dies in qua verba legis glosari debentur <sup>115</sup> , in lxx <sup>ta</sup> linguis? Iterum loquutus est deus cum ista <sup>116</sup> , ad placandum <sup>117</sup> eam tu es pulcra visu nec est qui te uideat, tu es bone gracie, et nullus te aduertit, tu es preceptis plena <sup>118</sup> , nec est cui imponam te, tu misericordia coronata es decens ut sponsa, pulcra et adulta, super [C f. 66rb] <sup>119</sup> omnia decora, nec est sponsus, aut nupcie, dixit que illi qui creauit ipsos duos [P f. 207vb] fac tibi seruientes, et ego ero in consilio ipsorum custodient enim me, pro toto posse suo et respondit deus:

97. G at(er)o

98. G eciam (?)

99. super nos ... nos: P super nos ad consummandum nos; Z super nos ad confirmandum nos

100. C eadem

101. C ipsius

102. C exaltauit

103. Z inpestet

104. Om. PZ

105. CG goy

106. C egito egito

107. Om. PZ

108. C curare G corr. in marg. ex curare

109. G corr. ex magnificentur

110. CG add. num(er)i xvi

111. CG dicet

112. C retrahente

113. CG occulta

114. CG quia

115. CG debent

116. CG deus ita

117. C plantandum

118. CG plena preceptis

119. C add. super

Nu xix	<p>in te scriptum est, ista<sup>120</sup> est lex hominis<sup>121</sup> [Num 19:14], hic est qui de terra creatus est, quasi diceret non debes tradi angelis sed hominibus, quando igitur<sup>122</sup> deus creavit Adam<sup>123</sup> fecit, illum ad enarrandum laudem suam formavit que illum<sup>124</sup> in ymagine<sup>125</sup> et similitudine sua<sup>126</sup>, et in orto<sup>127</sup> voluptatis posuit illum, et ait legi, isti dabo te, [Z f. 385v] respondit que lex, principium verborum meorum impediit et contempsit et transgressus est. [G f. 72va] Non furaberis et non concupisces ecce eum<sup>128</sup> hinc, quia nolo illum deinde in<sup>129</sup> x<sup>a</sup> generatione fuit Nohe iustus et rectus, et dixit deus<sup>130</sup> legi, iste inuenit gratiam in oculis meis, et<sup>131</sup> tu ipsa vocaris additamentum gracie, bonum est quod gracia sit additamentum gracie, dixit lex coram deo: si inueni gratiam in oculis tuis<sup>132</sup>, nec hoc mihi respondeas inebriauit<sup>133</sup> se vino et redegit filium suum in seruitutem et ait maledictus Chanaan.<sup>134</sup> Non ero illi, nec ipse me recipiet. In xx<sup>a</sup> generatione fuit Abraham filius trium annorum. Cognouit deum excelsum et abhominatus est ydola, et comminuit et confregit et ait deus legi pro isto et pro<sup>135</sup> filiis suis, creavi ego te, tu es eorum pulcritudo et gloria<sup>136</sup>, de isto volo quod te suscipiat, respondit lex habitanti in excelso, scio bene<sup>137</sup> quod bonus sit et vie eius perfecte sed de vnigenito suo<sup>138</sup> non rogauit ipse te<sup>139</sup>, immo extendit manus suas, sicut homo peregrinus ad ipsius sanguinem ad<sup>140</sup> effundendum et [P f. 208ra] hoc totum fecit ad faciendum<sup>141</sup> voluntatem tuam corde perfecto, et confidebat in hoc quod plenus es misericordie<sup>142</sup> deberet te rogasse de custodiendo vnigenito suo ab igne carbonum<sup>143</sup> post Abraham venit Ysaac, et ait deus legi iste mansuetus est quasi agnus iste libenter custodiet ritus tuos, consensit enim pergere ad ignem, et exponere corpus suum propter me et ambulauerunt corde perfecto pater et filius ad faciendum bene placitum meum, et ita<sup>144</sup> appreciatur<sup>145</sup> coram me quasi esset combustus, respondit lex<sup>146</sup> nolo<sup>147</sup> eum tu enim odisti Esau, et ipse dilexit eum, quia dolus fuit in ore illius<sup>148</sup> magis dilexit eum quam fratrem suum et benedixit ei vt viueret in gladio suo. Ideo nolo ei dari surrexit Iacob simplex et dixit dominus legi, iste accipiet verba mea in tentorio suo ad docendum quia integer natus est in [Z f. 386r] circumcisionis gladio, et in solio meo est ipsius figura sigillata, placet<sup>149</sup> mihi si uis, ut indote tua sigilletur, respondit lex decepit patrem suum quando pellibus edorum<sup>150</sup> circumdedit manus, et hoc idem fecerunt ei filij sui<sup>151</sup> qui<sup>152</sup> tunicam Ioseph tinxerunt in<sup>153</sup> sanguine edi<sup>154</sup>, transierunt duo milia cccc xlvij anni, et venit Moyses et ait lex habitanti in celo, istum volo qui iustissimus<sup>155</sup> hominum est, et qui te rogaturus [C f. 66va] est, ut dimittas populo suo<sup>156</sup> noxam suam aut<sup>157</sup></p>
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120. *CG* ita121. *CG add.* Numa xix122. *Z* sibi123. *CG* hominem124. *CG* eum125. *C add.* sua126. *Om.* *C*127. *Z* horto128. *Z* est129. *CG* et130. *CG* deus dixit131. *Om.* *CG*132. *C* cuius *G corr.* ex tuis133. *C* inebriantur *G corr.* ex inebriatur134. *C add.* filius trium an-

norum, cognouit deum

excelsum et ab

135. *Om.* *CGZ*136. *C* gloriam137. *Om.* *Z*138. *Om.* *Z*139. *C* de *G corr.* ex de140. *Om.* *PZ*141. *CG* faciendam142. *CG om.* et ... misericordie143. *Z* crarbonum144. *CG* add. ei145. *C* preciatu *G corr.* ex preciatu146. *C* deus lex147. *C* volo148. *C* ipsius149. *Z* placuit150. *C* eos edorum *Z* odorum151. *Om.* *CG*152. *CG* quia153. *Om.* *CG*154. *Z* haedi155. *PZ* mittissimus156. *Z* tuo157. *C* an *G corr.* ex au

	exo 32	deleas eum <sup>158</sup> de libro tuo, quem scripsisti [Ex 32:32], tunc sumpsit <sup>159</sup> deus Moysen et [P f. 208rb] eleuauit eum <sup>160</sup> in celum et extendit super eum nubem suam et docuit eum precepta et ceremonias et gauisus est gaudio magno deus, et dixit legi, venit dies leticie tue inualuit leticia coram deo, et extendit celos et descendit et dixerunt angeli: quare diuariata est ista dies? et respondit deus: ego do lasciuiam meam quam duobus milibus annorum custodiui, venite ad eius leticiam quia venit dies eius et exultabimus et cantabimus <sup>161</sup> ista die quia <sup>162</sup> super omnes dies desiderauit hanc diem tunc exultauit <sup>163</sup> rex meus <sup>164</sup> in sanctuario et resplenduit et venit in x milibus millenariis sanctorum et cum ipso angeli diuersi et cursus millenariorum sanctorum <sup>165</sup>
	exo 19	et venerunt in Synai sancto [cf. Ex 19:18] ad dandum in hereditatem scripturam <sup>166</sup> legis.
18	er.	Septem fuerunt antequam terra fieret solium excelsum et eleuatum fuit ante celos, solium Israel <sup>167</sup> fuit ante regna terre <sup>168</sup> , patres seculi anticipauerunt fundamenta terre. Nomen messye fuit ante nomina <sup>169</sup> que sunt in terra. Ortus <sup>170</sup> voluptatis fuit antequam simplices terre, infernus anticipauit impios terre <sup>171</sup> , Israel et premia anticipauerunt omnes habitatores terre lex autem ante omnia, sonitus buccine paulatim crescebat in maius <sup>172</sup> .
19 <sup>173</sup>	exo xix stul	Moyses loquebatur et dominus <sup>174</sup> respondebat ei in voce fortitudinis [Ex 19:19] mirabilia facta sunt, exierunt de forulis <sup>175</sup> <u>corporibus</u> <sup>176</sup> anime amicorum et deus fecit [Z f. 386v] <sup>177</sup> pluere rorem vite super eos, et reuixerunt diuites ac pauperes.
20 <sup>178</sup>	er.	[P f. 208va] Decem creata fuerunt in vespere <sup>179</sup> sabbati in ipso <sup>180</sup> crepusculo: os putei, <sup>181</sup> os terre, os asine, yris, manna, baculus <u>Moysi</u> , samyr <u>lapis de quo supra</u> scriptum <sup>182</sup> et scriptura et tabule et aliqui dicunt quod eciam <sup>183</sup> demones et sepulcrum Moysi et aries Abraham <sup>184</sup> .
21 <sup>185</sup>	stult	Tabule lapidee habebant pondus xl sextariorum.
22 <sup>186</sup>	er	Angeli v <sup>187</sup> steterunt [G f. 72vb] supra Moysen quando <u>Moyses</u> <sup>188</sup> ascendit in celum ad recipiendum legem, clamauerunt que ad eum: Quid tibi in ista habitacione? putauerunt que <sup>189</sup> eum <sup>190</sup> comburere in hanelitu <sup>191</sup> oris sui ipse autem fugit et adhesit sedi dei, omnes simul cucurrerunt ad offendendum ipsum <sup>192</sup> , quando <sup>193</sup> vero non potuerunt <sup>194</sup> eum vincere fugerunt celeriter et laudauerunt saluatorem.

158. Z illum

159. Z scripsit

160. *Om. CG*161. *Om. PZ*162. *C add. est*163. *G exaltauit*

164. Z intus

165. *C om. et cum ... sanctorum*166. *C add. in marg.*167. *C add. eleuatum*168. *CG terrena*169. *CG omnia*

170. Z Hortus

171. *PZ om. infernus anticipauit impios terre*172. *PZ om. sonitus buccine paulatim crescebat in maius*

173. Cf. Merhavia, 'Some

Poems of Rabbi Benjamin

bar Samuel in a Latin

Translation', p. 199.

174. *CG deus*175. *C forulas*176. *G corpibus*177. *Z add. Deus*

178. Avot 5,8

179. *CG om. Decem ... vespere*180. *CG populo*181. *C add. et*182. *C add. est*183. *C eciam quod*184. *CG add. patris nostri*

185. Cf. Merhavia, 'Some Poems of Rabbi Benjamin

bar Samuel in a Latin

Translation', p. 199.

186. Cf. Merhavia, 'Some

Poems of Rabbi Benjamin

bar Samuel in a Latin

Translation', p. 200.

187. *CG Quinque angeli*188. *Om. CG*189. *Om. CG*190. *Om. CG*191. *CG anelitu*192. *CG ad ipsum offendendum*193. *G qu(omodo)*194. *Z potacerunt*

23 <sup>195</sup>	er.	Quando ascendit in montem dei creare hominem accepit sanguinem et aquam et decoravit similitudinem suam antequam insufflaret animam in forma erat inpressa, similitudo ipsius, laboravit inuestigare thalamos <sup>196</sup> eius <sup>197</sup> in lumine anime sue.
24 <sup>198</sup>	er.	Radices montis Sinay <sup>199</sup> eradicavit deus <sup>200</sup> de <sup>201</sup> loco suo celos sursum et deorsum inclinavit desuper,
	exo 19	posuit super eum gloriam suam [cf. Ex 19:18] in monte currus <sup>202</sup> sui xxij milia curruum ardebant <sup>203</sup> contra illum angeli tremebant et <sup>204</sup> celi voluebantur <sup>205</sup> coram eo et dicebant: Quid isti diei inter dies, ut commoueatur <sup>206</sup> totus mundus in ipso? respondit deus <sup>207</sup> volo detegere legem meam et exaltare populum meum quia reseruaueram <sup>208</sup> legem meam pro ipsis nonagentis et <sup>209</sup> lxxiii <sup>or</sup> generacionibus <sup>210</sup> .
25 <sup>211</sup>	No fab	In sexta die junij data fuerunt <sup>212</sup> Israel x verba post mille generaciones et quando deus [P f. 208vb] voluit dare legem illuxit [C f. 66vb] et resplenduit Esau et Ysmael, et Amon, et misit angelos ignis flammeos ad omnes creaturas, et renuerunt recipere legem, tunc misit ad homines sanctos <sup>213</sup> , et cum eis currus x milium <sup>214</sup> millenariorum angelorum [Z f. 387r] et xxij m <sup>a</sup> curruum in igne inflammatorum et accensorum, et quilibet currus qualis ille quem uidit Ezechiel <sup>215</sup> descenderunt que ad destruendum totum mundum et intra concauitatem mundi volabant
	er	sicut cyconia cum alis, et totus mundus non capiebat eos quilibet eorum <sup>216</sup> continebat terciam partem illius et quando deus descendit cum ipsis commote sunt omnes creature et saxa fissa <sup>217</sup> fuerunt et contremuerunt omnes reges terre et omnes generaciones <sup>218</sup> et conuenerunt post Balaam impium de omnibus villis et quesierunt ab eo: est hoc diluuium aquarum quo deus vult submergere omnes habitatores terre? Qui respondit: stulti <sup>219</sup> deus iurauit Nohe quod ultra non induceret aquas diluuij <sup>220</sup> super terram et dixerunt forte diluuium ignis vult adducere ad comburendum <sup>221</sup> omnes? et respondit nec est aque diluuium neque <sup>222</sup> ignis <sup>223</sup> sed deus uult dare populo suo verba munda quando dedit ea genti, custodienti veritatem submisit celos desuper et celos deorsum et extendit super <sup>224</sup> Syna <sup>225</sup> quasi homo [cf. Ex 19:18] qui extendit stramentum super lectum aperuit que fenestram in celo

195. Cf. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 202.

196. *C calamos*

197. *Om. CG*

198. Cf. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 203.

199. *PZ syna*

200. *Om. Z*

201. *CG in*

202. *CG cursus*

203. *G ardebat*

204. *Om. CG*

205. *CG voluebant*

206. *C comouatus G comouaturus*

207. *C eos*

208. *P reseruaram*

209. *Z id est*

210. *CG nonagentis generacionibus et lxx et xl*

211. Cf. Merhavia, 'Some Poems of Rabbi Benjamin bar Samuel in a Latin Translation', p. 204-211.

212. *CG fuerunt data*

213. *Om. CG*

214. *CG millium x currus*

215. *C ezech(iele)m Z Ezechias*

216. *C illorum*

217. *CG fusa*

218. *Z gentes*

219. *CG add. in marg.*

220. *CG aquarum diluuium*

221. *P comborendum*

222. *C nec*

223. *Z in igne*

224. *Om. CG*

225. *Om. CG*

exo	et <sup>226</sup> intrauit illud <sup>227</sup> montis cacumen et caligo et tenebre operuerunt <sup>228</sup> montem, et rex regum sedebat super solium <sup>229</sup> honoris excelsum, et super caliginem passus pedum suorum subnixi et a feria vj <sup>a</sup> [P f. 209ra] steti <sup>230</sup> gens sancta per ordines viri seorsum et mulieres seorsum et omnium cor <sup>231</sup> vnum <sup>232</sup> consilium vnum <sup>233</sup> et verbum vnum montes autem et valles commoti sunt quasi filii ouium venit Thabor inter montes et Carmelus ex aduerso et dixit vnus vocatus sum et alius vocatus sum et quando audierunt vocem domini conuersi sunt et fugerunt <sup>234</sup> exiuit uox prima
exo 20	ego deus deus <sup>235</sup> tuus, qui eduxi te de terra Egypti [Ex 20:2], diuisa fuit uox in septem et de vij in septuaginta linguas illa die arbor non floruit, auis non ganniuuit bos <sup>236</sup> non mugiiit quia omnia fuerunt in silencio, et commota sunt ab illo, et fugerunt excelsa et valles et omnes [Z f. 387v] arbores excellenciores <sup>237</sup> et mortui Israel resuscitati <sup>238</sup> sunt, et viui mortui sunt. Quando vero exiit uox secunda reuixerunt et steterunt, super pedes suos et dixerunt ad Moysen: loquere tu nobis et audiemus et <sup>239</sup> ait deus bene omnia loqui <sup>240</sup> sunt tunc misit Mychael et Gabriel duos principes exercituum pietatis, et acceperunt Moysen per duas manus, et detulerunt eum ultra tres [G f. 73ra] muros, ante deum caliginem <sup>241</sup> nubem et tenebras, per os eius audita fuerunt x verba sigillata <sup>242</sup> in sanguine <u>circumcisionis silicet</u> sigillatos sanguine fecit intelligere ignem comburentem ignem in die qua lex data fuit totum fuit ignis, ipsa <sup>243</sup> lex fuit ignis et scriptura eius fuit de igne, rex excelsus et eleuatus et <sup>244</sup> dextera <sup>245</sup> eius, ignea lex, et exercitus seruiencium ei flammantes ut [P f. 209rb] carbones et ipsa eciam facies Moysi ignea fuit, et quando verbum domini debuit [C f. 67ra] prodire in ignem <sup>246</sup> , prece preuenit et clamauit coram angelis ignis amouete uos? Ne uos comburat ignis tunc substraxerunt se ad partem pre timore ignis et verbum <sup>247</sup> venit per se ad Israel et <sup>248</sup> osculatum est eos <sup>249</sup> osculo ignis considerate quomodo potuerunt recipere ignem per medium ignis <sup>250</sup> et uidete quod scriptum est <sup>251</sup>
deut 4	vocem eius audiimus de medio ignis <sup>252</sup> [Dtn 4:36], quia hic est deus tuus qui dedit tibi potestatem sustinendi flammam ignis ignem <sup>253</sup> legis sue receperunt in amore fecitque eos audire vocem suam auribus suis, et dedit eis arma ad perpetuam corroboracionem, confixum fuit super eam, nomen dei, et scriptum in manifesto, omnibus diebus quibus fuit in manu nigre et formose non potuit malaach mauez <sup>254</sup> , <u>angelus mortis</u> , appropinquare ad corpora <sup>255</sup> ipsorum nec dominata est eorum gutta fedi humoris in abominacionem <sup>256</sup> , et in uestibus suis non habuit vermis <sup>257</sup> potestatem, benedicti sint ipsi et benedicta sint eorum corpora in presenti seculo et futuro.
26	goy Quomodo <sup>258</sup> scietur quod tu sis redemptor Israel? angustiator qui affligit eos agrauat super eos <sup>259</sup> iugum suum sanctifica eos in die occisionis et congrega eos quasi gregem ad victimam.

226. *Om. CG*227. *CG* illuc ad228. *C* operierunt *G* operuerint229. *C* solium illium230. *C* ertetit (?)231. *C* *add.* et232. *G* *add.* et233. *Om. C*234. *C* fugierunt235. *Om. Z*236. *Z* os237. *CG* excelsiores238. *C* resucitati239. *Om. CG*240. *C* locuta241. *CG* *add.* et242. *CG* a sigillatis243. *Z* quia244. *CG* *add.* in245. *C* desteram246. *C* *om.* in ignem247. *C* deus *G* deus *corr.* ex us248. *G* *corr.* in ex et249. *CG* *om.* osculatum est eos250. *Z* *om.* per medium ignis251. *CG* *add.* deu v252. *CG* *add.* hic253. *CG* legem254. *CG* malach mauec255. *Z* corpus256. *CG* abhominacione257. *Z* vlterius258. *C* Quando259. *CG* illos

27	blas	[Z f. 388r] Similes <sup>260</sup> facti sumus onocrocalo, solitudinis quia assimilatus est mortuus <sup>261</sup> <u>Christus</u> viuo deo <sup>262</sup> , et responsum est mihi verbum. Quid paleis <sup>263</sup> ad triticum? [P f. 209va] triticum quamdiu dilexi dilexit me et quando elegi malum reliquit me, quando offendi eum offendit me,
	blas	<u>hoc dicit propter illos qui de synagoga conuersi sunt ad Christum.</u>
28		Repleti <sup>264</sup> sunt nequicia et consiliati sunt nomen meum delere, ad seruiendum mortuo a deo viuo tollere partem meam fodiunt <sup>265</sup> nobis foueas quando audiui eorum blasphemias cilicium posui <sup>266</sup> vestem meam blasphemauerunt me inimici mei domini possiderunt <sup>267</sup> nos absque <sup>268</sup> te dissipauerunt dissipaciones ad mutandum gloriam suam in nichilum.
29	tal.	Decorem legis tue <u>talmu</u> <sup>269</sup> combuxerunt, veh <sup>270</sup> isti dolori perfecti <sup>271</sup> , operibus non sunt nobis ad curacionem huius plage.
30	blas.	In die tribulacionis mee clamaui ad te ne calumpnientur <sup>272</sup> me iniqui derelinquentes legem et ad retribuendum <sup>273</sup> eis meritum suum sede et <sup>274</sup> inuestiga, iudicium impij totum <sup>275</sup> ad plenum <sup>276</sup> redde illis qui cogitant facere <sup>277</sup> obliuisci tui <sup>278</sup> sancti nominis et honorati et assuefacere nomini pollucionis uilis <sup>279</sup> et seruilis iudicium malum induc <sup>280</sup> super illos <sup>281</sup> et condempna eos <sup>282</sup> graui consumpcione <sup>283</sup> partem calicis <sup>284</sup> eorum compedes angustie fac <sup>285</sup> pluere <sup>286</sup> super eos redde eis in septuplum vindictam federis et consumma illos.
31	goy	Gentem tuam <sup>287</sup> amabilem affligit angustiator qui dstringit eos commutare spem suam in suspenso creato, dentes eorum in puluerem contere, erige desolatos et illos dissipa, effunde sanguinem eorum ad conculcandum in <sup>288</sup> terra <sup>289</sup> vsquequo <sup>290</sup> in tribulacione inuocabo te? responde mihi in latitudine quia non est abbrevi[P f. 209vb]jata manus tua <sup>291</sup> , si peccata mea diuiserunt inter me et te et <sup>292</sup> si murus clausus est ante preces meas creator fac foraminam <sup>293</sup> in sede glorie tue, per quod clamor meus ad antes <sup>294</sup> tuas perueniat.

260. CG Silens

261. C add. est G est

262. Om. CG

263. CG paleam

264. C Replecti

265. P fodeint; Z foderunt

266. G corr. ex posuisti

267. PZ possederunt C possiderunt

268. C asque

269. CG talmud

270. P dohe cum rasura C beh  
G veh Z Dohe

271. Z præsertim

272. C calupnientur

273. C tribuendum

274. Om. CG

275. CG cogum

276. CG plene

277. G face

278. C Cui

279. C uil

280. Z viduæ

281. CG eos

282. CG illos

283. C assupcione

284. CG partis calicem

285. Z sue

286. CG puluerem

287. CG suam

288. Om. CG

289. CG uitam

290. CG sic quoque

291. G add. manus tua

292. Om. CG

293. CG foramen Z foramina

294. CG aures

32	blas goy No	Effunde iram tuam super offenden[C f. 67rb]tes te <sup>295</sup> qui assimilant corpus mortuum illi qui gloriose magnificatus est contriuerunt <sup>296</sup> [G f. 73rb] in lacu <sup>297</sup> vitam meam <sup>298</sup> in aqua <sup>299</sup> fumi <sup>300</sup> et immundicie <u>baptismo</u> [Z f. 388v] polluciones suas fecerunt me comedere loca <sup>301</sup> mundi dominos meos <u>magistros legis</u> , occiderunt super sanctificatione fidei tue <sup>302</sup> honoratos meos traxerunt in lutum <sup>303</sup> et immundiciam defecit spiritus meus pro lege exaltata, <u>talmut</u> <sup>304</sup> , quam <sup>305</sup> vidi dissipatam diruptam et igne crematam <sup>306</sup> turbatum est gaudium cordis mei et contritum pro ira magna clamat et rugit hereditas tua misera si sustinebis super hoc gentem <sup>307</sup> istam pollutam? faces tuas <sup>308</sup> in virtute tua tu <sup>309</sup> proice <sup>310</sup> , super illam inebria <sup>311</sup> sagittas tuas, sanguine illius, et gladium adipe <sup>312</sup> illius <sup>313</sup> , et carnibus satura vulturem, et miluum et populum tuum eleua <sup>314</sup> super omnes gentes.
33	blas no	Reliquias iugi regni tui affligit inimicus et dissipat et destruit ad dirupendum iugum tuum de super gentem tuam et ad recipiendum formam despectam <sup>315</sup> , <u>id est vilem hominem</u> in deum <sup>316</sup> .
34	blas	Inimici populi tui nolunt <sup>317</sup> auferre sanctificationem nominis tui et relinquere viuum pro mortuo <u>Xristo</u> auerte a nobis ne assimilemur <sup>318</sup> eis, <u>viuum scilicet et mortuum equiparemus</u> , blasphemabimus super mortuum eciam <sup>319</sup> oculum habuit erutum et hoc scriptum est in uerbo ueritatis.
35	blas goy	[P f. 210ra] Calumpniatores offendunt super palmitate adulterij <u>Xristo</u> misceatur in eis spiritus <sup>320</sup> vertiginis et sint in decisionem <sup>321</sup> redime amicos tuos a finicione protege eos ab angustiatore et fac eos valere prece saluacionem sperantibus in te in prece destrue in ira tua, sperantes in suspenso redde septuplum in sinu offendencium me, inebria sagittas tuas sanguine affligencium me.
36	blas goy	Polluti qui dicunt hereditatem tuam dissipatam gloriam tuam commutandam et post stulticiam eorum errandum palmitem abhominatum et putridum <u>Xristum</u> habendum pro domino <sup>322</sup> , et fidem tuam sanctam <sup>323</sup> relinquendam, et deturpandam in amore tuo et misericordia tua excelse et eleuate in fatua consilium <sup>324</sup> et impedi cogitationes ipsorum magnam consummacionem iace <sup>325</sup> inter eos et angelum peregrinum impellentem et impingentem <sup>326</sup> .
37	blas	[Z f. 389r] Derelicti sumus gens tua <sup>327</sup> parua inter spinas abominatas <sup>328</sup> oculi nostri deficiunt nec inuenimus redempcionem <sup>329</sup> contingentes <sup>330</sup> populum tuum in mortuo <u>Xristo</u> sperantes <sup>331</sup> mane <sup>332</sup> et vespere prosperantur insurgunt contra nos et loquuntur cum ira, confracti in quo sperabis? habitans eternitatem et sancte respice in pudorem suspirancium qui confidunt in misericordiis tuis magnis.

295. *Om. CG*296. *C* construerunt *G* construerunt297. *C* lacum298. *Z* *add. et*299. *CG* qua300. *C* summus *G* sumus301. *CG* loco302. *CG* tue fidei303. *C* luctum *Z* lectum304. *CG* talmud305. *Z* quoniam306. *Z* armatam307. *C* gructem308. *C* meas309. *PZ* om.310. *P* prohice *Z* proiice311. *CG* inebrias312. *CG* adhibe313. *CG* illi314. *CG* eleuas315. *Z* desperatam316. *CG* despectam in deum, id est in vilem hominem317. *CG* volunt318. *CG* assimilemus319. *C* et320. *Z* spiritum321. *Z* derisionem322. *CG* deo323. *Om. CG*324. *CG* consicclium325. *C* iacere326. *CG* impingentem327. *Om. PZ*328. *C* h(ab)itatas329. *C* Redempcionem330. *C* affligentes *G* confligentes331. *CG* separantes332. *C* magne

38	stul	Si exiuit fatum ad dissipandum habitantes in terra respice in facie Iacob, que confixa est in solio tuo et in archa que sub te clausa est <sup>333</sup> et in <sup>334</sup> animabus <sup>335</sup> iustorum que sunt intra archam, et in corona que est in capite [P f. 210rb] tuo que roborata est <sup>336</sup> et circumdata similitudine sceptrorum Israel.
39	oratio in ros hasana <sup>337</sup>	Sicut inuestigat pastor gregem suum et facit transire oues, sub virga sua, ita transire facias, et numeres animas omnium viuorum <sup>338</sup> et disponas cibum omnibus creaturis tuis et scribas predestinationem iudicii sui:
	Leui 16	In hac prima die anni scribetur et in ieiuniis expiacionis [cf. Lev 16:30?] sigillabitur quot transibunt et quot creabuntur, quis uiuet <sup>339</sup> et quis [C f. 67va] morietur, et <sup>340</sup> quis est in fine suo, et quis non in fine quis in aqua et quis in igne, quis in gladio et quis in fame quis in tomitruo <sup>341</sup> et quis in peste, quis quiescet et quis commouebitur, quis erit in pace et quis in doloribus quis exaltabitur et quis humiliabitur quis ditabitur <sup>342</sup> et quis depauperabitur <sup>343</sup> .
	Leui xvi	<u>In uespere expiacionis fit protestacio sequens ut obligaciones tocius anni: Non valeant.</u>
40	No er	Omnes promissiones et obligaciones et iuramenta et <sup>344</sup> omnia vota et omne domino consecratum et sanctificatum que <sup>345</sup> promitemus et iurabimus et uoebimus et <sup>346</sup> consecrabimus et sanctificabimus et quibus obligabimus animas nostras ab ista die, expiacionis usque in diem expiacionis,
	leui 16	qui venit super nos omnia ista de quibus penitebit nos, sint nobis soluta, dimissa impedita non teneantur nec consumentur <sup>347</sup> , promissiones nostre <sup>348</sup> non sint promissiones <sup>349</sup> nec obligaciones nostre obligaciones, nec iuramenta nostra <sup>350</sup> sint iuramenta <sup>351</sup> , et reputentur quasi testa <sup>352</sup> confracta [P f. 210va] que reparari non possit <sup>353</sup> ,
	Nu. xi°	[Z f. 389v] sicut scriptum est dimittetur vniversa plebi filiorum Israel et aduenis qui peregrinantur inter eos, quoniam <sup>354</sup> culpa est omnis <sup>355</sup> populi propter <sup>356</sup> ignoranciam [G f. 73va] et <sup>357</sup> ista ter debent dici.
41	Er gen i	In Kruba <sup>358</sup> <u>magni sabbati dicitur</u> quando deus posuit partem aquarum superius et partem inferius [cf. Gen 1:7], inferiores fleuerunt quia deus <sup>359</sup> vilificauerat <sup>360</sup> eas et ipse ad pacificandum illas <sup>361</sup> concessit eis <sup>362</sup> quod primo cantarent et hoc est quod scriptum est
	ps	eleuauerunt flumina <sup>363</sup> vocem suam [Ps 93:3].
42	No blas.	Goym imponunt super humeros suos cauillam suspensi <sup>364</sup> sui <u>crucem</u> et qui te nouarunt incurantur tibi <sup>365</sup> implicaturis iuncturarum suarum.

333. CG est clausa

334. Om. CG

335. CG animas

336. Z om. que roborata est

337. Z ros hana

338. CG illorum

339. Z finet

340. Om. PZ

341. G tonitruo

342. C dictabitur

343. C depaupertabitur

344. Om. G

345. Z quod

346. Om. CG

347. CG confirmentur

348. C vestre

349. C add. in marg. vestre  
non sint promissiones

350. C uestra

351. CG iuramenta sint

352. C tecta

353. Z poterit

354. C qui

355. Z omnes

356. C per

357. Om. CG

358. G Cruba

359. C om. quia deus

360. C muficauerat G mu(ni)  
ficau(er)at

361. Z eas

362. CG illis

363. P eleua.[uerunt] fl.[umina]

364. C supenssi

365. Om. Z

43	blas.	Goym cognouerant <sup>366</sup> sanctitatem tuam infanti <sup>367</sup> de adulterio et eleuati abhorrent calefactam mulieris fornicarie.
44	blas.	Goym formam similitudinis <sup>368</sup> <sup>369</sup> putrefacti faciunt deum et populus tuus testificatur, quoniam tuus <sup>370</sup> es deus deorum.
45	blas.	Goym corpus abhominatum acceleracio sceleris eorum, <u>glosa Salomonis</u> <sup>371</sup> : ex hoc patet quod credunt xristianos esse goy <sup>372</sup> , goym credunt in Ihesu noceri <u>Nazareno</u> , qui est corpus abhominatum et proiectum de fouea sua.
46	blas.	Goym inclinant illi, qui saluare non potest nec valere <sup>373</sup> et amici tui, confidunt in te, qui doces eos valere.
47	goy	Goym falsitas nec habent fidem iusti, veritatem tuam in synagoga sua dicunt.
48		Goym emyn zazumyn cedar edomyn <u>xristianos</u> absorbe eos fundibula eos <sup>374</sup> conculca eos et fac obmutescere <sup>375</sup> , goym gomer, magog <sup>376</sup> aschanaz <sup>377</sup> , <u>hyspanos</u> et romym <u>romanos</u> comminue eos et percute, offende eos et destrue illos, dirue <sup>378</sup> domos goym, discinde pulcri[P f. 210vb]tudinem goym, calca torcular inter goym, exalteris iudex <sup>379</sup> super superbos et dicent deus et rex super <sup>380</sup> goym vilifica regnum goym <sup>381</sup> , scopa et destrue goym, videbunt magnalia tua et confundentur goym, comminue destrue goym, preliare contra reges goym, dominator regnum tuum manifesta <sup>382</sup> super goym dissipa in ira tua omnes goym, conculca Seyr et omnes goym, fac vlcionem in goym, effunde iram tuam super goym, destrue ossa goym, <sup>383</sup> fundibula congregaciones <sup>384</sup> goym offensam [Z f. 390r] prebe in goym, [C f. 67vb] <sup>385</sup> effunde furorum tuum super goym, irruat super goym formido et pauor, congrega dispersos Israel redime deus Israel, gloria indue Israel, da vindictam tuam in Edom per manum Israel vere tu es saluator Israel <sup>386</sup> calca torcular affligentibus Israel detege regnum Israel benedictus deus Israel.
49	goy	Naciones <sup>387</sup> Seyr <u>xristianorum</u> disperde quod vltra non sit in eis dominus <sup>388</sup> cui seruiatur, et restitue nobis regnum <sup>389</sup> sicut <sup>390</sup> facies quando resuscitabis <sup>391</sup> tabernaculum Daud.
50	er	Aliqui angeli sunt, qui c vlnas habent in altitudinem <sup>392</sup> , et aliqui cc <sup>tas</sup> et aliqui ccc <sup>tas</sup> et aliqui nonagentas, et aliqui sicut totus mundus, aliqui eorum reges sunt xvi seculorum aliqui ccc <sup>torum</sup> et x et aliqui sunt <sup>393</sup> quorum missio est ccc <sup>torum</sup> et xxxvj seculorum et magna pax inter eos, nec odium est inter eos, <sup>394</sup> nec contencio inter partes ipsorum nec inuidia in tabernaculo suo, nec sompnus <sup>395</sup> est in accubitu eorum nec in palpebris <sup>396</sup> dormitacio, nec in cordibus mala voluntas, nec malus oculus <u>fascinacio</u> in habitaculo <sup>397</sup> eorum.

366. C conouerant

367. C instanti

368. P corr. ex pulcritudinis

369. CG add. est

370. CG tu

371. Om. PZ

372. CG om. ex hoc ... goy

373. Z valet

374. fundibula eos P add. in marg.

375. C omuscere

376. CG magoch

377. CG aschanar

378. G Dirrue

379. CG vide

380. Z et

381. Om. Z

382. C magnifesta

383. PZ om. effunde ... ossa goym

384. Z cogitationes

385. C add. va- Effunde iram tuam super goym destruende ossa goym -cat

386. P add. vere ... Israel supra lineam

387. CG Nasciones Ysrael

388. G add. in marg.

389. C Regumque

390. C add. non (?)

391. CG restitues

392. Z altitudine

393. Om. C

394. Z om. nec odium ... eos

395. C somnus

396. C alpebris

397. CG tabernaculo

51	tal.	[P f. 211ra] <u>In mane cotidie</u> <sup>398</sup> <u>dicunt hanc kruba id est oracionem</u> : Pater noster pater pietatis miserans <sup>399</sup> miserere nostri <sup>400</sup> et da in corde nostro aduertere et intelligere et audire et discere <sup>401</sup> et docere, et <sup>402</sup> custodire et <sup>403</sup> facere, et tenere omnia uerba talmut <sup>404</sup> legis tue in amore <sup>405</sup> . <u>In uespere autem dicunt</u> : amor seculi domum Israel gentis tue dilexisti, legem mandata et consuetudines nos docuisti ideo que <sup>406</sup> domine deus noster accumbendo <sup>407</sup> et surgendo loquimur in consuetudinibus tuis, et gaudebimus et exultabimus in uerbis talmut <sup>408</sup> legis tue, et <sup>409</sup> in mandatis tuis <sup>410</sup> in eternum et <sup>411</sup> ultra, quoniam ista sunt iura eterna <sup>412</sup> , et prolongacio dierum meorum <sup>413</sup> et in eis meditabimur <sup>414</sup> die ac nocte.
52		<u>In kruba</u> <sup>415</sup> <u>eciam scriptum est</u> qui uidet sompnum <sup>416</sup> et anima ipsius terretur <sup>417</sup> , faciet illud <sup>418</sup> bonum coram tribus et dicet [Z f. 390v] ter sompnum <sup>419</sup> bonum uidi etc. <sup>420</sup>
53	stult. exo 14	<u>Item legitur in krubot</u> extendisti manum tuam et d[ivid]e <sup>421</sup> e.[st] <sup>422</sup> [cf. Ex 14:16] terra <sup>423</sup> mare et terra contendebant inuicem mare dixit <sup>424</sup> terre recipe [G f. 73vb] filios tuos, terra dixit mari recipe occisos <sup>425</sup> tuos, nec terra nec mare recipere uoluerunt eos terra timuit patrem suum de celis ne repeteret <sup>426</sup> illos in futuro seculo et statim aperuit terra <sup>427</sup> os suum et deglutiuit eos.
54	blas.	<u>In kruba sabbati de vitula rufa dicit</u> : In hora qua Mosse ascendit in excelsum audiuit dominum sedentem, et studentem in perec <u>capitulo</u> de vitula rufa <sup>428</sup> [Num 19:2], et dicentem Raby Eleazar dicit
	leui (?) 16	vitula vnus anni et vacca duorum et ait Mosse domine seculi superiores et inferiores in potestate tua et tu sedes et dicis halaka <sup>429</sup> <u>id est talmut</u> <sup>430</sup> in <sup>431</sup> nomine carnis et sanguinis? et dixit ei <sup>432</sup> deus: venturus est quidam iustus <sup>433</sup> qui darsabit <sup>434</sup> <u>glosabit capitulum istud Raby</u> [P f. 211rb] <u>Eleazar</u> <sup>435</sup> <u>scilicet</u> <sup>436 437</sup> .

398. Z quotidie

399. CG insimileris

400. CG nobis

401. C discernere

402. Om. PZ

403. Om. CG

404. CG talmud

405. CG legis in amore tuo

406. CG quia

407. C accelendo G accelerendo

408. CG talmud

409. Om. CG

410. CG tu es

411. CG add. non

412. CG nostra

413. C nostrum

414. Z ditabimus

415. CG krubod

416. C sopnium

417. Z territor

418. C id

419. C sopnium

420. CG add. Quare supra ple-  
nius in krubod

421. Z deus rabit

422. Z eos

423. P t(er); C tr. G t.

424. Z dicit

425. CG occises

426. C rep(er)teret

427. Om. PZ

428. CG De uitulo ruffo

429. C alaka

430. CG talmud

431. CG et

432. CG eis

433. CG in uis

434. CG darlacum

435. G relazar

436. Om. CG

437. Z add. Finis excerptorum  
de Krubot

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# The Translation of Maimonides' *Dux neutrorum* as a Reaction to the Talmud Trial?

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As I have shown in my book *Dicit Rabbi Moyses*, between 1244 and 1246 Albert the Great was the first scholastic author who quoted Maimonides from the Latin translation of the *Guide for the Perplexed*, usually rendered as *Dux neutrorum*.<sup>1</sup> Since then Maimonides was part of at least the authorities of the Dominican Order to explain problems like the eternity of the world. In that book I also gave some arguments for the place where the translation was made.<sup>2</sup> Before I summarise these arguments, I will first mention some points of the history of the *Guide* itself. Then I draw your attention to the first chapters of the work and its Latin translation. In a third step I will summarise and present my arguments for the potential place of that translation and the forces behind it.

## 1. Moses Maimonides and the *Guide for the Perplexed*

When Moses Maimonides in the early 1190s finished his *Dalālat al-Ḥāirīn* it was neither his first nor his last book. Before, he wrote two commentaries on the *Mishna*, after, he published several medical treatises.<sup>3</sup> In literature, a number of arguments are raised as to why Maimonides wrote that philosophical treatise at all and how the different parts have to be understood. To mention just three positions: a) After Maimonides had written some works on halakhah he now felt free to turn to Aristotelian philosophy that was his real interest, although it was directed only to a small group of readers (e.g. Leo Strauss<sup>4</sup>). b) Maimonides wrote the *Guide* as a hermeneutical tool to read and understand the Bible (e.g. Friedrich Niewöhner; Herbert A. Davidson<sup>5</sup>). c) The *Guide* is the final part of a lifelong attempt to formulate a philosophy of

1. Hasselhoff, *Dicit Rabbi Moyses*. – The *Dux neutrorum* was printed by Agostino Giustiniani, Paris 1520 (repr. Frankfurt o. M.: Minerva 1964, reissued in 2005); on Giustiniani and his editions see Hasselhoff, 'Die Drucke einzelner lateinischer Übersetzungen von Werken des Maimonides im 16. Jahrhundert als Beitrag zur Entstehung der modernen Hebraistik: Agostino Giustiniani und Sebastian Münster', pp. 169-188. – A critical edition based on all manuscripts available is a scholarly desideratum; on the difficulties of such an enterprise see Hasselhoff, 'Zur Problematik kritischer Ausgaben der Schriften von Moses Maimonides', pp. 47-53.
2. See Hasselhoff, *Dicit Rabbi Moyses*, pp. 123-125.
3. For a survey of his writings see, e.g., Stroumsa, *Maimonides in his World*, pp. xix-xx; Hasselhoff, *Dicit Rabbi Moyses*, pp. 330-333.
4. See Strauss, 'How to Begin to Study *The Guide of the Perplexed*'.
5. Niewöhner, 'Maimonides *Dux Neutorum*'; Davidson, *Moses Maimonides*, pp. 332-351

halakhah; therefore the *Guide* belongs to his halakhical writings (Moshe Halbertal<sup>6</sup>). All of these and similar positions can be found in the *Guide*, but for our purpose it suffices to say that it is a truly encyclopaedic work<sup>7</sup> that comprises all kinds of knowledge of the twelfth century, including Bible exegesis, halakhah, Aristotelian philosophy, astronomy, mathematics, and so on.

More important seems to me with regard to the later Latin tradition the question of languages. Although it should be quite well-known, we have to remember that Maimonides' mother tongue was Arabic, or to be more precise the Jewish dialect of the Mediterranean world called Judaeo-Arabic. In that language he wrote his medical, philosophical, and scientific works.<sup>8</sup> In addition some of his halakhic writings were also written in Arabic. Other than is implied by editions like that of Frederek Musall and Yossef Schwartz,<sup>9</sup> Maimonides wrote the Arabic in Hebrew characters.<sup>10</sup> But Maimonides not only wrote Arabic, but also Hebrew. All his Bible quotations in the Arabic works were written in Hebrew, as well as his halakhic chef d'oeuvre, the *Mishneh Torah*.<sup>11</sup> For reasons that do not need to be discussed here, throughout the twelfth century Hebrew again became a popular language among the Jews at least in Europe. That led to the translation of halakhic and philosophical works into Hebrew.<sup>12</sup> Concerning Maimonides, this can be shown by the following: Already in the last years of his life the *Guide for the Perplexed* became translated into Hebrew by Shmuel ibn Tibbon, under the title *More ha-Nevukhim*, the proper name until today;<sup>13</sup> the translator was even in contact with the author as is indicated by a letter-exchange.<sup>14</sup> This translation was quite difficult to read because Ibn Tibbon used many Arabic words as *termini technici*. Nonetheless, his translation was quite accurate. The legend has it that when a ship with the translation reached Egypt, Maimonides had died recently,<sup>15</sup> i.e. in 1204 the translation seems to have been finished. Less than ten years later a second translation of the *Guide* was made by the poet

6. Halbertal, *Maimonides*.

7. Haddad, *Maimonide*, p. 47; 88. – In the aftermath of the 800<sup>th</sup> anniversary of his death a number of books and volumes dedicated to his memory were published, see, e.g., Hasselhoff and Fraisse (eds.), *Moses Maimonides (1138-1204)*; Tamer (ed.), *Die Trias des Maimonides*; Seeskin (ed.), *The Cambridge Companion to Maimonides*; Robinson, *The Cultures of Maimonideanism*.

8. A comprehensive and detailed survey and analysis was given by Davidson, *Moses Maimonides*. Nonetheless, it remains to be discussed whether the de-attribution of some of the works from Maimonides is tenable (see Kraemer, *Maimonides*).

9. Moses Maimonides, *Wegweiser für die Verwirrten*.

10. See Colette and Di Donato, *Maimonide et les brouillons autographes du Dalâlat al-Hâ'irîn*, pp. 88-87; 98-101; 130-131; 144-145; 158-159; 176-177.

11. Twersky, *Introduction to the Code of Maimonides*.

12. Steinschneider, *Die Hebräischen Übersetzungen des Mittelalters*; Fishman, *Becoming the People of the Talmud*.

13. Ed. Ibn Shmuel; on this translation see Hasselhoff, 'Zur Problematik kritischer Ausgaben der Schriften von Moses Maimonides', pp. 39-53; Fraenkel, *From Maimonides to Samuel ibn Tibbon*.

14. See Marx, 'The Correspondence Between the Rabbies of Southern France and Maimonides About Astrology'.

15. See Heschel, *Maimonides*, p. 279.

Yehuda al-Ḥarizi.<sup>16</sup> This translation was less accurate (and in some instances even wrong) but it was much easier to read.<sup>17</sup> Ibn Tibbon's translation was circulated in the kingdom of Aragon, in Southern France and in Italy, whereas Al-Ḥarizi's translation was read rather in Navarra and Northern France, but, admittedly, there are only very few copies of that translation preserved today at all,<sup>18</sup> so all conclusions on its distribution are rather tentative.

In all versions, the *Moreh nevukhim* is divided into three books. The first book deals with different words and expressions, the second part deals with cosmological problems and with the modes of revelation. The third part is mainly an analysis and philosophical exegesis of the biblical, i.e. the Old Testament, commandments.

## 2. From 'Philosophy as Philology' to 'Philosophy without Philology': *Guide for the Perplexed I*<sup>19</sup>

To get an impression of the problems connected with the Latin translation of the *Guide for the Perplexed*, we need to have a closer look on the first book in its original version.

In the introduction Maimonides states that he mainly wanted to explain the dark, i.e. difficult to understand, chapters of the books of the biblical prophets. The reason behind that expression is that in rabbinical Judaism the study of metaphysics was not restricted.<sup>20</sup> There are the works of creation (*maasse bereshit*) which can be explained to everyone and the metaphysical world (*maasse merkava*) which might be explained only to one student at a time and only if this student is old enough to understand all the secrets and difficult ideas. Yet, Maimonides gives an explanation of the metaphorical use of language. He does so because an old rabbinical proverb says that 'the Torah spoke in the language of men'.<sup>21</sup> Maimonides then examines some forty words which all are equivocal. Among these words are nouns like image (*tselem*) and likeness (*demut*) (ch. 1), figure (*temunah*) and shape (*tavnit*) (ch. 3), man and woman (*ish* and *ishah*) (ch. 6), place (*maqom*) (ch. 8), throne (*kise'*) (ch. 9), and so on, but also verbs like to see (*ra'ah*), to look at (*hibbit*), to vision (*chazoh*) (ch. 4) or to bear children (*jalad*) (ch. 7), and so on. All these words are explained with examples from the Bible, i.e. from the Old Testament, and from rabbinical literature.

16. On Yehuda al-Ḥarizi see Judah Alḥarizi, *The Book of Tahkemoni*, tr. Segal, p. xiii.

17. Before Michael Schwartz had finished his Hebrew translation, it was even the translation that was preferred by modern readers from Israel.

18. Hasselhoff, 'Zur Problematik kritischer Ausgaben der Schriften von Moses Maimonides', pp. 48-49 with note 46.

19. The very first ideas of the following section were for the first time presented at a meeting of the *Gesellschaft für Philosophie des Mittelalters und der Renaissance* (GPMR) in Bonn 2007; see Knut Martin Stünkel, *Una sit religio*, p. 258 note 96.

20. See BT Chagiga 11b; 13a.

21. BT Berakot 31b, cf. BT Ketuvot 67b, BT Nedarin 3a.

The analysis of words and biblical terms is followed by an explanation of the names of God of which only the unspeakable tetragrammaton is convenient for God. It is the only name which is not equivocal.

What I presented so far is the Arabic or Hebrew Maimonides. Concerning the Latin translation that, as I mentioned before, was used for the first time in Paris in the middle of the 1240s, we discover something very interesting. And here we need to go into some detail.

First of all we have to state that the main outline of the translation gives the reader an idea of what Maimonides actually had written. The reader is even informed that Maimonides is a Jew and that he wrote not only the *Dux neutrorum* but also a number of halakhic works.<sup>22</sup> The reader is not only informed about that fact but also quotations from traditional Hebrew literature are transmitted (*ut dicunt sapientes*, and so on). But a closer reading of the Latin text in comparison with the Arabic original or even the Hebrew translations reveals a number of peculiarities.<sup>23</sup> Already in the introduction we find the following: ‘Diuersitates de Talmud et parabolarum deuitauit translator: quia non sunt necessarie in hoc loco’.<sup>24</sup> What is left out are examples of how rabbis dispute and come to their halakhic decisions.<sup>25</sup>

But it is not the only time that the translators leave out a passage. The introduction to several chapters contains summaries as illustrated by the following examples:

In capitulo decimosexto videtur compositor libri ponere nomen petre equiuocum ad montem, et ad silicem, et ad lapidem. [...] <sup>26</sup>

(In chapter 16 it is shown that the composer of the book put the name rock equivocally to mountain and to pebble and to stone.)

In prosecutione capituli decimioctauum ponit compositor libri tria verba diuersa que videntur habere eandem significationem in hebraico, in latino autem videntur duo verba illis similia secundum testimonium scripturarum quibus vtitur. Sunt autem ista verba appropinquare et tangere. [...] <sup>27</sup>

(In the progress of the eighteenth chapter the composer of the book poses three different words that seem to have the same meaning in Hebrew whereas in Latin it seems

22. See Perles, ‘Die in einer Münchener Handschrift aufgefundenene erste lateinische Uebersetzung des Maimonidischen „Führers.“’, p. 103 = Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 2v: ‘Iam autem exposuimus in aggregatione librorum nostrorum in talmude de communia [Giustinia: consequentialia] rationis huiusmodi (Yet, we already have exposed in the collection of our books on the Talmud about the whole of this argument.)’. – For further examples see Di Segni, ‘Traces of a Vernacular Language in the Latin Translation of Maimonides’ *Guide of the Perplexed*’, p. 46.
23. See already Perles, ‘Die in einer Münchener Handschrift aufgefundenene erste lateinische Uebersetzung des Maimonidischen „Führers.“’
24. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 5r.
25. This was already noted by Perles, ‘Die in einer Münchener Handschrift aufgefundenene erste lateinische Uebersetzung des Maimonidischen „Führers.“’, p. 158.
26. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 8r.
27. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 8v.

[to be] two similar words for them according to the witness of scripture in which they are used. Yet, these words are approach and touch.)

Dixit translator libri quod in hebraico duo verba quibus videtur equipollere altum, sunt vnum in significatione: pro quibus duobus possunt poni ista duo altum, et excelsum, vt sit aliqua differentia inter illa. [...]<sup>28</sup>

(The translator of the book said that in Hebrew two words that seem to mean the same 'height' are one in significance: for both of them they can be put these two 'height' and 'peak', so that there is another difference between them.)

Or, to give another example, the translator rewrites the chapter. In chapter 15, Maimonides deals with the verb to erect (*natsav* and *yatsav*). He gives four examples from different biblical books<sup>29</sup> and then comes to speak on Jacob's dream at Bethel when Jacob saw the heavenly ladder with the angels walking up and down and with God at the end of the ladder standing in heaven (see Genesis 28:13). That God stood there up in heaven is explained by: 'Stood erect upon it signifies God's being stable, permanent, and constant, not the erect position of a body'.<sup>30</sup> In Pines' English translation the whole chapter comprises roughly one page. In the Latin translation (ed. Giustiniani) the text is condensed into six lines:

In prosecutione capituli decimiquinti, compositor libri facit mentionem scale Iacob, in cuius explanatione vocat angelos ascendentes et descendentes prophetas<sup>31</sup>: vt ibi, Misit angelum suum et eduxit nos de Aegypto.<sup>32</sup> Et iterum. Ascendit angelus domini de Galg [sic!].<sup>33</sup> Et non est dubium quin isti fuerunt prophete: et merito ascensus precedit descensum, quia post ascensum in acquirendo gradus scale qui noti sunt: erit descensus cum eo didicerit propheta per spiritum sanctum vt legat et doceat habitatores terre.<sup>34</sup>

(In the progress of the fifteenth chapter the composer of the book makes mention of Jacob's ladder, in its explanation he calls the angels ascending and the prophets descending, as is said: 'He has sent his angel' [Num 20:16] and guided us out of Egypt. And in another place: 'It ascended the Lord's angel from Galg' [Judg 2:1]. And there is no doubt that they were prophets, and the merit of the ascent precedes the descent because after the ascent in acquiring rungs of a ladder which are known: there will be a descent because he will give him a prophet by the Holy Spirit so that he will read and teach the inhabitants of the earth.)

28. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 8v.

29. Namely Ex 2:4; Ps 2:2; Num 16:27; Ps 119:89.

30. Maimonides, *The Guide of the Perplexed* (ed. Pines), p. 41.

31. Cf. Gen 28:13.

32. Num 20:16.

33. Iud. 2:1.

34. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 8r.

Already with these few examples the point should be clear: My thesis is that the Rabbi Moses of the Latin speaking world – especially in the thirteenth century – was less than the Moshe ben Maimon of the Arabic and Hebrew speaking world. Only small parts of his large and encyclopaedic oeuvre had been accessible to authors of the Latin speaking world.<sup>35</sup> Even those works which were translated were not translated in full extent but also edited according to the requirements of the translators themselves. But that raises the question as to why the Latin translator abbreviated his *Vorlage*. Did he only omit discussions that were not needed for the Latin readers as Joseph Perles wrote more than 100 years ago or does it belong to a programme connected with the translation?<sup>36</sup>

### 3. Where was the *Dux neutrorum* translated?

For a preliminary answer I will turn to the discussion where the translation might have been provided and why I hold that the translation might relate to the Parisian Talmud Trial of 1240.

A first idea for the place of the translation was uttered by Heinrich Hirsch Graetz who speculated that the translation was provided at the imperial court in the Kingdom of Sicily under Frederick II because he employed Michael Scotus as a translator and knew an argument from the *Guide for the Perplexed* as can be shown from Jacob Anatoli's *Malmad ha-Talmidim* ('Teacher of the Disciples').<sup>37</sup> But there remain at least two questions that cannot be answered. Firstly, why should a member of the Ibn Tibbon family translate Maimonides from a version that was not produced by them? It is quite unlikely that Anatoli carried Al-Ḥarzi's problematic translation to the emperor's court if he had the translation by his father in law at his disposal.<sup>38</sup>

35. Apart from the *More nevuḥim* throughout the thirteenth century only some passages from *Mishne Tora* were translated by Ramon Martí. At the turn of the fourteenth century (Ps.-)John of Capua and Armengaud Blasius translated some medical treatises, see Hasselhoff, *Dicit Rabbi Moyses*, pp. 281-290; id., *Moses Maimonides interkulturell gelesen*, pp. 50-52; these translations are part of the critical edition initiated by Gerrit Bos that appears in Utah, the transcriptions are and will be provided by Michael McVaugh and Charles Burnett.
36. In addition, I here have to mention, already Perles demonstrated that the Latin translation seems to have been based on Al-Ḥarzi's Hebrew translation. See Perles, 'Die in einer Münchener Handschrift aufgefundenene erste lateinische Uebersetzung des Maimonidischen „Führers.“', p. 19 note 10, 68-75, 99-110, 149-159, 209-218, 261-268; Rubio, *Aquinas and Maimonides on the Possibility of the Knowledge of God*; recently De Segni, 'Traces of a Vernacular Language in the Latin Translation of Maimonides' *Guide of the Perplexed*', p. 22, based on the afore-mentioned works.
37. Graetz, *Geschichte der Juden*, vol. VII.1, p. 54. Freudenthal, 'Pour le dossier de la traduction latine médiévale du *Guide des égarés*', id., 'Maimonides' *Guide of the Perplexed* and the Transmission of the Mathematical Tract "On Two Asymptotic Lines" in the Arabic, Latin and Hebrew Medieval Traditions', pp. 120-129, later added the argument that there was an interest in the theory of the two asymptotic lines in southern France and that argument appears also in Maimonides' *Guide for the Perplexed*, but this, too, is a weak argument.
38. See Kluxen, 'Literargeschichtliches zum lateinischen Moses Maimonides', p. 33; Hasselhoff, *Dicit Rabbi Moyses*, pp. 122-123.

Secondly, scholars cannot provide any convincing argument why the translation should have been made in Italy in the 1230s when the first to quote from it was Albert the Great in the middle of the 1240s in Paris.<sup>39</sup> Thirdly, sometimes it is argued that manuscripts which might be dated to the 1260s or 1270s as the copies from the Ottoboni collection in the Vatican and the one in Todi seem to bear references to the Ibn Tibbon translation so that they indicate a translation in Italy. But the Ottoboni manuscript stems from Arras which is not in Italy and, more important, they are not the oldest manuscripts.<sup>40</sup>

More than 65 years ago, Wolfgang Kluxen came up with the idea that the translation was made in Southern France. He had two main arguments for that thesis: First, the Dominicans were engaged in the Maimonides controversy in southern France and burned Maimonides' writings. Second, the convent in Toulouse was a perfect place for translating Maimonides (at least for the compilation known as *Liber de parabola*).<sup>41</sup> Against these arguments one can simply hold firstly that the Dominicans were not engaged in the Maimonides controversy as can be shown from the inquisitorial documents,<sup>42</sup> and as Yossef Schwartz holds there had never been a burning of Maimonidean writings at all and the burning was an invention by Hillel of Verona.<sup>43</sup> And secondly, we do not know of any translation provided in Toulouse or its surroundings at all.

But if the translation cannot be made in southern Italy or in southern France where then might it have been translated?

Here we might come back to what I presented before: In book I most discussions that link Maimonides to the philological and rabbinical world are left out or they are abbreviated to a minimum. This fact points to a place of the translation where rabbinical Judaism did not stand in high respect. For the Christian side, this was the case in Paris in the 1240s. In addition, there are a number of further arguments that make Paris a most likely place for a Latin translation.

First, there are some external arguments. One, I mentioned already before. The first users of the translation were in Paris when they encountered it for the first time. All of them were Dominicans, such as Albert the Great, Thomas Aquinas, and even

39. Neither Roland of Cremona nor Moneta of Cremona nor John of La Rochelle quoted Maimonides from a reading of the *Dux neutrorum*; see Hasselhoff, *Dicit Rabbi Moyses*, pp. 62-64. 91-93; Basse (ed.), *Summa theologica Halensis*, p. 2321 note 109. – Di Segni, 'La table des préceptes dans le "Dux neutrorum" de Moïse Maïmonide', pp. 237-240, simply repeats Wolfgang Kluxen's and my arguments concerning the tradition from Roland to Meister Eckhart.

40. Yet, this does not mean that it is impossible that the translation at a later stage was corrected by someone who knew the Ibn Tibbon tradition.

41. Kluxen, 'Literargeschichtliches zum lateinischen Moses Maimonides', p. 34. – And his third argument, as he told me in a private conversation in 2000, was that his Doktorvater Josef Koch had told him to write southern France.

42. See Kolmer, *Ad capiendas Vulpes*, pp. 127-140.

43. Sirat, 'Les manuscrits du Talmud en France Nord au XIIIe siècle', p. 125; Hasselhoff, *Dicit Rabbi Moyses*, p. 123 note 11; Schwartz, 'Einleitung', p. 12.

Roland and Moneta of Cremona,<sup>44</sup> although the latter two seem not to have quoted from a written source, or if, then from a shorter translation called *Liber de uno deo benedicto* (Book of the one blessed God)<sup>45</sup> which comprises only book II, Introduction and chapter 1 of the *Guide for the Perplexed*.<sup>46</sup>

A second external argument is the economical: Who might have been interested in a translation and could supply the financial and human resources? With regard to the financial resources the imperial court in Sicily could be a candidate, but the human resources seem to have been situated in Paris in the 1240s: As said before the only translator known by name in Sicily belonged to the Ibn Tibbon family and cannot have been interested in translating Al-Ḥarizi. Furthermore, all members of that translator family provided their name in a colophon or in a translator's preface. In all known manuscripts of the *Dux neutrorum* we do not find a translator's name. On the other hand, the Dominican Convent of St. Jacques in Paris had both, the interest in Jewish literature for theological and political reasons and the financial means, be it that they had friars able to read Hebrew or money to pay a translator from the Jewish community in Paris. Here, Nicolas Donin, Theobaldus de Saxonia, or Henricus Teutonicus come into play whose names we encounter in the history of the Latin Talmud, its translation and condemnation. Even if it was not them who translated the *Dux neutrorum*, it shows that the convent hosted people who had an interest in the Hebrew. And since already in the Talmud translations we do not find a name of the translator apart from that of Donin, it is no wonder that we do not find any for Maimonides.<sup>47</sup>

44. See Hasselhoff, *Dicit Rabbi Moyses*, pp. 88-122 with further literature, especially pp. 93-108 (for Albert) and pp. 91-93 (for Moneta).

45. See above note 39. – For the *Liber de uno de benedicto* see Kluxen, 'Die Geschichte des Maimonides im lateinischen Abendland als Beispiel einer christlich-jüdischen Begegnung', pp. 146-166 and 167-182 (edition: Rabbi Moyses (Maimonides), *Liber de uno Deo benedicto*, ed. by Wolfgang Kluxen). The edition, though, contains some mistakes which reduce its value.

46. The preface which is chapter one of the *Liber de uno de benedicto* contains a collection of twenty-six preparatory sentences or premises. The first twenty-five of these premises are a collection of sayings of the Aristotelian philosophers mainly concerning the eternity of movement. Since Maimonides held them self-evident he gives no further comments on them. The twenty-sixth premise is according to Maimonides held true by the Aristotelians whereas Maimonides says it was only 'possible – that is, neither necessary, as is affirmed by the commentators of the writings of Aristotle, nor impossible, as is claimed by the Mutakallimun' (translation: Pines, p. 241); the Latin translation of that passage in the *Liber de uno deo benedicto* has it: 'Et quod mihi videtur est quod hoc preparatorium sit possibile non necessitatis sicut dicunt glossatores dictorum Aristotelis quia iudicamus ambigua que sunt emergentia contra illos' (ed. Kluxen, p. 177: 12-14). That translation proves that it is a difficult task to find the version the translators used for their translation. In chapter I of the second book, Maimonides gives proofs of God's existence, of His unity, and of His incorporeal being.

47. Di Segni, 'Traces of a Vernacular Language in the Latin Translation of Maimonides' *Guide for the Perplexed*', pp. 21-48, who, too, cannot give a place for the translation excludes Paris. As a proof, she gives some examples of Romance words in the translation, but she does not consider that there might have been translators from the Iberian Peninsula in Paris (if that Romance words are of Iberian origin). There are numerous cases of 'Spanish' translators in Europe, the best-known are Petrus Alfonsi (fl. 1306-1320) and Abraham ibn Ezra (c. 1092-1168) who travelled through Europe and offered their service at different

Then there is an internal argument that I already touched before. We know that there were connections between the Jewish communities of northern France and the northern part of the Iberian Peninsula where Al-Harizi wrote his translation. And we know that at least Moshe of Coucy who lived in Paris in the 1240s had a strong interest in Maimonides.<sup>48</sup> Moshe of Coucy took part in the Parisian Talmud Trial as we know from the Hebrew report.<sup>49</sup> In his *Sefer Mitzvot Gadol* (= *SMAg*) he paraphrased the Maimonidean discussions of all 613 *mitzvot* of the Hebrew Bible. If he was able to do so, he must have had Maimonidean writings at his disposal. This was the case: He followed the Maimonidean order of precepts as it was laid down in *Mishneh Torah*.<sup>50</sup> Since after the first disputation of Paris the inquisition collected Jewish books that were later returned to the Jewish community, it is not impossible that Maimonides was among these writings. (But this is, admittedly, only speculation.) Nonetheless, Moshe of Coucy's main work points to another interesting point within the Latin translation that was seldom if ever discussed: The Latin translation is added by a list of the 613 precepts of the Bible which is not part of Maimonides' *Guide for the Perplexed*, but in the form translated part of the introduction of *Mishneh Torah*,<sup>51</sup> as is the case with Moshe of Coucy's *SMAg*. Yet, who might have been interested in these precepts? I doubt that philosophers of the Aristotelian tradition were so. So, let us have a closer look at this list of precepts.<sup>52</sup> They are introduced with the short note:

Hec sunt precepta que proprie dicuntur precepta, et consistunt in faciendo plura ex illis. Alia vero ex eis sunt affirmatiua et sunt duocentum decimum [i.e. quadraginta] octavum secundum numerum membrorum: et alia sunt negatiua, et sunt trecentum sexaginta quinque secundum numerum dierum anni, et inducunt bonas opiniones.<sup>53</sup> (These are the precepts that are properly called precepts and they consist of making many out of them. The one kind of them, indeed, are affirmative and their number is 218 [248] according to the number of parts [of the human body] and the other kind are negative and they are 365 according to the number of days of a year, and they introduce good reasons.)

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places. Her second argument that a translation by two translators working together is testified only in the Mediterranean is falsified by the translation of the Talmud treated in this volume.

48. On Moshe of Coucy see Galinsky, 'Between Ashkenaz (Germany) and Tsarfat (France): Two Approaches Toward Popularizing Jewish Law', esp. pp. 80-82; and in this volume the article by Ursula Ragacs.
49. See Friedman (tr.), 'The Disputation of Rabbi Yehiel of Paris', p. 128.
50. See Galinsky, 'Rabbis, Readers, and the Paris Book Trade: Understanding French Halakhic Literature in the Thirteenth Century', p. 78; 288 note 32.
51. See Maimonides, *Mishneh Torah*, ed. Hyamson, pp. 5a-17a.
52. Di Segni edited that list on the basis of those manuscripts that were used by Georg Wieland when he prepared the still unpublished edition on behalf of Wolfgang Kluxen. She does not use all manuscripts available; see Di Segni, 'La table des préceptes dans le "Dux neutrorum" de Moïse Maïmonide', pp. 229-262, at 240; 243-262.
53. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 114r; Di Segni, 'La table des préceptes dans le "Dux neutrorum" de Moïse Maïmonide', p. 243.

This note is followed by the list of precepts and prohibitions which is similar to the one that is attached to some editions of *Mishneh Torah*.<sup>54</sup> Other than the lists of Maimonides' *Sefer ha-mitzvot*<sup>55</sup> the order is first the 248 precepts and then the 365 prohibitions. Yet, if the list is not part of the *Guide*, why is it then attached to the translation? I would like to suggest that this attribution links the translation with the Talmud Trials and the image of Judaism which is established with the translations provided in its aftermath.

To clarify that point: If we look at the translations not only of the Talmud, but also of the *Liber Krubot / sefer qeruva*<sup>56</sup> and the translation of Rashi's Bible commentaries<sup>57</sup> an image of Jews is established that shows them as dull, erroneous, blaspheming, telling only fables and so on. In one word, modern rabbinical Jews are not trustworthy because they falsify the biblical tradition. But this one Jew who is called Rabbi Moyses is the opposite of that kind of Judaism: He explains the Bible, he even enumerates all Mosaic precepts, he uses the *ratio* and employs modern philosophy (Aristotle) to explain biblical aporia such as creation of an eternal world, and so on. He therefore is a perfect counter-image to Talmudic Judaism.

#### 4. Conclusion

In the title of this article I have raised a question: Is the translation of Maimonides' *Dux neutrorum* a reaction to the Talmud Trial of 1240? My tentative answer is yes. My arguments may be summarised as follows: The Dominican Convent of St. Jacques provides for a short time period both a theological interest in Maimonides and an economical basis for a translation. Theologically, Maimonides is a perfect example of a Jew who uses his *ratio* whereas the rest of Judaism, related to the Talmud, is connected only with blasphemies, errors and fables. Economically, the convent hosted for a short while friars and perhaps guests or anonymous translators able to read Hebrew. Since the mendicant order was quite wealthy, it could spend some energy on the theological relevant project of the translation of Maimonides.

The translation of the *Dux neutrorum* itself was read and was widely used not only in the thirteenth century but also in the fourteenth century. To give just two examples, first Thomas of Ireland who in the beginning of the fourteenth century wrote among others the *Manipulus florum* which was widely spread in Europe, and second Meister Eckhart who is among the most extensive readers and users of the *Dux neutrorum*.

Thomas of Ireland is the only author of whom we know which manuscript of the *Dux neutrorum* he actually studied (Paris, Bibliothèque nationale de France,

54. See above note 51 (ed. Hyamson).

55. See Moshe ben Maimon, *Sefer ha-mitsvot* (ed. Kapach).

56. See the edition in this volume.

57. See the survey of the editions by Gilbert Dahan and by Görge K. Hasselhoff in Hasselhoff, 'Rashi's Glosses on Isaiah in Bibliothèque nationale de France, MS 16,558'.

lat. 15973).<sup>58</sup> In two of his works that usage is documented. Here I will concentrate on the *Manipulus florum* which was written in 1306. That work is a manual for preachers that contains some 6,000 excerpts from classical authors as well as from the Church fathers. Among these excerpts we find two quotations from Maimonides. The first under the heading 'to learn' (*discere*), the second under the heading 'Holy Scripture' (*scriptura sacra*). The excerpt on Scripture is interesting because in Maimonides it is a quotation from a rabbinical midrash (on *Shir ha-shirim* I d), introduced as *Et dixerunt sapientes* ('And the sages said'). In Thomas de Hibernia's collection it is not indicated as a rabbinical saying but as a quotation from Maimonides. Its content is that the sages who read a biblical text depend on each other from generation to generation. The end of that chain of tradition is going back to the truth itself. That truth is an eternal truth beyond any logical truth:

Thomas de Hibernia, *Manipulus florum*,  
s.v. 'Sacra scriptura':

Cui assimilabuntur uerba legis et prophetarum antequam veniret Salomon? Puteo cuius aque sunt profunde et frigide et non poterit homo bibere de illis. Sed quid fecit quidam subtilis? Coniunxit funem funi, et lineam linee et hausit et bibit. Sic processit Salomon de similitudine ad similitudinem, de parabola ad parabolam donec stetit super secretis legis. Raby moyses libro primo capitulo primo.<sup>59</sup>

Maimonides, *Dux neutrorum* I, ProI.:

Et dixerunt sapientes: cui assimilabantur verba legis antequam venerit Salomon? Puteo cuius aque sunt profunde et frigide, et non poterat homo bibere de illis. Sed quid fecit quidam subtilis? Coniunxit funem funi, et lineam linee et hausit. Sic processit Salomon de similitudine ad similitudinem, et de parabola in parabolam, donec stetit super secretis legis.<sup>60</sup>

The second quotation is a Maimonidean excerpt from Alexander of Aphrodisias that I omit here.<sup>61</sup> Both passages show Maimonides as a rational, philosophical Jew.

This is also true for the second author whom I mentioned. Meister Eckhart is among those Dominican authors who in great length quoted from Maimonides.<sup>62</sup> Other than in Thomas Aquinas there are very few quotations from the first, philological chapters of the *Dux neutrorum*. Perhaps most remarkable is a long quotation in the so-called first *Commentary on Genesis* (on 3:7a). In this particular passage Eckhart quotes Maimonides' explanation of the intellect in man. According to Maimonides the intellect in its highest perfection was given to the first man with the creation. Only after Adam sinned it was corrupted.<sup>63</sup> From a certain point in Eck-

58. Rouse and Rouse, *Preachers, Florilegia and Sermons*, pp. 152-153.

59. Quoted from the edition in Hasselhoff, *Dicit Rabbi Moyses*, p. 205 note 356.

60. Rabbi Moyses, *Dux neutrorum* (ed. Giustiniani), f. 3v.

61. See Hasselhoff, *Dicit Rabbi Moyses*, pp. 203-204.

62. Schwartz, 'To Thee is silence praise'; Hasselhoff, *Dicit Rabbi Moyses*, pp. 207-221; id., *Moses Maimonides interkulturell gelesen*, pp. 64-70.

63. See Meister Eckhart, 'Expositio libri Genesis', p. 349.

hart's history of quoting Maimonides the Christian refers to Maimonides in a very positive way. All quotations are close to the Latin translation, but it seems that they are mere quotations and only in a few cases Eckhart transformed these quotations into his own thinking, but this is a different story.<sup>64</sup> Also with this second author it can be shown that the practical usage of the Latin Maimonides was in terms of philosophical exegesis rather than in Hebrew philology. This direction was given by the Parisian translation efforts from the 1240s.

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64. See Schwartz, 'To Thee is silence praise'.

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## The Influence of the *Extractiones de Talmud* on Anti-Jewish Sermons from the Thirteenth and Early Fourteenth Centuries \*

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There can be no doubt that the *Extractiones de Talmud*, that is, 1,922 passages from the Talmud which were translated into Latin in 1244/45, had an enormous impact on the official position of the Church on Judaism and the legal status of the Jews. Not only did this translation confirm the condemnation in 1240 of the Talmud, but it was also instrumental in the so-called ‘final sentence’ against the Talmud which was issued in May 1248 by Odo of Châteauroux, Papal Legate in France and former Chancellor of the University of Paris.<sup>1</sup>

Their role within the official legal procedure against the Talmud is confirmed by the manuscript tradition of the *Extractiones de Talmud*, which are usually transmitted as part and parcel of a veritable Church dossier on the Talmud. This includes, among other materials, Nicholas Donin’s thirty-five articles against the Talmud from 1238/39,<sup>2</sup> the reports of the subsequent Talmud-disputation that took place in Paris in 1240, a series of papal letters from Gregory IX and Innocent IV from 1239 to 1247, as well as Odo’s final sentence from 1248.<sup>3</sup>

By contrast, very little is known about the impact of this impressive translation enterprise outside of the official legal procedure against the Talmud, that is, beyond the 1240s. One may therefore enquire: Was the role of the *Extractiones de Talmud* confined to these events or were they read and received by subsequent authors who were writing in different contexts? The fact that we have at our disposal nine manuscripts of the *Extractiones de Talmud*, which contain its original and/or a thematically rearranged version,<sup>4</sup> as well as two manuscripts that offer a summary of the

\* This article was prepared within the framework of the research project ‘The Latin Talmud and its Influence on Christian-Jewish Polemic’, funded by the European Research Council of the European Union (FP7 / 2007-2013 / ERC Grant Agreement n. 613 694 [http://pagines.uab.cat/lattal]).

1. See Fidora, ‘The Latin Talmud and Its Influence on Christian-Jewish Polemic’ and, more specifically for the exact place of the *Extractiones* in the events of the 1240s, Fidora, ‘Textual Rearrangement and Thwarted Intentions’.
2. For a recent reappraisal of Nicholas Donin and his famous articles, see Fidora and Cecini, ‘Nicholas Donin’s Thirty-Five Articles Against the Talmud’.
3. For a thorough analysis of the various contents and layers of the texts in this dossier, which is based on its most complete manuscript, see de la Cruz, ‘El estadio textual de las *Extractiones de Talmud* en el BnF ms. lat 16558’, pp. 24-25.
4. The following manuscripts contain both versions: Paris, BnF, MS lat. 16558 (13<sup>th</sup> century) and Paris, Bibliothèque Mazarine, MS 1115 (end of the 17<sup>th</sup> century, a direct copy of the former). The sequential version on its own is contained in: Wrocław, Biblioteka Uniwersytecka, MS I Q 134 a (13<sup>th</sup> century, fragment), Girona, Arxiu Capitular, MS 19b (14<sup>th</sup> century, incomplete), Carpentras, Bibliothèque Inguimbertaine, MS 153 (14<sup>th</sup> century) and Berlin, SPK, MS Theol. lat. fol. 306 (15<sup>th</sup> century, incomplete). The thematic version on its own is contained in: Schaffhausen, Stadtbibliothek, MS Min. 71 (13<sup>th</sup>/14<sup>th</sup> century) and Stuttgart, Hauptstaatsarchiv, SSG Maulbronner Fragment (14<sup>th</sup> century, fragment). In addition, we

thematic version,<sup>5</sup> speaks in favour of a wider interest in the text. Moreover, some of these manuscripts belonged to outstanding personalities, such as Peter of Limoges and Nicholas of Cusa.<sup>6</sup> Yet neither of these figures seems to have paid much attention to the text.<sup>7</sup> Thus far, the only mentions of the *Extractiones* in thirteenth and fourteenth-century philosophy and theology that I could identify with certainty, are a few direct quotations in Albert the Great's works, who was among the signatories of the final sentence.<sup>8</sup> Yet, if we turn to a different 'lieu de la polémique',<sup>9</sup> namely sermon literature, the prospect might be more favourable, as two studies by David Behrman and Nicole Bériou suggest. In what follows, I will therefore look into some sermons by Odo of Châteauroux and Berthold of Regensburg, which these scholars have discussed, and compare them with the *Extractiones*. I will also refer to another preacher and his sermons, namely the Catalan Franciscan Bernat de Déu, who was active in the first quarter of the fourteenth century.

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That Odo of Châteauroux should be acquainted with the Latin Talmud is not surprising, as he commissioned the work<sup>10</sup> and issued the final condemnation of the Talmud in May 1248.<sup>11</sup> In his *Sermo de conversione iudaeorum*, which has been

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dispose of a Hebrew manuscript with the Latin translations of the *Extractiones* in its margins: Florence, BNC, Magl. II-I, 7-9 (13<sup>th</sup> century). For the sequential version, see the recent edition *Extractiones de Talmud per ordinem sequentialem*; an edition of the thematic version is in preparation.

5. This *Excerptum* of the thematic version of the *Extractiones* is preserved in the manuscripts Munich, BSB, clm 21259, fol. 28va-39va (14<sup>th</sup> century) and London, British Library, Add 19952, fol. 99r-111r (after 1445). Isaac Lampurlanés is currently preparing an edition of this text.
6. Peter of Limoges was the owner of Paris, Bibliothèque nationale de France, MS lat. 16558, as is stated at fol. 238v: 'Iste liber est pauperum magistrorum de Sorbona, ex legato magistri Petri de Lemovicis, quondam socii domus huius, in quo continetur Talmut iudaeorum'. For Nicholas of Cusa and MS London, British Library, Add 19952, see Spilling, 'Cod. Harl. 3934, 3992 und Cod. Add. 19952'.
7. The same is true for William of Auvergne. While the Bishop of Paris clearly was a driving force of the 'Trial against the Talmud', there is no evidence in his *Opera omnia* of a direct use of the *Extractiones de Talmud*.
8. See Fidora, 'Albert the Great and the Talmud', where I show that in his commentaries on the Gospel of Saint Matthew, the *Sentences* and the *Ecclesiastical Hierarchy*, Albert quotes from the *Extractiones*' Latin translation of Berakhot and Bava Batra.
9. For sermon literature as a place of anti-Jewish polemic, see, among others, Dahan, *Les intellectuels chrétiens et les juifs au Moyen Âge*, pp. 366-371.
10. In the prologue to the *Extractiones de Talmud*, which constitute the first part of the Talmud dossier, one reads that the translation was prepared 'de mandato venerabilis patris Othonis Tusculani episcopi sedis apostolicae legati'. Odo was created cardinal in May 1244 and appointed papal legate between July and October of the same year. This information is relevant for establishing the *terminus post quem* of the *Extractiones*, which were probably translated towards the end of the year 1244 or in 1245. On Odo's ecclesiastical career, see Iozzelli, *Odo da Châteauroux: politica e religione nei sermoni inediti*, p. 26.
11. For the document and the list of signatories, see Denifle and Châtelain, *Chartularium universitatis parisiensis*, pp. 209-211. The theologians and masters of law in this list have been identified in Gorochov, *Naissance de l'Université. Les écoles de Paris d'Innocent III à Thomas d'Aquin (v. 1200-v. 1245)*, pp. 535 and 544-545.

edited by David Behrman,<sup>12</sup> he refers to several Talmudic passages contained in the *Extractiones*, though he does not quote from them literally. Rather, he prefers to put these passages into his own words as in the following fragment from Bava Batra 74a, which purports to prove the revolution of the sky:

Legitur etiam in eodem libro quod quidam Rabbi venientes ad locum in quo coniugitur caelum terrae viderunt quondam fenestram in caelo, in qua reposuerunt quendam calatum quem portabant, et post aliquantulam horam volentes accipere calatum suum, nec calatum nec fenestram invenerunt. Sed facta revolutione caeli utrumque invenerunt. Et per hoc perpenderunt quod caelum movebatur. Et infinita talia in praedicto libro [*scil.* in libro Talmud] scripta sunt [...].<sup>13</sup>

For this, the *Extractiones* give a much more detailed and, in fact, literal rendering:

Dicit Rava: Dixit mihi dictus mercator: Veni, ostendam tibi ubi caelum et terra se mutuo osculantur. Duxit me et ego accepi calatum meum, posuique illum in una fenestra caeli et ivi ad orationem. Quando autem oravi et redii, non inveni calatum meum. Tunc dixi mercatori: Suntne latrones in caelo? Qui respondit: Non, sed haec est sphaera caeli quae semper volvitur; expecta usque cras, hac eadem hora, et invenies illum. Expectavi et inveni – dicit glossa Salomonis quod non duxit eum ad finem mundi, quia usque illuc sunt quingenti anni itineris, sed duxit illum in alterum locum ubi caelum adheret terrae.<sup>14</sup>

Even though Odo's sermon only loosely follows this translation, there can be no doubt that his source, here and in other places, are the *Extractiones de Talmud*, particularly as we do not have at our disposal any alternative sources for most of these references, such as Nicholas Donin's thirty-five articles, which do not cover these passages.

Less evident, both textually and historically, is Berthold of Regensburg's debt towards the *Extractiones de Talmud*. Berthold, who dies in about 1272, is famous for his sermons, which he delivered throughout German-speaking countries in Latin and German. Both corpora of sermons convey a strong anti-Jewish sentiment and stigmatize Jews as heretics,<sup>15</sup> with all the consequences that this entails:

12. See Behrman, '*Volumina vilissima*'.

13. Behrman, '*Volumina vilissima*', p. 205.

14. Here and in what follows, I quote from the critical edition of the *Extractiones de Talmud per ordinem sequentialem* (indicating the paragraph numbers, here no. 815). To allow comparison with the manuscripts, I provide the folio numbers of the manuscript Paris, Bibliothèque nationale de France, MS lat. 16558, abbreviaed as *P*. Here *P* 142rb-va.

15. For Berthold and the Jews, see the overview in Cohen, *The Friars and the Jews*, pp. 227-238.

Sie sint ze ketzern worden [...] unde habent ein buoch gemachet, daz heizet dalmut. Daz ist allez sament ketzerie, unde dâ stêt sô verfluochtiu ketzerie an, daz daz übel ist daz sie lebent.<sup>16</sup>

In his very polemical anti-Jewish preaching, Berthold of Regensburg repeatedly refers to the teachings of the Talmud, and in some cases, he directly quotes from Latin translations of the text, such as Sermon XXVIII, which aims to prove the superiority of Christianity over Pagans, Jews, and Heretics. In order to substantiate his claim that the Jewish religion is irrational, Berthold quotes the following passage from Yevamot 63a which expounds Genesis 2.23:

Quid est quod scriptum est Genesis II: ‘Hoc nunc os ex osse meo?’ [Gn 2:23] Glossa: Hoc nunc ergo animalibus coiverat cum aliquibus, quae non placuerunt ei, ostendens quod coivit Adam cum omnibus brutis, nec tamen cessavit appetitus eius, donec Eva ei coniuncta fuit.<sup>17</sup>

The very same passage on Adam’s sodomite practices with animals in Paradise is also contained in the sequential version of the *Extractiones de Talmud*, which offers the following rendering:

Dicit rby Eleazar: Quid est hoc quod scriptum est: ‘Hoc nunc os ex ossibus meis et caro de carne mea?’ [Gn 2:23] Per hoc potestis discere quod Adam coit cum omnibus animalibus domesticis et silvestribus et non refriguit animus eius donec Eva fuit ei data.<sup>18</sup>

While this rendering is close to Berthold’s wording, it lacks at least one characteristic of the latter’s text, namely its reference to a gloss. The thematic version of the *Extractiones de Talmud* offers such a gloss, for it reads:

Dicit rby Eleazar: Quid est: ‘Hoc nunc os ex ossibus meis et caro de carne mea?’ [Gn 2:23] Docet quod venit super omne animal domesticum et feram, id est coit cum illis, nec refriguit animus eius donec Eva fuit ei parata. Glossa Salomonis: Hoc nunc, ergo aliis vicibus servivit, id est coit, et non ascenderunt in animum eius.<sup>19</sup>

Yet the thematic version of the *Extractiones* does not seem to be Berthold’s direct source either. For the gloss in the thematic version is in fact a textual contamination from Nicholas Donin’s thirty-five articles against the Talmud, whose Article 34 has:

16. Berthold of Regensburg, *Vollständige Ausgabe seiner deutschen Predigten*, vol. 1, p. 401.

17. Quoted from the edition in Czerwon, *Predigt gegen Ketzer. Studien zu den lateinischen Sermones Bertholds von Regensburg*, pp. 214-215. In Schönbach’s earlier edition, this sermon takes the number XXVII (Schönbach, *Studien zur Geschichte der altdeutschen Predigt*, passage quoted on p. 31).

18. *Extractiones de Talmud per ordinem sequentialem*, no. 1718 (P 196vb).

19. P 70ra.

Dicentes Adam cum omnibus brutis et serpentem cum Eva coisse. De Adam legitur in libro Nassym, in macecta Ievamot, ibi dicit rby Eleazar: Quid est quod scriptum est: ‘Hoc nunc os ex ossibus meis et caro de carne mea?’ [Gn 2:23] Docet quod venit super omne animal et feram, nec fuit refrigidatus eius animus donec fuit ei parata Eva. Glossa Salomonis: Hoc nunc, ergo aliis vicibus servivit, coit cum illis, et non ascenderunt in animum eius, id est non placuerunt ei.<sup>20</sup>

The addition of ‘non placuerunt ei’, which, being part of the gloss, occurs only in Berthold and Donin, confirms Nicholas Donin’s thirty-five articles, and not the *Extractiones de Talmud*, as Berthold’s source.

Yet one should not rush to the conclusion that Berthold of Regensburg depends exclusively on Nicholas Donin. Nicole Bériou<sup>21</sup> pointed out other passages that yield evidence to the contrary, such as the following quotation from his Sermon XXVIII, which can be read as a continuation of Sermon XXVIII. Here, the German Franciscan quotes from, among other texts, Bava Kamma 60b, which deals with *malach ha-mavet*, the angel of death:

Dic de angelo Malachamaut. – Credunt iudaei, quod, si fuerit mortalitas in villa, quod non est ambulandum per medium viarum, quia angelus mortis illic vadit. Si autem non est mortalitas, non est ambulandum per latera viarum, quia angelus mortis per illa vadit, quia, quando non habet licentiam occidendi, vadit latitando.<sup>22</sup>

In the *Extractiones de Talmud*, the angel of death is already introduced in the prologue where it is defined as: ‘*Malaac mavez*, id est angelus mortis, dicitur angelus qui omnes morientes interficit, et Duma vocatur in Talmud alicubi’.<sup>23</sup> Subsequently, the angel of death appears several times throughout the translation, including the passage from Bava Kamma 60b (sequential version):

Si sit mortalitas in villa, non ibit homo in medium viarum propter hoc quod angelus mortis vadit per medium viarum; ex quo cum habet licentiam – nocendi –, vadit plane. Si sit pax in villa, non vadat per latera viarum, quia angelus mortis per ea vadit; ex quo enim non habet licentiam – nocendi –, vadit latitando.<sup>24</sup>

20. P 217va-b. Also in Loeb, ‘La controverse de 1240 sur le Talmud’, 3 (1881), p. 54. English translation in Friedman, Connell Hoff and Chazan, *The Trial of the Talmud: Paris, 1240*, p. 120. See also the new critical edition by Piero Capelli in this volume.

21. Bériou, ‘Entre sottises et blasphèmes’, pp. 224-225.

22. Czerwon, *Predigt gegen Ketzer. Studien zu den lateinischen Sermonen Bertholds von Regensburg*, p. 224. In Schönbach’s edition this sermon takes the number XXVIII (Schönbach, *Studien zur Geschichte der altdutschen Predigt*, passage quoted at p. 41).

23. *Extractiones de Talmud per ordinem sequentialem*, no. 21 (P 97vb).

24. *Extractiones de Talmud per ordinem sequentialem*, no. 649 (P 138ra). Neither the thematic version of the *Extractiones* nor its summary offer any significant changes to this text, which they include in the section ‘De sortilegiis’.

There isn't a parallel text for this fragment in Nicholas Donin's thirty-five articles<sup>25</sup> and the verbal coincidences are overwhelming. Small differences such as *occidendi* for *nocendi* are misreadings or scribal errors. It should also be noted that *nocendi* is an explanatory addition by the translators of the *Extractiones de Talmud*, which is not found in the Talmud itself; hence its appearance in Berthold's text, even if misread as *occidendi*, yields further evidence for the reliance of his sermon on the *Extractiones*.

That Berthold knew and used the *Extractiones* is also obvious from further texts he quotes in Sermon XXVIII. Thus, immediately after the above passage from Bava Kamma 60b, he continues:

Dixerunt sapientes de angelo mortis, quod plenus est oculis. In hora, qua infirmus mori debet, stat ad caput eius, gladium evaginatum habens in manu, et in ipso gladio amara gutta effusa, quam, postquam infirmus videt, totus contremiscit, apertoque ore eius proicit eam intus, et per illam moritur, et per illam fetet, per illam pallescet vultus eius.<sup>26</sup>

This passage draws directly from the Latin translation of Avodah Zarah 20a from the *Extractiones*, which runs as follows (sequential version):

Dicunt magistri: *malaac mavez* – angelus mortis – plenus est oculis, et in hora qua infirmus decedit, stat ad caput eius, et evaginatus gladius in manu ipsius et gutta amaritudinis dependet in illo, quam cito infirmus videt illam, contremescit et aperit os, et ille proicit eam in os ipsius: per illam moritur, per illam fetet, per illam virescit facies illius.<sup>27</sup>

Again, the verbal coincidence is striking and it leaves no room for doubt that in this extract Berthold follows the *Extractiones*; even more so, considering that this text has no direct parallel in either Donin's articles nor in any other contemporary material we know of.

Our textual comparisons thus substantiate Bériou's contention that Berthold of Regensburg is a 'témoin probable' of the early reception of the *Extractiones*.<sup>28</sup> As we have seen, Berthold of Regensburg had full access to a manuscript which contained these two texts at least, that is, Donin's articles and the *Extractiones*. As a matter of fact, both

25. A brief mention of *malach ha-mavet* can only be found in Thibaud de Sézanne's *Errores iudaeorum* (sometimes erroneously referred to as *Phaetra fidei*): '*Malach Mavet* autem dicunt esse daemonem qui interficit morientes', MS Munich, BSB, clm 23923 (15<sup>th</sup> century), fol. 20rb. For Thibaud, see also Fidora, 'The Latin Talmud and its Translators: Thibaud de Sézanne vs. Nicholas Donin?', where I show that, contrary to what some have claimed, Thibaud cannot be the translator of the *Extractiones*.

26. Czerwon, *Predigt gegen Ketzer. Studien zu den lateinischen Sermones Bertholds von Regensburg*, p. 224 (Schönbach, *Studien zur Geschichte der altdeutschen Predigt*, p. 41).

27. *Extractiones de Talmud per ordinem sequentialem*, no. 1556 (P 109rb). Again, the thematic version and its summary offer no relevant variants for this passage, which they include in sections 'De erroribus' and 'De stultitiis' respectively.

28. Bériou, 'Entre sottises et blasphèmes', p. 225.

versions of the *Extractiones*, the sequential and the thematic one, are often transmitted along with Donin's articles.<sup>29</sup> However, the blending together of the two passages on the angel of death, that is, Bava Kamma 60b and Avodah Zarah 20a, does not reflect the rearrangement of the texts in the thematic version, where these occur in different sections, i.e. 'De sortilegiis' and 'De erroribus'. Hence, there is no reason to hold that Berthold relied on the thematic version rather than on the original sequential version of the *Extractiones*.

Where and how Berthold of Regensburg consulted the Latin Talmud dossier is unclear. While later reports of Berthold's possible sojourn in Paris seem to be legendary, there is evidence that Pope Urban IV asked Berthold to assist Albert the Great – Bishop of Regensburg between 1260 and 1262 –, in the preaching of the crusades to the Holy Land. Indeed, there is evidence that both men were in correspondence with each other.<sup>30</sup> Was it Albertus Magnus then, who was familiar with the dossier, who provided Berthold with the source texts?

In the second decade of the fourteenth century, Bernat de Déu, yet another Franciscan,<sup>31</sup> again referred extensively to the *Extractiones de Talmud* in his sermons. Bernat, who was active in the Franciscan convents in Cervera and Lleida, devoted a whole sermon to the Jews, which Oriol Catalán has prepared an edition of.<sup>32</sup> In a brief introductory note, the Catalan Franciscan explains that he wrote this sermon because preaching must target not only the vices of the Christians, but also the 'errores infidelium'. Therefore, and in order to rebut them, he reports 'aliqua nephanda quae dicunt contra scripturam sacram, contra Deum et contra fideles ut ex hiis possit eos confundere'.<sup>33</sup> Bernat draws on a variety of materials for this purpose. Thus, like Berthold of Regensburg, he knows and quotes from Nicholas Donin's thirty-five articles against the Talmud, as the following text from Bava Batra 74a reveals:

Audivit vocem Dei dicentis: 'Vae mihi quia iuravi', super quod dicit glossa Salomonis quod istud dicitur de iuramento subiectionis quo subiecit Israel nationibus.<sup>34</sup>

29. Or at least they were bound together, as in the case of MS P.

30. See Czerwon, *Predigt gegen Ketzer. Studien zu den lateinischen Sermones Bertholds von Regensburg*, pp. 21-22 and p. 40.

31. Extrapolating from the case of Berthold of Regensburg, Christoph Cluse has assumed a strong Franciscan and Dominican interest in the *Extractiones*. While further research is needed to substantiate this claim, the case of Bernat de Déu certainly contributes to it. See Cluse, *Studien zur Geschichte der Juden in den mittelalterlichen Niederlanden*, p. 363: 'Es ist unzweifelhaft, dass die grob verzerrenden Auszüge (*extractiones*) aus dem Talmud, die seit 1240 vor allem unter den Mendikanten kursierten, zu einer beträchtlichen Verdüsterung des Judenbildes beigetragen haben'.

32. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.'. His edition is based on the manuscript Tarragona, BPE, MS 163 (14<sup>th</sup> century), fol. 143rb-144ra, which can be accessed at <http://bvpb.mcu.es/es/consulta/registro.cmd?id=397190>.

33. Tarragona, BPE, MS 163, fol. 143rb: 'Quia praedicator verbi Domini debat esse armatus non solum contra vitia fidelium, sed etiam contra errores infidelium, idcirco pono hic aliqua nephanda quae dicunt contra scripturam sacram, contra Deum et contra fideles ut ex hiis possit eos confundere'. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 439.

34. Tarragona, BPE, MS 163, fol. 143va. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 439.

This goes back to Donin's Article 17, namely:

Et audivi filiam vocis – vocem Dei – dicentis: 'Vae mihi, quia iuravi'. Glosa: de subiectione Israel.<sup>35</sup>

This is the only instance of the gloss from Rashi in conjunction with the Talmudic passage. The Talmudic passage is contained in the *Extractiones*, but without the gloss (both in the sequential and the thematic version).<sup>36</sup> From Donin, Bernat also quotes the sodomite practices of Adam in Paradise, which Berthold also refers to.<sup>37</sup>

Other passages, however, go back to the *Extractiones de Talmud*, as the following one from Berakhot 3a:

Tres custodiae sunt in nocte et qualibet Deus sedet et clamat ut leo et dicit: Vae mihi quia destruxi domum meam et captivavi filios meos inter gentes saeculi.<sup>38</sup>

This clearly corresponds to the *Extractiones*:

Tres custodiae sunt in nocte, et in qualibet Deus sedet et clamat ut leo, et dicit: Vae mihi, quia destruxi domum meam et combussi palatium meum et captivavi filios meos inter gentes saeculi!<sup>39</sup>

While Donin's rendering is close to this, it is more complex:

Tres custodiae sunt in nocte et supra quamlibet custodiam est custodia, sedens Deus et clamans sicut leo et dicens: Vae mihi quia destruxi domum meam et combussi palatium meum et captivavi filios meos inter gentes saeculi.<sup>40</sup>

35. P 214vb-215ra. Also in Loeb, 'La controverse de 1240 sur le Talmud', 3 (1881), p. 40. English translation in Friedman, Connell Hoff and Chazan, *The Trial of the Talmud: Paris, 1240*, p. 112. It is worth noting that Bernat supplies Rashi's name at this place. From the materials he was reading, he apparently knew that the *glossa* to the Talmud *par excellence* was Rashi's.
36. Sequential version P 142rb, thematic version P 77va. See *Extractiones de Talmud per ordinem sequentialem*, no. 813.
37. Compare Bernat's 'Adam ante formationem Evae coivit cum omni animali et fera et postea serpens cum eo' (Tarragona, BPE, MS 163, fol. 143rb) with Donin's Article 34: 'Dicentes Adam cum omnibus brutis et serpentem cum Eva coisse'. The manuscript's 'eo' is clearly a scribal mistake for 'ea'. (P 217va, ed. Loeb, p. 54, trans. Friedman, p. 120).
38. Tarragona, BPE, MS 163, fol. 143va. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 439.
39. *Extractiones de Talmud per ordinem sequentialem*, no. 2 (P 99rb).
40. Article 18: P 215ra, ed. Loeb, p. 41, trans. Friedman, p. 113. Even more complex is the rendering in the *Errores iudaeorum*, MS Munich, BSB, clm 23923, fol. 18vb 'Dicit rabi Iohel: Tres sunt custodiae angelorum et super custodiam est Deus qui sedet clamans sicut leo et flens: Vae mihi et maledictus ego quia dimisi templum et iudaeos deseram et dimisam domum meam combussi palatium meum et captivavi filios meos inter gentes saeculi'. The *Errores* are one of the main sources for yet another contemporary anti-Talmudic work, the *Passau Anonymus*. At the present passage, for instance, the *Passau Anonymus* has: 'Dicit rabbi Johel: Tres custodiae angelorum sunt nocte, et super omnem custodiam custodia est Deus, qui sedet clamans

Other passages find no correlation at all in Donin and must therefore be attributed to the *Extractiones*, as in the case of the following text from Bava Batra 73b about a new-born antelope which is said to have the size of Mount Tabor:

Vidi bubalum qui in die qua natus fuit erat ita magnus sicut mons Thabor.<sup>41</sup>

*Extractiones:*

Dicit Rava: Vidi *ozila* bubalum in die qua natus fuit et erat ita magnus sicut mons Thabor.<sup>42</sup>

Apart from minor stylistic changes, the only remarkable difference between both texts is that Bernat drops the transcription from the Hebrew (*ozila*), as he also does in other places (see below), in order to adjust his text to a non-specialist audience.

Such examples of a direct use of the *Extractiones* in Bernat's sermon can easily be multiplied, as in the case of the following text from Sanhedrin 55b, on the blasphemer who is punished only if he utters the divine name. Bernat states:

Qui blasphemat nomen domini non tenetur, nisi expresse nominet nomen domini Adonay.<sup>43</sup>

*Extractiones:*

Qui blasphemat nomen domini non tenetur – ad mortem – nisi nominet expresse nomen domini – Adonai.<sup>44</sup>

As a matter of fact, all Talmudic quotations in Bernat's sermon, can, without exception, be traced back either to Donin's articles, the sequential *Extractiones*<sup>45</sup> or to a third source that Oriol Catalán has conveniently identified in his edition of this sermon, that is, Ramon Martí's *Pugio fidei*.

Concerning the textual basis for Bernat's quotations from the *Extractiones*, it is tempting to relate them back to the Girona manuscript of the Latin Talmud, though this manuscript may have a slightly later date than his sermon, as the first part of the

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sicut leo et flens: Vae mihi et maledictus ego, quia dimisi templum et iudaeos, desertam misi domum meam combussi palatium meum et captivavi filios meos inter gentes saeculi.' Edited in Niesner, 'Wer mit juden well disputiren', p. 494. On the *Passau Anonymus* see Patschovsky, *Der Passauer Anonymus*.

41. Tarragona, BPE, MS 163, fol. 143vb. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 441.

42. *Extractiones de Talmud per ordinem sequentialem*, no. 804 (P 141rb).

43. Tarragona, BPE, MS 163, fol. 143va. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 439.

44. *Extractiones de Talmud per ordinem sequentialem*, no. 1081 (P 158ra).

45. While I cannot exclude that Bernat used the thematic version of the *Extractiones*, his quotations do not reflect any traces of the textual rearrangement of the latter.

manuscript contains William of Ockham's *Dialogi* from the 1330s (today MS 19a).<sup>46</sup> Therefore, while the Girona manuscript can hardly be considered the immediate source of Bernat's quotations, it mirrors some (though not all) of the textual variants of this sermon, as the following example from Yevamot 105b may show:

Abraam percussus est lepra et duo filii submersi quia restiterunt rabi Ysmael in scola Talmud.<sup>47</sup>

Here, the text of the Paris manuscript MS lat. 16558 of the *Extractiones* reads as follows:

Abzan percussus fuit lepra et duo filii eius submersi, quia restitit rby Ismahel in *ies-siva* – scola Talmud.<sup>48</sup>

In the Girona manuscript, fol. 68ra, 'Abzan' (= Abdan) can indeed be read as 'Abran', that is 'Abraam' in Bernat, and the reference to the 'iessiva' or *yeshiva* is missing, as in Bernat. However, Girona changes 'restitit', which is the semantically correct translation, to 'restituit', which is wrong. Bernat keeps the semantically correct lexical option 'resistere', but changes its numerus, and thus alters the meaning of the passage (for it is not Abdan and his sons, or Abdan's two sons, but Abdan himself who challenged the rabbi). Given the proximity here and in other passages between the rendering of Bernat's text and the Girona manuscript, it is very likely that Bernat drew on a *Vorlage* which belonged to the family of the Girona manuscript.

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This inquiry into the reception of the *Extractiones de Talmud* suggests that their principal impact was on the genre of homiletical literature. The claim that the interest in the *Extractiones* during the High and Late Middle Ages went hand in hand with homiletic concerns receives support from at least one manuscript of the Latin Talmud, namely the Codex from Schaffhausen, Stadtbibliothek, MS Min. 71, which comprises the *Extractiones*, along with several sermons. The last part of this manuscript, which has received the general title, 'Breviloquium pauperis et sermones epistolares optimi cum Talmut', contains Berthold's homiletic cycle, 'Rusticanus de tempore et de sanctis' (fol. 240ra-268vb). Other as yet unpublished sermons in the manuscript belong to Walter of Bruges (fol. 154ra-217va).<sup>49</sup>

46. On this manuscript, see Millás Vallicrosa, 'Extractos del Talmud y alusiones polémicas en un manuscrito de la Biblioteca Catedral de Gerona' and Fidora, 'Die Handschrift 19b des Arxiu Capitular de Girona'. For the above reasons, the dating of the manuscript in both articles, i.e. 13<sup>th</sup>/14<sup>th</sup> century, should be modified in favour of the 14<sup>th</sup> century.

47. Tarragona, BPE, MS 163, fol. 143va. Catalán Casanova, 'Los sermones de Bernat de Déu, O.F.M.', p. 439.

48. P 197rb (*Extractiones de Talmud per ordinem sequentialem*, no. 1730).

49. See Gamper, Knoch-Mund and Stähli, *Die mittelalterlichen Handschriften der Ministerialbibliothek*

We may therefore conclude that, contrary to what it may seem, the *Extractiones de Talmud* were both read and used during the Middle Ages. If we still know very little about their influence, this may not be an indicator of the lack of such an influence, but rather stem from the fact that many sermons from the Middle Ages still await editions.

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# Hieronymus de Sancta Fide and His Use of Sanhedrin

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## Introduction

A new opposition to the Talmud, promoted by the Jewish apostate Hieronymus de Sancta Fide (former Rabbi Joshua of Lorca, ? – 1419), arose in the Kingdom of Aragon in the second decade of the fifteenth century. Hieronymus was a very important Christian polemicist whose treatises contain the basic material which was used for the discussions on the Talmud in the Catechesis of Tortosa (7 February 1413 – 13 November 1414).<sup>1</sup> This was the most significant, longest-standing Judeo-Christian disputation in the Middle Ages, which lasted two years. According to the *Actas* of the Catechesis, it resulted in the conversion of a considerable number of Jews (three thousand) to Christianity. Benedict XIII's papal edict comprises further evidence for this.<sup>2</sup>

Hieronymus's *Ad convincendum perfidiam Iudaeorum* (1412) and *De Iudaicis erroribus ex Talmut* [*sic!*] (1413) are treatises that continued the proselytising tradition of Christianity during the Middle Ages.<sup>3</sup> Many treatises involving religious medieval polemics sought to instruct the Jews in the Christian faith. Others were intended to discredit the Talmud's teachings, since these were considered to be the main obstacle for the conversion of the Jews. The treatises written by Hieronymus de Sancta Fide fulfilled both of these purposes. He used innumerable extracts from the Talmud in *Ad convincendum perfidiam Iudaeorum* and in the Catechesis of Tortosa (up to session 62) in order to demonstrate that the Messiah had already come. However, in his treatise entitled *De Iudaicis erroribus ex Talmut* and in the second part of the Catechesis of Tortosa (sessions 63-68), he turned against the Talmud, and remarked that it contained statements against the Law, against the prophets, and against the Messiah. At that point Hieronymus changed his tactics. He no longer used the Talmud in favour of the Christian faith. Rather, he attacked Jewish positions by discrediting the Talmud.<sup>4</sup> The procedure used by Hieronymus was therefore

1. I prefer to use the term 'Catechesis' rather than 'Disputation', since the form in which the events occurred, both in time and duration, are not characteristic of a 'Disputation'. I wish to point out that the Dispute of R. Yehiel in Paris (1240) or the one of R. Moses Ben Nachman in Barcelona (1263), occurred during a rather restricted period.
2. See *Actas*, and the testimony of the Papal Edict of which they are part, in Pacios, *La Disputa de Tortosa*, vol. 2, session 67, p. 591 and session 69, p. 598.
3. The quotations from both treatises are taken from the edition of La Bigne, ed., *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, tomus XXVI, pp. 545-554 (henceforth: MBVP, XXVI).
4. The 'Discussion about the errors of the Talmud', despite its importance in the polemic, was the subject matter of only five sessions of the Catechesis of Tortosa. The discussion lasted over six months, between

consistent both in the treatises and in the Catechesis of Tortosa. First, he attempted to prove to the representatives of the Jews that the Gospel was confirmed by the Talmudic literature. Later, he turned against the Talmud.<sup>5</sup>

In this paper I shall discuss Hieronymus de Sancta Fide's use of the fourth of the ten Talmudic treatises of the Neziqin (Damages) order, the Sanhedrin (from the Greek *synhedrion*, 'court of justice'<sup>6</sup>) tractate. This tractate refers mainly to legal matters and may seem less capable of being subject to religious polemic than the tractates of Berakhot and 'Abodah Zarah, however Hieronymus managed to extract several passages that only he, as a former rabbi, could easily identify, in order to meet the aims proposed in his treatises and in the Catechesis of Tortosa, namely informing the Jews that the Messiah had already come and that the Talmud was not revealed scripture.<sup>7</sup>

## 1. Demonstration that the Messiah Had Come and that the Messiah Was Jesus of Nazareth

The method used by Hieronymus to prove this argument was to provide texts from the Scriptures, following the interpretation of Jewish exegetes, but particularly by employing the Talmud and Midrashic literature: 'Through authorities and glosses made by the rabbis and doctors of the Talmud, whose words no Jew would dare to deny'. He attempted to prove that Jesus appeared at the time prophesied for the coming of the Messiah, and that all conditions that were established for the Messiah

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April and December 1414. Nevertheless, by studying Hieronymus's treatise about the Jewish errors drawn from the Talmud and the sessions which dealt with this issue, it can be concluded that this was the most thoroughly prepared topic of discussion.

5. Hieronymus himself stated the sources and the method of these arguments in his inaugural harangue: 'quas [i.e. the 24 conditions of the Messiah] ... ex mandato tamen prefati Domini nostri Pape, nedum per dicta prophetarum, necnon per expositiones et glosas latinas, verum eciam per glosas hebraicas et auctoritates rabinorum Talmut et traslaciones caldaicas in lege mosaica per Anquilam, et in propheciis per Ionathan, filium Uziel, quos magne censetis auctoritatis, ut probabitur factas, intendo, favente Iesu Salvatore nostro, elucidare [...]', Pacios, *Actas*, vol. 2, session I, p. 23.
6. It deals with courts of three judges; the Lesser Sanhedrin with 23 members; the Great Sanhedrin with 71 members; appointment of judges; witnesses' testimonies; those who cannot be judges or witnesses; differences between civil and criminal procedures; types of capital punishment; the case of the rebellious son (Dt. 21:18ff); the thief; the persistent offender; execution without trial; those who have no part in the future world; the rebellious elder (*zaqen mamre*) and the false prophet.
7. Precisely the same *Actas* (vol. 2, session I, p. 19) confirm why Benedict XIII entrusted Hieronymus with this task: 'Et licet in dicta Curia prefati domini Pape, sin quamplurimi sacre theologie magistri et doctores sapientia, scientia et discrecione non modica prefulgentes, placuit dicto domino nostro Pape in conclusionibus supra dictis, discretum virum et honorabilem magistrum Jeronimum de Sancta Fide, sue beatissime persone medicus, ad iudeorum informacionem ese specialiter deputatum, velut in Veteris Testamenti Biblia, glosis quoque eiusdem, necnon Talmut cunctisque tractatibus iudeorum, per quorum dicta et auctoritates, sicut dicti domini nostri Pape propositi est dictos iudeos in eisdem informari, copiose fundatum'.

were fulfilled by Jesus.<sup>8</sup> This led to the inevitable conclusion that Jesus was the Messiah. Let us look at some of the most representative examples excerpted from the Sanhedrin tractate:

- 1) Hieronymus alleged that the coming of the Messiah occurred shortly before the destruction of the second Temple of Jerusalem, and presented the *midrash* quoted in Sanhedrin 91a as evidence: ‘The world is to exist six thousand years. In the first two thousand there was desolation; two thousand years the Torah flourished; and the next two thousand years is the Messianic era’.<sup>9</sup> He then posited the calculation that the world would endure no less than 85 jubilees, and that the son of David would come in the last one. He added the comment made by Rashi, *ad loc.*, in which it was explained that 85 jubilees are 4250 years: ‘The world shall exist not less than eighty-five jubilees, and in the last jubilee the son of David will come’ (Sanhedrin 97b). Hieronymus concluded that the death of the Messiah occurred near the time when four thousand years had elapsed since the creation of the world.<sup>10</sup>
- 2) Hieronymus used the closed *mem*<sup>11</sup> in the term *le-marbe* (Isaiah 9:7) as the basis for Mary’s virginity, and the numerical value of that same word (600) in order to argue that the passion of Christ had to take place in the year 600 from the date on which the prophecy was made (fourth year of Ahaz’s reign). Hieronymus also extracted the following from Sanhedrin 94a, pretending to demonstrate that this *mem clausa* certainly holds a divine secret: ‘Rabbi Tanhu[m] said: Why is every *mem* in the middle of a word open, whilst this is closed? — The Holy One, blessed be He, wished to appoint Hezekiah as the Messiah, whereupon the Attribute of Justice said before the Holy One, blessed be He: ‘Sovereign of the Universe! If Thou didst not

8. See above, note 4. In *Actas*, vol. 2, session 58, p. 497 he formulates this argument in the syllogism form: ‘Ille homo cui convenient omnes prophetic et condiciones dicte de Messia, est Messias. In homine vocato Iesu Nazareno concurrent vel convenient, etc.’.
9. That is, the Messiah will come within that period. MBVP, XXVI, p. 533B. Hieronymus also referred to ‘*Abodah Zarah* 9a.
10. MBVP, XXVI, p. 533B. According to the calculations made in the *midrash Debe Eliyyahu*, the messianic period would take place during the last two millennia of the first six thousand years (4001-6000). According to the calculation of the jubilees, the Messiah would come at the end of the eighty-fifth jubilee, that is, around 4250. According to the calculation of the creation era, Jesus was born in 3750, and therefore Jesus’s birth date was underestimated with respect to the first calculation, and even more so with respect to the second one. Hieronymus justified this discrepancy by indicating that there were other chronological references in the Scripture without an accurate mathematical match. Hieronymus calculated that the death of Jesus took place approximately in the year 3793 since the creation.
11. The word *le-marbe* (‘whom it increases or multiplies’) certainly has a strange graphic form, and should be written with an open *mem* instead of a closed one. The numerical value of this closed *mem* is indeed 600. However, it is a great leap from this statement to the conclusion that this letter *mem* is closed in order to signify that number of years. This is why Raymundus Martini, in his *Pugio fidei adversus mauros et iudaeos*, I-III, 9, pp. 532-33, linked the year 600 to the birth of Christ and not to the passion. Cf. Pacios, *Actas*, vol. 2, pp. 136-37.

make David the Messiah, who uttered so many hymns and psalms before Thee, wilt Thou appoint Hezekiah as such, who did not hymn Thee in spite of all these miracles which Thou wroughtest for him?’ Therefore the *mem* was closed. Then a heavenly Voice cried out: ‘It is my secret, it is my secret. Woe is me’.<sup>12</sup>

- 3) Hieronymus indicated that the Messiah should appear after the Exilarchate in Babylon and the Patriarchate in Palestine, extracting the following from Sanhedrin 38a: ‘The Son of David cannot appear ere the two ruling houses in Israel shall have come to an end, viz., the Exilarchate in Babylon and the Patriarchate in Israel’. Hieronymus probably referred to the interpretation of the text from Isaiah and the quote from the Sanhedrin treatise by the great Catalan theologian and missionary Raymundus Martini (ca. 1220-1284), that once the heads of Babylon (Zerubbabel) and Israel (Mattathias) were destroyed, the Messiah would come.<sup>13</sup> He explained, as did Martini, that the wording ‘Sanctify the Lord of the Hosts’<sup>14</sup> at the beginning of the prophecy referred to the Messiah, whom the Jews and the Scripture called the Son of David.
- 4) Hieronymus explained that it could clearly be seen how the passion of Christ occurred forty years before the destruction of the Temple, as the signs of God’s favour to the Temple ceased and it lost its holy status. Not only did those miracles cease, but Judah’s sceptre departed, as prophesied by Jacob,<sup>15</sup> and the Sanhedrin lost the power to hear trials which might involve capital punishment. He supported these allegations with the following quote from Sanhedrin 41a: ‘It has been taught: Forty years before the destruction of the Temple, the Sanhedrin were exiled<sup>16</sup> and took up residence in Hanuth’.<sup>17</sup> Hi-

12. MBVP, XXVI, 532G. In the Talmudic text, instead of ‘Woe is me’, it is written: To which the prophet rejoined, ‘Woe is me, woe is me: How long [must we wait]?’ Rashi, in his commentary, remarked: ‘[...] until the Messiah comes’ (Sanhedrin 94a). Hieronymus included this *haggadah* and discussed it in the Catechesis of Tortosa, see Pacios, *Actas*, vol. 2, session 18, p. 126, session 20, p. 138. Cf. Martini, *Pugio fidei*, I-III, 9, p. 531.
13. For it is written in Isaiah 8:14: ‘And he shall be for a Sanctuary, for a stone of stumbling and for a rock of offence to both houses of Israel’; cf. Martini, *Pugio fidei*, II, 5, pp. 343-344 and other considerations made by Raymundus Martini in this regard.
14. MBVP, XXVI, p. 537F: ‘Sanctify the Lord of the Hosts himself; and let him be your fear, and let him be your dread. And he shall be for a sanctuary; but for a stone of stumbling and for a rock of offence to both houses of Israel, for a gin and for a snare to the inhabitants of Jerusalem’ (Isaiah 8:13-14).
15. Genesis 49:10. The basic argument in this *locus classicus* of polemic is that when Jesus came, the Kingdom of Judah ceased. See Posnanski, *Schiloh: Ein Beitrag zur Geschichte der Messiaslehre*, pp. 288-449; Zimmels, ‘Zur Geschichte der Exegese über den Vers Genesis 49:10’; Blumenkranz, *Juifs et Chrétiens dans le Monde Occidental 430-1096*, pp. 227-237, and more recently Chazan, ‘Genesis 49:10 in Thirteenth-Century Christian Missionizing’.
16. From the ‘Hall of Hewn Stones’. On this traditional meeting place of the Great Sanhedrin when it functioned as a court with full sovereign powers, see Sanhedrin 88b.
17. A place on the Temple Mount outside the hewn chamber where they had temporary residence. Cf. the comment of Rashi brought by Hieronymus *ad loc.*

- eronymus highlights his argument by reference to the same item in *'Abodah Zarah* and inserting the complementary explanation: 'R. Isaac b. Abdimi said: From that time onward they did not deal with capital cases, because those could be dealt only inside the Hall of Hewn Stones' (*'Abodah Zarah* 8b). Those who are not blind in heart, said Hieronymus, can clearly see that it follows from all these authorities that the Messiah was to come at that time.<sup>18</sup>
- 5) Hieronymus concluded that the Messiah had already been born; that his seat was Rome; and that while his first coming took place 1412 years earlier, he came to those who converted to him and his doctrine every day. To argue his point, he extracted those passages from Sanhedrin 98a relating to the narration of the coming of the Messiah:<sup>19</sup> 'R. Joshua ben Levi met Elijah and R. Simeon bar Yohay standing by the entrance of paradise. He asked him: "Have I a portion in the world to come?" He replied: "If this Master desires it".<sup>20</sup> R. Joshua ben Levi said: "I saw two men, but heard the voice of a third". He then asked him: "When will the Messiah come?" — "Go and ask him himself", was his reply. "Where is he sitting?" — "At the entrance of Rome". "And by what sign may I recognise him?" — He is sitting among the poor lepers, a man of pains and acquainted with sickness, as it has been said by Isaiah in chapter 53 [4]: "Surely he has borne our griefs and carried our sorrows; yet we esteemed him stricken, smitten by God, and afflicted".<sup>21</sup> So he went to him and greeted him, saying: "When wilt thou come Master?" asked he, "To-day", was his answer. After some days returning to Elijah, the latter enquired: "The Messiah spoke falsely to me", he rejoined, "stating that he would come to-day, but has not". He [Elijah] answered him, this is what he said to thee: "To-day, if ye will hear his voice".<sup>22</sup>
- 6) Hieronymus tried to show that Jesus was more than a prophet by using the obligation to obey the prophets, except when they ordered the worship of idols, based on the extract of Sanhedrin 90a: 'R. Johanna[n] said: In every matter, if a prophet tells you to transgress [the commands of the Torah], obey him,<sup>23</sup> with the exception of idolatry; should he even cause the sun to stand still in the middle of the heavens for you [as proof of Divine inspiration], do not hearken to him'. Hieronymus resorted to this authority to prove that the Messiah could grant all things given in the old Law, because he was undoubtedly a prophet and more than a prophet, as Isaiah (52:13) had said

18. MBVP, XXVI, p. 534D-E. Cf. Martini, *Pugio fidei*, II, 4, p. 314.

19. MBVP, XXVI, p. 543A-B. Cf. Martini, *Pugio fidei*, II, 6, p. 351.

20. Rashi *ad loc.*, inserted by Hieronymus into the Talmudic text, explains that he referred to the Shekhinah, which was with them.

21. These verses on the account of the suffering servant in Isaiah 53:4-9 are also a *locus classicus* of Jewish-Christian polemic. Hieronymus follows the traditional Christian exegesis explaining: 'Certainly, he himself suffered our sickness and bore our grieves and was considered as leper and pursued by God'.

22. Psalms 95:7.

23. For example, in the case of Elijah, who ordered sacrifices to be offered on Mount Carmel.

of him: ‘See, my servant shall prosper; he shall be exalted and lifted up, and shall be very high’, And the Talmud said that he was more ‘exalted’ than Abraham and more ‘sublime’ than the angels.<sup>24</sup> According to this, a man held in such high regard should always be believed.

Hieronymus made other references to the Messiah which might have been appropriate in the atmosphere in which they were made in his treatises or in the Catechesis of Tortosa, but which are less reliable as evidence that he could be Jesus of Nazareth. One of these is the argument that the knowledge of the coming of the Messiah was so widespread that ‘Bar Koziba who reigned [two and half years] then said to the rabbis: “I am the Messiah”. Also R. Akiva every time when he saw him saluted him as the King Messiah’. Hieronymus erroneously refers to Sanhedrin 93b, although the source is found in other tractates and in the Midrash.<sup>25</sup> He also used texts which did not specify the exact time for the coming of the Messiah, but supposedly clearly showed that he would be presented in the period of the second Temple, thus like giving more glory to it than to the old one. Consequently, the Messiah must have come before the Temple was destroyed. Hieronymus acknowledged that the texts cited as evidence for the rebuilding of Jerusalem and the Temple referred largely to the time of the Messiah. However, he did not understand this in a material sense, but rather in a spiritual sense, and stated that the rabbis themselves often conferred a spiritual meaning to the words ‘Jerusalem’ and ‘Temple’. He referred, among other texts, to Sanhedrin 97b:

Raba says: The Temple building which is before our Lord God consists of eighteen thousand parasang, for it is written in Ezekiel [48:35]: ‘It shall be round about eighteen thousand measures: and the name of the city from that day shall be, The Lord is there’.<sup>26</sup>

## 2. Accusations against the Talmud

These accusations appeared, as I mentioned before, in his treatise *De Iudaicis erroribus ex Talmut*,<sup>27</sup> and later in the Catechesis of Tortosa (1413-1414). In this

24. MBVP, XXVI, p. 541D-E. *Tanhumah*, Toledot, siman 14. Cf. Martini, *Pugio fidei*, II, 11, p. 413.

25. MBVP, XXVI, p. 534F. Cf. Tj Ta’anit 4.5 (24a); *Lamentations Rabbah* II.2 § 4. Initially he was known by the messianic title of Bar Kohba (‘son of the star’), because R. Akiva recognised in him the star that would come from Jacob, according to the oracle of Balaam (Numbers 24:17). When it was verified that the messianic expectations had not been realised in him, he came to be named Ben Kosiba/Koziba (‘the son of deceit’). See Abel, *Histoire de la Palestine depuis la conquête d’Alexandre jusqu’à l’invasion arabe*, vol. 2, p. 82; Marks, *The Image of Bar Kohba in Traditional Jewish Literature: False Messiah and National Hero*.

26. MBVP, XXXVI, p. 535E-F. Cf. Sukkah 45b; Rashi cited by Hieronymus *ad loc.* attributes these exceptional measures of the Temple to heavenly Jerusalem, as was written at the end of Ezekiel.

27. *Hieronymi a Sancta Fide contra Iudaeos, Liber Secundus, De Iudaicis erroribus ex Talmut*. This is how it is called in MS 738 of the Biblioteca Angelica in Rome and in the edition of the MBVP, XXVI, pp. 545-554.

Catechesis, the allegations against the Talmud appear for the first time in session 54, when Hieronymus referred to the importance of the Talmud in the life of the Jewish people.<sup>28</sup> When Astruch ha-Levi of Alcañiz wanted to stress the importance of the Talmud only with regard to the *halakhah*, Hieronymus again insisted on the priority that the Jews give to the Talmud over the Bible.<sup>29</sup>

In session 63 of that Catechesis (held on 15 June, 1414), Hieronymus presented ten passages of the Talmud, which were previously mentioned in his *De Iudaicis erroribus*, in order to prove that the Talmud contained statements against the Law itself, and also against the Prophets and the Messiah. According to him, these extracts were merely an example of the multiple abominations included in the Talmud.<sup>30</sup>

In session 65 (20 September, 1414), Hieronymus began the discussions about the Talmud, as ordered by Benedict XIII, in order to study whether it was to be permitted or censored, based on its content. To do so, he mentioned the detailed study of the Talmud conducted by his collaborators, Sancho Porta and Andrés Bertrán, who concluded that the Talmud contains ‘plures vanitates, cavillationes, deceptiones, haereses, turpitudines et errores innumeri’ (many vain things, derision, deception, heresies, ugly things and uncountable errors). These errors were classified into six different types which, as will be discussed later, were practically a perfect match with the themes discussed in the six chapters of the treatise *De Iudaicis erroribus ex Talmut*.

In these chapters, Hieronymus tried to oppose Judaism by fully challenging the Talmud, and accumulating accusations related to its supposed spiritual immorality, the insufferable arrogance of Talmudic scholars and the constant profanation of God. The treatise did not argue whether or not the Messiah had arrived, whether or not the precepts of Mosaic Law had been abolished, or whether or not the people of Israel remained a chosen people. Nor did Hieronymus argue in favour of the new Christian religion or convey his views on the Jewish religion. His efforts were focused entirely on condemning Judaism at its roots by disqualifying its oral Law (the Talmud) in order to present his former co-religionists as a people with no morals and no spirituality.

The treatise written by Hieronymus was thus not a theoretical work made up of concepts, hypotheses, studies and conclusions. It was essentially a broad compilation of *midrashim*, *haggadot* and other passages of the Talmud, interspersed with the commentaries of Rashi and Maimonides,<sup>31</sup> and liturgical extracts. All of this

28. The discussions about the Talmud, based on the treatise submitted by Hieronymus to Benedict XIII as early as August 1413 were postponed nearly until the end of the Catechesis. See Pacios, *Actas*, vol. 2, sessions 63-67, pp. 561-593.

29. In these discussions, a particular idea was repeated in different forms: ‘Is qui credit quod Talmud est lex oris maiorem fidem debet ei prestare quam mosayce legi’, *Actas*, vol. 2, session 54, p. 454.

30. Contrary to the previous sessions, these later ones which dealt with the Talmud were not intended to discuss the arguments of the Christian religion, but to attack Judaism by using the Talmud.

31. The authority of these commentators, albeit somewhat diminished nowadays, was for the Jews at the time

material was systematised and classified in order to prove certain prejudices against the Talmud, the Sages, and Judaism in general.

The treatise was composed of six chapters, which according to the table of contents provided by the author, referred to:<sup>32</sup>

- 1) Things contrary to charity, humanity and natural law.
- 2) Things contrary to the service of God and His perfections.
- 3) Things contrary to Mosaic Law and to the law of the Prophets.
- 4) Absurdities, prejudices and immoralities found in the Talmud.
- 5) Intolerable things against the Catholic faith and Our Saviour Jesus Christ.
- 6) Things in the Talmud which appear prejudicial to Christians living together with the Jews.

This division is coherent and corresponds to the contents found in each chapter. The extracts of Talmudic literature and post-biblical quotations in the treatise were presented homogeneously and systematically, and were chosen with a concrete purpose. They comprise a compilation of carefully selected rabbinical texts which were translated into Latin in a way that achieved a biased representation of the essence of the Talmud, based mostly on different passages of the *midrash* and the *haggadah*,<sup>33</sup> whose literary and illustrative purpose is well known. In this matter, the rabbis themselves had already clearly stated in Tortosa that these texts had no obligatory value: from beginning to end, following the example of R. Moses ben Nahman, in a former disputation (Barcelona 1263), they adopted a rigid position in everything referring to the *haggadah*.<sup>34</sup>

In the Catechesis of Tortosa, Hieronymus again selected the passages that were most vulnerable due to their theological or moral content, as well as alleged allusions against Jesus of Nazareth and assertions which were presumably offensive to idolaters, Cutheans, Canaanites and Gentiles mentioned in the Talmud. All these

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similar to the authority of Saint Hieronymus among the Christians. This is why their opinions, while not being compulsory, were taken into account and had a strong influence on the Catechesis of Tortosa.

32. The edition of the *Maxima bibliotheca veterum patrum*, unlike MS 738 of the Biblioteca Angelica in Rome (both sources which have been constantly compared), includes detailed descriptions of the chapter, themes to be discussed and subdivisions in the margins. These are usually preceded by capital letters in alphabetical order. Some of the quoted biblical sources also appear in the margin. The rabbinic sources and the Talmud are quoted directly by the author in his work.
33. On their legal value, see Ginzberg, *On Jewish Law and Lore*; Williams, *Talmudic Judaism and Christianity*, pp. 417-418, stated with regard to the use of haggadic arguments: 'Jews never attributed to such midrashic and haggadic methods the force of proof in the strict sense. Interpretations derived by Midrash and Haggada had, no doubt, their own benefit for devout souls, but could not possibly serve as proofs to establish a doctrine'.
34. Baer, *A History of the Jews in Christian Spain*, vol. 2, p. 332; and in his 'Die Disputation von Tortosa', p. 311: 'The Jews said that the haggadot were not compulsory. This was the crucial point which the Jews, since the times of Moses ben Nahman (1263), had regularly used in their public disputations with the Christians. Even those supporting the obligatory status of the haggadot denied it in the Disputation'.

were designations which Hieronymus asserted were systematically used to refer to the Christians.<sup>35</sup>

Some of these ‘errors of the Talmud’ which were extracted from the Sanhedrin treatise and were detailed by Hieronymus in his *De iudaicis erroribus ex Talmut*, and later in the Catechesis of Tortosa, are discussed in what follows:

1. Hieronymus illustrated the arguments related to things contrary to human charity and natural law in the Talmud by alleging that the Sages of the Talmud supposedly grant power to man to curse, swear against, and even strike his father and his mother without having to bear the burden of sin,<sup>36</sup> as it is written: ‘He who strikes his father or his mother is liable only if he wounds them’ (Sanhedrin 85b; Tj Sanhedrin 10.1)<sup>37</sup>; and ‘The blasphemous<sup>38</sup> is only punished when pronouncing the Tetragrammaton’ (Sanhedrin 85b).

Another curious example is the quotation from a sentence issued by a Sanhedrin in which, if all the judges unanimously condemned the accused at the beginning of the trial, he was free. According to Hieronymus, this promoted crime.<sup>39</sup> There was also another case of acquittal of a person who had bound someone, who then died (for whatever reason): ‘If someone bound the hands and feet of his neighbour and he dies of starvation, he is not liable to execution. If he bound him in the sun or in a place of cold and he died, he is liable.<sup>40</sup> If he bound him before a lion, he is not liable.<sup>41</sup> If he bound

35. He systematically translated: עובד כוכבים ומזלות, עובד כוכבים, נוצרי, כנעני, נוצרי, עכו"ם, as ‘Christian’ in order to promote hatred between Jews and Christians. This was the system created in France by the Jewish apostate Nicholas Donin (1240) 172 years before the treatise under study here. Merchavia, *The Church versus Talmudic and Midrashic Literature (500-1248)*, pp. 330-334, 457.

36. ‘He who smites his father or his mother shall be surely put to death’, according to Exodus 21:15. If it is someone else, he shall only indemnify them for the ‘five damages’, as specified in the Talmud, Baba Qamah 83b. According to the testimony of R. Shlomo ben Simeon Duran (*Milhemet Miswah*, apud Eisenstein, ed., *Otzar Vikkuhim*, p. 138), in Castile people were sentenced to death for committing less irreverent acts against their parents.

37. MBVP, XXVI, p. 546G. Hieronymus intentionally omitted the wording that followed: ‘In this respect, cursing is more stringent than smiting, for, he who curses [his parents] after death is liable, whilst he who smites them after death is not’. Cf. Sanhedrin 50a; 84a.

38. MBVP, XXVI, p. 546G. Blasphemous in general. Hieronymus deliberately tried to link it to the cursing of parents, also punished with the death penalty by the Torah (Leviticus 20:9) and to the cursing of God, deliberately omitting what the rabbis, following Leviticus 24:15, taught in Sanhedrin 56b: that any man that curseth his God shall bear his sin.

39. Cf. Maimonides, *Séfer Shoṭim, Hilekhot Sanhedrin*, chapter IX. The Sanhedrin must investigate the case and give the accused the opportunity to defend himself.

40. MBVP, XXVI, p. 546D. That is, he is liable only if the place was already exposed to heat or cold. But if it was merely destined to become hot, the sun not yet having risen, he is not liable. In the first case, he is regarded as a direct murderer, in the second, as an indirect cause. That is the general reason for the exemptions taught in this passage.

41. Because he could not have saved himself in any case. Raba probably refers to a prisoner thrown into an arena to be torn by lions.

him before mosquitoes [who stung him to death], he is<sup>42</sup> (Sanhedrin 77a).<sup>43</sup> ‘Someone who kills a person in agony (*terifá*<sup>44</sup>) is not liable’. They all agree that he should be acquitted if there are no life signs, since he is considered to be already dead (Sanhedrin 78a, Rashi, *ad loc.*). ‘If ten men smote a man with ten staves, whether simultaneously or successively, and he died, they are exempt’<sup>45</sup> (Sanhedrin 88a). Moreover, ‘they encourage kidnapping and slavery as they would learn from Sanhedrin, in chapter (11) *those are suffocated*, where they say [if] a man be found stealing any child or a teacher any of his pupils and sell him he is exempted’ (Sanhedrin 85b-86a).<sup>46</sup>

2. As examples of things contrary to the service of God and His perfections, Hieronymus cited that it was not a sin to cause one’s child or a relative to pass through the fire before Moloch,<sup>47</sup> as it is said: ‘He who gives of his seed to Moloch incurs no punishment unless he delivers it to Moloch and causes it to pass through the fire. If he gave it to Moloch but did not cause it to pass through the fire, or the reverse, he incurs no penalty, unless he does both’ (Sanhedrin 64b). Hieronymus used this argument from Sanhedrin against the Talmud and the Sages of the Talmud whom, as can be inferred from the *Actas*, he accused of idolatry because they permitted the worship of Moloch and because they had invoked spirits.<sup>48</sup>

Moreover, in the same tractate it was taught: ‘If one engages in idolatry through love or fear,<sup>49</sup> he is free from a penalty’ (Sanhedrin 61b). Hieronymus omitted all of the discussions there between the sages: Abaye said, he is liable to punishment; but Raba said, he is free from a penalty. Abaye ruled that he is liable, since he worshipped it; but Raba said that he is free: only if he accepts it as a god is he liable, but not otherwise’.

42. R. Ashi said: Even before mosquitoes, he is not liable, because these go and other come. That is, the mosquitoes before which the prisoner was bound do not kill him entirely, as there is a continuous coming and going. Hence it is similar to binding one in a place where the sun will appear, but has not yet done so.
43. According to the logic of Rabba, he was acquitted because his neighbour did not die as a result of being bound, but of starvation. He would not have been saved if he had been in front of a lion, even if he had been unbound, whereas he would have escaped death from mosquitoes (that may have stung him to death).
44. MBVP, XXVI, p. 546D. When used of a person, it means that he was suffering from fatal organic disease, from which recovery is impossible.
45. MBVP, XXVI, p. 546D-E. The reason adduced in the text (which is omitted by Hieronymus) was that the identity of the man who inflicted the mortal blow was unknown.
46. MBVP, XXVI, p. 546E.
47. A Phoenician/Canaanite God in whose honour children were sacrificed by making them ‘pass through fire’ in the valley of Ben-Hinon, near Jerusalem, before and after Josiah (2 Kings 23:10ff; Jeremiah 7:31; 32:35).
48. MBVP, XXVI, p. 546H-547A. *Actas*, vol. 2, session 66, p. 582: ‘Item peccarunt in ydolatria, sicut dant causam et modum adorandi Meloch, et quam plures diabolorum invocationes et sortilegia in dicto Talmud contenta, ut latius fuit superius dictum per Referendum Dominum Elemosinarium. Quae omnia sunt vera ydolatria’. When using the term *Elemosinarium* he referred to his collaborator in the Catechesis, Andrés Bertrán, who was the almoner for Antipope Benedict XIII.
49. MBVP, XXVI, p. 547A. Out of fear of man, but actually not accepting the divinity of the idol.

He quoted the following *midrash haggadah* in order to prove that the Sages of the Talmud failed to respect the divine essence and perfection, since they regarded God as corporeal and unclean:

Rabba Ioanna[n] said:<sup>50</sup> Your God is a priest, since it is written in Exodus [25:2]: ‘Speak to the children of Israel<sup>51</sup> that they bring me an offering’,<sup>52</sup> those wave offerings which, as a rule, were given to priests. Also, they prove that He has been contaminated, as it is written in Deuteronomy [34:6], that He had buried Moses, and as a priest after contact with the corpse, God was polluted. And they are satisfied saying that he washed and was clean; asking wherein did He bathe? In water it could not be, because it is written in Isaiah [40:12]: ‘Who hath measured the waters in the hollow of His hand?’ And the Rabbi is satisfied saying: ‘He bathed in fire’ for it is written: ‘Behold the Lord will come in fire’ [Isaiah 46:15] (Sanhedrin 39a).

3. Hieronymus adduced an *haggadah* from Sanhedrin as an example of things contrary to Mosaic Law and the law of the Prophets, presumably against Noah, of whom the Scripture said that he was a righteous man, blameless among the people of his time, and who walked faithfully with God (Genesis 6:9). However, in Sanhedrin 70a it was said about him:

And Noah awoke from his wine, and knew what his younger son had done unto him.<sup>53</sup> They asked: What did his younger son? Rab said that he castrated him, whilst Samuel says that he sexually abused him. Each one of these rabbis brought reasons for his opinion and argued against the other one.<sup>54</sup> The conclusion of the Talmudic sages is that both rabbis spoke truth and that both indignities were perpetrated.<sup>55</sup>

Hieronymus also said that the Talmudic Sages spoke badly about King David of whom we read that when he was very old, he could not keep warm even

50. MBVP, XXVI, p. 548D-E. The Talmudic text reads: ‘A certain Min said to R. Abbahu’. Hieronymus’s reference to the extract is Baba Mezia [*sic*]. Actually, it is a response of R. Abbahu to a certain heretic who asked him whether God was a priest. The answer was a rejection: If there is not any possibility of impurity in God, neither purification.

51. That is, the leaders.

52. Exodus 25:2. Wave offerings were, as a rule, given to priests.

53. Genesis 9:20-24. In this passage, the conversive *waw* occurs thirteen times, in each case followed by the *yod* of the imperfect. The combination *waw yod* means ‘woe’ in Hebrew. Thirteen woes: so great are the sorrows caused by drunkenness.

54. He who maintains that he castrated him [reasons thus]. Since he cursed him by his fourth son [Genesis 9:25], he must have injured him with respect to a fourth son. But he who says that he sexually abused him, draws an analogy between ‘and he saw’ written twice. Here it is written: ‘And Ham the father of Canaan saw the nakedness of his father’; whilst elsewhere it is written: ‘And when Shechem the son of Hamor saw her’ [he took her and lay with her and defiled her, Genesis 34:2]. Now, on the view that he emasculated him, it is right that he cursed him by his fourth son; but on the view that he abused him, why did he curse his fourth son; he should have cursed himself?

55. MBVP, XXVI, p. 549D-E. That is, he both castrated and abused his father.

when they put covers over him. So his attendants said to him: 'Let us look for a young virgin to serve the king and take care of him. She can lie beside him so that our lord the king may keep warm'. Then they searched throughout Israel for a beautiful young woman and found Abishag, a Shunammite, and brought her to the king. The woman was very beautiful. She took care of the king and waited on him, but the king had no sexual relations with her [1 Kings 1:1-4]. But the sages in Sanhedrin 22a said that 'David had intercourse with her in the presence of Bat-Sheba twelve times in an hour and Bat-Sheba dried herself thirteen towels'.<sup>56</sup>

Similarly, they contradicted the biblical text concerning the patriarch Abraham, a most holy man, who is presented as teaching unholy knowledge when explaining the written 'And Abraham gave all that he had unto Isaac. But unto the sons of the concubines which Abraham had, Abraham gave gifts [Genesis 25:5-6]'. In Sanhedrin 91a they asked: 'What gifts [did he give them]? They responded: He imparted to them [the secrets of] the unhallowed arts'.<sup>57</sup>

Hieronymus also adduced the Talmudic doctrine in Sanhedrin 107a attributed to King David, namely that he wanted to practise idolatry, as they say: 'David wished to worship idols at the end of his days'.<sup>58</sup> The Talmudic text actually does not mean to say that David believed in idolatry or wanted to practise it, but wished to commit a public transgression in order to justify the attempt on his life perpetrated by his son Absalom. For then it would be said that Absalom had slain him because of his idolatry, which would justify him and his supporters.<sup>59</sup>

4. Hieronymus used different types of vanities, absurdities and vices contained in the Talmud in his arguments. The legend in Sanhedrin 82b referred to the affair in Numbers [25:6-15] when prince Zimri cohabited with the Midianite Kozbi right before the eyes of Moses and the whole assembly of Israel while they were weeping at the entrance to the tent of meeting. The sages said that 'He cohabited with her four hundred and twenty-four times'<sup>60</sup> in

56. MBVP, XXVI, p. 549, F-G. Hieronymus exclaims: 'Look at the sordid thoughts of these most impure men, who are only capable of conceiving of the coarsest lust, and through their desires and actions not only opposed to and contradicted the text, but also the truth, How far is God, who is the truth, from them, as they are immersed in blindness!'

57. MBVP, XXVI, p. 549 E-F. That is, the knowledge of sorcery, demons, etc.

58. MBVP, XXVI, p. 550B.

59. The text in Sanhedrin 107a reads: 'Rab Judah also said in Rab's name: David wished to worship idols at the end of his day, as it is written: "And it came to pass, that when David was come to the head, where he worshipped God" [2 Samuel 15:32]. Now rosh ['head'] can only refer to idols, as it is written: "This image's head was of fine gold" [Daniel 2:32] [But] Behold, Hushai the Archite came to meet him with his coat rent, and earth upon his head [2 Samuel 15:32]. He remonstrated with David: "Shall people say, A king like thee has worshipped idols!" He replied: "And shall a king like myself be slain by his son! Let me worship idols rather than that the Divine Name be publicly profaned!"'

60. The numerical value of *zarzir* (424), whilst cohabitation is understood from 'loins'.

that short time, and Pinehas<sup>61</sup> waited at the entrance with a spear in his hand till he entered and killed them. They [also] tell things about the genitals [of Zimri and Kozbi] in such proportions that it is embarrassing to say or write them'.<sup>62</sup> Another obscene description is the one in Sanhedrin 108b relating to what happened with the three who committed a sin of lust in Noah's ark, and how they were punished: '[Our Rabbis taught:] Three copulated in the ark of Noah, and they were all punished – the dog, the raven, and Ham, son of Noah. The dog was doomed to be tied, the raven expectorates [his seed into his mate's mouth] and Ham was smitten in his skin'.<sup>63</sup>

5. No texts from the Sanhedrin tractate were provided to support Hieronymus's accusations in chapter 5 of the tractate and in the Catechesis of Tortosa relating to intolerable things against the Catholic faith and the Saviour Jesus Christ.
6. Having presented his thesis about the various errors of the Jews derived from the Talmud, Hieronymus ended his arguments by dealing with the way the Gentiles were treated in the Talmud. His conclusion was that the Talmud is a typical anti-Christian work. He reached this conclusion after deliberately translating terms such as 'Canaanites', 'Cutheans or Cuthites', 'idolaters', 'Noachides' and 'gentiles' as 'christianus'. For example, in his quotations about the penalty to which a 'Christian' who smites a Jew should be sentenced, the Talmudic text respectfully reads 'an idolater' but Hieronymus translates: 'If a Christian smites a Jew, he is worthy of death'<sup>64</sup> (Sanhedrin 58b). Likewise, concerning the 'idolater' who observes the Sabbath and his punishment, Hieronymus intentionally translates the Talmudic text: 'A Christian who observes the Sabbath, deserves death even if he sabbatizes in another day of the week' (Sanhedrin 58b).<sup>65</sup> He translates the 'idolater' who studies the Torah who should also be punished as: 'If a Christian is intruded in the study of the Law of God he deserves death, for the Law was given [as inheritance] only to the congregation of Jacob'<sup>66</sup> (Sanhedrin 59b). Finally,

61. Son of Eleazar, and grandson of Aaron, the priest.

62. MBVP, XXVI, p. 551B. Cf. Martini, *Pugio fidei*, p. 932.

63. That is, from him descended Cush, who is black-skinned. MBVP, XXVI, p. 551C.

64. By the hand of God. MBVP, XXVI, p. 553G. Cf. Maimonides, *Yad hazaka, Hilekhot Melakhim* I, 6.

65. MBVP, XXVI, p. 553G. Eisenstein, 'Gentile', p. 623, suggests that this may have been directed against the Christian Jews, who disregarded the Mosaic laws and yet at that time kept up the observance of the Jewish Sabbath. Hieronymus points out that 'deserves death' expresses strong indignation, and that it is not to be taken literally, but omits the open and favourable opinion in rabbinic literature concerning the idolater who really observes the Sabbath, see Shabbat 118b; *Midrash Psalms* 92.2 and *Pirque Rabbi Eliezer* 18.4 following Isaiah 56, 2: 'Happy is the man that does this and the son of man that lays hold on it; that keeps the Sabbath and does not profane it, and keeps his hand from doing any evil'.

66. MBVP, XXVI, p. 553H. It is possible that R. Johanan's objection was to the studying of Oral Law by Jewish Christians, since the possession of the Oral Law was held to be the distinguishing mark of the Jews.

also from Sanhedrin, he brought what R. Jacob bar Aha found written in a *Book of Haggadetah*<sup>67</sup> of the scholars of Rav, namely that Noachides could be sentenced to the capital punishment by a single judge and on the testimony of a single witness. Hieronymus translates: ‘A Christian is executed on the ruling of one judge, on the testimony of one witness’ (Sanhedrin 57b). Again, he used this source to illustrate rabbinic discrimination against Christians such that if a Christian committed a crime, the testimony of a single witness would be sufficient for that Christian to be sentenced to death.

A comparison between these accusations which Hieronymus took from the treatise of Sanhedrin and analogous works such as the *Extractiones de Talmud* and the *Pugio fidei* of Martini shows that Hieronymus’s Latin translations are not merely a copy from the *Extractiones de Talmud* or the *Pugio fidei*, in spite of the fact that they all have similar polemic intentions. Although *De Iudaicis erroribus ex Talmud* contains many quotations from Sanhedrin integrated also in the *Extractiones de Talmud*,<sup>68</sup> it is not possible to show with certainty that the latter served as the source for the recompilation of Hieronymus, due to the different Latin translation of the Talmud texts as well as other excerpts of Hieronymus that are not found in this work. Hieronymus may have used certain manuscripts encompassing ‘errors’ of the Talmud. There were two works of this genre: *Talmud obiectiones* (H15229) and *Errores* (H6678) which were common in Europe at that time.<sup>69</sup> Further texts contain references and allusions to the Talmud: Petrus Alphonsi, ‘Dialogue against the Jews’, the Abbot of Cluny, Peter the Venerable, ‘Against the Inveterate Obstinacy of the Jews’ etc. It is likely that these works would have reached the hands of Hieronymus.

Did Hieronymus use the *Pugio fidei* for his citations from Sanhedrin in *De Iudaicis erroribus*? The answer is negative: only six of Hieronymus’s twenty-one quotes from Sanhedrin appear in Martini’s work. Moreover, there are significant textual variants, constant differences of translation, and even differences in the names of the rabbis mentioned in the two texts.<sup>70</sup>

In conclusion, Hieronymus’s works were a biased depiction of the Talmud, particularly of the *haggadah* and the *midrash*. As can be seen in the case study of the

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It is significant that it was R. Johanan who also said that God’s covenant with Israel was only for the sake of the Oral Law (cf. *Exodus Rabbah* 47).

67. MBVP, XXVI, p. 554B. Hence it is possible that the reference is to a collection of laws relating to Gentiles, and in order to distinguish it from specifically Jewish laws, it was called the *Book of Haggadetah*.

68. See the recent edition: *Extractiones de Talmud per ordinem sequentialem*, pp. 226-400. For a useful concordance of the Talmudic quotations in *De Iudaicis erroribus ex Talmud* as compared to the *Extractiones* and the *Pugio*, see Orfali, *Talmud y Cristianismo. Historia y causas de un conflicto*, pp. 104-105.

69. On the echo of the *Extractiones de Talmud* in Spain, cf. Millás Vallicrosa, ‘Extractos del Talmud y alusiones polémicas en un manuscrito de la Catedral de Gerona’.

70. Cf. Williams, *Talmudic Judaism and Christianity*, p. 261, n. 4. The same occurrence we observe in Hieronymus’s *Ad convincendum perfidiam iudaeorum*: of the ten quotations from Sanhedrin, seven also appear in the *Extractiones* and only five in the *Pugio* with the above-mentioned differences.

Sanhedrin treatise, a number of Talmudic passages, most of which were brief and were extracted from nearly every treatise, were presented to the Christian world in a prejudiced manner, relying on the commentaries of Rashi (1040-1105) and Maimonides (1138-1204). This was yet another attempt by Hieronymus de Sancta Fide to provide a systematic elaboration of the legendary part of the Talmud and the *midrashim*: a series of anthologies divided into several chapters, as in the presentation discussed here.

It seems that this attempt was very successful in terms of the missionary aspirations of the Catholic Church leadership, if we take into account not only the great number of Jews who converted to Christianity during and after the catechesis at Tortosa and in the aftermath of the Papal Bull *Etsi doctoris gentium* issued by Benedict XIII,<sup>71</sup> but also the fact that the first Archbishop and Grand Inquisitor of Goa, Dom Gaspar de Leão Pereira (Lagos ? – Goa 1576),<sup>72</sup> decided to publish a singular edition of Hieronymus de Sancta Fide's writings<sup>73</sup> in Portuguese (1565) so that it would be accessible to Old Christians, New Christians and Jews in Goa.<sup>74</sup> His edition is unique in that the archbishop prefaced it with his own Shepherd's Epistle, aimed at the People of Israel (*o povo de Israel*) in the broadest sense of the term, with no distinction between Jews and New Christians 'who returned to their fold' and kept the Law of Moses secretly or within Jewish communities in Goa and Portuguese Asia.<sup>75</sup> In the Epistle, Dom Gaspar de Leão cites from Sanhedrin without adding or changing the contents of the writings of Hieronymus de Sancta Fide.<sup>76</sup> This was undoubtedly due to his fervour to succeed in his Metropolitan Archdiocese encompassing all Portuguese possessions in the Orient, just as Hieronymus succeeded in the Kingdom of Aragon during the Catechesis of Tortosa and afterwards when thousands of Jews converted to Christianity.

71. In contradistinction to the thirteenth-century bulls which speak of conversion of the Jews only as an afterthought, the fifteenth-century bull *Etsi doctoris gentium* announces its conversionary intent in its prooemium. On the actions taken *vis-à-vis* the Talmud by Benedict XIII, directed towards the promotion of conversion and the mitigation of his bull, see Vendrell de Millás, 'En torno a la confirmación real, en Aragón, de la Pragmática de Benedicto XIII'.

72. On Dom Gaspar's life and pastoral mission, see Orfali, 'Gaspar de Leão Pereira'.

73. Orfali, ed., *Tratado que fez mestre Jerónimo, médico do Papa Bento XIII, contra os Judeus em que prova o Messias da lei ser vindo*, Impresso em Goa por João de Endem, aos 29 dias do mês de setembro de 1565.

74. On writing theological works in Portuguese instead of Latin, see Machado, *Espelho de Cristãos Novos*, fols 1v and 64v; de Barros, *Diálogo evangélico sobre os artigos da fé contra o Talmud dos judeus*, pp. LXXVII, 6-7; Glaser, 'Portuguese Sermons at Autos-da-Fe: Introduction and Bibliography', p. 58; Talmage, 'To Sabbatize in Peace: Jews and New Christians in Sixteenth-Century Portuguese Polemics', p. 275, n. 16.

75. *Carta do primeiro Arcebispo de Goa a o pouo de Israel seguidor ainda da ley de Moises, & do Talmud, por engano & malicia do seus Rabis*. The letter has sixteen unnumbered pages, followed by the treatises of Hieronymus containing seventy-five numbered pages, Lisbon, Biblioteca Nacional de Portugal, Res 411-12 P. See Orfali, ed., *Tratado que fez mestre Jerónimo*, pp. 47-63 [Carta do Arcebispo].

76. Orfali, ed., *Tratado que fez mestre Jerónimo*, p. 63: 'O Cabedal que pus neste liuro foi traslado de uma linguagem noutra, não mudando um cabelo da substância, e ainda guardei as frases e maneira de falar. O motiuo que tive foi o mesmo zelo do Autor, e compaixão de vossos enganos, e também a obrigação de Prelado, como disse no principio'.

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# D

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The Christian discovery of the Babylonian Talmud is a significant landmark in the long and complex history of anti-Jewish polemic. While the Talmudic corpus developed in the same period as early Christianity, this post-biblical text was largely unknown to the Christians. Full awareness of the Talmud among Christian authors did not arise until the late 1230s, when the Jewish convert Nicholas Donin presented a Latin translation of Talmudic fragments to Pope Gregory IX. Though the Talmud was subsequently put on trial (1240) and burnt (1241/2) in Paris, the controversy surrounding it continued over the following years, as Pope Innocent IV called for a revision of its condemnation. The textual basis for this revision is the *Extractiones de Talmud*, that is, a Latin translation of 1.922 Talmudic fragments. The articles in this volume shed new light on this monumental translation and its historical context. They also offer critical editions of related texts, such as Donin's anti-Talmudic polemic. Authors of the contributions are: Wout van Bekkum, Piero Capelli, Ulisse Cecini, Enric Cortès, Óscar de la Cruz Palma, Federico Dal Bo, Alexander Fidora, Görge K. Hasselhoff, Moisés Orfali, Ursula Ragacs and Eulàlia Vernet i Pons.