

The Samaritans (Kutim) in the Talmud Yerushalmi

Constructs of “Rabbinic Mind” or Reflections of Social Reality?

by

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In spite of considerable work carried out on Samaritan history in the last few decades¹, the interest in *rabbinic* attitudes towards the “*Kutim*” – the usual rabbinic expression for the Samaritans derived from the biblical account in 2 Kings 17:24² – is still rather desultory. Although there are already quite a number of studies dealing with the halakhic differences³, the question of ori-

¹ For bibliographical surveys on recent research up to the end of the 1980s see A. D. Crown (ed.), *The Samaritans*, Tübingen 1989, and see also A. D. Crown, *A Bibliography of the Samaritans*, Second Edition, ATLA Bibliography Series 32, Metuchen NJ 1993.

² On the development of the pejorative term “Kuti” see already R. Kirchheim, *Karme Shomron. Petiḥa le-Massekhet Kutim: Introductio in librum “de Samaritanis,” quae illius haeresis historiam, theologiam, ritus et literarum monumenta tractat. Addita est epistola clarissimi doctissimique S. D. Luzzato de scriptura Samaritana*, Frankfurt am Main 1851, repr. 1970, p. 2; A. Kohut (ed.), *Aruch completum sive lexicon vocabula et res, quae in libris Targumicis, Talmudicis et Midraschicis continentur, explicans auctore Nathane filio Jechielis*, Vol. IV, Vienna 1880, repr. New York 1955, pp. 360f s. v. כּוּתִי; M. Jastrow, *A Dictionary of the Targumim, the Talmudim Babli and Yerushalmi, and the Midrashic Literature*, Vol. I, London 1903, repr. New York 1985, p. 627 s. v. כּוּתִי II; M. Sokoloff, *A Dictionary of Jewish Palestinian Aramaic of the Byzantine Period*, Dictionaries of Talmud, Midrash and Targum 2, Ramat-Gan 1990, p. 255 s. v. כּוּתִי. It is, however, doubtful, if this term does clearly indicate the status of this group in the eyes of the rabbis. See on this question, e.g., L. H. Schiffman, Art. “Cutheans”, in: A. D. Crown, R. Pummer and A. Tal (eds.), *A Companion to Samaritan Studies*, Tübingen 1993, pp. 63–64. It must also be taken into account that the term “Kuti” is already mentioned by Josephus (Ant. IX 290). See R. Egger, *Josephus Flavius und die Samaritaner. Eine terminologische Untersuchung zur Identitätsklärung der Samaritaner*, Novum Testamentum et Orbis Antiquus 4, Fribourg (Switzerland) and Göttingen 1986, pp. 176ff. A reference to the term is also found in a text from the Dead Sea Scrolls; cf. 4QPrEst ar^d1, Col IV.

³ See A. Geiger, “Die gesetzlichen Differenzen zwischen Samaritanern und Juden”, in: id., *Abraham Geiger’s nachgelassene Schriften*, ed. L. Geiger, Vol. III, Berlin 1876, pp. 283–321; I. Taglicht, *Die Kuthäer als Beobachter des Gesetzes nach talmudischen Quellen nebst Berücksichtigung der samaritanischen Correspondenz und Liturgie*, Diss. Erlangen, Berlin 1888 and J. A. Montgomery, *The Samaritans. The Earliest Jewish Sect. Their History, Theology, and Literature*. Introduction by A. S. Halkin, The Bohlen Lectures for 1906, Philadelphia 1907, pp. 165–203.

gins⁴, the controversy about *Har Garizim* in Aggadah⁵, and the development of the relationship between Jews and Samaritans in the Tannaitic and the Talmudic period⁶, so far there has not been a comprehensive study on this “earliest Jewish sect”⁷ in rabbinic literature comparable to those studies on other specific groups such as women, ‘*ame ha-areš, gerim, goyim*, and ‘*avadim*.⁸

Most of the older studies dealing with *Kutim* are not distinguished by methodological rigor. Some of them, for instance, do not pay attention to the attitudes to the Samaritans in particular literary documents.⁹ Others concentrate

⁴ Cf. G. Alon, “The Origin of the Samaritans in the Halakhic Tradition”, in: id., *Jews, Judaism and the Classical World. Studies in Jewish History in the Times of the Second Temple and Talmud*, transl. from the Hebrew by I. Abrahams, Jerusalem 1977, pp. 354–373 (first published in Hebrew in *Tarbiz* 18 [1947], 146–156; reprinted in his *Mehqarim be-Toledot Yisra’el. Bi-yeme bayt sheni u-vi-tequfat ha-Mishna we-ha-Talmud*, Vol. II, Jerusalem³ 1983, pp. 1–14).

⁵ Cf. J. Heinemann, “Anti-Samaritan Polemics in the Aggadah”, in: *Proceedings of the World Congress of Jewish Studies* III, Jerusalem 1977, pp. 23–35 = id., *Aggadah and its Development*, Jerusalem 1974, pp. 91–102 [Hebrew].

⁶ Cf. Y. Hershkovitz [Elitzur], “Ha-Kutim be-divre ha-Tanna'im”, *Yavne* 2, 1940, pp. 71–105, and the unpublished M.A. thesis by Y. Gafni, *Ha-yahasim beyn ha-Yehudim we-ha-Shomronim bi-tequfat ha-Mishna we-ha-Talmud*, Hebrew University, Jerusalem 1969. See also L. H. Schiffman, “The Samaritans in Tannaitic Halakhah”, *Jewish Quarterly Review*, N.S. 75, 1985, pp. 323–350.

⁷ This is the subtitle of the standard reference source for Samaritan studies by Montgomery, *Samaritans*. His book contains also an analysis of rabbinic material, biased, however by a Christian attitude. In addition, it seems questionable whether the group called Samaritans should be termed a “Jewish sect”.

⁸ On the ‘*am ha-areš*, literally “the people of the land”, i.e., those rabbinically unskilled and poor in knowledge of Torah, see, e.g., A. Oppenheimer, *The ‘Am ha-Aretz. A Study in the Social History of the Jewish People in the Hellenistic-Roman Period*, Arbeiten zur Literatur und Geschichte des hellenistischen Judentums 8, Leiden 1977. On gender cf., e.g., T. Ilan, *Mine and Yours are Hers. Retrieving Women's History from Rabbinic Literature*, Arbeiten zur Geschichte des antiken Judentums und des Urchristentums 61, Leiden, New York, and Cologne 1997. On proselytes, *gerim* respectively, there is a vast amount of literature: See only the most recent book by S. J. D. Cohen, *The Beginnings of Jewishness. Boundaries, Varieties, Uncertainties*, Berkeley, Los Angeles, and London 1999 and cf. also G. G. Porton, *The Stranger within Your Gates. Converts and Conversion in Rabbinic Literature*, Chicago 1994. On *goyim*, non-Jews or gentiles, see, for instance, Y. Cohen, *The Attitude to the Gentile in the Halakha and in Reality in the Tannaitic Period*, Diss. Jerusalem 1975 [Hebrew] and especially G. G. Porton, *Goyim. Gentiles and Israelites in Mishnah-Tosefta*, Brown Judaic Studies 155, Atlanta GA 1988. On slaves in rabbinic literature see, for example, J. Winter, *Die Stellung der Sklaven bei den Juden in rechtlicher und gesellschaftlicher Beziehung nach talmudischen Quellen*, Diss. Halle 1866; M. H. Bell, *Slavery in the Talmud and the Tractate Abadim*, Diss. HUC New York 1949; E. E. Urbach, “Halakhot Regarding Slavery as a Source for the Social History of the Second Temple and the Talmudic Period”, *Zion* 25, 1960, pp. 141–189 [Hebrew]; P. V. McCracken Fleisher, *Oxen, Women, or Citizens? – Slaves in the System of the Mishnah*, Brown Judaic Studies 143, Atlanta GA 1988. – For an analysis comparing some of the mentioned groups see also S. Stern, *Jewish Identity in Early Rabbinic Writings*, Arbeiten zur Geschichte des antiken Judentums und des Urchristentums 23, Leiden, New York, and Cologne 1994 (on Samaritans see especially pp. 99ff).

⁹ See, e.g., the German anthology of texts related to Samaritans by J. Zangenberg,

only on halakhic differences without taking into account form-critical problems of the texts and documents.¹⁰ The key to a historical understanding of many texts mentioning *Kutim* in rabbinic literature, however, is their redactional analysis and their placement in correct chronological order.¹¹

In the Talmud Yerushalmi there are about one hundred occurrences of the term *Kuti*.¹² Aside from these explicit references, there may also be some implicit allusions to halakhic or exegetical differences between Jews and Samaritans – for example, in some arguments about reasons for postponing circumcision¹³ or in disputes about saying Amen after a benediction spoken by a heretic.¹⁴

Most of these apparent allusions, however, cannot be interpreted with certainty as reactions to Samaritan Halakha or exegesis. Some of them might

Samareia. Antike Quellen zur Geschichte und Kultur der Samaritaner in deutscher Übersetzung, Texte und Arbeiten zum neutestamentlichen Zeitalter 15, Tübingen 1994, pp. 92–166. Typical for the lack of interest in the rabbinic attitude towards Samaritans is, for example, the introduction to the history of the Samaritans published by F. Dexinger and R. Pummer (eds.), *Die Samaritaner*, Wege der Forschung 604, Darmstadt 1992. In this collection of articles on the history of the Samaritans not a single one is devoted to rabbinic literature! And the same is true of the survey by S. Noja, “The Last Decade in Samaritan Studies”, in: A. D. Crown (ed.), *The Samaritans*, Tübingen 1989, pp. 802–813, and cf. also J. D. Purvis, “The Samaritans and Judaism”, in: R. A. Kraft and G. W. E. Nickelsburg (eds.), *Early Judaism and its Modern Interpreters*, Philadelphia and Atlanta 1986, pp. 81–98.

¹⁰ On the critique of historical analysis of rabbinic texts in general see, e.g., Ch. E. Hayes, *Between the Babylonian and Palestinian Talmuds. Accounting for Halakhic Difference in Selected Sugyot from Tractate Avodah Zarah*, New York and Oxford 1997, pp. 3 ff.

¹¹ This was pointed out already by Schiffman, “Samaritans in Rabbinic Literature”, in: Crown et al. (eds.), *Companion*, pp. 198–199.

¹² Cf. M. Kosovsky, *Concordance to the Talmud Yerushalmi (Palestinian Talmud)*, *Onomasticon – Thesaurus of Proper Names*, Jerusalem 1985, pp. 676. In the Yerushalmi only in the tractate Avoda Zarah the term שמרין for Samaritans is also found: see y.AZ 5:4[3] (44d,36), where a קרייה שמרייה is mentioned; cf. also y.AZ 1:2 (39c,27) דסיגיי שמריין and see on this also Jastrow, *Dictionary*, Vol. II, p. 961]. Cf. also the parallels in BerR 32:19 ad Gen 7:18 ad Gen 46:7 (ed. Theodor – Albeck p. 296) and in BerR 81:3 ad Gen 35:4 (ed. Theodor – Albeck p. 974). Cf. furthermore BerR 94:7 (ed. Theodor – Albeck p. 1178). On the meaning of the designation שמרין cf. also J. Levy, *Neuhebräisches und chaldäisches Wörterbuch über die Talmudim und Midraschim*, Vol. IV, Berlin and Vienna 1924, repr. Darmstadt 1963, p. 581 s. v.; Taglicht, *Kuthäer*, p. 6f and Jastrow, *Dictionary*, Vol. II, p. 1601 s. v. שמרין.

¹³ Cf., e.g., m.Shab 19:4; b.Shab 137a; y.Pes 6:5 (33c,19–20), texts containing discussions on the postponement of circumcision. While the rabbis allowed it, Samaritans under no circumstances would consent to postponement (cf. Codex Samaritanus to Gen 17:14). See also y.Yev 6:6 (7d,8–13); b.Yev 64b, and see on this topic the comments by Geiger, *Differenzen*, pp. 286f, Taglicht, *Kuthäer*, pp. 32f and R. Pummer, “Samaritan Rituals and Customs”, in: A. D. Crown (ed.), *The Samaritans*, Tübingen 1989, p. 655.

¹⁴ Cf. y.Ber 8:8 (12c,57), and see also t.Ber 6:21 (ed. Lieberman 39) and b.Ber 51b; 63a. See on this J. Maier, *Jüdische Auseinandersetzung mit dem Christentum in der Antike*, *Erträge der Forschung* 177, Darmstadt 1982, pp. 146f.

simply refer to different rabbinic opinions¹⁵; others might also be concerned with inferences of various groups within Judaism. Some texts referring to exegetical differences between rabbis and Samaritans are also affected by textual problems, since in the manuscripts and printed editions of the Yerushalmi the word term *Kuti* is often mixed with similar words like “Nabati”¹⁶, a designation for an Arabian tribe, or even with “Kuttana’e”, an appellation for weaver.¹⁷ Sometimes one even gets the impression that scribes or printers were not familiar with the exact meaning of the word *Kuti*.¹⁸ Furthermore, concerning parallels in other rabbinic writings, one has to consider that in later times Christian censorship frequently substituted for *Kuti* the word *goi*.¹⁹

The Status of the Kutim

Statistically, as in the Mishnah and Tosefta²⁰, most of the relevant passages in the Yerushalmi simultaneously refer to the Samaritans and other groups or classes: Mostly a *Kuti* (or a group of *Kutim*) is mentioned only in contrast to a

¹⁵ Cf. the exegetical differences reflecting in y.Pes 1:1 (27b,54–57); y.AZ 5:4 (44d,57–62); y.Yev 1:6 (3a,38–43).

¹⁶ Cf. y.Shab 16:7 (15d,46); y.Yom 8:5 (45b,35); and see also y.BB 8:8 (16b,62) where נַבְטִי are mentioned. With S. Lieberman, *The Talmud of Caesarea*, Supplement to Tarbiz II 4, Jerusalem 1931, p. 72 No. 112 [Hebrew] and G. A. Wewers, *Bavot. Pforten*, Übersetzung des Talmud Yerushalmi IV/1–3, Tübingen 1982, p. 452 there is, however, no need to correct the text as proposed by the *Haggahot* in Ed. Krotoszyn 1865/66, seemingly supported by y.Qid 4:8(9a) (66b,43). Cf. Kosovsky, *Onomasticon*, pp. 475 f; Sokoloff, *Dictionary*, p. 358. On further passages in the Yerushalmi where it is doubtful whether to read “Nabati” see Th. Nöldeke, “Die Namen der aramäischen Nation und Sprache”, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 25, 1871, p. 124.

¹⁷ Cf. y.Pea 1:1 (16a,32) כְּרִיתָא (Ed. Krotoszyn; Ed. princ. and MS Leiden read כְּרִיתָא; MS Vatican Ebr. 133 כְּרִיתָא) with Moshe ben Simeon Margelit’s commentary “Pene Moshe”. – See, however, Jastrow, *Dictionary*, Vol. I, p. 482 s. v. חַנְרֵא and p. 627 s. v. כְּרִיתָא who suggests reading: חַנְרֵא דְבַשָּׁן, “shops (tradesmen) of Bashan”. See also Kosovsky, *Onomasticon*, p. 477 and G. A. Wewers, *Pea. Ackerecke*, Übersetzung des Talmud Yerushalmi II/2, Tübingen 1986, p. 26 note 197.

¹⁸ On similar textual uncertainties in other rabbinic writings see Taglicht, *Kuthäer*, pp. 7 f; Montgomery, *Samaritans*, p. 166 note 2. In some texts the reference to *Kutim* seems to have been suppressed by later copyists. See, e.g., EkhaR 1:15 (26a) where a story about a *Kuti* is transmitted; in the parallel in y.MSh 4:9 (55b,58–60), however, this story is transmitted only with a reference to a “bar nash”. Cf. also *Mar’e Maqom* to y.Ned 4:9 (38d,33) who points out a *varia lectio* חַרְרֵי כְּרִיתָא (on this text see below). In another passage the term כְּרִיתָא occurs in a parallel in the Bavli (b.Meg 25a), whereas the Yerushalmi speaks of אַרְבִּייהָ or גִּייהָ: cf. y.Meg 4:10 (75c,29) and y.San 9:11 (27b,28). See also b.San 82a.

¹⁹ See on this, for instance, Stern, *Identity*, p. 99 note 97. Cf. also Taglicht, *Kuthäer*, pp. 7 f, who discusses several cases in the Bavli where the term *Kuti* may have been inserted by Christian censors. Cf. also b.Ber 53a; b.Hag 25a; b.Taan 5b and b.BQ 113a where the word *Kuti* might have been interpolated erroneously.

²⁰ A *Kuti* or *Kutim* are mentioned in the Mishnah in the following passages: m.Ber 7:1; 8:8; m.Dem 3:4; 5:9; 6:1; 7:4; m.Ter 3:9; m.Shevi 8,1; m.Shek 1:5; m.RHSh 2:2; m.Ket 3:1;

Yisrael, an Israelite.²¹ These texts are often concerned with the status of the Samaritan: is it, for example, allowed to marry one?²² Does he observe sacrificial²³ and festival laws?²⁴ Can he be relied on for tithing fruits?²⁵ May he perform the rite of circumcision?²⁶ And, apparently the most important question, is it permitted to buy wine from a Samaritan?²⁷

In other cases, a *Kuti* is also mentioned in contrast to the term *goi* (non-Jew).²⁸ In these texts a borderline between Jew and non-Jew is drawn: is a Samaritan an Israelite in every respect? Or is he a Jew of low status? Noteworthy in this regard is a principal dispute ascribed to Rabbi Yoḥanan and Rabban Gamliel in y.Gittin on whether Samaritans are valid or invalid as witnesses:²⁹

m.Ned 3:10; m.Git 1:5; m.Kid 4:3; m.Ohal 17:3; m.Toḥ 5:8; m.Nid 4:1; 7:4.5. In the Tosefta: t.Ber 3:26 (ed. Lieberman p. 18); 5:21 (p. 28 [MS Erfurt and Ed. princ.]); t.Shab 15:15 (p. 73); t.Pes 2:3 (p. 145); t.Pe'a 4:1 (p. 55); t.Dem 1:11 (p. 64).[13 (p. 65)]; 3:3 (p. 73); 4:20 (p. 81).26 (p. 83).27 (p. 83); 5:2 (p. 86).21 (p. 92).22 (p. 92).23(p. 93); 6:4 (p. 94); 7:11 (p. 99); 8:7 (p. 102); t.Ter 1:14 (p. 111); 4:12.14 (pp. 126–127); t.Shevi 1:4 (p. 166); 3:13 (p. 177); 6:20 (p. 192); t.MSh 4:1 (p. 262); t.Git 1:4 (ed. Zuckerman p. 323); t.Qid 4:12 (Venice) 5:2 (p. 341).9 (p. 342); t.BQ 4:3 (ed. Lieberman p. 14); t.Mak 2:7 (ed. Zuckerman p. 440); t.AZ 3:1 (p. 463).13 (p. 464); 7:14 (p. 472); t.Zev 13:1 (p. 498); t.Hul 1:1 (p. 500); 2:20 (p. 503); t.Arakh 1:1 (p. 543); t.Kel(BM) 6:10 (p. 585); t.Ohal 18:6 (p. 616); t.Nid 5:1.2 (p. 645); 6:1 (p. 647).15 (p. 648); t.Miq 6:1 (p. 657); t.Makh 3:7 (p. 675).

²¹ Cf. y.Dem 3:4 (23c,40–42); 5:8 (25a,7–8); y.Shab 19:2 (17a,40–42); y.Pes 1:1 (27b,54–57) parallels b.Git 10a; b.Qid 76a; b.Hul 4a; b.Ber 47b.

²² Cf. y.Git 1:5 (43c,71–43d,4).

²³ Cf. m.Sheq 1:5; t.Sheq 1:7 (ed. Lieberman p. 202); and see y.Sheq 1:5 (46b,10–17).

²⁴ Cf. y.Orl 2:7 (62b,66) parallels y.AZ 5:11(8) (45a,50) and t.Pes 2:1.2 concerning the important question when unleavened bread of Samaritans is prohibited or allowed. Cf. also y.Orl 2:7 (62c,4–5), and see below.

²⁵ Cf. y.Dem 3:4 (23c,45).

²⁶ Cf. y.Shab 19:1 (17a,40–42); t.AZ 3:13 (ed. Zuckerman p. 464); b.AZ 26b-b.AZ 27a; b.Men 42a; and see also Massekhet Kutim 1:9 (ed. Higger p. 63). On the whole issue cf. Montgomery, *Samaritans*, 170.

²⁷ Cf. y.AZ 5:4 (44d,30–31) = b.AZ 31a; see also Massekhet Kutim 2:6 (ed. Higger p. 66). Most remarkable in this regard is a short and often discussed notice in y.AZ 5:4 (44d,52–53): “When Diocletian the king came up here (סדנה), he issued a decree, saying: ‘Every nation must offer a libation, except for the Jews.’ So the Samaritans made a libation. [That is why the] sages prohibited their wine.” See on this often discussed note I. Sonne, “The Use of Rabbinic Literature as Historical Sources”, *Jewish Quarterly Review*, N.S. 36, 1945–1946, p. 156. According to G. Stemberger, *Juden und Christen im Heiligen Land. Palästina unter Konstantin und Theodosius*, Munich 1987, p. 176, the question whether wine of Samaritans was ritually permitted played an important role in the final breakdown of relations between rabbinic Jews and Samaritans. On the importance of the question of wine see also Hershkovitz, “Ha-Kutim”, p. 97; Gafni, *Ha-Yahasim*, p. 9 and p. 110.

²⁸ Cf. y.Ber 7:1 (11b,14f) parallels y.Sheq 1:5 (46b,11f); y.Dem 2:1 (22c,16); 6:11 (25d,51f); y.Ket 3:1 (27a,70f). Cf. also the parallels in t.Ter 4:12.14 (pp. 126–127); Midrash Shemu'el 13 (44b).

²⁹ The translation is based on MS Leiden as transcribed in P. Schäfer and H.-J. Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. III: Seder Nashim, in Collaboration with G. Reeg and K. Ipta, G. Necker, M. Urban, G. Wildensee, *Texte und Studien zum Antiken Judentum* 67, Tübingen 1998, p. 276. Cf. the parallel in y.Yev 7:6 (8b,65–67).

y.Git 1:5 (43c,71–43d,4)

- [A] On what account are *Kutim* invalid (פסולין) [as witnesses]?
 [B] Said Rabbi Yohanan: “It is because they converted only by reason of fear of lions [in Samaria] (גירי אריות).”
 [C] But there is this difficulty (וקשיא): In the case of someone who did not convert for the sake of Heaven (לשום שמים), and then went and converted for the sake of Heaven, is it possible that they do not accept him [as a valid convert]?
 [D] Rabbi Yohanan in the name of Rabbi Eleazar: “It is because of the law that if a *goi* or a slave has sexual relations with an Israelite girl, the offspring is a *mamzer*, [Kutim are in that status, having descended from such marriages].”
 [E] But has not Rabbi Aqiba stated: “They are sincere converts (גירי צדק)?”
 [F] [They are invalid] because they enter into Levirate marriage only when the deceased was merely betrothed to the surviving widow, but they issue writs of divorce when the deceased was in a fully consummated marriage with the surviving widow [and so, violating Israelite practice in this regard, they are deemed to be *mamzerim*].
 [G] But do not rabbis maintain that a *mamzer* cannot emanate from a violation of the laws of Levirate marriage?
 [H] It is because they are not experts (בקיאי) in the laws of preparing writs of divorce (ברקדוקי גיטין).
 [I] Lo, Rabban Gamliel validates (מכשיר) their writs of divorce (גיתין) [cf. m.Git 1:5]^{30 31}

Whereas Rabbi Yoḥanan considered the Samaritans to be *gere arayot*, “lion converts”, converts out of fear of lions, i.e., converts out of ulterior motives – thereby referring to a famous explanation of the origins of the Samaritans in 2 Kings 17:24 ff, Rabban Gamliel II, for his part, seems to have regarded them as *gere emet*, “true converts”, thereby following Rabbi Aqiba, who seems to have accepted them as Jews in every respect.³² As was already pointed out by Hershkovitz³³, following a comment by Rashi³⁴, there is no other text which ascribes those positions explicitly to these Tannaim. Schiffman, therefore, has correctly adjudged this remarkable text (and its parallel in b.Qid 75a–b) to be “an Amoraic creation”.³⁵ Obviously, though, until Amoraic times, contradicting opinions concerning the status of the *Kutim* were known and transmitted.

³⁰ For the translation cf. J. Neusner, “Gittin”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XXI, Chicago and London 1985, p. 31.

³¹ However, in m.Git 1:5 it is also stipulated that a letter of divorce signed by a *Kuti* is invalid; cf. also b.Git 10a. And see on this Taglicht, *Kuthäer*, p. 41 and Gafni, *Ha-Yahasim*, p. 99. On the difference between Yerushalmi and Bavli with regard to letters of divorce signed by Samaritans cf. also Hershkovitz, “Ha-Kutim”, pp. 98f.

³² Cf. also the parallel in b.Qid 75a–b, and see on this text Hershkovitz, “Ha-Kutim”, pp. 77ff; Schiffman, “Samaritans”, pp. 327f. The term *gere arayot*, “lion converts”, occurs also in b.Yeb 24b in a saying ascribed to Rabbi Nehemia; in y.Qid 4:1 (65b,57) it is unattributed. As was pointed out by Schiffman, “it was only the Amoraim who juxtaposed the lion converts with the true converts, thus creating this allegedly Tannaitic dispute.”

³³ Hershkovitz, “Ha-Kutim”, p. 80.

³⁴ Cf. Rashi to b.Qid 75b s. v. אלעזר.

³⁵ Schiffman, “Samaritans”, p. 327. Concerning the version in b.Qid 75a–b Hershkovitz,

Similar disputes over the religious and social status of the *Kutim* are transmitted in texts mentioning ‘*ame ha-areš*’³⁶ and/or *nokhrim*³⁷. In these texts *Kutim* are sometimes considered to be Jews – Jews, however, of low status or “semi-Jews”, not as full members of the Jewish people like ‘*ame ha-areš*’.³⁸ For example, in an interesting halakhic explanation of a Mishnah, which seems to refer to the above-mentioned dispute of Rabban Gamliel and Rabbi Yoḥanan, the status of a *Kuti* is even compared to that of an ‘*eved*’, a “slave”³⁹:

y.Ket 3:1 (27a,70–72)

- [A] [m.Ket 3:1]: These are the girls [invalid for marriage to an Israelite] who [nonetheless] receive a fine (קנס) [from the man who seduces them]: He who has sexual relations with a *mamzer* girl, a *netin*, or a *Kuti* girl.
- [B] This rule accords with him who said (אמאי כמאן דאמין): “A *Kuti* is equivalent to an Israelite in every respect (כוחי כיש לכל דבר).”⁴⁰
- [C] But in accord with him who said: “A *Kuti* is equivalent to a *goi* (כוחי כגוי), [such a person would] not [concur] in this case (לא ברשא).”
- [D] For there is a dispute as follows (דאיפולגין):
- [E] Rabban Simeon ben Gamliel says: “A *Kuti* is equivalent to an Israelite in every respect (כוחי כיש לכל דבר).”
- [F] Even if you maintain (אפילו תימא) that a *Kuti* is equivalent to a *goi*, [the rule would be as it is here, for] *Kutim* – on what account are they invalid? Is it not because [a *Kuti*] is a *goi*?
- [G] And a slave? [He is like] a *goi*. And a slave who had sexual relations with an Israelite girl – the offspring is in the status of a *mamzer*. Yet a *mamzer* girl (במזורת) does receive a fine.⁴¹

In this text, it seems that the status of a Samaritan is depicted to be superior to a *goi* and a slave – more akin to a *hallaḥ*⁴², a person who is unfit for priesthood on account of his father’s illegitimate connection.⁴³ But the Samaritan is also

“Ha-Kutim”, p. 80, maintains “that one gets the impression that we have a tradition of words from the Tannaim before us which was preserved in the mouths of the Amoraim”.

³⁶ Cf. y.Dem 3:4 (23c,35–42). On the relationship between Samaritans and ‘*am ha-areš*’ see Oppenheimer, ‘*Am ha-Aretz*’, pp. 299ff. Cf. also b.Ber 47b.

³⁷ Cf. y.Dem 5:9 (25a,5–13); y.Sheq 1:5 (46b,10). On the substitution of the word *Kuti* by the word *nokhri* see also Taglicht, *Kuthäer*, p. 8. In later times some authors did not differentiate between *Kuti* and *nokhri*; on this phenomenon see also the remark by R. Kirchheim, *Septem libri Talmudici parvi Hierosolymitani quos nunc primum secundum M’s e bibliotheca clarissimi Carmolii edidit*, Frankfurt am Main 1851, repr. Jerusalem 1970, p. 31 [Hebrew].

³⁸ With regard to tannaitic texts cf. Schiffman, “Samaritans”, p. 335.

³⁹ My translation is based on MS Leiden; cf. the transcription in Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. III, p. 164f.

⁴⁰ y.Ket 3:1 (27a,70); y.Git 1:5 (43c,71). On this often repeated sentence see t.Ter 4:12 (ed. Lieberman p. 126).

⁴¹ Accordingly, in the present case, even if we regard the *Kuti* as a gentile, it will still follow that the *Kuti* girl will receive a fine. – The translation and comments follow with slight differences J. Neusner, “Ketubot”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XXII, Chicago and London 1985, p. 89.

⁴² Cf. y.Yev 4:2 (5d,20–23); y.Qid 4:3 (66a,25).

⁴³ Mostly with regard to illegitimate liaisons Samaritans are mentioned also in connec-

compared to a *goi* and a slave. Only Rabban Simeon ben Gamliel is said to have maintained that they are to be regarded as being equivalent to an Israelite.

Besides these explicit discussions of the status of the *Kutim* in the Yerushalmi there are some implicit references. Of particular interest in this regard are passages referring to certain groups of Samaritans, such as *Kuta'e de-Qisrin*, "Samaritans of Caesarea (Maritima)"⁴⁴, or *Sofre Kutim*, "scribes of the Samaritans"⁴⁵. In these texts *Kutim* are always depicted as non-Jews.

However, as clearly as most of these traditions seem to assign *Kutim* the status of non-Jews, some passages also leave the question of their status more or less open. Concerning these traditions it is worth mentioning an interesting exegetical controversy: whether it is permissible to eat their unleavened bread on those occasions when they have incidentally calculated the same date of Passover⁴⁶:

y. Pes 1:1 (27b,54–57)

- [A] *Kutim*, as long as they prepare their unleavened bread [at the same time] as Israel, are reliable concerning the removal of *ḥameš*. If they do not prepare their unleavened bread [at the same time] as [the people of] Israel, they are not reliable concerning the removal of *ḥameš*.
- [B] Said Rabbi Yose: "This refers to houses [of *Kutim*], but regarding [their] courtyards – they are suspect, for they expound [Exod. 12:19], '[Leaven] shall not be found in your houses' [to prohibit, literally, its being found in their houses but] not in their courtyards."

tion with *nashim*, "women", and *arusot*, "betrothed women". Cf., e.g., y. Git 1:5 (43d,5–6). Actually, Samaritans were never regarded as having (according to the rabbis) the rather inferior status of women.

⁴⁴ See y. AZ 5:4 (44d,54); y. AZ 5:5 (44d,64–65). Cf. on these passages L. I. Levine, *Caesarea under Roman Rule*, Studies in Judaism and in Late Antiquity 7, Leiden 1975, pp. 108ff. See also Hershkovitz, "Ha-Kutim", p. 77 and Gafni, *Ha-Yahasim*, p. 65. – For further geographical details concerning Samaritans cf. y. AZ 5:4(3) (44d,57), where the *Eres Kutim*, "the land of the Samaritans", is mentioned (see the parallel in t. Miq 6:1 [Ed. Zuckerman 657]). y. Sot 7:3(5) (21c,24) refers to "Har Ebal we-har Garizim shel Kutim". y. AZ 5:4 (44d,31) mentions Kefar Paggasha, a Samaritan village (cf. t. AZ 6:8 [Ed. Zuckerman p. 470]; Massekhet Kutim 2:6 [Ed. Higger p. 66]); see G. Reeg, *Die Ortsnamen Israels nach der rabbinischen Literatur*, Beihefte zum Tübinger Atlas des Vorderen Orients, Series B 51, Wiesbaden 1989, pp. 366f. Cf. also Y. Gafni, "The Samaritans and Their Dwelling Places", in: S. Dar and Y. Roth (eds.), *Eres Shomron*, Tel Aviv 1971, pp. 166–181 [Hebrew].

⁴⁵ Cf. y. Yev 1:6 (3a,38ff) and y. Sot 7:3(5) (21c,34).

⁴⁶ My translation is based on MS Leiden as printed in Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. II: Seder Mo'ed: Shabbat, 'Eruvin, Pesachim and Yoma, Texte und Studien zum Antiken Judentum 67, Tübingen 2001, p. 124). Cf., with slight corrections, B. M. Bokser, L. H. Schiffman, "Pesachim", in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XIII, Chicago and London 1994, p. 10. According to Hershkovitz, "Ha-Kutim", p. 92 Anm. 79 this text is a *Baraita*. However, in the Yerushalmi it is not introduced as a *Baraita*. Cf. also t. Pes 2:3 (ed. Lieberman p. 145); b. Git 10a; b. Qid 76a; b. Hul 4a. On the relation of these texts, allowing the *mašša* of a Samaritan, cf. also B. Ratner, *Ahawah Zion We-Jeruscholaim. Varianten und Ergänzungen des Textes des Jerusalemischen Talmuds nach alten Quellen und handschriftlichen Fragmenten*, Pesachim, Petersburg 1908, repr. Jerusalem 1966/67, p. 9 [Hebrew].

This passage clearly reflects a certain degree of knowledge of the Samaritans' own calendrical calculations. Their calendar was, like the calendar of the rabbis, a lunisolar calendar based on intercalation. Therefore, it could happen that their Passover fell on the same date.⁴⁷ In this case their unleavened bread was – at least according to Rabbi Yose – deemed to be *mutar*, at least in their houses.⁴⁸ In the Yerushalmi (y.Pes 1:1 [27b,58–59]) this opinion is even supported by a *baraita* (cf. t.Pes 2:3) transmitted in the name of Rabban Simeon ben Gamliel as he is said to have stated: “Every commandment that Samaritans follow they observe with greater punctiliousness than Israel (מִזְדַּקִּין בָּהּ יִתִּיר מִיִּשְׂרָאֵל).”

What follows in this passage of the Yerushalmi by way of comment on this remarkable dictum seems to be, however, a reflection of the viewpoint of later compilers or redactors of this *sugya*⁴⁹:

y.Pes 1:1 (27b,59–60)

[A] Said Rabbi Simeon: “This [i.e., the dictum of Rabban Simeon ben Gamliel cited above] refers to the former [times] (בְּרֵאשִׁיטָה) when they were settled in their villages (בְּכּוֹפְרֵינֵיהוֹן).

[B] But now (אֲבָל עַכְשִׁיו), since they do not have commandments nor remnants of commandments (שֶׁאֵין לָהֶן לֹא מִצְוָה וְלֹא שִׁירֵי מִצְוָה), they are suspect and corrupt (חֲשׂוּדִין הֵן וּמְקַלְקְלִין הֵן).⁵⁰

As was already pointed out by Isaiah Gafni⁵¹ this remarkable passage seems to be illogical. What has the settlement of the *Kutim* in their villages to do with their becoming suspect and corrupt?⁵² One gets the impression that their greater punctiliousness in observance decreased when they left their villages. But when did that leaving happen? And what does it have to do with their non-observance of the commandments?

The settlement of Samaritans outside of the district of Samaria (שׁוֹמְרוֹן) has often been explained to be a consequence of their participation in the Bar Kokhba-Revolt.⁵³ Our passage, however, does not explicitly mention a specific

⁴⁷ Cf. on this Taglicht, *Kuthäer*, p. 38; Gafni, *Ha-Yahasim*, p. 39. For information on the calendar of the Samaritans cf. S. Powels, Art. “Calendar of the Samaritans”, in: Crown et al. (eds.), *Companion*, pp. 46–49.

⁴⁸ Cf. on this t.Pes 2:2 (ed. Lieberman p. 145); Massekhet Kutim 2:5 (ed. Higger p. 66), and see on this also S. Lieberman, *Hayerushalmi Kiphshuto. A Commentary Based on Manuscripts of the Yerushalmi and Works of the Rishonim and Midrashim in MSS. and Rare Editions*, Vol. I/1: Shabbath, ‘Erubin, Pesahim, Jerusalem 1934, repr. New York and Jerusalem 1995, p. 486 [Hebrew].

⁴⁹ Cf. MS Leiden (facsimile, Vol. II, p. 431); see Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. II, p. 124.

⁵⁰ Cf. the translation by B. M. Bokser, L. H. Schiffman, “Pesahim”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XIII, Chicago and London 1994, p. 10.

⁵¹ Gafni, *Ha-Yahasim*, p. 8.

⁵² On the meaning of the word קְלִקְלוּ – a word that was elevated into an expression – see Hershkovitz, “Ha-Kutim”, p. 76.

⁵³ Cf. Gafni, *Ha-Yahasim*, p. 40. The assumption of a demographic change which went so

event who might have been the reason for this development. The time to which the term *בְּרֵאשִׁיטָה*, meaning literally “at first”, refers is therefore less clear than in the case of the sentence using the adverb *עַכְשָׁיו*, which clearly refers to the time of that Rabbi Simeon. Which Rabbi Simeon is meant, however, is not clear.⁵⁴ An exact dating of this dictum and the events to which it alludes seems, therefore, well-nigh impossible. The only historical information one might deduce from this text, therefore, seems to be that a not clearly identifiable Palestinian, presumably Amoraic, rabbi thought that once the *Kutim* observed “commandments and remnants of commandments”, but that now, i.e., in the time of the author of that saying, they are “suspect and corrupt”. What the reasons were for this development, however, is not transmitted in the saying. Any attempt to determine these reasons and its historical background seems to be largely guesswork.⁵⁵

To accomplish this survey of the halakhic status of the *Kutim* as reflected in the Talmud Yerushalmi, it may of interest to note that, although the word *Kuti* does not occur in the Mishnah tractate Avodah Zara, statistically most references in the Yerushalmi are found in the Gemara of that tractate dealing with idolatry.⁵⁶ Obviously, not all texts mentioning Samaritans in the Gemara of the Yerushalmi are simply commentaries or amplifications of the Mishnah. Quite a few references to Samaritans are even found in stories, dialogues and *ma'asim* unparalleled in other documents. Since the narratives seem to reveal best how the authors and redactors of the Yerushalmi viewed their relations with the Samaritans, in the following I want to focus mainly on these less-investigated Aramaic texts. In my view, these narratives transmit not only information on the theoretical halakhic attitude towards this group on the “borders of Judaism”, but also contain data on the social interaction between rabbis and Samaritans.⁵⁷

far as to influence the relation between Jews and Samaritans is supported, e.g., by M. Mor, “The Samaritans and Bar-Kochbah Revolt”, in: A. D. Crown (ed.), *The Samaritans*, Tübingen 1989, p. 31.

⁵⁴ See Schiffman, “Samaritans”, p. 348 who at least assumes that “the Palestinian Amora, R. Simeon” must be meant. See on this also Ratner, *Ahawah Zion We-Jeruscholaim*, p. 10. Gafni, *Ha-Yahasim*, p. 8 suggests that Rabbi Simeon ben Laqish is meant (see, however, p. 40), while Hershkovitz, “Ha-Kutim”, p. 76 proposes the Tanna Rabbi Simeon bar Yohai. In Amoraic texts, however, there are several rabbis named “Rabbi Simeon”; cf. Lieberman, *Talmud of Caesarea*, p. 104.

⁵⁵ See on this text, however, the remarks by Levine, *Caesarea*, p. 108 and Stern, *Identity*, pp. 102ff.

⁵⁶ Cf. the entries in Kosovsky, *Onomasticon*, p. 475.

⁵⁷ As I intend to confine myself in the present paper to explicit references to *Kutim* in the Yerushalmi I will not discuss passages without reference where one might expect to find them. See, e.g., the famous Mishnah in Massekhet Rosh ha-Shana 2:1 where we find the interesting note that the Samaritans disturbed the signal torches. The Gemara of the Yerushalmi, however, does not comment on this very negative statement. Cf. A. Lehnardt, *Rosh ha-Shana. Neujahr*, Übersetzung des Talmud Yerushalmi II/7, Tübingen 2000, p. 84 with note 84.

Kutim in these stories not only seem to be treated as “constructs of the rabbinic mind” as was assumed, for instance, with regard to *goyim* in halakhic texts in Mishnah and Tosefta.⁵⁸ My supposition is that the evidence in these passages of the Yerushalmi is much more “realistic” than in some “earlier” Tannaitic texts or in the halakhic passages discussed above – not to mention the impression one gets from the seemingly late tractate on the Samaritans, *Massekhet Kutim*.⁵⁹

Narratives referring to Samaritans

Most interesting with regard to the often assumed growing conflict between rabbis and Samaritans in the period before the last stages of the redaction of the Yerushalmi are some narratives describing fictional dialogues. As in other rabbinic documents, dialogues like these are transmitted in the Yerushalmi also with regard to other persons or a set of persons, such as philosophers, boorish people (“bar nash”) or ‘*ame ha-areṣ*. In some cases, therefore, it seems that a Samaritan is mentioned only incidentally.

Israel Taglicht – one of the first scholars to examine the references to the *Kutim* in rabbinic literature more thoroughly⁶⁰ – subsumed most of these dialogues under the rubric of “die ständigen Neckereien der Samaritaner”⁶¹, i.e., the permanent teasing by the Samaritans.⁶² Like most scholars of his time he looked on these narratives as descriptions of historical events. On the contrary, I assume that today’s consensus would be that these narratives are, for the most part, legends or literary fictions. Perhaps, some of them were inspired by “real life”. Most of them, however, are reminiscent in their patterning of narratives depicting contacts between rabbis with other groups such as ‘*am ha-areṣ* or non-Jews. Moreover, formal criteria link these narratives to pronouncement-stories. These aggadic stories are not intended to describe historical events but to illustrate halakhic decisions. Historical information can be recovered from these stories only very cautiously.⁶³

⁵⁸ See, e.g., Porton, *Goyim*, p. 143. For a similar attempt to generalize and conceptualize the status of the Samaritans see, e.g., M. Kadushin, *The Rabbinic Mind*, New York 1952, p. 41.

⁵⁹ On this so-called smaller (or “external”) tractate see M. B. Lerner, “The External Tractates”, in: Sh. Safrai (ed.), *The Literature of the Sages I*, Compendia Rerum Judaicarum ad Novum Testamentum II/3, Assen, Maastricht, and Philadelphia 1987, pp. 400–402. On the presumably late date of this tractate cf. Hershkovitz, “Ha-Kutim”, p. 78, and see also A. Lehnardt, “Das außerkanonische Talmud-Traktat Kutim (Samaritaner) in der innerrabbinischen Überlieferung”, *Frankfurter Judaistische Beiträge* 26, 1999, pp. 111–138.

⁶⁰ On this almost forgotten scholar see the entry in *Encyclopaedia Judaica* 15, 1972, p. 701.

⁶¹ Cf. Taglicht, *Kuthäer*, p. 41.

⁶² Cf. a similar story in BerR 70:7 ad Gen 28:22 (ed. Theodor – Albeck p. 804).

⁶³ On these methodical considerations cf. C. Hezser, *Form, Function, and Historical*

The Use of the Divine Name

The first story to be treated is found in two similar contexts in *y.Sanhedrin* 7:10(5) (25b,5–9) and in *y.Mo'ed Qatan* 3:7 (83b,38–44) – in both settings considering the abuse of the Divine Name and the question, what does the law lay down about tearing one's garment upon hearing the Name of God cursed when someone imposes an oath.⁶⁴ The version in *Massekhet Sanhedrin* reads as follows⁶⁵:

y.San 7:10(5) (25b,5–9)

- [A] What is the law (מורה) as to tearing one's garments at this time (בזמן הזה⁶⁶) upon hearing God cursed through euphemisms [more literally: hearing substitutes of the Ineffable Name⁶⁷] (מהו לקרוע על הכינויים)?
- [B] Let us derive the answer to that question from the following (נישמעיה מן הדא)⁶⁸:
- [C] Rabbi Simeon ben Laqish was riding along the road (באיסרטא)⁶⁹. A *Kuti* crossed his path, and was cursing (והוה מגדף), and [Simeon] tore his clothes, and again the Samaritan cursed, and again [Simeon] tore his clothes.
- [D] Simeon got off his ass and gave the *Kuti* a punch in the chest.
- [E] He said to him: Son of a Samaritan⁷⁰! Does your mother have enough new clothes to give me [for causing me to tear mine]?

The story ends with a typical redactional addition explaining its halakhic purpose within the context of the *sugya*:

Significance of the Rabbinic Story in Yerushalmi Neziqin, Texte und Studien zum Antiken Judentum 37, Tübingen 1993.

⁶⁴ On taking an oath see also S. Lieberman, *Greek in Jewish Palestine. Studies in the Life and Manners of Jewish Palestine in the II–IV Centuries C. E.*, New York 1965, repr. with an Introduction by D. Zlotnick, New York and Jerusalem 1994, pp. 115ff.

⁶⁵ My translation is based on Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. IV: Seder Neziqin. Seder Toharot: Nidda, Texte und Studien zum Antiken Judentum 45, Tübingen 1995, p. 189. For a similar translation, with some corrections, cf. J. Neusner, "Moed Qatan", in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XX, Chicago and London 1986, p. 217.

⁶⁶ According to *Pene Moshe*: "in the time of Exile", i.e., in the time after the destruction of the Temple and the loss of independence. See also Rashi on *bSan* 60a s. v. בזמן הזה.

⁶⁷ On the word כינוי see *Jastrow, Dictionary*, Vol. I, p. 633 s. v.; H.-P. Tilly, *Moed Qatan. Halbfeiertage*, Übersetzung des Talmud Yerushalmi II/12, Tübingen 1988, p. 109 translates: "Muß man wegen (der Lästerung) der Umschreibung (des Gottesnamens sein Gewand auch) einreißen?"

⁶⁸ See on this typical Amoraic formula W. Bacher, *Die exegetische Terminologie der jüdischen Traditionsliteratur*. Part 2, Die bibel- und traditionsexegetische Terminologie der Amoräer, Leipzig 1905, repr. together with Part 1, Darmstadt 1990, p. 219: "Mit der Formel ... wird die Deduktion einer These aus einem Halachasatze eingeführt." On this formula introducing answers to questions, see, however, also the remark by Hezser, *Form*, p. 232 note 24.

⁶⁹ "istrata", Greek στράτα; cf. S. Krauss, *Griechische und lateinische Lehnwörter im Talmud, Midrasch und Targum*, Vol. II, Berlin 1899, repr. Hildesheim, Zürich, and New York 1987, pp. 82f.

⁷⁰ *y.MQ* has רשע, "evil one", instead of כותי בר, "son of a Samaritan".

[F] From [this it is clear; **הִרָא אָמַרִין**] that they [sc. the rabbis] do tear their clothing when they hear God cursed [through euphemisms], and they also do tear their clothing at this time (**בְּזִמְנֵי הַזֶּה**) [i.e., after the destruction of the Temple]⁷¹.

Clearly, this remarkable narrative alludes first of all to an interesting halakhic decision concerning the situation after the Temple's destruction. This Halakha, incidentally, contradicts a later decision in the Bavli (b.San 60a), where it is stated that one does *not* have to tear his garment when hearing God cursed. In addition, however, this text also speaks of an important halakhic difference between Jews and Samaritans: Samaritans did not restrain themselves from pronouncing the Tetragrammaton and/or its substitutes – such as *Adonai* or *Sebaoth*, *Hanun*, and *Rahum* – as suggested by D. Fränkel in his commentary “Qorban ha-‘Edah”.⁷²

This interesting detail seem to be confirmed also by a famous dictum in y.San 10:2 (28b,4–5) ascribed to Rabbi Mana, a third-century Palestinian Amora, in a comment to Mishnah Sanhedrin 10:2. In this short explanation of the Mishnah we read⁷³:

y.San 10:1 (28b,4–5)

[A] Abba Saul says: “Also he who pronounces the Divine Name as it is spelled out (**הַהוֹרָגָה אֵת הַשֵּׁם בְּאוֹתֵיהֶוָה**)” [m.San 10,1].

[B] Rabbi Mana said: “For example, those *Kutim* (**אֵילִין כֹּהֲנִים**) who take an oath [using the Tetragrammaton/using substitutes for the Tetragrammaton]”.

[C] Rabbi Jacob ben Aha said: “It is written *yud heh* and pronounced [by] *alef dalet* [for Adonai].”

The *crux interpretum* of this remarkable passage is evidently the phrase **דְּמַשְׁתַּבְּעִין** (y.San 10:2 [28b,4]), which leaves space for different interpretations.⁷⁴ While already L. Löw⁷⁵ has asserted that this phrase explicitly refers to

⁷¹ In the Ed. Krotoszyn the words **בְּזִמְנֵי הַזֶּה** are in square brackets and they are missing in y.MQ 83b,40. Cf., however, MS Leiden and the Ed. princ. of y.San. and MS Leiden of y.MQ which all have **בְּזִמְנֵי הַזֶּה**. See on this phrase also the explanation by M. Kosovsky, *Concordance to the Talmud Yerushalmi (Palestinian Talmud)*, Vol. III, Jerusalem 1984, p. 443.

⁷² Cf. also *Pene Moshe* ad. loc. A different interpretation was proposed by A. Geiger, “Zur Theologie und Schrifteklärung der Samaritaner”, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 12, 1858, p. 138 = id., *Abraham Geiger's nachgelassene Schriften*, ed. L. Geiger, Vol. III, Berlin 1876, p. 261 (see below). See on the whole issue also E. E. Urbach, *The Sages. Their Concepts and Beliefs*, Translated from the Hebrew by I. Abrahams, Vol. I, Jerusalem ²1987, p. 130 and Gafni, *Ha-Yahasim*, p. 94. Perhaps the substitute mentioned in this text was the famous Greek subscription **פִּי־**, derived from the Greek **πππ**, a transcription of the Tetragrammaton, which is found in a few Hexaplaric Manuscripts. See Lieberman, *Greek*, p. 120 note 38.

⁷³ The following translation is based on MS Leiden as transcribed in Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. IV, p. 201.

⁷⁴ On the different meanings of the root **שַׁבַּע** see Sokoloff, *Dictionary*, 535 f.

⁷⁵ L. Löw, “Die Aussprache des vierbuchstabigen Gottesnamens”, in: id., *Gesammelte Schriften*, ed. I. Löw, Hildesheim and New York 1979, p. 193. His interpretation of the word

taking an oath using the Tetragrammaton, A. Geiger⁷⁶ has claimed that Samaritans only used the substitute *shema* when they imposed an oath.⁷⁷ If we consider, however, that also the dictum ascribed to Jacob bar Aha in [C] explicitly hints at the pronunciation of the *shem ha-meforash*, it seems clear enough that also the saying of Rabbi Mana refers to the pronunciation of the Ineffable Name, not only to its substitutes.⁷⁸

In fact, there is no proof in any other rabbinic writing that Samaritans used to pronounce the Divine Name when they took an oath. The only evidence for Samaritans uttering the Tetragrammaton at that time seems to be a famous notice found in Theodoret of Cyrus.⁷⁹ However, even this fourth-century Church father only asserts that he has learned *how* to pronounce the Name from the Samaritans.⁸⁰ He does not refer to the Samaritans pronouncing the Ineffable Name when they took an oath. And in addition, one has to consider that later Samaritan sources, such as the Samaritan Targumim, all indicate that Samaritans used to replace the Name with the Aramaic *shema*, “the Name”.⁸¹

If so, what then might be the historical background of the cited story and the dictum ascribed to Rabbi Mana? Do both accurately reflect that the pronunciation of the Divine Name and its substitutes was a field of conflict between rabbis and Samaritans? I believe that at least the cited story from Mo’ed Qatan reflects, to an extent, that some rabbis had some awareness of the customs of

was followed by Sokoloff, *Dictionary*, p. 536 s. v. שבע (3), who translates: “to pronounce the tetragrammaton”.

⁷⁶ Geiger, *Theologie*, p. 138.

⁷⁷ Cf. also the translation by J. Neusner, “Sanhedrin and Makkot”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XXXI, Chicago and London 1984, p. 324. He leaves the question open.

⁷⁸ This interpretation of the phrase כֹּתְאִי דְּמִשְׁתַּבְּעִי was already proposed (against Geiger) by M. Grünbaum, “Einige Bemerkungen in Bezug auf die . . . mitgetheilten Aufsätze über die Samaritaner”, *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 16, 1862, p. 404 with note 1. Cf. also the remarks on this passage by Alon, *Origin*, pp. 370f following I. Lewy, “Qeta’im mi-Mishnat Abba Sha’ul”, in: A. Z. Rabinovitz (ed.), *Mesillot le-Torat ha-Tanna'im. Shelosha Ma'amarim*, Tel Aviv 1924, p. 129f with note 3. For additional evidence on the meaning of שבע (*itpe'el*) in the sense of “to pronounce the tetragrammaton” see S. Lieberman, “Further Notes on the Leiden MS of the Jerushalmi”, *Tarbiz* 20, 1949/50, p. 117 [Hebrew].

⁷⁹ Cf. *Quaestiones in Exod. XV: Interrogatio*, Migne, PG 80, p. 244. On this text see also J. Brinktrine, “Der Gottesname 'Aïd bei Theodoret von Cyrus”, *Biblica* 30, 1949, pp. 520–523. And cf. also W. Bacher, Art. “Shem ha-meforash”, *Jewish Encyclopedia* XI, 1905, p. 263 and L. H. Schiffman, *Law, Custom and Messianism in the Dead Sea Sect*, translated and edited by T. Ilan, Jerusalem 1993, p. 219 [Hebrew].

⁸⁰ On the Samaritans pronouncing the Tetragrammaton see also J. Fossum, Art. “Names of God”, in: Crown et al. (eds.), *Companion*, p. 105. For possible earlier evidence on pronouncing the Tetragrammaton see, e.g., G. Bohak, “The Impact of Jewish Monotheism on the Greco-Roman World”, *Jewish Studies Quarterly* 7, 2000, p. 6.

⁸¹ On further evidence from later periods see also Z. Ben-Hayyim, “Do the Samaritans Pronounce the Name as It Is Spelt?”, *Sefer Eretz Yisrael* 3, 1954, pp. 149f [Hebrew].

their Samaritans contemporaries. Some third-century rabbis seem to have known *how* the Samaritans took an oath, i.e., by using the Divine Name.

Furthermore, it seems that they also knew that Samaritans did not practice the *keri'ah* as a sign of grief when a curse was heard.⁸² This seems to be confirmed by the fact that in this passage also the mother of a Samaritan is mentioned. How can we explain this amazing gratuitous detail? Can we take it as hinting at social standards? Or was it simply an additional rabbinic attempt to humiliate *Kutim*? It seems to me that this detail suggests again that this story transmits a more or less “realistic” picture of a Samaritan custom as practiced at the time of this tradition.

Dream Interpretation

Another legendary account of a dialogue between a Rabbi and a Samaritan may shed more light on observations of this kind. This text is placed in a series of dream interpretations at the end of the fourth chapter of the tractate Ma'aser Sheni 4:9 (55c,9–15)^{83,84} Dream stories like these may have circulated as independent literary units before being incorporated in their present contexts⁸⁵, and it does not surprise that the story is also transmitted in a longer, more elaborate parallel in Midrash Ekha Rabbati 1:15 (27a). This version was already considered by Salomon Buber to be the better and more original text.⁸⁶ In my opinion, however, the longer version in Lamentations Rabba is not necessarily the younger one. Since the relation between Midrash Ekha and the

⁸² See on the custom adopted by the rabbis, based on Genesis 37:29.37, Job 1:20 and other verses: y.San 2:1 (20a,9–10); m.Hor 3:6 and y.Hor 3:6 (47d,66f); y.MQ 3:8 (83d,18–21); also b.Shab 105b; b.MQ 25a. See on this Levy, *Wörterbuch*, Vol. IV, pp. 386f; [Editorial Staff], Art. “Keri'ah”, *Encyclopaedia Judaica* 10, 1971, pp. 916f. Usually the *keri'ah* is undertaken only when someone hears from an individual loss or national calamity. Cf. N. Rubin, *The End of Life. Rites of Burial and Mourning in the Talmud and Midrash*, Tel Aviv 1997, pp. 163 f [Hebrew]. The rending of clothes is, however, not mentioned in a collection of funeral and mourning rites among the Samaritans gathered by Pummer, “Samaritan Rituals”, pp. 668f.

⁸³ Cf. Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. II/6–11, pp. 276–277.

⁸⁴ On the importance of dream-interpretations in rabbinic tradition see, e.g., A. Löwinger, “Der Traum in der jüdischen Literatur”, *Mitteilungen zur jüdischen Volkskunde* 11,25–28, 1908, pp. 25–34; 56–78; A. Kristianpoller, “Traum und Traumdeutung”, in: *Monumenta Talmudica 4.2: Aberglauben*, eds. K. Albrecht et al., Berlin and Vienna 1923, repr. Darmstadt 1972. See also R. Kalmin, *Sages, Stories, Authors, and Editors in Rabbinic Babylonia*, Brown Judaic Studies 300, Atlanta GA 1994, pp. 61 ff.

⁸⁵ This was already assumed with regard to our story by Ph. Alexander, “Bavli Berakhot 55a–57b. The Talmudic Dreambook in Context”, *Journal for the Study of Judaism in the Persian, Hellenistic and Roman Period* 46, 1995, pp. 230–248, esp. 231 note 4.

⁸⁶ See the commentary by S. Buber in his edition, p. 12b.

Yerushalmi needs to be analysed anew on the basis of all the manuscripts⁸⁷, I will not attempt here to embark on a literary analysis of this text. Interestingly enough, only in the parallel version in Midrash Ekha Rabbati this story is transmitted in connection with Rabbi Ishmael be-Rabbi Yose⁸⁸, the famous second-century Tanna:

y.MSh 4:9 (55c,9–15)

- [A] A Samaritan (חד כות"י) once thought to himself: I shall make fun of this Jewish elder (מפלי בהדין סבא דיהודאי)⁸⁹, [i.e., according to the parallel version in EkhaR Rabbi, Ishmael be-Rabbi Yose by falsely reporting a dream that no one can interpret].”
- [B] He came before him and said: “In a dream vision, I saw four cedars, four sycamores, a bundle of reeds, a cow’s hide, and this man was sitting and treading (והוא גברא יתיב מדרך)⁹⁰.”
- [C] [Rabbi Ishmael or the Jewish elder⁹¹] said to him: “This man’s soul will soon expire (תיפח רוחיה דההוא גברא); even though this was not a dream, you will not leave empty-handed (לית את נפיק ריקן)⁹².”
- [D] Four cedars represent the four posts of your death-bed. Four sycamore trees represent its four legs. A bundle of reeds represents its bolster. The hide supports the straw. The cow represents the lattice [that holds the mattress]. And the man sitting and treading – that man languishes upon it (or: is lying upon it) (והוא רביע) (ולא חיי ולא מייית) (בגויה)⁹³, neither dead or alive (ולא חיי ולא מייית).”
- [E] And so it happened to him (וכן הוות ליה).

This passage is another fine example for an anecdotal narrative serving both to entertain and to edify its readers. It follows a typical pattern: first, a short exposition; then, a dialogue and an interpretation; finally, a short sentence making the point. The basic message of the story seems clear: although the Samaritan must have known in advance that the Rabbi was a well-known dream

⁸⁷ A scholarly edition of this Midrash is still a desideratum! Cf. in the meantime the unpublished M.A. thesis by P. Mandel, *Ha-Sippur be-Midrash Ekha. Nussah we-signon*, Jerusalem 1983, who discusses the main textual witnesses of Ekha Rabbati, mentioning also several unpublished fragments from the Cairo Geniza.

⁸⁸ Cf. EkhaR 1:15 (27a).

⁸⁹ In the parallel, EkhaR 1:15 (27a): בגחזין בהדין סביהון דיהודאי. See on this Sokoloff, *Dictionary*, p. 436 s. v. פלי. Krauss, *Lehnwörter*, Vol. II, p. 453 suggests deriving the word פלי from the Greek φλιός or φλύο. According to I. Löw, ad. loc., both derivations are wrong. The German translation by A. Wünsche, *Midrasch Echa Rabbati*, Leipzig 1881, p. 54 (“der sich über jeden lustig macht” – repeated by Zangenberg, *Samareia*, p. 126) is incorrect, too.

⁹⁰ Cf. Sokoloff, *Dictionary*, p. 156 s. v. דרך.

⁹¹ On the question who interprets the Samaritan’s dream see Kalmin, *Sages*, p. 66 note 15. He asserts that Rabbi Ishmael is most likely referred to, since he is the subject of a series of dream stories in the context.

⁹² Cf. Sokoloff, *Dictionary*, p. 523f s. v. ריקן. R. Brooks, “Maaser Shenī”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. VIII, Chicago and London 1993, p. 145 translates: “you will not leave without [an interpretation]”.

⁹³ Cf. Kosovsky, *Concordance*, Vol. VII, p. 507 s. v. רבע; Sokoloff, *Dictionary*, p. 514f s. v. רבע.

interpreter, he decides to put him to the test. Evidently, as in similar stories⁹⁴ testifying to rabbinic interest in dream interpretation, a conflict between the authority of a rabbi and that of another dream interpreter seems to underly this tradition. Not a Samaritan who falsely reports a dream, but the rabbi who discerns therein an attempt to undermine his authority, is the one who proves most adept at wielding ultimate spiritual power. Only the rabbi is the legitimate dream interpreter.

This narrative, however, is not only of interest because it refers to an almost prophetic dream interpretation by a rabbi, thereby stressing his power and authority; its anti-Samaritan bias also points to the fact that dream interpretations were a shared ground for arguments between Jews and Samaritans. Since the significance of dreams is attested already in Torah, especially Samaritans whose only scripture was the Pentateuch seem to have constituted severe rivals for the rabbis in the contest of dream interpreting. In rabbinized garb, this story seems to reflect this competition.

Obviously, in contrast to some of the above-mentioned Samaritan-friendly legal traditions in the Yerushalmi, this narrative again stresses the negative, almost ruthless character of Samaritans. Because of their biblical knowledge and their assumed understanding of the importance of dreams, they serve as the epitome of an arrogant counterpart. Samaritans are depicted as the intimate enemy *par excellance*.

Fasting for Rain

This negative sentiment towards Samaritans is also attested by an episode emphasizing the importance of fasting for rain – a typical rabbinical matter of concern. The episode in question occurs in “an anthology”⁹⁵ of Aramaic narratives exemplifying what to do when a town is afflicted by drought and other catastrophes⁹⁶:

y.Taan 3:4 (66d,6–11)

[A] Rabbi Aḥa⁹⁷ carried out thirteen fasts (תלת עשרה תעניין) [from the 17th of Heshwan to the first day of Kislev⁹⁸], but it did not rain (ולא נחת מִיִּשְׂרָאֵל).

⁹⁴ Cf., e.g., the so-called dreambook in b.Berakhot 55a-57b. See Alexander, “Bavli Berakhot”, pp. 230–248.

⁹⁵ See Neusner, *Taanit*, p. 220.

⁹⁶ Text according to MS Leiden; see Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. II/5–12, p. 247. A similar version of this text is transmitted in *Qışşur Haggadot ha-Yerushalmi*, ed. L. Ginzberg, *Genizah Studies in Memory of Doctor Solomon Schechter*, I Midrash and Haggadah, New York 1928, repr. Jerusalem 1969, pp. 421–422.

⁹⁷ A Palestinian Amora approximately 320 C. E.

⁹⁸ Cf. m.Taan 1:4.

- [B] When he went out, a *Kuti* met him. [The *Kuti*] said to him [by way of chiding⁹⁹ or making fun of him]: “Rabbi, wring out the rain from your cloak!¹⁰⁰”
- [C] He said to him: “By that man’s life! Heaven will perform a miracle, and this year will prosper [despite the drought], but that Samaritan will die [and not see it].”
- [D] And everybody said (כל עמא אמרין): “Come and see that Shomroni’s [Samaritans] bier (פורין דשמרין).”¹⁰¹

Again, besides its halakhic impetus, this story depicts the Samaritan as a malicious person who only thinks of chiding and making fun of a famous rabbi. As in the text from tractate Mo‘ed Qatan, analysed above, the underlying quarrel seems to have sparked off a custom not practiced by Samaritans. Ever since new fasting customs were introduced in the Mishnah, rabbis in later times seem to have tried to strengthen them through stories like these, making the point that Samaritans refrained from fasting and made fun of them.

Thus, even if this story is again a highly legendary account, the description of the Samaritan’s mockery may point to a real conflict: Samaritan reservations about rabbinic fasting customs. It seems that Samaritans (at least at the time of that tradition) did not fast for rain – a fact that is attested once again only by later Samaritan sources which assert that Samaritans used to fast only on the Day of Atonement.¹⁰²

Exegetical Differences of Opinion

Let me draw your attention to one final example of this manner of narrative. This text is found at the end of a chapter of the tractate Sanhedrin. It describes an exchange between a Samaritan and Rabbi Hezekiah, a Palestinian Amora of the fourth-century. This dialogue deals, as do several similar sayings in the Yerushalmi¹⁰³, with an *exegetical* problem:

⁹⁹ According to *Pene Moshe* who paraphrases לקנטרין.

¹⁰⁰ The translation by J. Neusner, “Besah and Taanit”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XVIII, Chicago and London 1987, p. 219 is misleading. See *Pene Moshe* and Sokoloff, *Dictionary*, p. 415 s. v. עצר.

¹⁰¹ The translation follows Alon, *Origin*, p. 354 note 5; Kosovskiy, *Concordance*, Vol. VI, p. 647 and Sokoloff, *Dictionary*, p. 426 s. v. פורין, who suggest deriving the word פורין from the Greek φορξίου, i.e., a bier or litter (see also Krauss, *Lehnwörter*, Vol. II, p. 434). Furthermore, they suggest correcting the דשמרין (in Ed. Krotoszyn) into דשמרין, “of a Samaritan”. Neusner’s translation (see id., *Taanit*, p. 219), “the fruit [of the] sun”, follows the commentaries *Pene Moshe* and *Shire Qorban*. They suggest emending פורין פירות. This, however, is not more plausible than correcting the דשמרין. A slightly different explanation of the sentence is proposed by the *Qorban ha-Edah* – one, however, that is less convincing.

¹⁰² See F. Dexinger, Art. “Fasting”, in: Crown et al. (eds.), *Companion*, p. 91.

¹⁰³ For similar sayings dealing with exegetical problems cf., e.g., y.Yev 1:6 (3a,38–43) parallels in b.Yev 13b; and cf. also b.Qid 65b.

y.San 2:8(5) (20d,18–21)

- [A] Rabbi Hezekiah was going along the way (באורחא; MS Leiden adds: בשוקא, “on the market”¹⁰⁴). A Samaritan met him.
- [B] He said to him: “Rabbi, are you the Rabbi [or: master¹⁰⁵] of the Jews?” (אתה הוה רבבון דיהודא)
- [C] He said to him: “Yes.” (איין)¹⁰⁶
- [D] He said to him: “Note, what is written (חמרי מזה כתיב): ‘You will surely set a king over You’ (Deut. 17:15).
- [E] [He said to him:] “It is not written ‘I [= God] shall set . . . , but ‘You shall set,’ (אשים אשים) for yourself set him over you^{107, 108}.”

The redactional context of this passage deals with laws on kingship and the correct attitude towards a king (see m.San 2:8). Because in its immediate context also other questions of authority and legitimacy are discussed, perhaps this story once circulated independently. In its present context it summarizes both the *sugya* and the whole chapter of the Gemara.

The point of this short dialogue seems to be, first of all, to refute a misleading interpretation of a key verse for Israel’s understanding of a king.¹⁰⁹ While the Samaritan tries to provoke his counterpart with an over-literal understanding of the address “Rabbi/master of the Jews” (אתה הוה רבבון דיהודא), and a literary exegesis of Deut. 17:15 (probably also referring to the second part of the verse: “אשר יבחר יי”, “which the Lord has chosen”), the rabbi, for his part, affirms by a less literal interpretation of that verse that any leadership, political or spiritual, depends on mutual consent¹¹⁰, an idea that can be compared to later theories of the *contrat social*¹¹¹.

Besides its exegetical point, the story, however, seems also to allude to another problem, not only to a conflict in exegesis: It is the custom of addressing a rabbi with a title, in this case *Ravhon de-yehudai* (“Rabbi/master of the

¹⁰⁴ This addition, however, was crossed out by a glossator. See Schäfer and Becker (eds.), *Synopse zum Talmud Yerushalmi*, Vol. IV, p. 168 (2,6/15); and cf. also the facsimile edition of MS Leiden, Vol. IV, p. 432.

¹⁰⁵ See Sokoloff, *Dictionary*, p. 237 s. v. “יהודי”; cf. also Kosovsky, *Concordance*, Vol. IV, p. 234.

¹⁰⁶ The affirmative word איין is missing in the *editio princeps*.

¹⁰⁷ דא את שויי עלך; for an alternative translation see Sokoloff, *Dictionary*, p. 540 s. v. “שויי” who suggests to read [ה]עשוי “(the king) whom you will place upon yourself”.

¹⁰⁸ Cf. also the translation by J. Neusner, “Sanhedrin and Makkot”, in: *The Talmud of the Land of Israel. A Preliminary Translation and Explanation*, Vol. XXXI, Chicago and London 1984, p. 94.

¹⁰⁹ See on this also the Targum Neofiti on Deuteronomy 17:15; cf. M. McNamara, *Targum Neofiti: Deuteronomy. Translated, with Apparatus and Notes*, Edinburgh 1997, p. 92 note 13.

¹¹⁰ On this idea see also y.Qid 4:5 (66a,46–54), where Deut. 17:15 is quoted in a similar context.

¹¹¹ Cf. M. Avi-Yonah, *Geschichte der Juden im Zeitalter des Talmud in den Tagen von Byzanz*, Berlin 1962, p. 118.

Jews”). This form of address seems to have been offensive for a Samaritan – not only a misleading interpretation of a verse.

As far as I know, Samaritans did not use any honorific titles, such as “Rabbi” or “Rabban”. Only in much later sources is it attested that Samaritan scribes started adding honorific titles to their names in contracts and other documents.¹¹²

On the other hand, it is true that also among the rabbinic sages the use of titles was “much more variable and blurred than it is usually assumed”¹¹³. Since Samaritans must have felt very uncomfortable with those obviously “non-biblical” modes of addresses, the question ascribed to the *Kuti* in this story may be disparaging an increasingly standardized use of titles in rabbinic circles.

Evidently, this story is again, first and foremost, a penetrating rabbinic polemic against Samaritans, reflecting a social rivalry and a conflict over authority. In its redactional contexts, the story serves mainly the purpose of explaining and underlining a Mishnah which addresses the problem of giving reasons for authority. In addition, it also transmits a remarkable detail of a very specific non-halakhic field of argument and polemic between the two parties – in this case, the question of honorific titles.

Summary and Conclusions

Let me summarize this necessarily incomplete survey with a few remarks on the *status* of the Samaritans according to the Talmud Yerushalmi. Admittedly, there are many more, probably even more significant stories mentioning Samaritans in the Yerushalmi that are not discussed in this paper, such as the famous report on Rabbi Simeon ben Yohai’s cleansing of Tiberias from corpse impurity, mentioning in at least some manuscript versions a *Kuti* who tries to goad a sage by hiding a corpse in an already cleansed area¹¹⁴, or the well-known account of the capture of Betar, mentioning a Samaritan as having handed over

¹¹² Cf. R. Pummer, Art. “Honorific Titles”, in: Crown et al. (eds.), *Companion*, pp. 128f. See also R. T. Anderson, “Samaritan Literature”, in: A. D. Crown (ed.), *The Samaritans*, Tübingen 1989, p. 394. For evidence from later times cf. also R. Pummer, *Samaritan Marriage Contracts and Deeds of Divorce*, Vol. I, Wiesbaden 1997, pp. 9–12; Vol. II, pp. 257 ff.

¹¹³ See C. Hezser, *The Social Structure of the Rabbinic Movement in Roman Palestine*, Texte und Studien zum Antiken Judentum 66, Tübingen 1997, pp. 111 ff.

¹¹⁴ Cf. y.Shevi 9:1 (38d,32–35) parallels BerR 79:6 ad Gen 33:18 (ed. Theodor – Albeck pp. 941–945; cf. also Ed. Mirkin, Vol. III, p. 214) reading [חַבְרַי חַד כֹּהֲנֵי עַם הָאָרֶץ]. – A thorough analysis of this account was provided by L. I. Levine, “R. Simeon b. Yohai and the Purification of Tiberias: History and Tradition”, *Hebrew Union College Annual* 49, 1978, pp. 143–185, cf. esp. the translation on pp. 152–153. See on this story also Hezser, *Structure*, p. 373.

this last Jewish stronghold of the Jews to the Romans and also reporting a Samaritan as having decapitated Bar Kochba¹¹⁵.

In my view, however, the few impressions already gleaned from the stories analysed in the present paper will suffice to draw some preliminary conclusions:

1. Undoubtedly, in all stories analysed the Samaritans are classed as non-Jews. The ambivalent or even positive attitudes towards Samaritans observed by some scholars in seemingly earlier Tannaitic traditions are not echoed in these narratives. The picture of the *Kutim* in these texts is that of a familiar, ruthless adversary, similar to an *'am ha-areš*, one not knowing rabbinic Halakha, even more akin to a *ḥallal*.

2. The social circumstances referred to in some of the analysed stories in the Yerushalmi suggest, however, not only that the Samaritans were living in the near vicinity of the sages, i.e., that they were “real” to the rabbis – this would be, in my view, a too reductionistic approach. In contrast, I have tried to outline that some stories in the Yerushalmi transmit information on shared occupations and fields of interaction between rabbis and Samaritans which cannot be explained only as integral for the argument of the *sugya*, i.e., as literary constructs. Obviously, Samaritans played a certain role in the process of the self-definition of rabbis in Graeco-Roman times.

3. To be sure, I agree that most of the stories contained in different redactional entities should first of all be interpreted as literary expressions. Furthermore, I can only endorse those scholars who maintain that most of the texts on groups such as *goyim* and Samaritans are highly formalized (“rabbinized”) and that, therefore, the picture we get from these texts is not realistic in the sense that one can take them at their face value as precise descriptions of social contacts. None of the analysed stories seem to be (or intended to be) accurate reports of past events.

4. On the other hand, the narratives and sometimes self-contradicting stipulations in the Yerushalmi do transmit minutiae that can hardly be explained as mere fictions. Especially in the analysed stories, it seems to me, some “superfluous details” can be observed that surely correlate to a certain degree with “real life”. The stories I have analysed, for example, contain data on Samaritan attitudes towards the pronunciation of the Divine Name, on their knowledge of

¹¹⁵ Cf. y.Taan 4:8 (68d-69b) parallels EkhaR 2:4 (ed. Buber 50b-52a); b.Git 57a-58a. For an analysis of this aggadic story cf. P. Schäfer, *Der Bar Kochba-Aufstand. Studien zum zweiten jüdischen Krieg gegen Rom*, Texte und Studien zum Antiken Judentum 1, Tübingen 1981, pp. 136 ff. On the involvement of Samaritans in the Bar Kochba Revolt (132-135 C.E.) see also the methodologically not up-to-date study by A. Büchler, “A Szamaritanuosoh resvetele a Bar Kochba fel Lesleben”, *Magyar-Zsidó Szemele* 14, 1897, pp. 36-47 = “The Samaritan Participation in the Bar Cochba Revolt”, in: A. Oppenheimer (ed.), *The Bar-Kochba Revolt*, Issues in Jewish History 10, Jerusalem 1980, pp. 115-121 [Hebrew]. See also Mor, “Samaritans”, pp. 19-31 (on the text mentioned see esp. pp. 23 f).

dream interpretations, on their controversial opinions on the importance of fasting for rain, and on their reservations against honorific titles.

5. In recent research, the period under discussion, i.e., the period of the Yerushalmi, has often been described as one of substantial change in attitude towards the Samaritans, both in the political and in the religious spheres. In light of the analysed texts, however, one gets the impression that a definite change in the attitude of the rabbis may not have occurred at a certain period. It is true that at least y.Pes 1:1 (27b,54–57) seems to indicate a process of deterioration in Amoraic times. But one has also to consider that even after a supposed ban against the Samaritans, as depicted only in late traditions (cf. Midrash Tanhuma, *wa-yeshev* 2 [59a] and Pirke de-Rabbi Eli'ezer 38 [91a])¹¹⁶, contacts between the two parties must have continued. The often assumed change in the rabbinic view of the Samaritans in Amoraic times, therefore, may have occurred not only once, but time and time again, i.e., repeatedly.¹¹⁷ And this may also be the reason why a certain degree of ambiguity towards the status of the Samaritans continued to exist until post-Talmudic times.¹¹⁸

6. All in all, compared to other rabbinical writings, the sheer amount of texts referring to Samaritans in the Yerushalmi is remarkable. The data provided by this Talmud on the relations between Samaritans and rabbis in the fourth and fifth centuries are therefore not only important as sources of rabbinic, but of Samaritan history, too. Some texts transmitted in this document are our only source of knowledge of certain Samaritan customs in the fourth and fifth centuries. In the present paper I have only traced some of the less investigated issues. There are, however, many more, neither mentioned in other rabbinic writings nor in later Samaritan or Christian sources. In future I hope to treat these texts and topics – especially in light of the material provided by the Bavli and late Midrashim – in a more exhaustive study.

¹¹⁶ On these texts see Gafni, *Ha-Yahasim*, pp. 42ff and p. 68; and cf. also G. Friedländer, *Pirkê de Rabbi Eliezer (The Chapters of Rabbi Eliezer the Great) According to the Text of the Manuscript Belonging to A. Epstein of Vienna*, New York 41981, pp. 301 f.

¹¹⁷ Contra, e.g., Stern, *Identity*, p. 104, who assumes (with most scholars) that the Yerushalmi indicates that the *Kutim* “only recently turned to *avoda zara*.”

¹¹⁸ Cf. on this, e.g., the summary of my analysis of the seemingly post-Talmudic tractate *Kutim*; Lehnardt, “Talmud-Traktat”, pp. 122 f.