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THE STUDY  
OF THE TALMUD  
IN SPAIN.

BY

SAMUEL DAICHES, Ph.D.,

Barrister-at-Law,

Lecturer at Jews' College, London.

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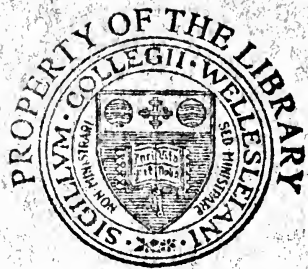
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*GIR TO AUTHOR COMPLIMENTS.*

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To

DR. ADOLPH BÜCHLER,  
PRINCIPAL OF JEWS' COLLEGE,  
IN ADMIRATION AND ESTEEM.

This essay was delivered by me  
as a University Extension Lecture  
at the Toynbee Hall, on April 11, 1916.

S.D.

## C O N T E N T S .

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Interpretation of the Talmud. Codification of the Halacha.  
Responsa.

Early beginnings (before the tenth century).

Tenth century: Moses ben Chanoch. Chanoch ben Moses. Joseph ibn Abitur (Cordova).

Eleventh century: Samuel Hanagid (Cordova). Isaac ibn Giiat (Lucena). Isaac ibn Albalia (Cordova). Isaac b. Reuben Albargeloni (Barcelona). *Isaac Alfasi—Rif—*(Fez—Cordova—Granada—Lucena; *b.* 1013, *d.* 1103).

Eleventh and twelfth centuries: Jehuda ben Barzillai (Barcelona). Joseph ben Meir ibn Migash (Sevilla—Lucena).

About 1150 the Jewish Academies of Cordova, Lucena, and Sevilla closed. Toledo becomes an important seat of Talmudic study.

Twelfth century: Zerachiah Halevi Gerundi (Gerona). *Moses ben Maimon—Rambam—Maimonides—*(Cordova—Fez—Jerusalem—Fostat; *b.* 1135, *d.* 1204). First great Rabbinic Codifier of the Halacha.

The effect of Maimonides' work. Maimonist controversy.

Thirteenth century: Jonah ben Abraham Gerundi (Gerona). *Moses ben Nachman—Ramban—*(Gerona). *Solomon ben Abraham ben Aderet—Rashba—*(Barcelona). Aaron ben Joseph Halevi (Barcelona).

Thirteenth and fourteenth centuries: *Asher ben Jechiel—Rosh—*(emigrated with his family from the Rhineland to Spain; Toledo, 1305–1327). *Jacob ben Asher—“Tur”—*(Toledo). Second great Rabbinic Codifier of the Halacha. Jehuda ben Asher (Toledo).



Fourteenth century: Yomtob ben Abraham Ishbili—Ritba—(Sevilla—Alcolea de Cinca). Vidal de Tolosa—Harab Hamagid—(Catalonia). *Nissim Gerundi*—*Ran*—(Barcelona). Isaac ben Sheshet Barfat—Ribash—(Valencia—Barcelona—Saragossa—Algier; *d.* 1408).

Fourteenth and fifteenth centuries: Simeon ben Zemach Duran—Rashbaz—(Majorca—Algier). Isaac Campanton (“The Gaon of Castilia”).

1488 *Joseph Caro* born—“Shulchan Aruch.”

1492 The Jews expelled from Spain. End of the study of the Talmud in Spain.

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The works of the Scholars mentioned in the Contents.

# THE STUDY OF THE TALMUD IN SPAIN.

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## Introduction.

IN the literary history of the Jewish people Spain occupies a position of paramount and lasting importance. After Palestine and Babylonia comes Spain. Of all European countries it is Spain alone which, geographically, almost faces Palestine. The Mediterranean, which has as its Eastern border Palestine and Syria, has as its Western border the coastline of Spain. And it is as if some of the music of the Jordan had been wafted across the waves of the sea to the banks of the Guadalquivir. The splendour of Palestinian and Babylonian learning is reflected in Spain in early times. Both the Babylonian and Palestinian Talmudim tell us of the existence of Jewish scholars in Spain. The information that has come down to us from those times is, however, very meagre. It is in the Geonic period that Spain begins to figure prominently as a country of Jewish learning.

## Early Beginnings.

The Geonim of Babylonia and the Jewish scholars of Spain were in frequent communication with one another. The Jewish Academies of Babylonia were, in the time of their existence, the greatest centres of Jewish learning, and all the countries of the Diaspora turned to the Heads of those Academies (*Geonim*) for advice and information on all matters of doubt that had arisen in the vast field of Jewish learning. The vastest portion of this field was occupied by the study of the Talmud. The Halacha required constant explanation. Many portions of the Talmud could not be understood by many scholars and required elucidation. Who shall explain? Who shall elucidate? The *Geonim*. They were the successors of the Amoraim and the Saburaim, and their schools were the depositories of the ancient traditions. The Geonim could

therefore explain difficulties in the Talmud and were able to unravel knotty points in the Halacha. The Responsa (answers, תשובות) which emanated from the Academies of Babylonia must have been legion. Many of these responsa were addressed to the scholars of Spain. From these responsa we learn that in the ninth century there were large Jewish communities in the South as well as in the North of Spain. One town in Andalusia (Lucena) is spoken of as being inhabited solely by Jews. The scholars of these communities are referred to as "great scholars" (הכמים גדולים שנמותכם). We also hear of Babylonian scholars visiting Spain and of Spanish scholars visiting Babylonia. While the Spanish scholars visited Babylonia in order to sit there at the feet of the Princes of the Torah, the Babylonian scholars seem to have visited Spain mainly with the object of getting financial support for the Babylonian Academies. We know that almost all the countries of the Diaspora contributed towards the upkeep of the famous Schools of Sura and Pumbeditha. The support which the Spanish communities gave seems to have been very considerable. The Spanish communities felt the obligation to send contributions to Babylonia partly because of the great importance of the Babylonian Academies and partly also because they depended upon the Heads of those Academies for enlightenment and help in the study of the Talmud.

#### Tenth Century.

Jewish learning made great strides in Spain. The "great scholars" whom we meet in Spain in the ninth century no doubt had many disciples who helped to spread in the land the knowledge and the study of the Talmud. In the tenth century we find in Cordova a Dayyan, *R. Nathan*, who gives in the Synagogue public discourses on the Talmud. With the advent of *R. Moses b. Chanoch* in Cordova (about 955), that city becomes an important centre of Jewish learning in

Spain. Moses b. Chanoch, who was a great Talmudic scholar, became the Dayyan of the community and the head of the Yeshiba in Cordova. The work of Moses b. Chanoch was greatly furthered by *Chasdai ibn Shaprut* (915-970 or 990). Moses b. Chanoch was soon recognised as a great Talmudic authority, and many questions were addressed to him instead of being sent to Babylonia. Sura and Pumbeditha began to be supplanted by Lucena and Cordova. The responsa of Moses b. Chanoch are written in the terse and lucid style in which the Geonim wrote. Although his official title was Dayyan, Moses b. Chanoch was in fact the Gaon of Spain. He died about 970 and was succeeded by his son *Chanoch* who continued the work of his father. A great contemporary of Chanoch was *Joseph ibn Abitur*, who also lived in Cordova and was a disciple of Moses b. Chanoch. Their main work was done in the field of Talmudic interpretation and Halachic exposition. Of both Chanoch b. Moses and Joseph ibn Abitur it is reported that they wrote (in Arabic) commentaries on the Talmud, which have, however, unfortunately been lost. But a number of responsa written by Chanoch and Joseph ibn Abitur have come down to us. The great advance made in the study of the Talmud in Spain in the second half of the tenth century will always be associated with these three names: Moses b. Chanoch, Chanoch b. Moses, and Joseph ibn Abitur. To these names must be added the name of Chasdai ibn Shaprut as that of the great Maecenas, who largely supported the Academy of Cordova and also bought copies of the Talmud from Babylonia.

#### Eleventh Century.

The problems of the study of the Talmud were many and intricate. The chief depositories of the old traditions were, as said, the Academies in Babylonia. These Academies were now nearing their end. The scholars of Cordova understood their task. *Samuel Hanagid* (993-1055), a disciple of Chanoch,

greatly helped to enlarge and to deepen the study of the Talmud in Spain. He was in communication with the Geonim of Babylonia and with the scholars of North Africa, and from the former he got much valuable material both with regard to the interpretation of the Talmud and halachic decisions. He liked the clear, lucid way of studying the Talmud, the plain *P'shat*, and he composed an important methodological work as an introduction into the Talmud (מבוא התלמוד). He also made a collection of halachic decisions (הלכותא גברתא), which has been lost. He also wrote responsa. Like Chasdai ibn Shaprut, Samuel Hanagid bought copies of the Talmud for the Yeshiba of Cordova. We know that he not only bought Bible-texts and Talmud-texts for the use of the students, but that he also employed copyists who supplied students with copies of the Bible and the Talmud at his expense. Like Chasdai ibn Shaprut, Samuel Hanagid was a great statesman and a Maecenas of Jewish learning, but Samuel was also a great and many-sided scholar. His greatest scholarly achievements lie in the field of the study of the Talmud. Samuel was also the connecting link between Babylonia, North Africa, and Palestine. It is worth mentioning that Samuel gave annually olive-oil for the Synagogue in Jerusalem. When Samuel Hanagid died (1055) the Academies of Babylonia had been closed for nearly two decades (Sura in 1034, Pumbeditha in 1038).

The study of the Talmud spread more and more in Spain, and great scholars arose in the South as well as in the North of the Peninsula. Among the prominent scholars of that period were *Isaac ibn Giiat* of Lucena (1030-1089) and *Isaac ibn Albalia* of Cordova (1035-1094), both apparently disciples of Samuel Hanagid. The compilation of Halachic collections and the explanation of difficult Halachoth were their chief work. With the closing of the Babylonian Academies the need for such Halachic works became more and more necessary. A great contemporary of these two scholars was *Isaac*

b. *Reuben Albargeloni*, of Barcelona (b. 1073). As mentioned above, the study of the Talmud found early a place not only in Andalusia in the South but also in Catalonia in the North. The principal seat of Talmudic learning in Catalonia was Barcelona, its capital. Isaac Albargeloni translated an important work by Hai Gaon from Arabic into Hebrew and wrote commentaries to portions of the Talmud. The scene of his activity was Denia (between Valencia and Alicante, south of Catalonia), in which town he was the rabbi of the community.

#### Difficulties of the Study of the Talmud.

The study of the Talmud was surrounded by great difficulties, the chief of which was the *understanding* of the Talmud. Sometimes one passage seemed to contradict another; sometimes an Amoraic explanation of a Mishna or Baraitha did not seem to be correct; sometimes the meaning of the words was not clear; often the decision was doubtful. *Intpretation* was therefore the constant requirement of scholars. In Babylonia the traditions were living and the Geonim answered questions of *P'shat*. Many of these traditions were also transplanted to Spain. In more distant countries the need for a full interpretation of the Talmud, for a commentary of the Talmud, was felt. And so we find that *R. Gershom* of Mainz (960-1028, a contemporary of Chanoch b. Moses and Samuel Hanagid) wrote a commentary on the whole of the Talmud. *R. Gershom* was in communication with the Geonim and with the scholars of Cordova. At that time (first half of the eleventh century) a great commentary on the Talmud was also written by *R. Chananel* in Kairuan (North Africa). *R. Chananel* as well as his colleague *R. Nissim* also occupied themselves with the study of the Palestinian Talmud.

#### Isaac Alfasi.

Out of the school of *R. Nissim* and *R. Chananel* there came

forth one great scholar who represented Talmudic learning in North Africa, and who in his late years added to the Talmudic brilliance of Spanish Jewry. That was *R. Isaac Alfasi*. In his old age (1088) he had to flee from Kalaat ibn Hamad, near Fez, and he came to Spain. He first went to Cordova, and from there he went to Granada. After the death of Isaac ibn Giiat, Isaac Alfasi became rabbi in Lucena, where he also had a great Yeshiba.

The work which Isaac Alfasi produced, known as הלכות הר"ף, or, in short, the ר"ף, is of stupendous magnitude. On the face of it it looks like an abbreviated Talmud. But it is much more. It contains all the accepted decisions of the Talmud almost in the language of the Talmud. The arguments leading up to the Halacha are left out. But sometimes the decision was not clear, sometimes the arguments were not conclusive. The creator of this work had therefore to delve deep into the intricacies of the Talmudic *P'shat*. He had often to determine the *P'shat* and to determine the Halacha. His *P'shat* sometimes differed from the *P'shat*, say, of the Geonim, and his Halacha sometimes differed from the generally accepted Halacha. But Alfasi did not mind that. When he was convinced of the correctness of his interpretation and of the *halacha* as he understood it, he incorporated it in his work. We have therefore in the *Rif* a work which is a commentary and a code at the same time. The commentary is implied. The code is manifest. And both are in the form of an abridged Talmud. The student of the Talmud finds in it great help for the understanding of the Talmud, and the decisor finds in it the halachic decisions. The *Rif* is not only a monument of deep and vast learning. It is also a great work of art. It is unique in its kind in the whole of the post-Talmudic literature.

It was only natural that a scholar like Alfasi was soon recognised as the outstanding authority of his time and that disciples flocked to him from all parts of Spain, and probably

also from other countries. From his *responsa* we see that many questions were addressed to him. The *responsa*, which have been preserved, were, it seems, all written by Alfasi in Lucena, and they are very interesting. Alfasi's *responsa* show the same depth of research, mastery of the subject, and independence of mind as his *Halachoth*. His *T'shuboth*, which read almost like his *Halachoth*, are exceedingly interesting. They are clear, concise, and, as a rule, shorter than the questions (which are often questions as to *P'shat* and as to difficult words in the Talmud.) I believe the *responsa* of Alfasi are the shortest in the whole of the *responsa*-literature. They also throw light on the Jewish life in Spain in that period. They show that in the time of Alfasi there were flourishing Jewish communities all over Spain. We also hear of relations of Spanish Jews to French Jews (see תשובות הר"ף, ed. Livorno, No. 223).

Alfasi is altogether a unique figure in the history of Talmudic learning. He lived to the age of 90. He was born in 1013 and died in 1103. He was in his young days a contemporary of the last Geonim of Babylonia; he was a disciple of the scholars of Kairuan, and he spent his last fifteen years in the great centres of Jewish learning in Andalusia. The traditions of Sura and Pumbeditha, the system of Kairuan, in which the Palestinian Talmud played an important part, and the methods of the Spanish schools, they were all represented in Alfasi, they are all interwoven in his great work. He stands out as the symbol of the combination of the schools of Babylonia, North Africa, and Spain, and his work is the expression of this symbol. The essential parts of the Talmud he left as they were, and by omitting the less important parts he interpreted the Talmud and at the same time codified the *Halacha*. In the work of Alfasi we hear the voice of the Amoraim and we feel the hands of the master who made their words clearer to us.

Alfasi represents a turning point in the study of the Talmud.



The life of Alfasi covers practically the whole of the eleventh century, and its close marks the close of a period that was the classical period of the study of the Talmud. The interpretation of the Talmud made its greatest progress in the eleventh century. The greatest Talmudic commentators were older or younger contemporaries of Alfasi. *R. Gershom* died when Alfasi was a young student; *R. Chananel* was his teacher, and *Rashi* survived him only by two years. These were our greatest Talmudic interpreters. There is no nation that had men who were greater in learning, in character, and in piety than these men. Alfasi in a sense combined the qualities of *R. Gershom*, *R. Hananel*, and *Rashi* and was thus the greatest of his time. It is perhaps no mere accident that Alfasi towers practically throughout the whole of the eleventh century as the bearer of the study of the Talmud. With the death of Alfasi and of *Rashi* the classical period of the interpretation of the Talmud comes to an end.

#### Eleventh and Twelfth Centuries.

The traditions of Alfasi were carried on by *Joseph ibn Migash* (1077-1141), who was his disciple and who succeeded him as the head of the school and as rabbi of the community in Lucena. From his responsa we see that *Joseph ibn Migash* followed closely the methods of his great teacher. He is sometimes asked as to what the opinion of Alfasi was on certain questions. Interpretation of the Talmud and answering of questions (which also often referred to Talmudic exegesis) was the main work of *Joseph ibn Migash*. Unfortunately many of his writings have been lost. But what we possess of his works shows that he was one of the great Talmudic authorities of his time.

The influence of Alfasi is also felt in the work of *Jehuda b. Barzillai*, of Barcelona, a contemporary of *Joseph ibn Migash*. He seems to have devoted himself mainly to the codification of the Halacha, as is shown by his important

compendium ספר העתים, which was published by the *Mekize Nirdamim* for the first time recently (1903) from a MS. in the possession of Jews' College.

#### Moses ben Maimon.

About this time—the middle of the twelfth century—a great change came over beautiful Andalusia. Through the fanaticism of the Almohades the Jewish communities in Southern Spain were broken up, and the Academies of Cordova, Lucena, and Sevilla ceased to exist. The garden of Jewish learning, which flourished for at least two centuries, turned suddenly into a desert. Jewish life disappeared from Mohammedan Spain. Many Jews fled to Christian Spain, where there were already Jewish communities. For many of the exiles Toledo, the capital of Castilia, became the second home. *Meir*, the son of Joseph ibn Migash, established there a great Talmudic academy, and Toledo soon became the centre of Jewish learning in Spain. But the place that was for a long time the first and most important seat of Jewish learning in Spain was destined, just before its downfall, to produce a man who has influenced Rabbinic Judaism more than any of his post-Talmudic predecessors. It was in Cordova that *Moses b. Maimon* was born in 1135. Cordova was made great through Moses ben Chanoch who came there in 955, and it secured an everlasting place in our history through Moses b. Maimon, who left it in 1148. The greatest genius of Jewish Spain had to flee from his native town at the age of 13. For several years he, with his father and the rest of the family, wandered from place to place in Spain, and then he went to the place from which only 60 years before the giant of Talmudic learning had come to Spain—he went to Fez. A few years later he left Fez, visited Palestine and then settled down in Fostat.

Moses' father, Maimon, was a Dayyan in Cordova, where many of his ancestors were dayyanim and rabbis. Moses

received his early Talmudic training from his father whose teacher was Joseph ibn Migash. Maimonides seems to have regarded Joseph ibn Migash as his own teacher. Maimonides began his Talmudic literary activity at a very early age. At first he devoted himself to the interpretation of the Talmud. He wrote commentaries to many parts of the Talmud. These commentaries have unfortunately been lost. He also compiled the halachic decisions of the Palestinian Talmud under the title of הלכות ירושלמי. This work, too, has been lost. His first great work which we possess is his commentary to the Mishna. This work at once shows us Maimonides' aim. A commentary to the Mishna only was not written before Maimonides. The Mishna and the Gemara—the Talmud—formed one whole for all the Talmudic scholars before Maimonides. By his Mishna-commentary Maimonides showed that to him the Mishna was the most important part of the Talmud. The discussions of the Gemara were for Maimonides of importance only as far as they helped to fix the Halacha of the Mishna. If the Halacha could be fixed without going into all the detailed arguments of the Gemara, it would certainly be a saving of time. In fact, the importance of the Mishna lay only in its Halachoth. And if those Halachoth could be formulated (with the help of the discussions in the Gemara) in a shorter way and the laws—דינים—given in a clear and unmistakable manner, then there would be no need for occupying one's time with the study of the Mishna either. His commentary on the Mishna is no commentary in the ordinary sense. It is really a short summary of the Halachoth of the Mishna as approved by the Gemara, with a few explanatory notes on the subjects in question. His comments on almost each Mishna he begins by stating the principle of the Mishna (והעיקר). In other words his commentary really contains the principles of the Mishna, that is the principles of the Jewish Code of Laws. The link between Maimonides and R. Jehuda Ha-Nassi was thus established

But an exhaustive summary of the principles of the whole Jewish law would make the Mishna also superfluous. And it did not take long and Maimonides produced this exhaustive summary—*the Mishne Torah*. Ten years Maimonides worked at this gigantic work, and when it was produced it astounded the Talmudic world. There never had been a work like this. In the Mishne Torah Maimonides gave a summary of the whole Jewish traditional Law. There was the *תורה שבכתב* (the written Law) in the Torah, and the *תורה שבעל פה* (the oral Law) Maimonides incorporated in his *משנה תורה* or, as it was also called, *יד החזקה*. It was the intention of Maimonides to give to his Mishne Torah a place next to the Torah (hence the name) and to make all the Talmudic works, Mishna and Gemara included, superfluous. A stupendous undertaking for which unrivalled knowledge and great courage were required. Maimonides had both.

The Mishne Torah is a wonderful work. It has nothing like it in the whole Talmudic literature. It is a Code of the whole Jewish Law. As a Code it is unique in the world's literature. There is no Code of Laws which has been composed by one man. And what work Maimonides had to do before he could put the Laws down! He had to wade through the whole of the Jewish legal literature and to examine every Halacha and every Halachic discussion. In his *ספר המצות* he gave a kind of a programme for his Mishne Torah. Maimonides also chose the pure Hebrew for his Mishne Torah. In fact, the Mishne Torah has a style of its own. And so Maimonides produced a work whose material was old but whose form was entirely new. It is an artistic work of incomparable value. In no period in the world's history has one man produced such a unique work. It is the work of a genius. And Maimonides showed by this work that he was the greatest genius of the Talmudic scholars of Spain.

**Effect of Maimonides' Work on the Study of the Talmud.**

But the merits of Maimonides' great work also constituted its defects. By being so dissimilar from the other Talmudic works his work fell, as it were, out of the line of the traditional works. Sources were not given, authorities were not mentioned. The voices of the Tannaim and Amoraim were hushed. The form was different, the language was different. It might have been useful as a Code of Laws, but it could not further the study of the Talmud. And the study of the Talmud was a part of Jewish life. The **דִּין** had to be known. Halachic compendia were necessary. But a work that had as its basis the view that Judaism was a system of principles which had to be adhered to by certain laws being practised—the laws being contained in that work—could not be regarded as furthering Jewish life. Had Maimonides' hopes been realised and his work really become a Mishne Torah, Judaism would have become a sect. Judaism cannot be forced into a Law-Book. The Torah itself is not merely a Law-Book. It is also a book where life pulsates. The Torah defies an exact definition. So does the Talmud. So does the whole of the Jewish literature. The *Tur* and the *Shulchan Aruch* are halachic Codes. But neither of them claims to be "Judaism fixed in writing." The Mishne Torah wanted to be Judaism fixed in writing. Therefore it could not be a Mishne Torah. Judaism is to be compared to a river that has its origin in a spring of living waters on Mount Sinai and flows on and on. You cannot force the whole river into a reservoir and say: "keep the reservoir intact." The study of the Talmud in itself, without any reference to its containing the Jewish law, was, as I said, a part of Jewish life. While all the works that had been written since the close of the Talmud furthered the study of the Talmud, Maimonides' great work greatly weakened it. Not because the **יד החוקה** became a **משנה תורה**. The Jewish consciousness was too strong for ever allowing it. But because it called forth a great and bitter contro-

versy which lasted a long period and diverted great energies from a fruitful study of the Talmud. Attacks on Maimonides, defences of Maimonides, and commentaries on Maimonides engaged for centuries many of our great scholars. It is difficult to say what course the study of the Talmud would have taken if there had been no Maimonides. It may be that the progress which the interpretation of the Talmud made in the eleventh century was checked by the work of Maimonides and the controversies that followed it. One thing is clear: through the work of Maimonides the study of the Talmud took a different road.

Maimonides will always stand out as the greatest Rabbinic genius. But on the study of the Talmud his work had a retarding effect. Maimonides died at the end of 1204. His remains were taken to Palestine and interred in Tiberias. Maimonides loved Palestine and wished to have his resting place in the land of his fathers. Tiberias might have been chosen because of its associations with the great codifier of the Mishna—R. Jehuda Ha-Nassi.

#### **Maimonist Controversy.**

For a century the Jewish world was convulsed by the fierce controversy that raged round the work of Maimonides. It was France that furnished the greatest opponents of Maimonides. Montpellier (מֶטְפֶּלִיַּה) turned into a volcano which threw out lavas of destructive fire, in which the works of Maimonides were literally burnt. In Spain, too, two camps were formed, one against and one for Maimonides. The greatest scholar of that period, Moses ben Nahman, attempted to reconcile the Maimonist and anti-Maimonist parties, but without result.

#### **Thirteenth Century.**

The study of the Talmud went on. The greatest Talmudic scholars of the thirteenth century lived in the North-East of

Spain. In the thirteenth century Gerona was the great seat of Jewish learning. *R. Jonah b. Abraham* was a native of Gerona. He was a great Talmudic scholar. As the disciple of Solomon of Montpellier he was an opponent of Maimonides. There was much intercourse between the scholars of Catalonia in Spain and the Provence in France.

#### The Method of *Pilpul*.

After the death of Rashi the method of the French school became more and more that of the *Pilpul*. *Pilpul* as a method of arguing, especially in order to evolve decisions for new questions of Halacha, is important and necessary. We find the roots of פלפול already in the Talmud. But פלפול as the mainstay of exegesis, as the basis of the interpretation of the Talmud, has its great drawbacks. The value of the *Tossafoth* for the *P'shat* of the Gemara would have been much greater if פלפול had not been such an essential element in it. In the thirteenth century the Spanish schools and the French schools came more into contact with one another. But the chief feature of the Spanish schools remained *P'shat*, plain interpretation. It is interesting to observe that the rock to whom the Catalonian scholars of that period turned was Alfasi, the great classical Talmudist. *R. Jonah* of Gerona wrote הידושים—*novellæ*— on the *Rif*.

#### Moses ben Nahman.

*Moses ben Nahman—Nahmanides—(1195-1270)*, a cousin of *R. Jonah* and also a native of Gerona, composed Halachic collections and wrote a work—*Milchamoth Adonai*—in which he defended Alfasi against the criticisms made against him by a former Gerona scholar—*R. Zerachiah Halevi*, of the twelfth century. The מלחמות ה' is an important Talmudic work. Nahmanides also wrote commentaries to several portions of the Talmud and *novellæ* (הידושים) to the greater part

of the Talmud. Nahmanides was in a sense the counterpart of Maimonides. Maimonides bound up the whole Jewish tradition in one book, the Mishne Torah. Nahmanides showed again that the study of the Talmud was not only a means to an end—the knowledge of the practice of Judaism—but also an end in itself. The study of the Talmud in itself was important and was greatly furthered by Nahmanides. Nahmanides' great Talmudic learning can also be seen in his greatest work—his commentary on the Pentateuch. Nahmanides was a great personality and exercised a great influence on his generation. His last years he spent in Palestine. He died about 1270 and was buried in Haifa near the last resting place of R. Jehiel of Paris. Throughout all ages the best and greatest men of Jewry turned to Palestine.

#### Solomon ben Adereth.

During the lifetime of Nahmanides the Jewish horizon in Spain—now Christian Spain—became overclouded. The attacks on the Jews in Toledo and the disputations in Barcelona were symptomatic incidents and had their effect. Nevertheless the Jewish communities of Christian Spain grew and developed, and so did Talmudic learning. In the responsa of *Solomon ben Adereth* we hear the beating of the pulse of Spanish Jewry. Every Spanish town of some importance is represented by a Jewish community, and every community has a rabbi, a Beth-Din, and a Talmudic school. Spain even had its false prophets, against whom Solomon b. Aderet wrote.

Solomon b. Adereth (*Rashba*) was the great master of Talmudic learning of his time. A disciple of Nahmanides he soon showed great powers as a Talmudist. When still quite young he became rabbi of Barcelona and he soon established himself as the leading Talmudic authority of his time. Questions were addressed to him from all parts of the Jewish Diaspora,



and to all questions he sent answers. Solomon b. Adereth was the classical responsa-writer. He is said to have written over 6,000 responsa. Over 3,000 of his responsa have been published. They are marvels of lucidity and mastery of the subject. They are not so short as the pre-Maimonides responsa were. But they are not very lengthy. Account had to be taken of the work of Maimonides and of other new scholars, and this made the answers more complex. Many questions were with regard to *P'shat*. Solomon b. Adereth sometimes refers to what his teacher Nahmanides used to do. The תשובות of Solomon b. Adereth are a literature in themselves and deserve careful study. Solomon b. Adereth, however, did not only write תשובות. As a matter of fact the writing of תשובות he began later in life. First one's authority had to be established and then the *Sheeloth* (questions) began to come. Solomon b. Adereth's great constructive work was the תורת הבית, a Halachic Code. He took as his model Alfasi. He began with the Talmudic discussion of the Halacha and then gave the decision. He also quotes the authorities from Alfasi to Nahmanides. In the introduction to the תורת הבית, he says that he undertook this work in order to satisfy the demands of the people and "to prepare for them a table" (ולערוך לפניהם שלחן בענין איסור והיתר), so that they could easily find the law. In passing I should like to say that it is interesting to note that we find the phrase "to prepare a table" as applied to a halachic code used by Solomon b. Adereth nearly 250 years before Joseph Caro compiled the *Shulchan Aruch*. In fact, the source of this phrase is even much older. In the Mechilta to משפטים R. Akiba says that God placed the laws before the children of Israel "as a prepared table." (ואלה המשפטים וגומר, ערכם לפניהם (כשלחן ערוך). (כשלחן ערוך as applied to a Book of Laws is therefore a very old Jewish phrase. This only by the way.

The תורת הבית, as far as we possess it, covers most of the laws which are contained in the *Yore Deah* of the *Tur*. He

also made a shortened extract of this work which he called תורת הבית הקצר. Solomon b. Adereth also wrote *novellæ* (הידושים) to many portions of the Talmud. All his works show that he was a fine Talmudic exegete. For nearly half a century Solomon b. Adereth reigned supreme in the Talmudic world and made Spain the country to which all Jewish scholars turned for rabbinic enlightenment.

A fellow-disciple of Solomon b. Adereth, *Aaron b. Joseph Halevi*, also a great Talmudic scholar, wrote a criticism of the תורת הבית and called his work בדרק הבית, to which Solomon b. Adereth replied in his work משמרת הבית. It is a strange coincidence that the opponent of Solomon b. Adereth was a descendant of that great scholar of Gerona, Zerachiah Halevi, who criticised the work of Alfasi.

#### Thirteenth and Fourteenth Centuries. Asher ben Jehiel.

A few years before the death of Solomon b. Adereth there came to Spain a great Talmudic scholar from Germany: *R. Asher b. Jehiel*, or, as he is called in short, the *Rosh*. Asher b. Jehiel (1250-1327) was a disciple of the great master of Talmudic learning in Germany, R. Meir of Rothenburg. After the sad death of R. Meir in prison Asher left his native land and migrated with his family to Spain. In Barcelona he stayed for a few days in the house of Solomon b. Adereth. Solomon b. Adereth was astounded by the great learning of Asher and recommended him as rabbi to the community of Toledo. With the arrival of R. Asher in Toledo that town became the most important centre of Talmudic learning in Spain. Solomon b. Adereth died in 1310, and during the following seventeen years Asher b. Jehiel was the greatest Talmudic authority of the Diaspora. All turned to him with questions. His Yeshiba in Toledo was frequented by students from all parts of the Jewish Diaspora.

#### Students from Russia in Spain.

Even {from Russia young men came to sit at his feet. In one of his responsa (No. 51, 2) the name of a student is

mentioned (also called Asher) who came from Russia to Toledo in order to study under R. Asher and who died on his way home. (רבי אשר בר סיני הוא היה מארץ רוסי') Some friends of the Russian student Asher thought that he was a German, השׁוֹב אֶשְׁכֵּנִי, but in fact he was a Russian. We know that R. Moses of Kieff (ר' משה הרוסי) was a disciple of R. Tam in France in the first half of the twelfth century. And here we have documentary evidence of the connection of the Jews of Russia with the Jews in Spain in the first half of the fourteenth century. The fact is that the world of Jews was always one united world. R. Asher b. Jehiel's greatest work is his summary of the Talmud. His model, too, was Alfasi. In fact, he follows Alfasi's method more closely than any of his predecessors. He gives a summary of the whole practical Halacha of the Talmud retaining as far as possible the words of the Talmud. He also quotes the opinions of the great authorities who lived between the time of Alfasi and his own time, whether German, French, Spanish, or African. He was a great exegete. In fact, he was almost a second Alfasi. His work, too, was a code and a commentary combined. This work, which is called now in short the *Rosh*, he wrote in Spain. Asher also wrote many responsa which are of great value. His responsa are on the whole shorter than those of Solomon b. Adereth. This was no doubt due to the fact that R. Asher was a greater פְּשָׁטָן (exegete). Asher's תְּשׁוּבוֹת remind one of the תְּשׁוּבוֹת of Alfasi. Asher also wrote commentaries to parts of the Mishna and to several tractates of the Talmud. His commentary to נְדָרִים deserves special mention. In all his works he is lucid and clear. Asher is a refutation of the theory (I. H. Weiss) that all German and French scholars were *Pilpulists*. With Asher everything was pure פְּשָׁטָה, textual interpretation. So it was with his teacher, R. Meir of Rothenburg. Asher is an essential link in the chain of Talmudists of Spain. The study of the Talmud was enriched by the work of Asher.

After his death Asher was succeeded in the rabbinate of Toledo by his son *Jehuda* (1284-1349). For twenty-two years *Jehuda* continued the work of his father as rabbi and teacher. He did not write many books. A number of his responsa has been preserved.

#### Jacob ben Asher.

The literary work of Asher was continued by his son *Jacob* (1280-1340), who, it seems, was his eldest son. *Jacob* followed up the great work of his father, the summary of the Talmud, and composed the great Halachic code known under the name of *Tur*. I dealt at some length with the *Tur* in my lecture on *Jewish Codes and Codifiers* (published in *Aspects of the Hebrew Genius*, London, 1910) and I will be brief here. The *Tur* is the classical Code of the Jewish Law. *Jacob* compiled all the laws that were in vogue. He divided the Code into four parts and called them טורים "rows." To each part he gave a name suitable for its contents: אורח חיים, יורה דעה, אבן העזר, חושן משפט.

#### Difference between the *Tur* and the *Mishne Torah*.

The great difference between *Jacob's Tur* and *Maimonides' Yad Hachazakah* is that it does not want to be a *Mishne Torah*. The *Tur* wants to be a collection of laws as derived from the Talmud and as confirmed by the great Rabbinic authorities who lived before R. *Jacob*. The *Tur* is traditional. It is a link in the chain of tradition. The Talmud-summary of R. *Jacob's* father, the *Rosh*, is the foundation of the work. The style, too, is Talmudic. The voices of the great men of the Talmud and of later times are to be heard in almost every chapter. Because it followed more closely its predecessors the Code of R. *Jacob* had also a more practical arrangement. The *Tur* is a great master-work. It soon became the standard Code of the Jewish Diaspora. It is practically our standard Code to-day. Thus the first and last practical Code of Halacha was produced by *Jacob b. Asher* of Toledo.

The School of Gerona. Definition of **הידוש**.

For nearly half a century R. Asher and his sons made Toledo the seat of classical Talmudic learning. In Catalonia the disciples of Solomon b. Adereth continued the study of the Talmud in the way shown by their master, by his teachers R. Jona and Nahmanides, and by the older scholars of Gerona. *Novellæ*, **הידושים**, were, on the whole, a specific feature of the school of Gerona. A **הידוש** can be defined as a combination of **פישט** and **פלפול** with **פשט** as the larger element. It is, say, midway between Rashi and, especially the later, **תוספות**. It is interesting to note that Isaac b. Sheshet speaks of **פירושין חדושין ותוספות** (see **שו"ת הריב"ש** No. 5). He thus places **הדושין** between **פירושין** and **תוספות**. Nahmanides wrote **הידושים**, Solomon b. Adereth wrote **הידושים**, and so was one of the latter's disciples known through his **הידושים**.

## Fourteenth Century.

*Yom Tob ben Abraham Ishbili* was, as Ishbili shows, from Sevilla. In the fourteenth century there were again Jewish settlements in the South of Spain. We read of Jews in Sevilla and Cordova. But there were no Jewish academies in the South. Toledo, Gerona, Barcelona were the great centres of Jewish learning. And so *Yom Tob of Sevilla (Ritba)* sat at the feet of Solomon b. Adereth in Barcelona. Later he lived in Alcolea de Cinca (near Huesca). *Yom Tob Ishbili* was a great scholar, and if he did not write classical works he contributed towards keeping up the study of the Talmud by constantly searching in the Talmud and by trying to solve difficulties. He wrote **הידושים** (*novellæ*) to the greater portion of the Talmud, also to the work of Alfasi.

Another great scholar of that period was *Vidal of Tolosa*, also a disciple of Solomon b. Adereth. Practically nothing is known of his life. But he left a work behind him which has secured for him an everlasting place in the history of

Jewish literature, and that is his commentary on Maimonides' Mishne Torah. As time passed by it became more and more manifest that the Mishne Torah could not be easily understood and that it required a commentary. What would Maimonides have said if he had known that not only did his work not supplant the Talmud and the other Talmudic works, but that it was the direct cause of the production of new Rabbinic works without which the Mishne Torah might have almost become a sealed book! The commentary of Vidal, called *Maggid Mishne*, is a master-work. It is a fount of knowledge and shows a remarkable depth of understanding and ability of research. Vidal traces back every law to its origin and shows how Maimonides arrived at his decisions. He also shows that Maimonides sometimes arrived at a decision differing from that of other authorities owing to having had a different reading in the text of the Talmud. A collection of all the Talmudic variants contained in the *Maggid Mishne* would be very useful. The *Maggid Mishne* is a great commentary and a great work in itself. הרב המגיד (as the author of this work has been called since Joseph Caro) is one of the greatest stars in the firmament of Spanish Jewry.

#### Nissim Gerundi.

Another great scholar of that period was *Nissim b. Reuben Gerundi—Ran*. R. Nissim was rabbi in Barcelona and thus occupied the great position held by Solomon b. Adereth. He wrote a fine commentary to the work of Alfasi and a very good commentary to the tractate *Nedarim*. But his commentaries also contain the הידושים-element. He also wrote הידושים to the Talmud. As the Rabbi of Barcelona he also had to answer many questions and he wrote many responsa. Comparatively few of his responsa have been preserved.

#### Jewish Persecutions in Spain.

In the time of R. Nissim Gerundi the position of the Jews in Spain became threateningly worse. Upon the Black Death,

which brought such disaster upon the Jews in France and Germany and which also claimed its victims in Spain, there followed the war of the two brothers (Don Pedro and Don Enrico) in Castilia, which had such tragic consequences for the Jews of Castilia. About twenty years after the death of Jehuda b. Asher (1369) Toledo was devastated by the war and most of the Jews of Toledo perished. All the communities of Castilia suffered greatly. The shock reverberated throughout the whole of Christian Spain. From that time the history of the Jews in Spain begins its down-grade course. Many scholars suffered personal harm, many Academies were closed, and Jewish learning was greatly impoverished. We know that the life of the Jews in Spain lasted little more than another century. And what a life that was! Full of bodily and mental suffering. When one reads of all that the Spanish Jews had to endure during the last 120 years of their sojourn in Spain one must almost regard their final expulsion from Spain as a relief.

#### Isaac ben Sheshet.

In spite of all this Jewish learning was carried on. In fact, it was carried away a century later by the exiles as their greatest, as their only, possession. One of the scholars who lived through these troublous times and who in his later years left Spain was *Isaac b. Sheshet Barfat* (1336-1408). He was born in Valencia and studied in Barcelona under R. Nissim. In Barcelona he was put into prison together with his aged master Nissim. Later they were released. For a time Issaac b. Sheshet (*Ribash*) was rabbi in Saragossa. When the storm broke out with full force on the Jews of Spain in 1391 and the first great slaughter of the Jews in Spain began, when in Sevilla, Cordova, Toledo, and many other cities the Jews were massacred and their property was confiscated, Isaac b. Sheshet fled to Algier, the nearest haven of refuge, to which many Spanish Jews fled. In Algier Isaac

b. Sheshet became chief rabbi. Isaac b. Sheshet was a great Talmudist. Most of his **הידושים** have been lost. Who knows how much valuable material has been lost and destroyed in that time! One great work by R. Isaac has come down to us: his Responsa. He wrote very numerous responsa. He was great in the writing of responsa. And his responsa not only show great learning but also reflect the Jewish position of his time and are therefore very important historical documents. How wide-spread Jewish learning was in Spain in spite of the terrible sufferings is shown by the fact that over seventy rabbis who corresponded with R. Isaac are mentioned in his **תשובות**.

#### Longing for Palestine.

Isaac b. Sheshet signs often **אני הגבר ראה עני בשבט עברתו** (see **העלוב** (see **שו"ת הר"יבש**, No. 5). Very interesting and showing the intense longing for Palestine in that time are the following words with which Nissim Gerundi (see above p. 25) concludes a responsum: **הכותב משתחוה לארץ קדשנו ממקומו, עיניו ולבו עם, יומו ולילו מתפלל אל ד' להשיב את שבותה למען שמו ולהראות כבודו במעון קדשו והדומו אנכי הצעיר ניסים ב"ר ראובן ב"ר ניסים ז"ל גירונדי** (see **שו"ת הר"ן**, No. 6).

#### Fourteenth and Fifteenth Centuries. Simeon ben Zemach Duran.

A younger contemporary of Isaac b. Sheshet was *Simeon b. Zemach Duran* (1361-1444). He lived on the island of Majorca. In Palma, the capital of Majorca, the main street of the Jewish quarter was called "Montesion" (Mount Zion). The massacre of the Jews of Palma in 1391 began in "Montesion." After this massacre Simeon b. Zemach Duran fled, with his father, to Algier. Many of the Spanish fugitives found in North Africa a new home. After the death of Isaac b. Sheshet, Simeon b. Zemach Duran became rabbi of Algier. The most important work which he left are his **תשובות**. Besides being full of learning they are also a mine



of historical information. They are called in short תשב"ץ. Both Isaac b. Sheshet and Simeon b. Zemach did also important relief work for their distressed brethren who came to Algier from Spain.

#### Persecution growing worse.

The fire in Spain spread. The Jewish communities of Barcelona, Gerona, Lerida, and other cities in Catalonia were victims of Christian fanaticism. Jewish blood flowed in rivers. In Barcelona not one Jew remained. In 1392 the Jewish community of Barcelona was dissolved by royal decree. Barcelona that had a continuous Jewish history—and a glorious history it was!—for at least seven centuries knew the Jew no more. The number of Jews that remained in Catalonia after these massacres and persecutions was very small. In Toledo all the descendants of R. Asher (Rosh) fell victims to the fury of the mob and were killed. At this time the Marranos came into being.

#### Isaac Campanton.

Throughout all these trials and tribulations, persecutions and sufferings, the study of the Talmud in Spain went on. A monumental figure of this period is *Isaac Campanton*, "the Gaon of Castilia" (1360-1463). Throughout all the storm and stress R. Isaac Campanton continues the study of the Talmud. Of all his works there has only come down to us a small treatise called דרכי התלמוד, dealing with the methodology of the Talmud. Here we have the picture of Israel defying the elements of destruction. Down below the Christian mob may have been shouting "Death unto the Jews" and may have dealt it out to numberless victims, and in his study sits the Gaon of Castilia and works on the methodology of the Talmud. Israel is eternal! Curious, one of the first Talmudic scholars of Spain, Samuel Hanagid, wrote on the methodology of the Talmud (מבוא התלמוד). Four centuries later one of the last scholars of Spain wrote on

the same subject. Interpretation of the Talmud remained the foundation of the study of the Talmud.

### **The last years in Spain.**

Campanton was one of the last great Talmudists in Spain. After his death the sufferings of the Spanish Jews increased. From 1463 to 1492 every day brought greater affliction for the Jews of Spain. The Jewish power of resistance must be miraculous if at the end of those three decades there were still Jews left to be expelled. All the tortures that human devilry can think out were devised and inflicted upon the Jews in Spain. In the end the greatest of all horrors was invented—the Inquisition and the Auto-da-Fé. Crypto-Jews and Jews were burnt at the stake. For a full decade the pyres of the Inquisition lit up the sky of Catholic Spain, and ashes covered the heads of the sons of Juda. In no country and at no time have Jews suffered as the Jews of Spain suffered during the ninth decade of the fifteenth century. And in spite of all these unspeakable tortures Jewish learning went on. One of the great rabbis of the Spanish exile (R. Joseph Yabez) says: “Never was Spain so full of Yeshi-both and of scholars as in the time of the expulsion” (see **אור החיים**, Introduction). A wonderful people we are! That no great Talmudic works have come down to us from that period is no doubt due to the fact that most of the works were destroyed or lost.

### **The Expulsion. End of the Study of the Talmud in Spain.**

At last the final blow came. In the last days of 1491 Granada fell, and with the fall of Granada there disappeared the last stronghold of Islamic rule in Spain. In the first days of 1492 Ferdinand and Isabella held their triumphant entry into Granada. All Spain was now Catholic. A few weeks later the expulsion of all the Jews from Spain was decreed. On August 2nd, 1492, the Jews left Spain. The Spain of Ferdinand and Isabella was now free of Jews. That beautiful

land heard the voice of Juda no more. The tents of Shem and Eber that stood so long by the rivers of the Guadalquivir, the Tajo, and the Ebro, were uprooted. The seats of Jewish learning that enriched the intellectual realm of Spain were desolate. For over 600 years Spain produced the greatest Jewish scholars. The study of the Talmud was carried on in Spain during all these centuries without interruption. Suddenly it stopped. It came to an abrupt end. The people and its Torah were driven out from the land. The Jews had to leave behind all they possessed. Their most precious possession they took with them—the Torah.

#### Spanish Scholars in other Countries.

The Spanish Jews went to other countries, to Italy, North Africa, Turkey, and to Palestine. The study of the Talmud was continued. Many Spanish scholars did great work in their new homes. The most famous of these scholars is

#### Joseph Caro,

who was four years old when he, with his parents, left Spain in 1492. Caro wrote a commentary on Maimonides' Mishne Torah, composed a supplement of Halachoth in the form of a commentary on R. Jacob's *Tur*, and then wrote the *Shulchan Aruch*, which is a modified *Tur*. More details about the *Shulchan Aruch* will be found in my lecture on *Jewish Codes and Codifiers*. It is perhaps no mere accident that the *Shulchan Aruch* which has been accepted as *the* halachic Code by the whole Jewish people was written by a Spanish Talmudist in Palestine (Safed). The study of the Talmud had ended in Spain and came to new life in the land in which Jewish life is eternal.

#### Results of the Survey of the Study of the Talmud in Spain.

When we survey the history of the study of the Talmud in Spain we are struck by the wonderful richness and variety of its products and by its uninterrupted continuity. All branches of Jewish literature were cultivated in Spain:

grammar, poetry, Biblical exegesis, Kabbala, Midrash. But each of these branches had its period. The study of the Talmud embraced the periods of all these branches. From the earliest times to the day of the expulsion the study of the Talmud was continuous in Spain. We also see that the most outstanding features of the study of the Talmud in Spain were the codification of the Halacha and the writing of Responsa. Interpretation of the Talmud seems to have been in the background. No great commentaries on the Talmud like those of R. Gershom, R. Chananel, and Rashi came down to us from Spain. We have seen that some scholars wrote commentaries on some portions of the Talmud. We have also seen that all the great works of the Spanish Talmudists *implied* interpretation of the Talmud. But we have no classical Talmud-commentary from Spain. It may be that the Spanish scholars did not write any great Talmud-commentaries because there was no need for them. The Talmudic traditions were alive. They all understood the Talmud well, and there was no need for an elaborate commentary. Their commentaries were living commentaries.

**Interpretation of the Talmud has to be resumed.**

When we search in the works of our Spanish scholars we long for a breath of that freshness which animated them. We have not got such living traditions as they had in Spain. Time and space have worked havoc with our sense of understanding for our classical works. We want a new spirit breathed into our study of the Talmud as well as into our study of the Bible. We, in the twentieth century, are badly in need of more Talmudic interpretation. The real interpretation of the Talmud came to an end with Rashi. Since Rashi no appreciable progress has been made in that important field of Jewish learning. *What we want now is a resumption of the interpretation of the Talmud.* By saying this I am, I hope, giving utterance to no heresy. I am simply stating a fact

which has impressed itself upon me during many years of concentrated study of the Talmud, and which can be substantiated in a thousand ways. With the help of improved texts, of new manuscripts of the Talmud and of the Tosephta, of the Corpus Tannaiticum (in preparation), of archæological discoveries, of new methods of research, of an improved understanding for texts, and with a proper use made of all the material before us, we ought to set in where Rashi left off. The great task of the coming generations of Jewish scholars will, I believe, have to be the interpretation of our great texts: the Bible and the Talmud. Just as we have to resume the interpretation of the Bible where Ibn-Ezra and Kimhi left off, so we have to resume the interpretation of the Talmud where R. Chananel and Rashi left off. As a work in the right direction I must mention here the *הגהות על הש"ס* (Notes on the Talmud) by Dr. J. H. Dünner, the late Chief Rabbi of Amsterdam. It is a great work, full of great suggestions. But it consists only of notes. We want a commentary. By a resumed interpretation of the Bible and of the Talmud we will also get a better understanding of the life and of the genius of our forefathers.

#### **Conclusion.**

A true return to the literature of our classical periods may prove to be a part of our return to classical Jewish life. That we have indestructible vitality and inexhaustible capacity for intellectual activity, that we can delve deep into the great treasure-stores of our forefathers, and that we are still the great old nation which can be again a great young nation, is also shown by a survey of the Study of the Talmud in Spain.









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