The History of Medieval Jewish Libraries: The Interplay between Orality, oral transmission, and Textuality Within the Context of Rabbinic institutions and Educational Curriculum

“However when the wise man lies down in death with his fathers, he leaves behind him a treasured and organized blessing: books that enlighten like the brilliance of the firmament (Daniel 12:3) and that extend peace like a river (Isa. 66:12)”

Rabbi Shimon Ben Zemach Duran, Zohar HaRakia, HaKadma, 1361–1444

My pen is my harp and my lyre; my library is my garden and my orchard.

~ Judah Ha-Levi Spanish Poet, Physician, 1075–1141

Make books your companions; let your bookshelves be your gardens: bask in their beauty, gather their fruit, pluck their roses, take their spices and myrrh. And when your soul be weary, change from garden to garden, and from prospect to prospect.

~Rabbi Judah Ibn Tibbon, Provance, France, c. 1120-1190

Short Abstract:

The evolution of Jewish medieval library collections evolved over the Tannaitic (70 CE to 200 CE), Amoraic (200-500 CE), Savoraim (500-600) Geonic (600-900), Rishonim (900-1450), Achronim (1450-Shoah) periods as the genres of Jewish knowledge expanded and the world of Jewish knowledge developed in an oral tradition that later was set down. Simchah Assaf, Mordecai Breur, Ephraim Kanarfgel, Isidore Twerski, Adin Steinsaltz, Menachem Elon in Mishpat Ivri, and Nathan Drazin have shown that this evolution of the Jewish library within the context of Jewish educational “institutions” such as the medieval Yeshivot, Rabbinic Academies, Beit Midrashim, Synagogues, and self-regulating Jewish Communal government (kehilah) allowed for the classification and organization of manuscripts and sefarim.

Assaf gathered source materials on premodern Jewish education which has recently been updated and reedited, which hopefully a sign of augmented interest in premodern Jewish education. materials organized geographically and chronologically. Assaf’s first volume is devoted to sources for the history of schooling in Ashkenazic Jewry, ranging from France and Germany and on into Poland; the second volume is devoted to materials from premodern Mediterranean Jewry–Spain, southern France, and
Italy; the third volume is devoted to Jewish communities of the Middle East; the fourth and final volume consists of materials discovered by Assaf subsequent to the prior volumes. Of the large sets of historical overviews by Graetz and Baron, (1) Graetz's focuses on Jewish learning is confined to the elites of scholarship the master scholars and their works, (2) Baron's Jewish Community, a three--volume work published in 1942, In the second volume, Baron included a rich chapter entitled Education and Public Enlightenment. Note the sections into which Baron divides his chapter: communal responsibility, rewards of learning, educational goals, books and libraries, escape, and fulfillment. Other articles on Jewish education include Albert Baumgarten's "Literacy and the Polemic Concerning Biblical Hermeneutics in the Second Temple Era;" "Isaiah Gafni's On the Education of Children in the Talmudic Era: Tradition and Reality;" and Yom Toy Assis's "Jewish Elementary Education in Christian Spain (13th-14th Centuries): Communities versus Charitable Societies." and a significant treatment of premodern Jewish education can be found in the recently published volume entitled Visions of Jewish Education, edited by Seymour Fox, Israel Scheffler, and Daniel Marom (2002). The heart of this volume lies with four essays intended to lay bare a variety of educational views held within segments of the Jewish world. The first of these essays, written by the late Isadore Twersky, focuses on Maimonides and attempts to identify the heart of his educational system. It is a path--breaking effort toward the elucidation of the educational views of a major premodern Jewish thinker. Also Ivan Marcus in his book, Rituals of Childhood: Jewish Acculturation in Medieval Europe, in chapter 3 offers the important essay, "Ancient Jewish Pedagogy" and the two books by Robert Chazan (Fashioning Jewish Identity in Medieval Western Christendom) and Theodore Steinberg (Jews and Judaism in the Middle Ages) shed light on the topic of medieval Jewish learning. Jews invested in learning and intellectual capital rather than often building Cathedral like structures and with the prohibition on “graven images” (lo oseh likhah pesel) the emphasis was on literacy so art did not play the kind of role it plays in Christianity to teach the alogos “Bible stories” by viewing paintings, stained glass windows, and statues. Literacy and memorized

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1 Israel Jacob Yuval recognizes that orality of transmission of oral text “is esoteric” however takes a historical and sociological approach to explaining the hegemony of pervasive orality of torah sheb'eal peh. He argues that oral law and the insistence upon its transmission and study in an oral manner developed against the background of parallel developments in early Christianity which the Rabbis wished to separate themselves from. He notes that the written torah is a text but around the time of the birth of Christianity “the law of Jesus” was not considered a text but an oral tradition concerning his life. Thus according to Yuval the rabbis put in place a competing ideological culture of orality by the doctrine of emphasizing the dual torah which separates Judaism from Christianity whereby the rabbi transformed orality into a coterminous divine revelation with written torah. Because Christians also claimed the written torah the rabbis responded with an oral torah which the Christians could not appropriate and because Christianity defined itself by means of an alternative text- the NT. The Jews responded by creating an alternative text “the Mishnah and thereafter the two Talmudim. Thus whenever Judaism wanted to separate itself from Christianity it evokes the esoteric tradition of oral torah that is transmitted only to initiates in an oral manner. The rabbis were therefore intent upon preserving their teachings in an oral manner to exclude competing religious sects like Christianity. It is only by virtue of oral esoteric torah transmitted orally that Judaism can separate itself fully from and exclude Christians. In response to Christians the rabbis separate from them by fencing off oral secret traditions that are only transmitted orally. Yuval writes, “Precisely in light of the heavy threat posed by Christianity and in light of its attempt to adopt the Jewish scriptures as its own, Rabbinic Judaism developed a new religious doctrine emphasizing two elements: halakhah and orality. The halakhah is the contents and orality is the language by whose means there was created the rabbinic answer to the Christian soteriology. It was not faith in Jesus that redeems, but rather the observance of God's commandments and their oral study, transmitted from mouth to ear. (p.248) Thus oral torah transmitted orally is seen to arise out of
knowledge that is internalized is portable like movable capital (mitaltalein) and thus the Jews could transport their education from their wanderings in the diaspora. Exogenous factors such as restrictions in medieval charters, discrimination as dhimis or paying additional Jew taxes, persecution such as pogroms and Crusades, and massacres ensured literacy, learning and education that was mobile for one cannot take away from one what one knows.

Nehemya Allony studied _Book Lists from the Cairo Genizah_. Geniza scholarship can be characterized however by methodologies and approaches. For instance Davidson looked at poetry from the Geniza and the Israeli scholars Menachem Zulay, Hayyim Schirman (Hebrew Poetry from Spain and Provence), and Ezra Fleischer of the Israel National Academy for Geniza Research Institute for Hebrew Poetry exponentially increased the knowledge of the medieval poetic genre from the Geniza. Goitein in his multivolume set _The Mediterranean society_ and _Letters from the Geniza_ focuses mostly on trade and account book documents bringing order to the common daily trade documents and organizing this detritus of history with a mystical sense of resurrecting the vibrant life of the Medieval Mediterranean. Jacob Mann has looked at documents of Evidence-letters, contracts, court records on communal life. Scholars such as Rabinowitz, Schechter, and many others looked at halakhic/legal texts from the Geniza. Schechter\(^2\) also gave Louis Ginzberg a text which Ginzberg published under the title _Ein Unbekannte Juedische Secte_ which related to _The Damascus Document_ which my teacher Rabbi Joseph Baumgarten published and edited with notes and critical apparatus in Studies in the Judean Desert from a facsimile of the Damascus document found at Qumran in the 1950s. More recently Mark Cohen of the Princeton Geniza project which hosts a “text garden” database with an ethical social conscience has looked at the status of the vulnerable in Jewish society such as widows, poor, orphans, divorced women, etc. from texts in the Geniza published in a 2 vol. set Poverty and charity in the Jewish community of medieval Egypt. Thus the Geniza has been approached with many methodologies and types of approaches. The Librarian Stefan Reif who has focused on liturgical aspects of the genizah. Most recently since 1999 Toronto currency trader and bibliophile Albert Friedberg has financed under the auspices of cyberwizard Yaacov Choueka is revolutionizing access to Geniza texts, with the goal of making available at the mere click of a mouse on the Friedberg website along with nearly half a million items of data about the 331,351 folios from the Ben Ezra cache.

\(^{2}\) The puritanical _Fragments of a Zadokite Work_ (the first and principal part of the Jewish sectaries volume) comprised what Schechter diplomatically put it was “the constitution and the teachings of a sect long ago extinct but in which we may perhaps easily detect the parent of later schisms with which history dealt more leniently” Schechter is referring to the Dead Sea Scroll sect as analogous to other sects such as the Sadducees, Karaites, and Reform movements within Judaism. According to Baumgarten Schechter failed to realize the importance of DDS texts for shedding light on normative rabbinic practices of their day.

\(^{2}\) historical forces in the Pharisees struggle with the challenge of the adoption of the written torah by Christianity, see: Yuval, Israel Jacob, “The orality of the Jewish oral law: from pedagogy to ideology”, in Judaism, Christianity, and Islam in the course of history: exchange and conflicts, 237-260.) Yuval recognizes that this separation by means of the ideology of the orality of the oral torah also takes on a role of esotericism. He writes, “even if the oral text is canonic and transmitted very faithfully, its transmission is very limited and can be kept away from unwanted listeners (p. 249).
But if Rav Dimi would have had the opportunity to send the letter would it have been permitted for him to send it? Why R Abba the son of Rabbi Chiya bar Abbai said in the name of Rabbi Yochanan: Those who write down the law of the oral torah are like one who burns the Torah- and one who studies from these manuscripts gains no reward- [The gemara

\[\text{RAW TEXT}\]
cites another teaching that the oral law may be transcribed]. Similarly Rabbi Yehudah bar Nachmani the spokesman for Reish Lakish expounded one verse states – Write for yourself these words which indicates that the Torah is to be written- But another verse, i.e the end of the same verse states: for on the basis of these words I have established a covenant with you. The phrase al pi can be interpreted by mouth, and thus alludes to the laws that are orally transmitted. The first part of the verse indicates that the words of the torah are to be written and the second part of the verse indicates that they are to be transmitted orally, however this is not a contradiction. The verse means to tell you- Teachings that were given to you orally you are not permitted to transmit in writing; and teachings that were given to you in writing i.e. The Five books of Moses, you are not permitted to transmit orally...

We learn from here that – These words of the Pentateuch you may write- But you may not write orally transmitted laws. In light of these sources, how could Rav Dimi have proposed sending Rav Yosef this reconciliation of the Baraisos by letter? [The gemara answers]: They said: Perhaps the law regarding a novel matter is different. – for it is known that Rabbi Yochanan and Reish Lakish would examine a book of Aggadah on the Sabbath- And they expounded a verse to justify their actions thus: - the verse states When it is a time to act for Hashem, nullify your Torah [Tehillim 119:126] - They said based on this verse, that is preferable that one letter of the torah be uprooted i.e. the law that prohibits the transcribing of oral torah, so that the torah itself should not be forgotten from Israel. Thus it was permitted for Reish Laikish and Rabbi Yochanan to have and use a written work of Aggada and it would likewise have been permitted for Rav Dimi to write his letter to Rav Yosef.

The sugya In Gittin 60b reads:

Rabbi Yehudah bar Nachmani the speak for Rabbi Shimon ben Lakish expounded – It is written: Write for yourself these words, which indicates that the Torah is to be written. – And it is written later in the same verse: For on the basis of these words, which indicates that the Torah is to be transmitted orally – How is this apparent contradiction to be resolved? Teachings that were handed down to Moses in writing i.e. scripture- you are not permitted to transmit orally. Teachings that were given to you orally you are not permitted to transmit in writing.

A Baraisa derives from these laws from the verse in a different fashion. In the academy of Rabbi Yishmael, the following baraisa was taught: The verse states Write for yourself these words. We learn from here that – These words of scripture you may write.- But you may not write orally transmitted laws. [The gemara now cites a teaching it alluded to above]: Rabbi Yochanan said : The Holy one Blessed is He, established a covenant with Israel- only on the basis of the oral teachings- As the verse states - for on the basis of these words - I have established a covenant with you- and with Israel.
Rashi comments on the prohibition of writing the oral law by noting: “From here you learn that in order to prevent the oral law form being forgotten.”

Midrash Tanhuma brings down in the name of Rabbi Judah ben Shalom that “when the Holy one Blessed by He- said to Moses “write down” Moses asked that the Mishnah be written, but because the Holy One blessed be He- knew that the nations of the world will translate the Torah and read it in Greek and say “We are Israel.”

Therefore the Mishnah was given orally to Moses so that the oral law must remain the unique inheritance of Israel to prevent Gentiles from appropriating it as they attempted to appropriate the written law when it was translated into Greek.

The rabbinic ideology of the dual torah as seen in the paradoxical saying, “Even that which a venerable student shall teach before his master in the future, is Torah given to Moses at Sinai.” Rabban Gamaliel II in a response to the question of a Roman official as to how many Torahs were given to Israel, responded, “Two: one oral and one written.”

Mishnah Avot 1:1 plays into the orality of the oral torah for the phrase “Moses received Torah from Sinai” Rashi notes refers to the written and oral torah together because the text does not specify only “Ha-Torah” which would mean only the written torah.

The dual torah ideology of written and oral text is based upon a reading of Exodus 34:27 “And the L-rd said to Moses: Write these words, for in accordance with [literally: by mouth of [these words] I have made a covenant with you and with Israel. ‘Wrote by mouth of’ refers to orality. Exodus Rabbah comments on the pusek from Exodus 3:27 in order to separate Jews from the surrounding host culture.

According to Jaffee orality is not to separate Rabbinic culture from competing groups such as Christians, but a framework that ensures the dependence of the disciple upon his teacher or mentor.

In the 13th century in the kabbalistic work shalshelet ha-qabbalah (chain fo tradition) Elijah the prophet is seen as the originator of all Kabbalistic secrets to Mikubalim like Abraham ben Isaac, who then revealed them to...
his son in law Abraham ben David who in turn revealed them to his son Isaac the Blind (Mikubal in Provenance France). 13

According to contemporary research up to the very end of the Geonic period the Talmud remained literally in the category of oral law. Robert Brody quotes two responsa of the 10th century Academy of Pumbeditha. In the first, Aaron Sarjado speaks of the recitation (girsa) of the entire academy and it is known that the recitation is from the mouths of the Masters, and most of them do not know what a book is”. In the Epistle of the Sherira Gaon sent to Jacob b. Nissim and to the men of Kairwan (987), he answers the question, “How were the Mishnah and Talmud written?” and explains: “The Talmud and the Mishnah were not written but rather composed and the Rabbis are careful to recite it orally, but not from copies.”

Ellman admits that during the Tannatic, Amoraic, and Geonic periods many pinqasayot and megillot setarim were written down. Elman writes, “In Babylonia where orality predominated, transmission of texts was oral; even when written exemplars were available, as in the case of Scripture, much was quoted by heart. Reports of megillot setarim, private notes, all refer to the situation in Palestine.” 14 Yerahmiel Brody expressed skepticism as to their use in Babylonia. 15 However Ellman argues that the Amoraim masters are hardly ever depicted as having had recourse to written texts of Bavli with which

13 Shem Tov ibn Gaon, Badde ha-Aron u-Migdal Hananel, facsimile ed. Based on Ms. 840 in the National Library, Paris, ed. D.S. Loewinger (Jerusalem, 1977), 29; Keter Shem tov in Ma’or wa-Shemesh, ed. J. Koriat (Livorno 1939), 35b; Shem tov ibn Shem Tov, Sefer ha-Emunot (Ferrara, 1560, 35b; According to another version of the chain Elijah revealed the secrets to David, who in turn passed it on to Isaac the blind (Isaac ben Samuel of Acre, Sefer Me’irat Einayim by R. Isaac of Acre: A Critical edition, ed. A. Goldreich, Jerusalem, 1981, 84). In another version Elijah revealed the secrets to David, the father of Abraham ben David, who revealed them to his son, and Abraham who passed them on to his son, Isaac the Blind, who disseminated them to Ezra and Azriel of Gerona, and to Nachmanides (seeMenachem Recanati, Perush ha-Torah, Jerusalem, 1961, 73d; a similar tradition is cited in the name of the sages of truth (hakhmei ha-emet) by Meir ibn Gabbai in Avodat ha-Qodesh (Jerusalem, 1992), 2, 13, p.102 and from there it is cited by Elijah Delmedigo, Matsref la-Hokhmah, (Basel 1629), 15a. Finally another view of the chain reports the following sequence: Elijah, Isaac ben Abraham of Narbonne, Jacob the Nazirite, Abraham ben David, and Isaac the blind etc. [For this detective unraveling of the chain see E.R. Wolfson, “Transmission in Medieval Mysticism”, p.218] According to Ezra of Gerona and Nahmanides the chain of transmission of kabbalah as the original secret oral torah extends to before Moses to Avraham HaKadmon. Ezra of Gerona reporting the tradition of Isaac the blind writes, “Our teacher the pious one, blessed be his memory said, “the essence of worship of the enlightened and those who meditate on HIS NAME is cleave to Him (Deut. 13:5) and this is the great principle in the Torah concerning prayer and blessings, to harmonize his thought and his emunah as if he were cleaving above to unite the name in its letters and to comprise within it the ten sifrot like a flame that is bound to the coal (Kitve Ramban, 2:522).” Rabbi Jacob ben Sheshet also in the name of Rabbi Isaac the blind writes in his Sefer ha-Emunah ve-ha-Bittahon on Onkelos on Leviticus 13:18 “This is comparable to the explanation, ‘He looked into the Torah,’ He saw the essences (hawwayot) with Himself, for they were the essences from Wisdom and from those essence, which were the essence sof Wisdom, He discerned that they would be manifest in the future. Thus I heard this discourse in the name of the pious one, R. Isaac the son of R. Abraham, blessed be his memory” (Kitve Ramban 2:409). Jacob ben Sheshet writes further, “Thus I have received from the mouth of (qibbalti mipi) the sage R. Isaac the Frenchman, may his memory be for a blessing” (Kitve Ramban 2:380). In the tradition of kabbalah the words qibbalti (I received) and shama’ti (I heard) signify the reception of an exegetical tradition as authoritative


they were not already intimately familiar with the exception of larger numbers of collections of written down Aggadata. Aggadic/midrashic texts seem to have achieved written form earlier in Babylonia than did halakhic or legal ones. Even the Bavli’s redactors, the stammaim operated in an oral environment and Jacob Neusner and Peter Schaefer have taken very different approaches and positions on the redaction process. S.D. Goitein further admits that there is a “relative paucity” of Tamudic MS. In the Geniza collections (1962:15-53, 164) and the earliest COMPLETE edition of Bavli in the Munich ms. From the 9th century. According to Gittin 60a devarim she-be-al peh you may not write and according to Levine while the Rabbinic class in the Tannaitic, Amoraic, and Geonic periods (Geonic to a lesser extent) were literate the wider Rabbinic society may not.

So when did written copies of Mishnah and Talmud start to become the norm that displaced the hegemony of orality? While Sussman argues this transition took place between the 5th and 8th century CE, other argue that it was with Rashi’s (1040-1105) commentary on the Babylonian Talmud began to be used and the subsequent glossiata of the Tosaphot were written. Rashi and his students prepared an


17 Sussman writes, “During the Geonic period we witness a familiar and commonplace reality in which books of Mishnah and Talmud exist. On the one hand for centuries people had been careful not to record the oral torah in writing, even in difficult times when there was a real danger that the torah might be forgotten, nobody dared to deviate from the accepted tradition according to which one does not write halakhot. Yet at a certain point in time it was as if all this was ignored and the oral torah was transformed into a written torah. Students of the torah accepted this new reality in which there was no distinction between the written torah and that torah which is supposed to be oral—both of them were recorded in writing and both were disseminated in written books. How and when did this transformation come about? In other words when was the rabbinic Talmudic world transformed from a world of oral culture to one of a written culture? (see Sussman, Jacob: The Oral Torah in the Literal Sense. The Power of the Tail of a Yod, in Meikerei Talmud 3 (2005), 322.; For Sussman thus the transition to written textuality of the oral torah is a phenomena of weakness for the inherent quality of the oral torah is its transmission being oral, and it was the decline of the generations that led to its being written down. Yuval argues that the transition of writing down the oral torah was due to the historical rise of Islam. Yuval writes, “Islam presented the Quran as the last and final book of revelation, superseding its two predecessors. The literary beauty of the language of the Quran is treated as a theological advantage a proof that the book was written in divine inspiration...In the final analysis the ancient tradition of orality and the opposition to textuality, which characterized the beginning of Islam was supplanted by a more developed culture of writing. The Muslim culture of the book presented a profound cultural challenge to the Jews, with which the classical culture of the midrash was unable to deal. In face of a varied and sophisticated culture of writing rich in various genres and edited according to subjects Jewish oral literature— that was edited, not according to subjects, but rather around sacred texts—seemed old fashioned (p.253).” Yuval continues, “Under these circumstances in which the focus of Judaism’s religious struggles turned from Christianity to Islam, and which Rabbinic literature was struggling for its own status against the Karaita challenge, there was no longer any ideological advantage to be gained in preserving the oral torah as an oral text..... Under these circumstance (rise of Islam book culture) the obstacles to writing down oral law were removed and an outburst of written creativity began (p.254).

18 Yuval writes, “The Ashkenazic literature was fond of “glosses” that reflected the innovations of the teacher and which were recorded by the students who heard his oral teachings— and in that manner survived. The greatest halakhic scholar of the European middle ages, Rabbenu Tam, did not write even a single book.; all of our information concerning his ruling is based upon later redactions of his oral instructions or upon sporadic response he wrote to those who asked him questions. Rabbenu Tam’s grandfather, Rashi, the noted exegete of both the Bible and Talmud, never wrote even a single halakhic monograph; his entire oeuvre is limited to commentary on canonic texts (p.255).
authoritative text of the Talmud from which copies were made. However Rashi’s commentary – the quntres- along with the authoritative text of the B.T. were kept by a limited number of scholars, all of them Rashi’s offspring so that when his grandson Rabbi Jacob b. Meir known as Rabbenu Tam writes, (I have checked in Rashi’s own ms.) he emphasizes the rarity and uniqueness and exceptional value of his written sources in a culture of pervasive orality. During the 12th and 13th centuries a huge corpus of super commentaries on Rashi called tosaphot or additions sprung up.19

Early Tosaphists like Asher HaLevy from Spire, Jacob B. Isaac HaLevy, Meir b. Samuel from Ramerupt (Aube), and the latter’s son Jacob B. Meir Rabbenu Tam wrote down their super commentaries. With the addition of tosaphot to Rashi’s commentary the essentially oral culture of the Jews became more based on writing although the passage from orality to written tradition happened slowly in the realm of custom, and the school where the masters handed down halakhah to students. An exception to the norm of orality is given by Rabbi Yosef b. Meir ha-Levy ibn Megas, a Spanish 12th century authority who quotes the case of an autodidact, “a man who has never read halakha with one master and does not know the way of halakha nor its commentary, nor its reading, but he saw many of the responsa of the Geonim and the books of laws…. [כי עליה איו של קרא מעל filesystem לבבות יום ויום ידעם ויד כתותים אלו קרבות אלו
(كرامة أنا شوين را را وقد مشورت الفأوريوم دي وسبر هدي)

This man had studied from books only and he became so expert in rabbinical matters that Joseph ibn Megas allowed him to teach law. 20

This was the exceptional case and not the norm. In France and Germany the lucky few had recourse to written texts. Teaching derived its authority from an elite who transmitted orally to their students.

The case of the Maimonidean controversy illustrates how the Rabbinic elite relied often totally on word of mouth rather than consultation with texts. The Provencal scholar Asher b. Gershom defends supporters of Maimonides by noting, “there are-so he writes men- as goads and as nails fastened to strengthen faith and Torah by writing and by word of mouth from one to another”. [רק דרבונים ומסמרות שבכתב ובעל פה איש מיוש אượt

His opponents however condemned Maimonides without reading his work and on the basis of their hearing through the rabbinic grapevine false news.21

The Maimonidean controversy is also instructive because according to Hillel of Verona the reason why 24 cartloads of Talmudic tractates were burned in 1242 outside Notre Dame cathedral, was because the

20 Joseph ibn Megas, Responsa (Thessaloniki, 1791), Warsaw, 1870), no. 114, quoted in Urbach Tosaphists, 2:738
anti-Maimonidists had done richilut to the Rambam’s works, essentially tattle tailing to the Franciscans in 1240 that they should be burned. 22

While the real reason the 24 cartloads of Talmudic volumes may have been burnt at the instigation of the Franciscans is that two years before in 1240 Rabbi Yehiel had hermeneutically mesmerized the Christian interlocutor in a forced disputation, 23 for which Rabbi Yehiel was forced to flee for his life to Eretz Yisrael as so too Ramban after 1263 when he forcibly debated in Barcelona and set down the Vikuah was forced to flee to Eretz Yisrael. 24 Additionally the debate in Tortosa in 1414 with Rabbi Albo, author of Sefer ha-Ikkarim ended in persecution and mass burnings of Jewish ms. With the scarcity of written texts that arose from Talmud burnings, there is a confession that the academies declined primarily the Parisian one which “ceased to be what it had been for two generations, the major Talmudic center in France. 25 The fact that we have relatively few Hebrew ms. From the 12th and 13th centuries may be due in part to the persecutions that manifested themselves in the Church burning of Rabbinic ms. If books were scarce one would assume there was greater reliance on oral transmission. Simha Emanuel has found a huge number of lost books whose titles have been preserved and those of whose titles have not survived, but this attests to the relative increase in the existence of written texts at the time of the Tosafists. 26

It is important to keep in mind as Michel Foucault 27 has pointed out that the modern concept of “authorship” is often foreign to antiquity and the middle ages. The concept of authorship does not develop to the point of conceding to the author of a work complete control of its contents. As Roger Chartier notes, “copyright is a problematic concept in the 18th century precisely because authorship was still viewed as a relatively inchoate communal process rather than an individual creative one.” 28 Anthony Grafton’s _The footnote : a curious history _ puts forth a case that it is not with the ascendency of modern Enlightenment that attribution through footnotes gave greater acceptance to the idea of intellectual property as it is known post the 18th century. Mary Carruthers noted, while he importance of modern creativity was not altogether negated in medieval times, the emphasis was on communal traditions being transmitted orally and the arts of memory rather than individual genius of creativity. 29

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25 See: Chazan, Robert, Church, State, and Jew in the Middle Ages, (West Orange, N.J.), 1980 p.221-38.
27 le Bulletin de la Société française de philosophie de juillet-septembre, Qu'est-ce qu'un auteur?, 1969; en 1983 aussi dans Littoral. La version du texte connu dans le monde anglo-saxon: "What is an author?"
28 Roger Chartier, The Order of Books: Readers, Authors, and Libraries in Europe between the 14th century and 18th centuries (Stanford, 1994), “The Figure of the Author”, p. 24-59.
29 Mary J. Carruthers, Book of Memory: A Study of Memory in Medieval Culture, Cambridge studies in medieval literature 10 (Cambridge 1990), 10-11. Historians of literacy have been concerned with normative channels of communication in societies. An oral society is thus one in which communication occurs in forms other than written documents, and in which law and the government are conducted on the basis of orally preserved custom set to
Thus one reason he rabbinic sages insist upon preserving and transmitting their words in an oral manner is because their teachings become collective, and it is not crystallized around a single subject but always around a text- the Midrash around the Bible, the Talmud around the Mishnah. The ideal and emphasis was not on egotistical authorship but collective process via verbal repetition. In the Tannaitic period when hundreds of sages were forbidden to set things down in writing and study was performed in a verbal manner by debate and repetition of canonical texts, matters were such that one was even allowed to sell a sifrei Torah “in order to learn Torah”. That is to say they assumed literacy of the written sanctified torah and permitted sale of that written scroll in order to study the oral Torah. This was in contrast to the Sadducees who had a highly developed culture of writing, said by Josephus to even know the written texts of Greek literature, and who accepted only the written torah.

Idioms that emphasize the preference for oral transmission include:

ופירש לנו רבינו our master comments for us

ואמר רבי says Rabbi

רב יאמר Rabbi said

The traditional mode of teaching was oral transmission as noted in a tradition concerning Isaac ben Samuel of Dampierre handed down from his masters by R. Menachem b. Aaron b. Zerah:

And Rabbenu Isaac, the son of Rabbenu Tam’s sister the well-known tosafist who learned and taught in the yeshiva that my French masters attested in the name of their master that it was well known and famous that 60 masters learned before him (Isaac b. Samuel of Dampierre) each of them understood the halakhah as said and also each of them learned one treatise of the Talmud that his fellow had not learned. They revised orally and our master Issac did not say one halkhah that was not in their mouth together. So the whole Talmud was put before their eyes during the lesson up to the solution of all the doubts of the Talmud, the whole halakhah and ruling, tanna or amora where contradiction appeared in another place. He sat down and corrected as is clear for whoever saw their tosafot, their questions and answers and commentaries and hassagot that they obtained from their grandfather Rabbenu Shlomo i.e. Rashi.

30 Megillah 27a

31 memory.... Because oral cultures must obviously depend on memory, and hence value memory highly, such valorization has come to be seen as a hallmark of orality, as opposed to literacy. This had led to the further assumption that literacy and memory are per se incompatible, and that a rise of literacy will therefore bring with it a consequent devaluing and disuse of memory. It is this assumption that my study calls particularly in doubt.

Juda b. Yom tov from the 12th century Paris explained the oral pedagogy of the tanna one author of the mishna: “In such a way the tanna is doing after he has commented upon the halkhot of the treatise: he reviews them again briefly in order that they should be filed on your hand and kept upon the mouth and in the heart.  

Clearly this note is alluding to the commandment “bind them as a seal upon your hand and heart” but the order is that of hand-mouth-and heart. This is a euphemism for the process of memorization and internalization of teachings. Mouth or orality is the center of the chain from the hand (writing) to the heart (memory). The question arises what if any role musical sing-song recantation played in this memory process? The tosaphot of Megilla 32a comments on quoting the wording of R. Shefai on behalf of R. yohanan about a man who happened to teach Mishnah without music: “for they were in the habit of repeating the mishnaiot with music because people learned them by heart and in such a way they remembered more.”

According to Isidore Epstein in the introduction to the Soncino Talmud helping oneself with music was the norm in Talmudic times, that served a memory aid to learning. In the 12th century a copyist found it necessary to emphasize that oral provenance of a written lesson by noting Henceforth the Base of R. Shemaya- may honor be his rest- as he heard it from Rabbi Solomon “ .

Thus composition of tosafot was the result of discussions held in the rabbinical schools and the recording took place before לפי שלוש. המ分からない בזמרה לפי שלוש שונין אוחזת על פה ועלי ידו, כו (تدخلא)

As is the practice in many yeshivot today one exceptional student would be designated to transcribe the contents of a shiur. The students would write up the shiur. In the medieval Yeshivot there were two beit midrashim- one of biblical commentary and one of Talmudic tosaphot.

In conformity with the Brisker tradition we see that the practice of writing little goes back to the Middle Ages for even the great tosaphist R. Isaac b. Samuel of Dampierre “wrote little, or perhaps it has simply

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32 Tos. Yeb. 84a
33 Huqqe ha-torah; see Assaf, Simha, Sources for the History of education in Israel from the beginning of the Middle Ages to the Haskalah period (Tel Vavi, 1954) p.16 and Ephraim Kanarfogel, Jewish Education and Society in the High Middle Ages, (Detroit: Wayne State Press, 1992, p.115nn.200-201; The phrase for the two types of classrooms is: מדרש הפשט ומדרש התוספות
not survived. He certainly adopted the widespread method of reportatio.” 34 A large number of legal decisions were also enacted outside the context of the Yeshivot. Moise b. Hasdai called Tachau (Bohemia, 13th C.) sent one responsum to the community of Magdeborg on the problem of Herem ha-Yishuv, a disposition that would allow residency rights to be refused to newcomers, explaining that he has a letter by Eliezer of Orleans containing testimony collected from an oral answer of Rabbenu Tam’s when he was leaving the Troyes synagogue.35

Yet by the 13th century when R. Meir of Rothenburg was studying in France the committing into writing became more widespread whereby students had to review and correct their notes on Friday, “And R. Abraham said to us that the students wrote for themselves the things that were necessary for their learning since like the mouth their writing is their learning”:

The injunction to lend written copies of tosophot is seen in Sefer Hasidim. This Hasdei Ashkenaz text from Germany also attests to the importance of consulting written copies of tosophot. We read:

If one man has students and takes care of them and there is another good rabbi in the town who has good student like his own and he takes care of them as he does with his own; if he has a tosaphot and the other rabbi has not, he may not say, ‘I will not lend to him my tosaphot so that his students will come to me in order to study’ Therefore keep the rule ‘Be the honor of your colleague beloved as your own.’ (Avot 4:13) and it is written : That shalt love thy neighbor as thyself (Lev. 19:18).36

By the period of the Renaissance with the interest in Latin and Greek classics in the original languages of these texts, libraries as we know them today expanded as David Ruderman, Robert Bonfil, Author Lesley and others have explored in the Italian Renaissance. Shifra Baruchson book titled _Sifra: Tarbut shel Yehudim Italia biTekufah HaRenaissance_ and many other studies exist on Jewish Renaissance libraries partly because the evidence is more plentiful as the example of Saftei Bass’ catalog is well known. The late medieval ages and beginning of modernity is characterized by the printing press and the effect of this technology of Jewish transmission of tradition (see: Printing the Talmud : from Bomberg to Schottenstein / edited by Sharon Liberman Mintz and Gabriel M. Goldstein.] Marvin J. Heller’s _Studies in the Making of the Early Hebrew book_ also sheds light on learning and curriculum in this Renaissance period.

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34 Cited by Nahon, Gerard, “Orality and Literacy: The French Tosaphists,” in Studies in Medieval Jewish Intellectual and Social History; festschrift in honor of Robert Chazan, Leiden: Brill, 2012, 155; According to Soloveitchik Hebrew manuscripts from the Tosaphists schools bear the hallmark of reportatio: At the end of a rabbinical commentary we find two letters: מפי, which means “from the mouth of my master.”

35 Isaac b. Moses of Vienna, Sefer Or zarua’a (Zhitomir, 1862), 115, p.44.

36 אם יש לאלמיהו יוסים במקומם כר בר אדרא ובריעו יוסים תומכי יוסים במקומם כר במקומם see Wisteinetzky, Sefer Hasidim, 1478, 358; also see Collete Sirat, La conception du Livre chez les pieties ashkenazes (Geneva, Droz,1996).
In short the construction of collections of rabbinic texts in the medieval ages is a complex detective work and well worth the effort as Rabbi Shimon Ben Zemach Duran author of Zohar HaRakia notes when he writes, “when the wise man lies down with his fathers, he leaves behind him a treasured and organized blessing: books that enlighten like the brilliance of the firmament (Daniel 12:3) and that extend peace like a river (Isa. 66:12).” Might we all turn our lives into a song as Rabbi Yehudah HaLevy urges in his comment, “My pen is like my harp and my library like gardens that refresh the mind and delight the soul”. Reconstructing what these early collections of texts were, how they were arranged and how they came to be is the job of the librarian and historian.

**Part I. Jewish Archival Repositories and Scrolls in Antiquity**


The well-known gemara from BB that Hezekiah and his scribes wrote down Isaiah, Mishlei, Shir HaShirim, and Koheleth and Esther. Discussion is had in the gemarah if Moshe wrote down the humash how did he write post humus about his death two opinions being he prophesized it as King David prophesied “on the rivers of Babylon ” or it was written by Joshua. The book of Yeshua also recounts Yehoshua’s death and thus that was written by Yehoshua via ruach hakodesh. Ibn Ezra interpretation of these cases is often claimed (falsely according to Rabbi Strickman) to suggest a later redaction process that ended up in what Solomon Schechter calls the higher anti-semitism i.e. the Documentary Hypothesis.

Which is a smaller section from a larger paper given at the AJL in La Jolla on the topic of Classification Systems from Antiquity to the Renaissance, which contained an about 26 page historical overview of libraries from antiquity to the Renaissance as well as treated modern library classification systems such as those invented by Gershom Scholem for the JNUL, the Library of Congress System, the system invented by Freidus for the Dorot Collection at the NYPL, etc. The full length of that paper is at the Elazar website in Jerusalem at: https://sites.google.com/site/mtevansco/elazar-classification

The excellent detective work of Richard Steiner titled “Bishlam’s Archival Search Report in Nehemiah’s Archive: Multiple Introductions and Reverse Chronological Order as Clues to the Origin of the Aramaic Letters in Ezra 4-6” unravels not only the context of libraries and archives at the time of Ezra and Nehemiah but also the plot of Megillat Esther based on letters that Ahusveros recovered from an Archive remembering the good deeds of Mordechai. Steiner’s thesis is that the Aramaic letters of Ezra 4-6 were part of an archival search report that originated in Bishlam’s archive and ended up in Nehemiah’s archive. The latter archive would also have contained Nehemiah’s official day book, which proably
formed the basis of his memoirs. Thus the tale of 2 archives goes a long way toward explaining the origin of the book of Ezral and Nehemiah.37

This longer paper included sections on Other Ancient Libraries in Antiquity such as those in Syria, Iraq, Ninevah, and of course the Glory of the Hellenic World the Alexandrian Library a popular article titled, “Libraries and Archives in the Ancient Middle East” currently also on the TC. Newsletter at: http://legacy.touro.edu/library/newsletters/live/006_FALL%202007%20Vol.%207,%20issue%202.pdf

DBL did his graduate work under the guidance of Dr. Joseph Baumgarten, a world renown scholar on the halakhic aspects of the Dead Sea Scrolls and a popular article reconstructing the “scriptorium” (the Christian term applied by Roland de Vaux) to the library or scroillery of the DSS sect is again on the TC. Newsletter titled “The DSS an Essene Second Temple Library in Qumran site at: http://legacy.touro.edu/library/newsletters/live/005_SPRING%202008%20Vol.%208,%20issue%201.pdf


Part II. Tannaitic, Amoraic, Geonic, and Rishonim Periods

A. Pervasive Orality of oral Torah38

37 See: Steiner, Richard, ”Bishlam’s Archival Search Report in Nehemiah’s Archive: Multiple Introductions and Reverse Chronological Order as Clues to the Origin of the Aramaic Letters in Ezra 4-6”, in JBL, 125, no.4 (Winter 2006), p. 641-685; “The clues suggest that the source of the four Aramaic letters in Ezra 4-6 was a report sent to Artaxerxes I by Bishlam, Mithredath, and Tabeel giving the results of an archival search. Earlier in his reign, this king had decree that the work on Jerusalem’s walls be suspended “until I give the order” (4:21). Before issuing that decree he had ordered a search of the archives (4:19) and it appears that another search was necessary before a new decree could be issued allowing the work to resume under Nehemiah’s leadership. In carrying out the new search Bishlam and his fellow archivists first looked for and found Artaxerxes correspondence that had led to the suspension of the reconstruction project. After those letters were copied onto a scroll, the earlier less relevant Darius correspondence turned up and was copied onto the same scroll, in reverse chronological order. The first of these extracts from the archival register-rolls already had a heading, but he archivists felt the need to add their own heading to it. Thus the first extract ound up with two headings in the report sent to the King. The biblical author’s cryptic description of the archivists letter (nishton) as containing a document (katav) “written in Aramaic and translated into Aramaic” turns out to be perfectly accurate one of the four letters in the report was written (composed) in Aramaic from the outset, while at least tow of the others were translated into Aramaic from Old Persian. The biblical author decided to realign the reverse chronological order of the report even though it clashed with his chronologically ordered narrative. He attempted to resolve the clash by making the Artaxerxes correspondence part of a flash forward and inserting a resumptive repletion (plus narrative) before the Darius correspondence. However his highly ingenious solution was proved to be too subtle for readers from Josephus to the present day. Although Nehemiah’s role in the commissioning of the archival search is unclear, it is likely that the report cleared the way for his mission. It seems that he brought a copy of the report with him to Jerusalem for 2 Macc 2:13 tells us that he generally understood to be a reference to two royal letters. Darius’s letter to Tattenai and Artaxerxes’s letter to Ezra, both of which deal with votive offerings (Ezra 6:9 and 7:22). Avigad’s discovering a bullae from the archive of another governor of Judah makes it quite likely that Nehemiah too had an archive” (p676)
Sources for our knowledge of Medieval textual collections, issues related to booklore, learning, education, and rabbinic study in the Middle Ages can come from the Cairo Geniza and early Geonic Responsa as well as Rabbinic texts. This paper will explore the pervasive hegemony of oral transmission based on two sugyot in Gittin 60b and Temurah 14b. What was the medieval curriculum? How it was implemented? What was its purpose? How it evolved over the course of history of Jewish education and learning, and the tension between written vs. oral transmission whereby the hegemony of pervasive orality reigned for much of the tannaitic, amoraic, geonic periods to being more written down during the period of the Tosafot. Oral transmission served to relay a highly developed body of Jewish law, which became part and substance of its organized community life and educational curriculum. In the course of this evaluation we will show how the cultural hegemony of pervasive orality was more written during the period of the Tosafot particularly became more written. While oral teaching remained the rule in the schools of Rashi, Rabbenu Tam, and Rabbi Isaac b. Samuel of Dampierre the writing down of text became relatively more acceptable. By the time of the Renaissance libraries as we know them today, in conjunction with the revolution of the invention of the printing press, came into being. Scholars have wondered why relatively few books have come down to us from European scholars of the 8th, 9th, and 10th centuries. The nature of Rabbinic culture is that from its inception this scholarship relied on oral transmission. The writing down of texts was often not the result of a great upsurge in culture activity but rather the aftermath of great tragedy as Irving Agus notes:

The mishne, the Tosefta, and the tannaitic Midrashim came after the great slaughter of rabbinic scholars during the Bar Kochba revolt and the Hadrianic persecutions that followed it. The Palestinian Talmud was composed because of the persecutions of schools and scholars in Palestine, following the Christianization of the Roman empire. The Babylonian Talmud was put to writing because the Yeshivoth were closed and the scholars martyred in the great religious upheavals during the rule of Khavad I. The literary compositions of the schools of Rashi and the Tosafists were similarly due to the destruction of the great centers of Talmudic learning in the crusade of 1096. The motivation for both he act of composing books and their preservation was always the same: to save from oblivion any remnant of Rabbinic learning that had been studied orally by hundreds of teachers and students immediately before catastrophe stuck. With the destruction of Mayence, Worms, and Cologne in 1096, a radical change took place in the method of studying the Talmud. Rather than relying completely on the ear, learners would

38 The tension between die heilige spache (oral spoken language) and die Heilige schriften (the holy scripture) In a different context is found in Steinschneider’s Allgemeine Einleitung in die Juedische Literature des Mittelalters, when he writes, “Spache. Wir haben bisher den Weg vom Abstracten zum Concreten genommen, in der Kulturfrage die Antwort erhalten, ob und inneweit die Jude nein Kulturvolk gennant zu warden verdienen. Wir haben die Kultur als Substanz des Geistes bezeichnet; zu ihr verbaelt sich die Spache wie die Form, ohne welche der Geist ein Ding an sich bliebe. Die Spache ist die Manifestation des allgemeiner Geistes, daher alte und orientalische Sprachen duer Denken und Sprechen dasselbe Wort haben: Logos, חי הלשון is der sprechende oder denkende Mensch (verschieden von מדברים fuer Amar Eloku). Sie ist aber nich bloss Manifestation des Giestes. Die Alten sprechen, trotz der Erzaehlung vom Paradiese und dem babylonischen Turme, von Begruendern der Sprache מיסדי הלשון und einer Uebereinkunft הסכמה…Wenn es sich um die Sprache eines bestimmten Voksstammes handelt, wie Deutsch, Griechisch, Latein, Arabische, so ist die Aufgabe eine einfache; bei den Juden wird sie allmaehlich immer complicirter.

henceforth derive a great deal of information through the eye- from written commentaries, collections of response, and elbatore customs. Formerly in the precrusade period a student had before him only the bare text of the Talmud and studied it laboriously, phrase by phrase with the help of an oral explanation he “heard from the mouth of his teacher.” A student who wanted to master the 62 tractates of the Talmud had to study every page from the mouth of his teacher... An outstanding scholar especially could not rely on a manuscript, but had to commit to memory the exact wording of each phrase. The expression haka garsinan meaning “Thus we repeated by rote” was probably meant literally in the precrusade period.¹⁴⁰

The importance of memory cannot be under emphasized.⁴¹ A young student learnt his first tractates from a local teacher. Then continued his advanced study in a renowned Yeshiva under a more advanced teacher. But every tractate he had to learn from the mouth of some teacher. In his commentary on the Talmud Rashi informs us that he received information “from the mouth of his teacher.”⁴² Whatever the student did learn, he had to repeat many times, and to review systematically at frequent intervals in later years, in order not to forget it.⁴³ Thus everything a scholar knew he derived orally from his teachers. The immense body of oral learning possessed by the Ashkenazic Jews of the pre-crusade period, most of which was eventually written down by the schools of Rashi and the Tosophists, was the result of a continuous process of oral transmission, from generation to generation. That dedication to rabbinic memory and commitment to not letting it be forgotten and lost during times of crisis⁴⁴ is the impetus for eventually writing the text down. Thus paradoxically in order to save the law (the prohibition of writing down halakhot of oral torah) the great Rabbinic composers had to break the law. Transmission of teachings thus swings across history between memorization of the past and during moments of crisis the setting down in writing of the memorization by re-presenting parole as grapheme. This monograph explores the process by which oral tradition is eventually written down during transmission, how rabbinic texts evolved over time, and what the educational curriculum was shaped and guided by the ethos of Torah MiSinai.

What is Torah MiSinai. It includes oral and written torah coterminously. It is said that the revelation from Sinai was given in thunder and lightning and that the voice of the L-rd carves out flames of fire: קול השם חצב להבות אש. It is the Talmudic machloket liShem Shamayim, in the talmudim and subsequent generations to the present day that are the Milhamot Hashem, that the bucherim fight with the swords of pilpul so that the divine Word of Hashem unfolds through human speech of teachings transmitted

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⁴¹ Cf. Rashi’s explanation of the Talmudic statement (A.Z.19a):
⁴² Cf. Gittin 82a, Pesahim 111b;Erekin 12b; B.K. 9a, etc.
⁴³ Avodah Zarah 19a, s.v.
⁴⁴ E.R. Wolfson in “Transmission of Medieval Mysticism” notes that fear of forgetfulness of secret doctrines in times of crisis is the reason given for a Mikubal who authored MS. NY JTSA Mic. 1887, fol 76a to write, “I have written this book in which there are kabbalistic explanations so that I will remember what I have received from my great and elderly sages, men of understanding, blessed be their memory and that it will not be lost. And I adjure all my descendants to guard this shem (name) so as not to show it to empty people who would destroy their souls by thinking thoughts they did not understand.”
orally. The midrashic commentaries on the word BIHEBARAM (בִּהְבַּרַּם) all emphasize that even HaShem created the world(S) with the speech of HIS mouth. The letter hey is an aspirant emphasizing breath. It is said:

BeHebaram. Rabbi Abbahu interpreted in the name of Rabbi Yochanan: “With the letter hey He created them. Just as this hey is the only non-lingual letter (being merely aspirated) so did the Holy One blessed be He create His World merely with the word of the tetragramaton (Ps. 33:6) - and immediately the heavens were made (Ps. 33:6). The midrash notes further that all the hosts of angels were created by the breath of G-d’s mouth. While Rabbi Eleazer’s position is that G-d created the world with the letter yod and hey Rabbi Abbahu asserts that Hashem created just with the letter hey while Sefer HaZohar opens with the midrash that Hashem came to every letter but only found the beit worthy of beginning the torah because i

B. Tannaitic Mishnah and Tosefta TEXTS

Undoubtedly in early rabbinic works reference is made to so many “lost texts.” The rabbis were strict in applying the rule of “that which is written is forbidden to be recited orally” so well as its converse.

45 See Sanhedrin 34a on Jeremiah 23:29 and the reading of Rabbi Samuel in the Tosaft, ad loc., s.v. mah. 
46 Song Rabbah 1:10; According to traditions in b. Hag. 14a and y. Hag 2:1 a fire descended as R. Eleazar ben Arak and immediately the

47 Also in the last sources is an account of fire which descended while Rabbi Uzziel was esoterically explaining ma’aseh merkvah, birds flying overhead caught on fire, all these luminous metaphors echoing from the original Sinaitic revelation when Har Sinai was enflamed as scripture states. 

48 Jerusaelm Megillah 5:1, Jerusalem Berakhot9, Jerusalem Taanit 6:4; Bablonian Yoma 38a, Bablonian Yeavamat 49b, Bablonian Shabbat 6a.; Tannaitic Mishnah an

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Rabinowitz writes, "It is nevertheless conceivable that lists of TARYAG might indeed have existed in the Tannaitic period and especially in the Talmudic (amoraic) period." While modern scholarship considers the Halachot Gedolot Geonic list of TARYAG being based upon a well-established tradition of TARYAG enumerations so that that certainly TARYAG enumerative lists existed during the late Amoraic and Saboraic periods or before that.

In the Tannaitic period material which makes up the early rabbinic compilation known as the Tosefta in essence comes down to us in two versions, one redacted from the middle of the fourth century, and one in hundreds of independently transmitted parallels in both Talmuds. The Tosefta is a parallel and complementary text to the Mishnah, the earliest collection of rabbinic law available. The latter dates to the first quarter of the 3rd century; the former somewhat later. The Mishnah was committed to writing in its form in the 3rd century at the earliest, while prior to this momentous event the method of instruction in the oral law was the Midrash Halachah according to the Sherira Gaon.

Rabinowitz notes the emphasis on memorization of tannaitic texts and prohibition to write down oral torah when he comments, “Already during the time of the Tannaim, the Torah itself had ceased to be used as the textbook for legal discussion. No Tanna looked for a solution to any legal problem in the torah itself. He searched his knowledge of the oral law, as stored either in his memory or recorded in the Megilloth Setarim, for material relevant to the problem at hand.” Rabinowitz notes that the replacements of the Mosaic law as the immediate source of decision took place certainly by the 2nd century.

C. Pre-Geonic TARYAG TEXTS

49 Shem Rabb, sec. Babylonia Gittin 60b, Rashi ad loc. See also Reuven Margolies, Yesod Hamishnah Ve’arichatah, 4th ed. (Jerusalem 1955), p. 6 n. 4
50 This was the reason that permission was found only with difficulty to commit the Oral law to writing in the form of the Mishnah. See I Ginsberg Mishpatim Leisrael: Harry Fischel Isntitute for Research (Jerusalem, 1956) p. 49.
51 Rabinowitz, Hersh, TARYAG, Jason Aronson, p. 19
52 Yuval in an unorthodox manner argues that while the Tosefta might have been the complementary text to the Mishnah the NT. Was the competing text to the Mishnah: Mit der Entstehung des Christentums entwickelte sich das Verlangen ein Unterscheidungsmerkmal zwischen Christen und Juden zu schaffen. Das Christentum definierte sich anhand eines alternativen Texts, des Neuren Testaments und die Juden reagierten indem sie ihren eigenen alternativen Text schufen- die Mishnah und danach die zwei Talmuds. Die zei Religionen distanzierten sich auf ahnliche Weise von ihrem einste kanonischen Text- dem Tanakh oder dem Alten Testament- und establierten an seiner Stelle einen neuen, identitaetsstiftenden Text. (Yuval, “the orality of Jewish oral law: from pedagogy to ideology”, in Judaism, Christianity, and Islam in the course of History, Muenchen: Verlag, 2011, Abstract, p. 259).
53 The custom of reading the Decalogue on Shavuot is at variance with the Mishnah (Megillah 3:5) and is dependent for its validity on the Tosefta (Megillah 3:3 CF also tractate Soferim ,ch. 17, Ha.6)
55 Sherira Gaon in his famous letter states that “in the earlier period of the 2nd Temple all the teachings of the Halachot were given in the manner in which they are found in our Sifra and Sifre. That is in the Midrash form. See also Lauterbach, JQR, (April 1915), p. 507 and n. 5.
56 Rabinowitz, Hirsch, TARYAG: A Study of the Tradition that the written Torah Contains 613 Mitzvot, Jason Aronson, Northvale, NJ, p. 78.
Since the organic relationship between the written and the oral laws emerges clearly from the study of the TARYAG tradition let us focus on how the rabbis from Tannaitic times to the Ahronim times organized the 613 mitzvot. It is true that the Torah contains many more than 613 laws, if one considers those laws derived by means of the hermeneutic rules applied by the rabbis when studying the Torah. In fact the 614th mitzvah is the observance of Chanukah, although Emil Fackenheim has popularized this 614th mitzvah as that of not giving the Nazis any post-humus victories.57

Gutman argues in favor of the existence of a list of TARYAG in the tannaitic period when he writes, “The problem acquires a different perspective if we assume that not the number of TARYAG is the basis of our enquiry but a book or a tract. That some ancient well known tract containing the 613 mitzvot of the Torah... existed”. 58 Such a tract would be a bridge between mikra and Mishnah. Gutman holds that such a compendium was used to list the mitzvoth for children between delving into the Mishnah after learning mikra. Gutman argues that the Mishnah assumes the learner to have familiarized himself with the basic mitzvoth. A boy entering a Mishnah school was not unaware of the elementary base upon which the Mishnah is founded. It is impossible some argue to understand the Mishnah text without the accompanying Midrash Halachah at the hands of a competent instructor. The Talmud provides evidence of how the study of Mishnah was pursued and it was not treated as a textbook in isolation from rabbinic enumeration of the mitzvoh.59

The tradition of the enumeration of the TARYAG mitzvoth dates to before the geonic times. The development of the enumeration of the 613 mitzvot spans from the Amoraic, Saboraic, Geonic, Rishonim, and Ahronim periods. Three main divisions of law around which the 513 mitzvot classify are (1) Deoraitha- laws from the Pentateuch, (2) Divrei Soferim, laws deduced by means of the 13 hermeneutical rules of Rabbi Ishmael, and (3) Derabbanan, laws of rabbinic origin. In Makkot 23 b Rabbi Simlai, a 3rd century Amora, explained (Darash) 613 precepts were revealed unto Moses at Sinai, 365 prohibitive precepts, like the number of days of the solar year (CF. Tanchuma, ed. Buber, sec. Thetze, para. 2), and 248 positive precepts corresponding to the number of limbs in the human body.60 Throughout the Talmudim61 and midrashim62 the number 613 is taken in its mathematical sense. The fact of the appearance of the TARYAG tradition in early sources may point to the fact that the early

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58 Bechinat HaMitzvot (Breslau, 1928), pp. 43 et seq.
59 CF Rash, Niddah 7b (bottom of the page).
60 Schechter in quoting the dictum of R. Simlai (Some Aspects of Rabbinic theology, p. 138 et seq) is included to view R. Simlai making a “poetic statement” and teaching a public moral lesson to the public without troubling himself with adding up the numbers. This is also the opinion of Bacher (Terminology, Sect 1 Tannaim, p.80). It is also the opinion of Moshe bloch (Revue d’Etudes Juives, 1 , p.208). On the other hand Halper correctly observes if R. Simlai were indeed the author fo the TARYAG tradition at least some of the numerous references to TARYAG should be introduced by the usual “kede’amar” as is customary throughout the Talmudim when an original statement is being cited.
61 Shabbat 87a, Yevamot 47b, Nedarim 25a, Sheuvot 29a
62 Midrash Mshlei 31, Midrash Tehillim 17, Numbers Rabbah sec. 13 and 18, Exouds Rabbah 32, Shir Rabbah sec 1, Tanchuma Deut. Sec Shevetim, Thetze Pirkei D’R. Eliezer ch. 41, etc.
Tannaitic sages did enumerate the precepts. A passage in the Pesikhta would seem to establish the fact that Talmudic teachers did enumerate the mitzvot. The rabbis knew the number of mitzvot contained in the individual sections of the torah. Hersh Rabinowitz therefore concludes, “It cannot be far off the truth therefore for suggest that a complete list of the TARYAG was at their command (in the Tannaitic period).” Rabinowitz concedes that much written evidence was lost from the tannaitic period by the fact that the Talmudic teachers had to admit that even in counting the letters of the torah “we are no longer expert.” There is Tannaitic evidence for the classification of mitzot in general terms and on varying bases. Midrashim abound with statements like this is a positive mitzvah and this is a negative mitzvah. The Mishnah also groups series of related mitzoth together and numbers them. Midrash BaMidbar Rabbah (ch. 18) points out that 620 letters in the Decalogue refer to TaRYaG mitzvot, the remaining seven ascribed to the 7 Noachide laws. Lists of the mitzvot circulated in the Amoraic period known as Azharot meaning warnings [of negative commandments] poems read on Shavuot enumerating the commandments, which Elbogen (Encyclopedia Eshkol) suggests that the term was used for a type of Piyyut (poem prayer) because the numerical equivalent of Azharat is TaRYaG [Alef=1, Zayyin=7, Heh=5, Resh=200]. However the earliest well known list of the 613 commandments was made in the Geonic era known as the Halakhot Gedolot. Other lists in the Geonic period included the Sheiltot by R. Acha of Shabcha (680-752), Chefez B. Tazliach, Shmuel b. Chofni. The Halakhot Gedolot included Rabbinic laws (derabbanan) among the 613 commandments. Zunz (Literatur Geschichte der Synagogalen Poesie (Berlin 1865, 4, 21) notes that before Saadya the Azharat Reshit is found in Pumpedita, and older than Azhara “Atta Hinchalta” of Sura placing them in the period of the Saboraim.

D. AZHAROT TEXT Tradition in GEONIC TIMES

The rabbis comment on the verse from Deut. 9:10, “And on them (the 2 tablets) was written according to all the words God spoke with you in the Mount” as follows: It goes to teach that G-d showed Moses in advance all the subtle details of the biblical law and its scribal interpretation. On the same pusek Midrash Kohelet comments, “The words, the rabbis state Holy Writ, Mishnah, Toseftot, Haggadot, and

63 Three sections Moses wrote in the torah, each of which contains 60 mitzvot they are the sections Pesachim, Nezikin, and Kedoshim; Rabbi Levy in the name of R. Shilla said each contain 70 mitzvot. Said R. Tanchuma, they do not disagree the one who considers he section on Pesahim to contain 70 mitzvot includes the section on Tehillim, the one who considers Nezikin to contain 70 includes the section on Shemittah, and the one who considers Kedoshim to contain 70 includes the section on Ervah (which immediately succeed the respective sections mentioned).
64 See mishnaht R. Eliezer sect. 15 where 10 positive precepts and ten prohibitions are recorded in connection with the administration of justice.
65 Rabinowitz, Hersh, TARYAG, Jason Aronson, NJ, 1996, p.15; Rabinowitz accounts for the lack of a written list of TARYAG from the Tannaitic period due the reluctance to commit oral law to writing. (Kiddushin 30a).
66 Kiddushin 30a; see Margolith, “Hamikra Vehamassoret”; Rabinowitz writes, that it is not therefore surprising if in the course of time and oral list of the TARYAG failed and the mitzvot were committed to writing (15.).
67 Sifra. Parsh. Chatt. Paragraph 2; Mechilt. De’Milliliyum para 23; Sifre Numbers Pisk 111; Sifre Pesik 44
68 Sifrei Deut. Pisk. 154, para 3; ibid, Pisk 157, para 4; ibid Pisk 203, para 5, ibid Pisk 225, para 1 Pisk. 227, para 5 ibid Pisk 228, para 1, etc.
69 Sanhr. 7:4
70 Megillah 196
all that a conscientious student may develop from them in the future." Jerusalem Talmud Tractate Shekalim and Shir hashirim Rabbah comment, “Between the separate commandments of the Decalogue were noted down all the precepts of the Torah in all their particulars.” Philo early on classified and treated the mitzvoth under the categories of the Decalogue. Later Midrash Bamiudar Rabbah notes again, “The tablets contain TARYAG mitzvoth represented by the letters “I am” to “unto Thy neighbor” neither less nor more.” The equation of TARYAG with the Decalogue gave rise to the literature of the Azharot, or halakhic piyyutim, types of poems that repopulate the TARYAG, often read on Shavuot. Several types of piyyutim although have no connection with the TARYAG Azharot, are also called Azharot. The piyyut genre is at least as old as the tannaitic period and the 3rd century contemporary of R. Judah the Prince, R. Eliezer b. R. Shimon is an early recorded Payyatan. However the flowering of Piyyutim was probably that of the 7th century in Palestine by Yose ben Yose and Yannai. The Geonim who fixed the order of prayer, sometimes fought against the inclusion of additions of piyyutim from their order of tefillah. The Avudraham notes the battle against inclusion of additional piyyutim was to prevent people from leaving the synagogues if they could not follow the piyyutim. The pre-Geonic dating of the Azharot tradition is documented by the following texts: A responsum by R. Natronai Gaon (850-860) the predecessor of the Behag deals with the laxity evinced by some communities in recitation of the Azharot. Secondly, an automatic acceptance of the recital of Azharot even in the middle of the Mussaf Tefillah on the part of R. Amram Gaon argues strongly for the antiquity of the Azharot, since some time must certainly have elapsed between the emergence of the Azharot and its acceptance into the actual prayer. Thirdly, Rav Saadya Gaon composed 2 Azharot. Saadya writes is due to the failing in his eyes of the customary Azharot “Atta Hinchalta” that he sees fit to replace it with something else. Saadya’s opinion quoted by Ibn Ezra to the effect that the law engraved upon the stones was in

71 Midrash Kohelet ch. 1
72 See Ginzberg, Louis, Legends, vol. 3, p.119; CF. Jerusalem Shekalim ch.6; Shir Rabbah sec. 5
73 Midrash Rabbah Bamiudar ch. 18
74 The meaning of the word Azaharah are: (1) A warning given in the case of biblical prohibitions (Ben Yehudah dictionary, vol. 1, p. 124), (b) Throughout the midrashim “warning” is used in connection with positive precepts (see Leviticus Rabbah 30:3), (c) A term expressing punishment. Gutman, Clavis, Talmudis (Budapest 1917), vol. 2, p. 180, (d) Elbogen in his Encyclopedia Eshkol, heading Azhara suggested that the term Azharah came to be used for this type of piyyut because the numerical equivalent of Azharat is TARYAG (Alef=1, Zayyin=7, Heh=5, Resh=200, Taw= 400).
76 Hildersheimer’s edition of Halachot Gedolot contains a piyyutistic ending. (see Gutman, p. 10)
77 Elbogen, An example is found in the morning service of the Sabbath preceding Pesah, See Otzar HaTefillot (Bilna, 1914), pt.2, p. 241.
78 Leviticus Rabbah, ch.30
79 Ginzberg, Geonica, vol. 1, p. 122, See also J.H. Zimmels, Ashkenazim and Sefardim (London 1958), p. 101 and notes ad. Loc. On the problem fo recital of piyyut during prayer.; The geonim were afraid people would leave the synagogues when the recital of piyyutim began.
80 And others recite them (the Azharot) after the repetition of the Mussaf Tefillah in order to avoid interrupting the Tefillah itself and this is correct. (Sefer Avudraham (Warsaw, 1877), p.121.
81 Luzzatto concludes that the Azhara Atta Hinchatla antedates the Halachot Gedolot (Preface to Mahzor Italiani p.8.10,26); The authorship of Atta Hinchatla and Azhurat Reshit is unknown (see Zunz Literatur Geschichte der Synagogalen Poesie (berlin, 1865), p. 4 and 21. Zunz dates both Azharot to the time fo the Sabbboraim.
82 Rav Saadya Gaon siddur, p. 156, ed. I Davidson, S. Assaf and B.L Joel (Jerusalem, 1941).
83 Commentary to Deut. 27:1
reality TARYAG in the form of an Azharah confirms that to Saadya the Azharot were of remote origin. Saadya’s Azharot contain the new approach to group the TARYAG under the ten headings of the Decalogue. Other famous Azharot such as Elijah HaZaken’s Emeth Yehge Chikki and R. Issac Algerbeloni’s “Ayzeh Mekkom Binah” follow independent arrangements. Some later TARYAG lists such as that of R. David Vital’s Keter Torah take each letter of the Decalogue to represent a member of the Taryag and then construct a 613 line poem, each containing one mitzvah and each line commencing with the letters of the Decalogue as they appear in the text. The Ba’al Halachot Gedolot is not the originator of the TARYAG lists but was preceded by the Azharot which were widespread at the time of the BEHAG. The BEHAG used the widespread Azharot tradition for his own purposes.

E. TARYAG TRADITION IN RISHONIM TIME TEXTS

Ibn Ezra in His Yesod Morah, chapter 2, in inveighing chiefly against compilers of the Azharot employs logical arguments against all systems of enumeration. Ibn Ezra was preceded by Judah ibn Baalam in his commentary to Deut. 30 (ed. Fuchs). 85 Scholars have debated the question for centuries but no list has been determined against which there were no objections. 86 The Machzor Italiani confirms not allowing the piyyutim to upset the established order of tefillot. 87 Yet the siddur of Rab Amram Gaon includes the Azharot in the middle of the Mussaf prayer.

Maimonides composed a work known as the Sefer Hamitzvot where he put down a list of his classification of the 613 commandments, stemming from 14 roots upon which the enumeration of the commandments should be based upon in essence criticizing the Halkot Gedolot for including Rabbinic precepts among the 613 commandments and ascribing lists of Azharot to “poets” representing a beautifully rendered popularization of the Rabbinic quest to systematize the laws. The azharah was a liturgical poem with TARYAG as its theme and was recited regularly in the synagogue on Shavuot. In Maimonides view later Azharot found in Spain postdate the Halachot Gedolot and their errors are due to fidelity to the BeHag’s classification. Rav Saadya Gaon (882-942) who found the custom of reciting Atta Hinchaltah entrenched in his time and who is cited by Ibn Ezra, predates the Azharot tradition to before the BeHaG, and Luzzatto (preface to Machzor Italinai, p. 8,10,26) concludes that the Azharah tradition (Atta Hinchalta) antedates the Halachot Gedolot. Saadya also authored an Azharot in his Siddur, “Anochi Esh Ochela” (I am a consuming fire) which group the TaRYaG under ten headings of the Decalogue and other famous Azharot such as Elijah Hazaken’s “Emeth Yehege Chikki” and R. Isaac Algerbeloni’s “Ayzeh Mekkom Binah” follow their own ordering principle. Numerous Azharot have been composed with TaRYaG as their theme including ones following Maimonides enumeration such as that by Isaac Kimchi of Provence, Joshua Benveniste, and Rabbi David Vital’s Ketter Torah dividing the precepts in 18 groups. Maimonides asserts that the mitzvot serve four purposes (1) Deot (correct

84 Deut. Ch.27
85 See B.Z. Halper, JQR, April 1914, 525.
86 Meiri, 13th C. scholar of Provence in his commentary to Makkot, ed. S. Waxman (NY, 1950) p. 115 says, “the details of those mitzvoth included in the 613 have become muddled at the hands of the commentators. 87 Machzor Italinan, , p. 154, and 157
notions), (2) Peulot (actions), (3) Middot (ethical characteristics), and (4) Dibbur (correct speech). Maimonides also provides a list of the TaRYaG in the Guide for the Perplexed (Pt. III, ch. 35-49).

Maimonides’ classification list of the mitzvoth differs not only from the BeHaG but from Chefetz b. Yatzliach and other systems in enumeration the mitzvoth, and Nachmanides took issue with Maimonides on a number of commandments, defending the BeHaG, and comments that Elijah will solve the matter of the proper enumeration. For example with regards to recitation of the Hallel Nachmanides, Duran, and Daniel HaBabli uphold the position of the BeHaG that recital is biblical while Rambam holds it is of rabbinic origin. Another difference between Maimonides and Nachmanides is that while the Rambam holds that several priestly gifts are particulars to the type of sacrifice, Nachmanides considers the separation of the heave offering, challah, first tithe, and poor tithe as mitzvoth distinct from the act of giving them to the priest.

Solomon ibn Gabirol (1361-1444) is the author of the most-well-known Azharot titled Sh’mor Libi Ma’anéh, based on the BeHaG [which Caplan interestingly notes S.Y. Agnon built on his experience while reading this Azharot designed for recitation of the first night of Shavuot]. Ibn Gabirol states, “And He will forgive the guilt (of popularizing the mitzvoth in poetic form], and He will increase the strength. And He will bestow the wisdom to make mortals understand, which is understood by Duran and R. Menachem of Troyes [Machzor Bologna, pirush on Azharah} to reflect the poets well intentioned searchings in attempting to popularly enumerate the precepts, while relaying on the BeHaG. Nonetheless the Sefer- HaMitzvot of Maimonides represents the turning point and culmination of the study of the TaRYaG with the exception of the Sepher Yeraim by R. Eliezer of Metz, no TaRYaG work written after the 12th century fails to take cognizance of Rambam’s Sefer HaMitzvot. The Tosafists R. Moses of Coucy, pupil of R. Judah Sir Leon, and author a Sefer HaMitzvot Gadol, and R. Isaac of Corbeil, pupil of the MaHaRam of Rothenburg, and author of Sefer Mitzvot Kattan, originally titled Shiv’a Amudei Olam. While the 13th century Spain was dominated by the enumeration of R. Moses of Coucy the later centuries were much influenced by the TaRYaG of R. Aaron of Barcelona HaLevy [ReAH (Rabbi Aaron HaLevi) ] author of Sefer Hachinuch. The flowering of Lurianic Kabbalah in Safed gives birth the TaRYaG of R. Isaiah Horowitz, ordained by Yaakov Berab, who lists the precepts in the order they appear in the Torah divided into three parts: (1) Ner Mitzvah, (2) Torah Or, (3) Derekh Chayyim Tochachat Mussar, thereby mingling positive and negative precepts, who was followed by Shabbattai Cohen in the latter’s Poel Tzdek. Another work stemming from the mystical environment of Safed is the work titled, Charedim, by R. Eliezer Azkari (published in Venice in 1959).

With this stage set of the long tradition of the development of the codification of the TaRYaG, Rabbi Simon b. Zemach Duran (1361 Barcelona-1444 Algiers). Duran left Aragon where he enjoyed a flourishing medical practice, penniless owing to the decrees of 1391 coming to occupy a prominent position in North Africa. Duran was related by marriage to Nachmanides’ family (see genealogical table in Jonah b. Abraham of Gerona, A.T,. Shrock, p. 19). Zohar Rakiah is noteworthy in four ways. Firstly it is written in the form of a commentary to the Azharah “Shemor Libbi Ma’aneh of ibn Gabirol so that “people who tremble for the word of the L-rd should study it [on Shavut] once a year.” Duran criticizes previous commentaries to this Azharah for their having mistakenly interpreted it according to Maimonides TaRYaG list. Since Gabirol followed the BeHaG Duran remains faithful to this fact, while still
acknowledging the unquestionable authority of Rambam. Secondly while Duran employs Aramaisms throughout his Responsa, the Hebrew style of the Zohar HaRakia is simple and flows smoothly avoiding difficult forms of expression. Thirdly Duran’s work’s uniqueness is in the actual treatment of the precepts. Maimonides and Nachmanides opinions are treated briefly and the essential proofs and objections to each are given. Throughout clarity prevails, and Duran’s own respectful proofs or objections to Rambam and Ramban abound so that if Rambam is the thesis, Ramban the anti-thesis, Duran’s work is the Aufhebung. In a halakhic sense Duran is the Machria (Decisor) between Rambam and Ramban synthesizing his 2 great predecessor’s views, but rejecting both their opinions when he feels necessary so that the result is the most penetrating treatment of the TaRYaG. Thus Duran is forced to include 24 positive precepts and 18 prohibitions that appear in neither Rambam nor Ramban’s lists. Among these are the precepts “to accept proselytes”, “to keep far from falsehood”, and to “repay a creditor.” In a number of instances Duran put forth his own views of what should be counted as a commandment and what is not to be counted as a precept with regards to the predecessors Rambam and Ramban i.e. adds precepts to Rambam #32 & #157, & #216, has taharat hamet in place of no. 107 of Rambam, and replaces ten precepts of Rambam #237 with one: to judge righteously etc. Duran also includes #9 of Rambam in #8 of Rambam, has an additional prohibition on Rambam #72, , includes #104 and #105 the prohibitions in #102 and #103, has two prohibitions for Rambam #184, etc. The fourth distinguishing feature of Duran’s work is its hidden mystical esoteric quality although it is fundamentally a halakhic work.

88 A distinguishing feature of the Zohar HaRakiah by Duran is its allusion to Daniel 12:3 that some will shine like the “brightness of the firmament” (Zohar harakiah) noting, “when a wise man lies down with his fathers, he leaves behind him a treasured and organized blessing: books that enlighten like the brilliance of the firmament and that extend peace like a river (Isa. 66:12). Thus the 4th aspect of the work is the mystical veiled language of its introduction, from a halakhist of the greatest reknown. Moses de Leon in Or Zarua (ms. Oxford, Uri 318, Sefer Harimon, ms. David Oppenheier, no. 731) was an “open” mystics who also wrote on the TaRYaG such as Ezra Hamekkubal followed by R. Menachem Rekanti, and Isaac Luria [Taamei HaMitzvot LeHa’Ari forming part 3 of Nof Etz Chayyim (Salonika 1852), Moses Cordovero [Taamei HaMitzvot, see Shem Hagedolim, pt. 11, no. 94 Metzudath David of Radbaz (Zalkowa, 5622). Indeed an entire section of the Zohar, the Reyah Mehmna (Faithful Shepherd) is devoted to enumeration of the TaRYaG offering a mystical interpretation of the precepts extending the concept underlying the gemarah that all 613 mitzvot stem from the decalogue but adding that Torat HaSefirot (the law of divine grades) of 10 divinely emanated sefirot, attributes of G-d from His distant gardens/PaRDeS. All of the TaRYaG fit into one of the sefirot, a mystical ladder both from G-d to man and from man to G-d, linked to the Decalogue, whereby the performance of mitzvot [gathering the sparks] and contemplation of them effect theurgically the cosmos, causing chain reactions throughout the hexagram tic architectonic of the sefirot representing G-d’s pleroma. Each mitzvah can be traced back via the root of the mitzvah in the Decalogue, in the spiritual ascent of the particular sefirah. Duran’s introduction is cognizant of the Kabballistic mystery that the performance of a single mitzvah is linked with the TaRYaG mitzvot, whereby the sefirot are dependent on each other. Ultimately Duran not only synthesized the classification of Rambam and Ramban, but reconciled the mystery between the exoteric (legal open meaning) and esoteric (hidden secrets). Zohar HaRakiah is very technical and needs footnotes to make this fusion clear. For example a mystical section in Philip Caplan’s translation on page 15 reads, “There is another allusion to this due the masters of Kabbalah, based on the 32 paths of wisdom, which Abraham, our patriarch, mentioned in his well-known book, Sefer Yetzirah (Book of Creation). When you multiply this by ten [the number of utterances] in the Decalogue, which also corresponds to the 10 sefirot [of the mystical theory], you have 230. Multiply this number by two, one corresponding to the quality of love and the other to that of awe, and it also corresponds to the commandment of “remember” (Ex. 20:8) and observe (Deut. 5:12) and also to the two qualities of divine justice. This makes 640. Now subtract that from 27 letters of the Hebrew alphabet
Part III. Medieval Jewish Education

A. The Purpose of the Mizvot and Visions for Jewish Education\textsuperscript{89} in the Medieval Ages

With this overview of the different compilations of the TARYAG mitzvoth and their evolution over the course of Jewish history we must devote some space to inquiring about the purpose of the mitzvoth transmission which ideally are conveyed in a living masorah as P.A. notes oseh likhah rav. This transmission need not require an “institution” as Rambam transmitted his esoteric understanding to one star pupil named Yosef to whom he wrote and dedicated the Moreh HaNevukhim. This star student had mastered both Torah and science and thus was multi-faceted and not narrow in the breadth and scope of his learning. Mitzvah education is to instill for the Maimonidean the cultivation of intellectual-moral-and spiritual virtue. This type of education as Jacob Katz notes is in jeopardy due to the tension between tradition and the crisis of modernity that has led to the estrangement from Jewish tradition by the processes of acculturation and assimilation and weakening of the Jewish kehilah.\textsuperscript{90} Yet for Maimonides no matter how far Jews assimilate “attempts should be made to draw them nearby friendly relations so that they may return to the strength giving force i...e the Torah”.\textsuperscript{91} For Maimonides teshuva atones for everything and a person as P.A. notes can win olam ha-bah in just one instant flash of teshuva for one does not know how Hashem validates each person in weighing a light from a heavy mitzvah. Rambam’s

\textsuperscript{89} Philosophy of Jewish Education finds itself in the Rabbinic ethos of the ultimate redemptive purpose of learning torah (Talmud Torah Kineged Kulam) all the way up to modern works in this genre such as Franz Rosenzweig’s _On Jewish Learning_.

\textsuperscript{90} See Katz, Jacob, Tradition and Crisis: Jewish Society at the end of the Middle Ages (NY: Schocken, 1971); Scholem and Buber also wrote about the crisis in modernity but of course from a more philosophical and less traditional perspective.

\textsuperscript{91} Twersky, Isidore, Laws of Rebels 3:3 (AMR, 201; In this passage Maimonides refers to the tinokot shenishbu (Children taken captive) who being raised in other faiths were deprived of a Jewish education. Maimonides was alluding to the Karaites but as Twersky pointed out the 20\textsuperscript{th} century halakhic authority Hazon Ish ruled that the term applied to all nontraditional Jews in the contemporary era.
pirush on P.A. 4:2 comments on “Run to do even a slight mitzvah... for the carrying out of the mitzvah draws another.” For Maimonides the ideal person does not view him or herself as educated for learning torah is never enough and never too late. Rather the constant process of life-long learning is the medium through which moral and intellectual perfection can be striven for. A number of key fundamental terms describe the teleology (purpose) of this lifelong learning and direction of such “education.” Such terms include:

(1) Shlemut (perfection) i.e. Rambam’s son, Abraham writes an ethical work titled Darkei Shelemut (Highways of Perfection)

(2) tikkun ha-nefesh (correction of the soul) 

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92 Rambam elucidates: We have already explained the interpretation of this passage in the 10th chapter of Sanhedrin. And our sages, blessed be their memory testified to this wonderful innovative insight in the Torah, one in which there is an inducement for carrying out the mitzvot. It says “Then Moses set apart 3 cities on the side of the Jordan, which is east of the sunrise (Deut. 4:41). Now it is known that they are of no use (i.e. these cities cannot legally provide a refuge to those who murdered unintentionally) since the law of the cities of refuge would not apply to them until the other three cities of refuge in Eretz Yisrael would be set apart. They the Sages said: Moses blessed his memory knew that the three cities beyond the Jordan would not be able to take in unintentional murderers until the three cities of refuge in Eretz Yisrael would set apart since it is written, “there shall be 6 cities of refuge (Num. 35:12). Nevertheless he set apart those cities on the east side of the Jordan since he thought that seeing that a mitzvah has come my way - I will carry it out”. Now if our teacher Moses blessed be his memory, the discovered of truths the most perfect among those who are perfect, was so eager to add a half of the positive mitzvah to his high stature and perfection- it goes without saying the same should be done to those whose soul has been infected by disease, which is intensifying and spreading.” Moshe Rabbenu is referred to in this commentary on P.A. as shalem she-ba shelimim (the most perfect among those who are perfect).


94 See for instance the GRA’s commentary on Sefer Yonah. Allegory for the sojourn of the neshamah in olam ha-zeh. Hashem sent Yona to rectify the moral condition of Nineveh but instead of fulfilling G-d’s will, Yonah tried to escape by boarding a ship for Tarshish. Similarly the neshamah is sent to rectify the world through Torah study and mitzvos, but instead of fulfilling its mission, it allows itself to be deceived by the body’s physical impulses and gashmius. The body’s ability to deceive the neshamah is alluded to in the name Yonah for the verbal form of Yonah is related to the noun “Honah” (deception) see Rashi Vayikra 25:17. Just as Jonah initially failed to carry out his mission and consequently endangered his life, so too the neshamah initially fails in its mission to rectify the world and consequently brings grat harm upon itself in the process (zohar II, 199b). And although Jonah was granted a second chance to complete his mission, he was very distressed by what he perceived as his bad fortune. The same is true of the neshamah- when the neshamah fails in its mission, it is reincarnated and given another opportunity to fulfill its mission but like Jonah it is greatly disturbed by the necessity of reincarnation. The verse “and it displeased Jonah” alludes to the physical hardships experienced by the reincarnated neshamah of someone who had sinned in a previous life. As Hazal say, “Longevity, children and parnasah do not depend on merit but mazal (Moed Katan 28a)- the reincarnated neshamah of a person who sinned in his previous life is destined to feel deprivation in these three areas even if he is completely righteous in his present life. This was Hazal’s intention when they said that Moses asked Hashem: Master of the universe! Why do some righteous individuals enjoy a good life, while other righteous individuals suffer?” G-d answered Moshe, “Moses a righteous individual who enjoys a good life is a righteous individual born to a righteous individual, while a righteous individual who suffers is a righteous individual who was born of a wicked individual” (Berachos 7a). In other words a righteous person who was righteous in a previous life will enjoy a good life, whereas a righteous person who was wicked in a previous life will suffer throughout his next gilgul. See: The book of Yonah, “Journey of the Soul: an allegorical commentary adapted from the Vilna Gaon’s Aderes Eliyahu, edited by Rabbi Moshe Schapiro, Mesorah Publication: Brooklyn, 1997.
(3) *kedushah* (holiness)\(^{95}\)

(4) *da’at Hashem* (Knowledge of G-d)\(^{96}\)

(5) *ahavat Hashem* (love of G-d)\(^{97}\)

(6) *avodat Hashem* (service of G-d)

Understanding these and other key terms of Jewish education will illuminate the means of the medieval educational curriculum. This is before what Katz’ describes as the crisis of modernity and its Freudian discontents. In Maimonidean terms the mitzvoth and their understanding (*ta’amei mitzvoth*) help to sociologically shape the supreme spiritual-moral-and intellectual character of each soul to the extent of the person’s abilities in these areas of development. The whole purpose of the mitzvoth is to acquire moral and intellectual qualities.\(^{98}\) The practice of mitzvoth is intended to bring a person to supreme religious intellectual achievements. A mitzvah offers for meditation and intellectual comprehension which is awakened in its understanding before performance. One who understands the reason for a mitzvah is obviously more meritorious than one who performs mitzvoth as a mechanical robot. For the Rambam there must be understanding of the mitzvoth. Intellectual achievement for the Rambam is a vital and critical component of the religious striving for perfection. It is a religious obligation to use our intellectual powers to deliver into the nature of the universe and meaning of the Torah, both of which are revelations of the divine. The purpose of intellectual reflection and the mastery of the various scientific disciplines is the spiritual experience coterminous with intellectual cognition of the PARDES. The purpose of the mitzvoth is to suppress man’s natural tendency of yetzer and correct his moral qualities, as a prerequisite for the greater vision of the PARDES. Reverence is due not to the commandments themselves but to Him who issued them. The mitzvoth lead one eventually to contemplation of G-d, inquiry, and constant being caught up with “Him” transferring to love of Him (ahavas haShem). For Rambam only penetration to the intention and motivation of the commandments and their essence can open a way for the person to attain perfection or a state of absolute ahavas Hashem. Ultimately the essence and purpose of the mitzvoth is to teach one that all the laws of the torah are intended to elevate men to the highest possible level of morality, to the most exalted level of kedushah, and to the perfection from these attainments.

**B. Economic Ramifications of Jewish Medieval Literacy**

For Eckstein and Botticini in their book, _Chosen Few: How Education Shaped Jewish History, 70-1492_, these goals of Jewish education are motivated by practical economic benefits that see the investment in


\(^{96}\) see Twersky, I., *Introduction to the Code of Maimonides*, New Haven, CT.: Yale Univ. Press, 1980, 261 & 511,

\(^{97}\) Ibid., 215-216, 262, 363, 478.

\(^{98}\) See: Epistle to Yemen: “If he could only fathom the inner intent of the law, he would realize that the essence of the true divine religion lies in the deeper meaning of its positive and negative precepts, every one of which will aid man in his striving for perfection, and remove every impediment to the attainment of excellence. These commands will enable the masses and the elite to acquire moral and intellectual qualities each according to his ability (אגרת תימן / למשה בן מימון; המוקד הערבי של ששת הרבנים יבגני עובדיה ויצחק מואם והוגוDY; ארדנה שילה; עליות להרחבת העברית; עפולה tratamiento של יוחנן דידי; מודרני PILアジアה; המקווע עליות להרחבת ענינו של קז)
Jewish education not just one of continuity but also reaping financial returns in economic prosperity. They write, “Investing in literacy and education as Judaism requires is a very costly signal for individuals and households living in farming economies in which there are no economic returns to literacy. As we show the decisions to invest in a son’s literacy and to remain or become a member of a religious group are related.”

Eckstein concludes, “Hence in the long run Judaism does not survive in farming economies that are subject to negative aggregate shocks and in which there are no economic returns to investment in religious and general literacy.”

Eckstein assumes that Jewish fathers will not invest in their children’s education if the marginal cost of providing basic Jewish education is large and or the level of family consumption when the minimum level of education is provided is low. In short: “At the individual level, families with low ability sons or with sons who do not like studying or families whose opportunity costs of sending their sons to school instead of having them work on a farm are high will be less likely to invest in children’s literacy and education. Fathers with low levels of attachment to Judaism and low levels of literacy and education will also be less likely to educate their sons.”

Because investment in religious literacy is a major sacrifice in farming economies in which there are little or no economic returns to literacy and education, Eckstein concludes that a proportion of Jews convert, causing the Jewish population to shrink. Thus poverty is the cause of assimilation leading to conversion to other religions according to Eckstein. Eckstein argues that if children became more expensive after the implementation of the religious norm of educating for Hebrew literacy requiring fathers to send their sons to primary school in addition to feeding and clothing them, some families especially the ones with low incomes, might have decided to have fewer children in order to be able to obey the religious norm. That is what economists call rabbinic Judaism creating a quality-quantity tradeoff for parents. The Jewish farmers with low earnings and Jewish fathers who were less able to bear the opportunity costs of educating their sons were more likely to convert. Eckstein argues that Hebrew literacy was seen

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99 Botticini & Eckstein, Chosen Few: How Education shaped Jewish History, 70-1492, Princeton Univ. Press: NJ, 2012, p.86; One of the problematic assumptions of Eckstein’s book is that it assumes as does microeconomic theory that each person under various circumstance will act according to their best economic interest. Eckstein’s book that all Jewish parents educated their children based on practical economic considerations to "get a return" on their "investment in literacy" by investing capital in what was mobile, the acquiring of a Jewish education may be the case for the many i.e. majority but to paint in such generalizations does not do justice to the exceptional cases which in Rabbinic thought are the ideal such as learning lishma. Eckstein's assumption contradicts the ideal ethos of rabbinic learning which should be lishma. Even Christians admired this aspect of learning "lishma" amongst the Jews. For instance one of Peter Abelard's students in the 12th century wrote a letter in which he contrasted the Jewish emphasis on education exemplified by the regularity with which Jews out of zeal for G-d and love of the law, put as many sons as they have to letters, that each may understand G-d’s law... We read, “if the Christians educated their sons they do so not for G-d but for gain, in order that the one brother if he be a clerk (a cleric), may help his father and mother and his other brothers.... But the Jews out of zeal for G-d and love of the law, put as many sons as they have to letters, that each may understand G-d’s law....” (Smalley, Study of the Bible, 78). However like Christian students Jewish students often traveled from one school of one school to soak up wisdom from a variety of teachers. Rashi on Shir Hashirim 5:16 writes, "Like doves that wander from one dovecote to the second to seek their food, so they go from the school of one scholar to the school of another scholar to seek explanations... for the Torah. Eckstein assumes that the choice to educate sons was based solely on practical economic utilitarian "return" for investment input. Such a crude application of analysis to Rabbinic learning is indeed common. However it is not the ideal however rare those cases be today as was also lamented by the Maharal in his times.

100 Ibid., 88.

101 Ibid, 93.
to have practical benefits so that parents invest in it such as learning to read helps people learn to write and help numeracy and the ability to compute prices, costs, interest rates, exchange rates, and thus to keep account books. Eckstein argues further that literacy is useful and a good investment for craftsmen, merchants, money lenders, and physicians who prefer to be in urban skilled occupations than farmers. Eckstein writes, “Assuming that the costs of acquiring literacy and education for Jews and on Jews are the same and that the economic returns from literacy and education are the same for Jews and non-Jews, Jews will invest more in their children’s literacy and education because as members of a religion that highly values literacy, they reap the additional benefits from obeying the religious norm and becoming literate.”\footnote{102} The essence of Eckstein’s argument is that the spillover effects of investing in Jewish literacy help and benefit Jews practically in the world of commerce. Literacy gave a competitive advantage to reading and writing contracts and ability to perform calculations, compute exchange rates, and produce written accounts of business transactions which in turn allowed for communication across mercantile global trading networks. News about travel, conditions including safety from pirates and other dangers, demand for products in a particular location, changes in prices, arbitrage, opportunities and a wealth of additional information transmitted in writing was all facilitated according to Eckstein by the requirement to educate and make literate Jewish boys. Jews who went on for advanced studies in Talmudic logic acquired skills to rationally think, problem solve, and analyze. In short Eckstein argues that religious literacy had positive spillover effects in business making it a profitable investment for later engagement in trades in crafts, moneylending, and other professional areas. Eckstein concludes that the relative higher level of literacy among Jews coupled with a set of contract enforcement institutions (The Talmud, Rabbinic courts, responsa), gave the Jews a competitive advantage in business over non-Jews in crafts, trade, commerce, and moneylending once the urbanization and growth of commerce after the rise of Islam occurred during the 8th and 9th centuries creating a huge demand for these occupations. Eckstein argues that there was a kind of industrial revolution in these centuries as Jews left farming as an occupation and universal primary education which was earlier established by Joshua ben Gamla became a reality whereby according to Eckstein Jews were motivated to invest in educating their children in religious literacy because the spill over benefit of this helped their children succeed later in business. According to Eckstein Jews reaped returns from their investments in literacy and contract enforcement institutions. Eckstein argues that Jewish merchants will invest more in their children’s literacy and education than non-Jewish merchants because they also derive direct utility from children’s literacy and education at the rate that is exponential relative to the cost investment in the long run. Eckstein argues that “the large number of loan contracts and the need to have written records of these transactions presented a problem for local people, most of whom were illiterate. The Jews’ ability to read and write–the legacy of the religious norm requiring father’s to educate their sons beginning in childhood–gave Jews an important comparative advantage in shop keeping, long distance trade, money lending, and other occupations in which literacy was valuable.”\footnote{103} Eckstein continues, “Jews’ comparative advantage in literacy was the lever of their prominence in crafts, trade, and money lending. Literacy and education coupled with the availability of contract enforcement institutions (Talmud, the response, and rabbinic courts in each location) enhanced their geographical mobility which in turn made

\footnote{102} Botticini & Eckstein, 129.
\footnote{103} Ibid., p. 168.
it possible to establish new Jewish communities in many locations in Egypt and the Maghreb...”

In Western Europe of Germany, France, and England Jews also had this advantage and were often invited to regions by monarchs to foster trade as money lenders. Like the migrations of Jews within the Muslim caliphates during the 9th thru 11th centuries the Jewish Diaspora to and within Europe from 850 to 1150 was set in motion by highly literate and skilled individuals in search of business opportunities and Jews were sometimes invited by local rulers to foster economic growth. While the local monarchs may have invited the Jews to a region and established their rights in Charters, the monks often opposed the Jews being in moneylending. Christian loan banks (called montes pietatis, monti di pieta, or mons de piete) were established in many Italian and later European towns under pressure from the Franciscan monks beginning in the late 15th century; the monks goal was to eradicate what they considered the nefarious practice of charging usurious exorbitant interest rates, which had negative consequences especially for the poor. Jewish literacy was drawn upon by moneylenders who would record the amount of loan in account books by listing the name of the borrower, the type of collateral, the interest rate. Jews were often behind the mechanism of arbitrage which takes advantage of different market conditions in different areas coupled with the ability to swiftly pool and transfer wealth via networking to move it from one place to another taking advantage of profits. Some Jewish money lenders such as Aaron of Lincoln (1123-86) became so wealthy that they owned significant parts of England in relative size to monarchs. This concentration of wealth in the hands of Jewish moneylenders led to backlash of violence. Cecil Roth does not emphasize as Eckstein does the Jewish advantage in literacy but argues that Jews gravitated to money lending because guild membership excluded Jews. Haym Soloveitchik however has argued that Jewish laws concerning wine are the missing link why Jews at least in Germany gravitated to moneylending between the 11th and 14th centuries.

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104 Ibid., p. 170.
105 Ibid, p. 203; Jews were involved in the development of bills of exchange needed to move large sums of money over space and time to settle the business transactions at the annual fairs, coupled with the desire to avoid carrying large quantities of coins. Jews according to Eckstein were behind the creation of credit markets that partly fueled the growth of economic activities of medieval Europe.
106 Unfortunately the history of England’s Jews ended in 1275 with King Edward’s issue of the Statutum de Judaismo which forbade anglo Jewery from lending money on interest. Instead the Lombards, the Tuscan banking houses and William de La Pole took up the former role of the Jews in the credit markets. Similarly Charles IV replaced the with the Lombard licensed moneylenders and expelled the Jews in 1330. In 1349 due to the Black death scapegoating of the Jews the deeds and debt bills of Jewish money lenders were burned and the Jewish community massacred in Cologne. In 1372 the Jews were reinvented to resettle in Cologne but then expelled in 1424. For their time in Cologne Jews paid 70 marks, as well as an extra yearly tax to lend money. Jewish money lending reached its apogee in northern Italy through the condotta, a bilateral contract between the town government and Jewish lender. The condotte were long term charters binding both parties for a period of 5 to 25 years and charters regulated annual interest rate ceilings. This money lending also backfired as the Inquisition in Italy persecuted the Jews.
107 Episodes include the blood libel in Norwich in 1144, the attack in Gloucester in 1168, the massacre of Jews in Norwich in 1144, the massacre of the Jews of York in 1144. (see Baron, social and religious History of the Jews, 1952, vol.4, cha. 20 and 22
108 Roth, Cecil, Jewish contribution to Civilization, 1938, 228
109 Soloveitchik, Haym, Pawn broking: A Study in the Inter-Relationship between Halakhah, Economic Activity, and Communal Self Image, Jerusalem: Hebrew Univ, 1985; Wine was subject to short-term fluctuations so it generated a large demand for credit from farmers who owned vineyards and produced wine. Halakhically Jews bought their
C. Maimonidean Medieval Understanding of Not Using the Torah as a Spade with Which to Dig

For Rambam the various genres of Rabbinic texts can be categorized based on a gemarah that indicates that a Jew must study three areas (shelashtem): mikra, Mishnah, and gemarah. Rambam’s understanding of this gemarah is revolutionary in that gemarah comes to incorporate Jewish philosophy (PARDES = Wisdom, peshat, remez, derash, sod) as explicated in the Laws of Torah Study.

own land so that they could produce their own wine that would not be touched by gentiles. Rashi argued that gentiles could repay their debts to Jews with wine but forbade Jews from drinking or selling this wine. Nearly 100 years later the Jews in Germany lifted almost all restrictions regarding the use of gentile wine as a means of repaying loans, so that Jews could receive wine as collateral from gentiles. Soloveitchik argues that because the Talmudic restrictions regarding the drinking and touching of gentile wine, the Jews could engage in wine production and trade only through credit transactions with gentiles. This “missing link” explains the transition of Jews into moneylending in Germany in the 11th to 14th centuries.

110 See MT. Talmud Torah 4:13: The topics connected with the five precepts treated in the above four chapters are what our wise men called PARDES (Paradise), as in the passage “arba sheniknasu biParides” (Hagigah 14). And although those four were great men of Israel and great sages, they did not all possess the capacity to know and grasp these subjects clearly. Therefore I say that it is not proper to daily in PARDES till one has first filled oneself with “bread and meat.” By which I mean knowledge of what is permitted and what is forbidden, and similar distinctions in other classes of precepts. Although these last subjects were called by the sages, “a small thing” (when they say “A great thing ma’aseh merkavah; a small thing the discussion of Abbaye and Rava [i.e. Talmudic debate]) still they should have the precedence. For the knowledge of these things gives primarily composure to the mind. They are the precious boon bestowed by G-d to promote social wellbeing on earth, and enable men to obtain bliss, in olam ha-bah. Moreover the knowledge of them is within reach of all regardless of their intellectual abilities, young and old, men and women; those gifted with great intellectual capacity as well as those whose intelligence is limited. The attainment of PARDES however is for the intellectual elite.

111 The inclusion of philosophy in oral law is posited by Maimonides in a chapter of Sefer HaMada in the laws of the Basic principles of Talmud Torah [4:13]. There he restates his identification of “the account of the creation (Gen. 1) with Physics, and the ma’aseh ha-merkavah (Ezek. 1) with metaphysics, as set forth in his pirush al ha-mishnah; this equation of physics with ma’aseh bereshit and metaphysics with ma’aseh merkavah is repeated later in the last work of the Rambam, the Moreh HaNevukhim. The subtext of the ma’she merkavah clearly incorporates Hagigah 2:1 and its commentary in Hagigah 12b-14b.

112 Sod for the Rambam includes ma’aseh bereshit and ma’aseh merkavah set forth in the commentary on the Mishnah Hagigah 2:1—“Now list to what I have determined according to my understanding from my study of the writings of the sages: in the term ma’aseh bereshit they refer to the natural sciences and the study of cosmology. By ma’aseh merkavah they mean theology i.e. the discussion of the nature of reality and the existence of the Creator. His knowledge, His attributes, the necessity of all that emanates from Him, the angels, the soul, human reason, and olam ha-bah. On account of the importance of these 2 types of science the natural and the divine that the sages rightly considered of great importance they cautioned against studying them in the same manner as the other disciplines. For it is known that every man be he foolish or wise, is drawn naturally toward all the disciplines [based on opening of Aristotle’s metaphysics: all men desire to know]. It is impossible for a man to avoid contemplating these 3 sciences on a primary level, directing his thought towards them, without any prior introductions and without having progressed through the stages of scientific method and study. Thus the text warned about this in order to prevent it, seeking to discourage whoever thinks he can direct his thought towards the ma’aseh bereshit without proper scientific preparation, as it is said: “Whoever gazes upon 4 things....” And as a warning to one who tries to direct his thoughts and contemplate upon matters relating to the divine with his simple imagination without having progressed through the stages of scientific study, it is said: Whoever is not careful about the honor of his Maker.... It would have been better for him not to have come in the world”. This means that it would have been better had he not been part of humanity, but had rather been of another species of creature for he is seeking knowledge not appropriate to his way and his nature; for he does not understand what is above and what is below, but is foolish in matters of reality. And when a man devoid of all knowledge seeks to
Rambam parses the difference between these three areas from the pusek in Shemot 24:12 “And I will give to you the tables of stone, and the law (torah), and the commandment (mitzvah).”\textsuperscript{114} The equation of Mishnah, mitzvah, and torah she-be’al peh is delineated. Rabbi Abraham Maimonides clarifies that Mishnah refers not to a given text but to the “principle sources of tradition”\textsuperscript{115} i.e Mishnah refers to the entire corpus of oral law, the Talmud and its expanding commentary for the Rambam. The Rambam thought the MT. to cover this wide scope.\textsuperscript{116} In the Shemoneh Perakhim of the Rambam “the torah is contemplate and thereby know what is above the heavens and what beneath the earth, using his deficient imagination which thinks of the heavens as though they were the attic of his house, and to know what was before the heavens were created and what will be after they cease to exist, this will surely bring him to despair and distraction. He who considers this wonderful, divinely inspired expression, “Whoever is not careful about the honor of his Maker...” realizes that it refers to one who is not careful about his intellect, for the intellect is the honor of G-d. And since such a man is not aware of the value of this think that has been granted to him, he is given to the control of his appetites and is made animal like. This is why it was said “whoever is not careful about the honor of his Maker...” Refers to one who sins in secret; and elsewhere it was said, “Adulterers do not commit adultery until a spirit of foolishness has entered into them.” This is true for when the appetite rules- any appetite- the intellect is not whole. The Mishnah mentions this matter here, because above it was stated that “these are the essentials of the torah now this text delineates the foundations of the essentials of the torah.”\textsuperscript{113} See Laws of Talmud Torah 1:11-12; The time allotted to study should be divided into three parts. A third should be devoted to the written law, a third to the oral law, and the last third should be spent in reflection, deducing conclusions from premises, developing implications of statements, comparing dicta, studying the hermeneutical principles by which the Torah is interpreted till one knows the essence of these principles, and how to deduce what is permitted and what is forbidden from what one has learned traditionally. This is termed Talmud. For example if one is an artisan who works at his trade 3 hours daily and devotes nine hours to the study of the torah he should spend three of these 9 hours in the study of the written law, three in the study of the oral law, and the reaming 3 in reflecting on how to deduce one rule from another. The words of the prophets are comprised in the written law, while their exposition falls within the category of the oral law. The subjects styled PARDES (esoteric studies) are included in Talmud. This plan applies to the period when one begins learning. But after one has become proficient and no longer needs to learn the written law or continually be occupied with the oral law, he should at fixed times read the written law and the traditional dicta, so as not to forget any of the rule sof the torah, and should devote all his days exclusively to the study of Talmud according to the breadth of his mind and maturity of intellect.

\textsuperscript{114} The law refers to the written law, the commandment to its interpretation. G-d bade us fulfill the law in accordance with the commandment. The commandment refers to that which is called oral law. \\
\textsuperscript{115} R. Abraham ben Moseh, commentary on Shemot 24:12, A. Wiesenbergs eds. (London: S.D. Sason, 1959), 282-84

\textsuperscript{116} See intro to pirush al ha-mishnah, sect. 10, ed. Y. Kappach (Jerusalem, Mossad HaRav Kook, 1963); The scope of the MT is noted in the last paragraph of the intro. T the pirush al ha-mishnah where it is clarified: It seems to me that if this work covers the entire Mishnah as I will explain, it will have 4 great uses. First, that we will make known the particular interstation of the Mishnah and explicate tis terms; for if you were to ask the greatest of the scholars to explain a particular halakhah from the Mishnah he would not be able to answer unless he had memorized the Talmud on that halakhah; or he would reach the point at which the Talmud on the topic would have to be looked at. No one is able to memorize the whole Talmud, especially when one halakhah in the Mishnah gives rise to four or five folios as the Talmud moves from topic to topic, bring proofs, challenges, and solutions to the point where no one who is not a great expert in the text can possibly summarize the interpretation of a particular Mishnah. And this does not even take into account those halkhot whose interpretation is scattered through several different tractates. Second as to the halakhic decisions: I will indicate, for each halkhah whose opinion determines the final decision. Third that it will serve as an introduction for one beginning to study, enabling him to learn all matters with precision and clarity and to encompass thereby the entire contents of the Talmudim. This will greatly assist the study of Talmud. And fourth, it will serve as a review for one who has already studied and learned, helping him keep all of his knowledge always accessible and organized. And when I thought about all of these things, I was drawn to write the work of which I had conceived. My intention in this work is to explicate the Mishnah as it is
referred to as the book of truth.” Maimonides ideal was disciplined scholarly interest in the entire range of the oral law, even including those laws pertaining to the matters of the Beit HaMikdash.

D. Genres of Medieval Jewish TEXTS in the Educational Curriculum

All the genres of texts that evolved over Rabbinic history could be categorized into Rambam’s 3 rubrics. Although the Rambam did not posit much value in historical works which to him were a little below poetry, with philosophy the Queen of the sciences, and metaphysics being ma’aseh merkavah and Physics ma’aseh bereshit, any catalog of Judaica should include room to enumerate the following genres which Rambam understands to be under the 3 areas that one should divide their study under:

(1) The Mishnah (ca. Rabbi Yehudah HaNasi in 190 CE)

(2) Tosefta recorded by R. Chiyya ca.200 CE

(3) Babylonian Talmud ( redacted by Rav Ashi (d.427 CE) and Ravina II d. 475 CE)

(4) Jerusalem Talmud (R. Yose B. Bun 350 CE)

(5) Early Halakhic Midrashim (Mekilta, Sifra, Sifrei) from the Tannaitic era

(6) later Aggadic Midrashim in the Amoraic and Geonic periods

(7) The formation of the Jewish liturgy from the Anshei Knesses HaGedolah and later religious prayers (piyutim)

(8) Translations into Aramaic (Targumim by Yonassen b. Uziel and Onkelos) (9) Classic mephorshim (commentaries) on the Tanakh and rabbinic works by parshanim (commentators) who wrote gloasiata,

(10) Talmudic novellae (chiddushim) by Tosafists, Nahmanides, Nissim of Gerona, Solomon ben Aderet (RaShBA), Yomtov ben Ashbili (Ritva)

(11) TaRYAG Lists of the 613 commandments (mitzvoth)

(12) codes of law (Tur of Rabbi Yakov ben Asher the son of the Rosh, Mishnah Torah, Shulchan Arukh etc.)

(13) Responsa genre of text known as sheolot ve-teshuvot

interpreted in the Talmudim, presenting only the correct interpretations and leaving out those rejected in the Talmud; I will record the reason for each particular decision as well as the reasons in some cases for controversies where they arose; also the names of the sages according to whose position the halkha was decided as indicated in the Talmud. In all this I will strive for brevity of language so that the reader will not be left with uncertainty; for this work is not written to explain to those who cannot comprehend but rather to explain to those capable of understanding.

(14) Ethical works (Sifrei ha-middot) such as Hovot LeVavot by Bahya ibn Paquda, Sharei Teshuvah by Jonah of Gerona), Shemoneh Perakhim of the Rambam, and the 15th Century German work, called Orah Zaddikim

(15) Philosphic works (Sifrei Machshava) such as Emunot v'Dayyot by Rav Saadya Gaon, Kuzari by Rabbi Yehudah HaLevy, Moreh HaNevukhim by Rambam, Sefer Ikkarim by Joseph Albo, Milhamot HaShem by Gersonides, and Or Adonai by Crescas,

(16) countless mystical texts (Sifrei Kabbalah) from Sefer Yetzirah attributed to Rabbi Akiva who attributed it to Avraham to the Zohar of R. Shimon b. Yochai (ca. 170 CE) to 6th century Sifrei Hekhalot [(Palace texts) Hekhalot Rabbati, in which six of the seven palaces of God are described, Hekhalot Zutarti, Shiur Komah], to the Medieval Provencal Sefer HaBahir to Rabbi Shneur Zalman of Liadi's Tanya, etc.

(17) Musar texts such as the 12th century Sefer Hasidim by Judah ben Samuel of Regensburg (born 1140 in Speyer - Feb. 22, 1217[1] in Regensburg) the later Mesillat Yesharim of Rabbi Moshe Chaim Luzzatto and Ohr Yisrael of Rabbi Israel Salanter

(18) Historical works (Sifrei HaDorot) post-Josephus, such as Azariah ben Moses dei Rossi’s Meirat Eynaim, to Shem ha-Gedolim by Yosef David Azulai ben Isaac Zerachia (1724 – 1 March 1806) to the explosion of interest in historiography in the Wissenschaft des Judentums Beweugung (i.e. Geschichte des Judische Volkes by Dubnov and Graetz’ Geschichte der Juden)

(19) Sifrei Dikduk, Grammatical works from The Masoretes in the 7th to 11th centuries of the ben Asher family such as Aaron ben Moses ben Asher who refined the Tiberian vocalization to the High Middle Ages in Spain where grammatical works were composed by Judah ben David Hayyuj, Jonah ibn Janah, Abraham ibn Ezra [Moznayim (1140)], Joseph Kimhi, Moses Kimhi and David Kimhi.

(20) Judeo-Persian, Judeo-Arabic, Ladino, and Yiddish Literature hybrid texts

(21) Sermons (Drashot)118

118 See: Saperstein, Marc, "Your voice like a ram's horn": themes and texts in traditional Jewish preaching Imprint Cincinnati : Hebrew Union College Press ; West Orange, NJ : Distributed by Behrman House, c1996 ; In the essay, “The Sermon as Oral Performance” Saperstein treats the interplay between oral speech and the written text of the sermon. This genre of “sermonizing” is interdisciplinary often with musar, as when Morteira enjoins his audience, “How good and fine it would be for every person to take pride and to compete with his neighbor not in the great size of his house but in the greatness of his soul, which is the house of ethical virtues and intellectual attainments. Not in foods but in feeding the poor and abundant charity. Not in clothes but in a good name and serenity and in imitation of God’s ways and in the mystical garment of good deeds. This would be the remembering of Jerusalem, this would be the shortening of our exile. And now that we fail to do this, the plagues of Jerusalem mount. Perhaps we may open our eyes from preoccupation with ourselves sto see whether the way we are following is good, so that these afflictions will no longer come upon it…. This is why members of the Va’ad passed the ordinances they did to help in its redemption, so that the feet of Israel will not move from upon it.” Saperstein, Marc, The Sermon as Oral Performance”, In Transmitting Jewish Traditions: Orality, Textuality, and Cultural Diffusion, New Haven: Yale Univ. Press, p.267
Jews have always put emphasis on the importance of education and learning. Josephus notes a key difference between Jews and non-Jews in the Second Temple period when he writes:

The Jews consider the birth of a child to be no occasion for festivity or an excuse for drinking to excess. The law.... Orders that they shall be taught to read, and shall learn both the laws and the deeds of their forefathers in order that they may imitate the latter, and being grounded in the former may neither transgress nor have any excuse for being ignorant of them (c. 96 CE).

During the first millennium BCE the two pillars of Judaism were the Beit HaMikdash and Torah and Levitical priests not only were involved in the activities of music, courts, guarding gates and offering sacrifices but in teaching torah. Thus the injunction in 2ot HaBrachah to sheet Levi: “They shall teach Jacob Thine ordinances, And Israel Thy Law; They shall put incense before Thee, and whole burnt-offering upon Thine altar.” Indeed the Shema (Deut. 6:6-7) enjoins each Jew to teach their children diligently the laws and speak of them as you are at home and as you walk on the way and before going to bed and when one rises up in the morning. An important step in making reading a central feature of Judaism took place when Ezra the scribe established public reading of the Torah on Mondays and Thursdays in addition to Shabbat. Henceforth the torah was read and explained by meturgiman (who translated into the vernacular at that time Aramaic) in public. In the time of the Soferim (515- 200 BCE) establishment of the academies for higher learning in Jerusalem trained high priests for the Beit HaMikdash. During the 1st century BCE schools for higher education were also founded in Jerusalem and other towns under the leadership of Hillel and Shammai. Shammai like the later tanna Rabbi Shimon bar Yochai enjoined, “Make the study of torah your chief occupation.” Under the influence of the av bet din of the Sanhedrin, Rabbi Simeon ben Shetah (ca. 65 BCE), free secondary schools for sixteen and seventeen year olds were established throughout Eretz Yisrael. Compulsory education became a religious norm however in the milieu of competing sects between Pharisees, Saducees, and Essenes described by Josephus. Within this context of competing sects the establishment of a further

119 Ginzberg Students, Scholars, Saints, Philadelphia: JPS, (1943, p.8-11)
121 See Antiquities of the Jews (bk. 13, ch.5, sec.9) & The Life of Flavius Josephus (para 2); The Wars of the Jews (bk. 2, ch.8); “At the time there were three sects among the Jews who had different opinions concerning human actions; the one was called the sect of the Pharisees, another the sect of the Sadducees, and the other the sect of...
unique Jewish educational system took place as the result of a Takkana by Rabbi Joshua ben Gamla (63-65 CE), requiring every Jewish father to send his six or seven year old sons to a primary school.\textsuperscript{124} described 250 years later by a sugyot in in the Babylonian Talmud:\textsuperscript{125}

However, that man is to be remembered for good, and his name is Joshua ben Gamla; for were it not for him, Torah would have been forgotten in Israel. For at first he who had a father was taught Torah by him, and he who had no father did not study Torah. It was then decreed that teachers of children should be appointed in Jerusalem. However, he who had a father, the father would bring him to Jerusalem and have him taught, while he who had no father would not come to Jerusalem to study. It was then decreed that teachers of the young should be appointed in every district throughout the land. But the boys would be entered in the school at the age of sixteen and seventeen and if the teacher would rebuke one of them, he would resent it and leave. Thus it was until Joshua ben Gamla decreed that teachers of children should be appointed in every district and every city and that boys of the age of six and seven should be enrolled there.

Both the Yerushalmia and Bavli are filled with discussion and ruling regarding schools, synagogues, pupils, books, duties and wages of teachers, duties of parents to education children, and duties of pupils towards teachers. Many debates in the Talmudim regulated the practical organization of primary instruction. One ruling for example established a communal tax to provide for the wages of teachers of the torah and mishna. Another ruling required that unmarried people with no children who resided in a town had to pay for the wages of teachers. And a third ruling allowed the community as a whole to fire a teacher if he did not follow the parents’ wishes.\textsuperscript{126}

Baron attributes the increased emphasis on religious education in the edict of Joshua ben Gamla to the competition between the Sadducees and Pharisees for the following of the Jewish community.\textsuperscript{127} To increase the Pharisean leadership and power over the masses of the Jewish community by inculcating the teaching of both the written and oral law the Pharisees laid the foundation for the primary and

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\textsuperscript{124} Drazin, Nathan, History of Jewish Education from 515 BCE to 220 CE, Baltimore: JHU Press, 1940
\textsuperscript{125} BT. Baba Batra 21a & Yerushalmi Ketubot 8, 12-32c; The gemara in Baba Batra 20b-21a comments, “No said Raba: the concluding words refer to school children, from the time of the regulation fo Joshua ben Gamla…. At length Joshua ben Gamla came and ordained that teachers of young children should be appointed in each district and town, and that children should enter school at the age of 6 or seven. Rav said to Rabbi Samuel ben Shilath: Beforeth eh age of 6 do not accept pupils, from that age you can accept them, and stuff them with torah like an ox…. Rava further said: The number of pupils to be assigned to each teacher is twenty-five. If there are fifty we appoint two teachers. If there are forty we appoint an assistant at the expense of the town…. Raba further said A teacher of young children, a vine-dresser, a ritual slaughterer, a blood letter, and a town scribe are all liable to be dismissed immediately if inefficient. The general principle is that anyone who mistakes cannot be rectified is liable to be dismissed immediately if he makes ones.
\textsuperscript{126} Z. Safrai, 1987, 77-78.
secondary school system in Eretz Yisrael. While the vast majority of the Jewish population in the land of Israel in the 1st two centuries may have been illiterate\textsuperscript{128} the implementation of Joshua ben Gamla’s edict regarding children’s instruction established a new religious norm. However the Jewish-Roman war, which broke out within a few years of Joshua ben Gamla’s ruling may have made it difficult to immediately implement the educational reform.

After the Hurban (ca. 70 CE.) Rabbi Johanan ben Zakkaï did much to recruit eminent scholars to Yavne which became the center for a Rabbinical academy from 70 CE to 135 CE. According to Avot de Rabbi Natan, during the siege of Yerushalayim, Johanan ben Zakcai escaped from the city hidden in a coffin to negotiate with Vespasian. Rabbi Yochanan predicted that he would become emperor. Vespasian granted Rabbi Yochanan 3 wishes one of which was to reconstitute the Sanhedrin in the town of Yavne and the second to provide a physician to cure Rabbi Zadok who was starving himself by eating only the juice of fruits in mourning the destruction of the Beit HaMidash. Rabbi Yochanan urged that prayer be seen to replace animal sacrifices and that each Jew make their own table like an altar in the beit haMikdash. Judaism thus became portable for a diaspora wandering nation. While synagogues existed in the land of Israel before the Hurban they became more important after the Hurban and more synagogues were built especially in the Galilee where most Jews moved after the two Jewish-Roman wars.\textsuperscript{129} At an institutional level the legacy of the Pharisees was to transform into reality the religious norm of Joshua ben Gamla by making primary education universal in world Jewry. While Rabbi Yehudah HaNasi who set down of the Mishnah ca. 200 CE represented a Rabbinic elite, the synagogue came to function for maintain basic normative levels of Jewish knowledge among the lay peoples.

When in the aftermath of the Bar Kokhba revolt ca. 135 CE the academy of Yavne was closed the work of the Tannaim continued and the Galilee hosted numerous Academies as the hub of Jewish learning which constitutes the intellectual milieu in which Rabbi Yehudah HaNasi compiled the mishnah lest it be forgotten. Rabbi Yehudah was the son of Rabbi Simeon ben Gamliel II, a descendent of Hillel and thus King David and Judah’s grandfather Rabbi Gamliel II was an Av bet din in Yavne. Gamliel II was succeeded by his son Simeon who moved the rabbinic academy to the town of Usha and later Shefar’am. Under Rabbi Yehudah HaNasi the Academy moved to Beth She’arim. Later it moved to Sepphoris, both in the Galilee. Rabbi Yehudah known as \textit{Rabbenu ha qodosh}, exempted sages from city taxes.\textsuperscript{130}


\textsuperscript{130} BT. Baba Batra 8a. This exemption of the learned from taxes created hostility from the am-haratzim. Oppenheimer has studies the opinions of the sages of the am haratzim. In the time of Rabbi Yehudah the term designated not just an ignomorous as its later connotation but someone who did not tithe (Demai) and disregarded the laws of ritual purity and the mitzvoth. For Rabbi Yehudah an am ha-aretz was not exactly an ignoramus but someone hostile to the Rabbinic elite and thus Rabbi Yehudah restricted the am ha-aretz from being elected as a judge, and marrying daughters to someone of this group was discouraged amongst the Pharisees. See: Oppenheimer The Am ha-arezt: A study in the Social history of the Jewish People in the Hellenistic Roman Period, Leiden: Brill, 1977; The hostile attitude of the rabbinic class to the am ha-ratzim is seen in sugyot that insist fathers not allow their daughters to marry their sons to them, to prevent them from serving as judges, and that advise
Rabbi Yehudah and subsequent generations of scholars implemented a system of organized primary education in the land of Israel and the diaspora. At the beginning of the Jewish child’s primary education in the bet sefer, he was taught the alphabet. Lifelong learning was encouraged by the Rabbinic ethos so that the studying of Torah and education of Jewish children became one of the fundamental religious duties of any Jewish adult inculcated by the maxim that: torah, avodah, and tzedakah redeemed one from sin. The goal of the Pharisees was to equip all Jewish males with the ability to read and understand the Torah in Hebrew and obey the mitzvoth. Generations of scholars and rabbis in the academies during the 1st two centuries epitomized the intellectual elitism of Judaism whose paramount norm was literacy, education, and that learning torah was never too late, and never enough.

F. Beginning Medieval Jewish Education: First Steps in Learning the Alphabet on Shavuot

The question arises how did Jewish children and those beginning their Jewish studies start their education and what if any texts did children rely on in beginning the learning process. For this question the following groups must be distinguished: (1) Jewish adults who previously had no Jewish education, (2) converts to Judaism, and (3) Children raised in a traditional setting.

The timing of the beginning schooling based on German-Jewish texts was Shavuot because the festival is seen as the time when ancient Israel received the Torah on Mount Sinai. The famous Mishnah from P.A. “the ages of man text” indicates the ideal course of progression of a beginning student’s studies:

At age five one begins studying scripture. At ten, Mishnah; at thirteen fulfilling the mitzvoth; at fifteen studying Talmud; at eighteen entering the bride-chamber; at twenty pursuing a calling; at thirty authority; at forty discernment; at fifty counsel; at sixty being an elder; at seventy grey hair; at eighty special strength; at ninety a bowed back; at a hundred a man is one that has already died, passed on, and departed this world.

The well-known anecdote about a proselyte who approached the first century sage Hillel indicates how gerim began their studies. According to this account the ger learned the Hebrew alphabet in different combinations. Apparently learning the alphabet backwards and forwards required the initiation into Jewish learning. The Talmudic account reads, “on the first day Hillel taught the convert aleph, bet,

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avoiding eating or drinking with them, or going into their synagogues. These sugyot indicate that universal literacy and religious instruction among Jews was a key concern of the rabbinc class. They also suggest that a certain proportion of Jews did not educate their children for religious literacy probably due to cost.

131 Safrai, Shmuel, “Education and the study of Torah” vol, 2, 1976

132 In the synagogue the fact that the 1st chapter of Ezekiel of the merkavah associated with post-biblical traditions of the HEkhalot and the 10 commandments are read this made Shavuot propitious and fit for the time to begin a child’s studies because it conjures divine powers from heaven in order to achieve earthly goals. According to sar ha-torah texts and heikhalot magic on Shavuot Jews who knew how could draw down the power revealed on Mount Sinai described in Shemot 19:20 as when the time when the L-rd comes down upon Har Sinai. Shavuos thus is a mazeldik time for special revelation or divine proximity and thus opportune for a child to begin their studies.

133 Avot 5:21: וַעֲשֵׂר הָעֵשֶׂר לְפַרְשָׂה לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין לְהֵרְפִּין L-rd comes down upon Har Sinai. Shavuos thus is a mazeldik time for special revelation or divine proximity and thus opportune for a child to begin their studies.

The Talmudic Tosofists gloss the passage to encourage the study of Talmud at age 6 or seven. See Bava Batra 21a.
Thus the ger was taught the alphabet forwards and backwards.

Another method of learning the alphabet is illustrated by Rabbi Akiva’s beginning studies. Rabbi Akiva learned the alphabet by pairing the first and last letter combinations (aleph-tav, bet-shin, etc.) The rabbis called this method atbash after the pairs aleph-tav and bet-shin and the entire set of letter pairing became part of an exegetical technique in rabbinic and medieval hermeneutics, as also illustrated in a number of acrostic patterns in Tehillim. In Medieval Ashkenaz culture a tablet was often smeared with honey so that the beginning student could taste that the letters he was learning were sweat.

Some students also began by referencing the hope by learning the pusek, “May it be your will O L-Rd our G-d that Your Torah be our occupation.” A father’s obligation is to circumcise him, redeem him if a first born (pidyon ha-ben), and teach him Torah, teach him an occupation, and marry him off.

G. What was the first Pusek a Child would learn?

134 See Maseket Shabbat 31a; תנו רבנן: מעשה בנכרי אחד שבא לפני שמאי, אמר לו: הוהי התורה לשמה? אמר לו: שמשת ת.”

135 In another version of this anecdote Hillel said to him, “How does one know that this is an aleph and this a bet and this a gimel?” Only because so our ancestors of old handed it down to us that this is an aleph and this bet and this gimel. Even as thou hast taken this on good faith, so take the other in good faith i.e. dual oral and written torah.” Rabban Gamliel a descendant of Hillel the Elder replies to Agnitus the hegemon that the Jews have 2 torahs, “one in the mouth and one in writing” (Sifrei Devarim 33:10, 351, p.145a). Another version (Midrash ha-Gadol, Deut. P.764) ascribes a similar encounter to Rabbi Yohanan ben Zakkai the youngest of Hillel the Elder’s disciples and Agrippa. In the Pesikta de –Rab Kahana (102b) a midrash of the 7th century, Rabbi Yodah interprets the biblical image of “two edged swords” (Psalm 149:6) as a metaphor for the 2 aspects of the Torah.

136 Avot de Rabbi Nathan, A, chapter 6, 28-29; “What were the beginnings of R. Akiva? It is said: When he was forty years of age he had not yet studied a thing... He went together with his son and they appeared before an elementary school teacher. Said R.Akiva to him: “Master teach me Torah”, R. Akiva took hold of one end of the writing tablet and his son took hold of the other end of the tablet. The teacher wrote down aleph tav, and he learned it; aleph tav, and he learned it; the book of Leviticus and he learned it. He went on studying until he learned the whole Torah.”

137 See B. Berakhot 16b; Another version is found in a different adult context: “It was taught: If scholars are busy studying they must interrupt their study to recite the Shema, but not to recite the prayer. R. Johanan said “This was taught only of someone like R. Shimon bar Yohai and his colleagues, whose study was their occupation, but we must interrupt our study for both the shema and the prayer.” (B. Shabbat 11a).

138 Kiddushin 29a

139 See Birnbaum Daily Prayer book, 1-2; the word “omanuti” (my occupation) was sometimes changed to emunati (my faith).
The question arises what was the first pusek a child learned? R. Hamnuna names the pusek from Devarim 33:4 “When Moses charged us with the Torah as the heritage of the congregation of Jacob” as the first lesson a father taught his son.\textsuperscript{140} Another Babylonian tradition elaborates the pedagogic function of this verse: “Rabbis said to R. Hamnuna” R. Ami wrote 400 torah scrolls. He said to them: Perhaps he wrote 400 times. “When Moses charged us with the Torah as the heritage of the congregation of Yakov.”\textsuperscript{141} Besides the opinion of R. Hamnuna, another source refers to Deut. 33:4 as a text young school children learned as found in Midrash Vayiqra Rabbah.\textsuperscript{142}

Well known is also that the first complete portion of the Humash children began learning is Vayikra. Because Leviticus deals with pure sacrifices and children are pure the reasoning is that children should start with Vayikra.\textsuperscript{143} Also a ger who has converted to Judaism is likened to a newborn child.\textsuperscript{144} Thus of the well-known story of Hillel and the ger we learn “first Hillel wrote out the alphabet for him and taught it to him. Then Hillel taught him Leviticus. It should not come as a surprise then that the earliest preserved Hebrew alphabet primers from the Cairo Geniza reflect this. Several pages include outlines of the alphabet written forwards and backwards, in the first last combinations and with opening verses from Leviticus.\textsuperscript{145}

Responsa from the Geonic times mention teachers taught children in both towns and villages.\textsuperscript{146} Other response from this time point out that together with rabbis, judges, and heads of synagogues, teachers were among the community officials listed at the end of several letters of herem that the geonim sent out to the many communities of the world. Teachers were also listed as synagogue officials, together with scholars, elders, administrators (parnasim), cantors (hazanim), and caretakers (shammashim).\textsuperscript{147}

**H. TEXTS FROM THE CAIRO GENIZA ON PRIMARY JEWISH EDUCATION**

Primary education was standard in the Jewish communities of the Middle East as revealed by documents from the Cairo Geniza. Goitein writes, “Knowledge of Hebrew was nearly universal among Jewish males, at least at the minimal level of the ability to read the Bible, which formed the core of the Jewish primary education.”\textsuperscript{148} As well as the Cairo Geniza the Gaonic Responsa shed light on Jewish

\textsuperscript{140} B. Sukkah 42a. See Sifre on Devarim, Eiqev 11, sec. 46; Rabbenu Tam (d. 1171) noted that verse is called torah, as we learn in chapter three of Maseket Sukkah: “When a minor knows how to speak, his father must teach him Torah (Tosafot to B. Bab Batra 14a)

\textsuperscript{141} B. Bava Batra 14a

\textsuperscript{142} “He replied to him: It is as the children say: “When Moses charged us with the Torah as the heritage of the congregation of Yakov”. It does not say the congregation of Yannai but the congregation of Yakov. That is the torah belongs to all Jews, not just to R. Yannai.”

\textsuperscript{143} See Midrash Vayyikra Rabbah 7:3: R. Isi said, Why do children begin their study of the Torah with Leviticus? They should start with Genesis! The Holy one blessed be He, said “Since sacrifices are pure and children are pure, let the pure begin by studying the law about purities.”; The Beit HaMikdash was the place where the Levites transmitted sacred knowledge in biblical times and some scholars thus have suggested that into Hellenistic era, only Levites taught their children to read the Torah. (see Finkelstein, Mavo Le-Masekhtot Avot, 108).

\textsuperscript{144} Yevamot 22a and B. Bekhorto 47a.

\textsuperscript{145} See: Assaf, Meqoret 4:16 (no. 21) from the Cairo Geniza


\textsuperscript{147} Levine, The Ancient Synagogue, Yale Univ Press, 2005, 412-52

medieval education. Responsa refer to schools, teachers, and their salaries, pupils, books, teachers and tutors being appointed to small towns, and that Jewish children in synagogues learn Hebrew and Arabic script, as well as arithmetic. Other responsa mention that non-Jewish families were interested in sending their children to synagogues to learn non-religious topics. Many letters and court records attest to the centrality of education in Jewish life for example a woman from a family tried to prove in a trial that her husband did not have the rights of a husband because he did not pay for the education of his children (she paid herself). In a settlement a woman confirmed that she had paid expenses associated with food, drink, clothing, and living quarters, and education of their three children. A letter by a Jewish man, notes that “the knowledge we acquire as children is the only thing that make others respect us… The teacher should be respected and the children should be sent to school in the synagogue every morning and every evening.” This teacher responded this way because he received a complaint from a parent that he assigned too much homework. Further in a business letter a Jewish merchant advises his correspondent to make sure that his son does not interrupt his studies; if the need arises the friend was asked to advance the school fees. Many letters attest that fathers traveling abroad give instructions to their wives or other relatives regarding the proper education of their children. One Jewish merchant criticizes his wife for letting the children skip school and play in the streets. In the same letter he sends his brother 15 dirhams for his children’s teacher and a fine piece of clothing for his son, to encourage him to attend the bet sefer.

The records from the Geniza also attest that the Jewish community made great efforts to provide education for orphans and the children of the poor. Each household in addition to school fees for their own children, had to pay an education tax to finance the primary education of orphans and poor children. Records from Fustat, Jerusalem, Damascus, and Baghdad mention “teachers of the orphans” supported by this communal tax. Every head of household who resided for over 12 months had to pay this tax to finance the schooling of the poor. This document from the Geniza also provides evidence of expenditures from individual households for their own children.

Account of the teaching of children in Torah School of R. Nisim son of Ibrahim the community leader from Shabat Bereshit until Shabat Va-Yoshea- 16 weeks, 8 dirhams

Son of the carpenter, called Chayoun the Mugrabi for 4 months… 8 dirhams

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149 Goitein, S.D., A Mediterranean Society, 5 vols, 1967-88, vol.2 177; a letter from Halfon b. Manasse ha-Levi (1100-39) found the Cairo Geniza confirms the study of mathematics, whereby Halfon agreed to instruct a widow’s son in Arabic calligraphy and arithmetic.

150 Assaf, A sourcebook for the History of Jewish Education from the beginning of the Middle ages to the period of the Haskalah, with added comments and supplements edited by Shmuel Glick, 5 vols, NY: JTSA, 2002-6, vol.2, p.27;Rabbi Hai the head of the academy in Pumbedita in the 10th to early 11th centuries notes that children may study “Arabic script and arithmetic as an addition to the study of the torah. But without the teaching of Torah, one should not teach these” and that “one should avoid as far as possible teaching the children of gentiles in the synagogues; but if there is fear it may cause outrage then it should be permitted, so as to keep the peace.”


154 Goitein, 1962, p.40; see also Mark Cohen, in Poverty and Charity in the Middle Eastern Contexts edited by Michael Bonner, Mone Ener, and Amy singer, 53-72, Albany: SUNY Press, 2003
Three sons of Calaf from the town fo Almachla for 12 weeks.... 15 dirhams

Chayoun the Magrabi the orphan from the month of av until the end of Shabbat Va-Yoshea- 5 months...10.5 dirhams

Sons of the shoemaker’s wife and a little boy of R. Yehosua, for 10 weeks ending with Shabat VaYoshea- 15 dirhams

Son of Mechsan the Shamash and the son of Baha the shomer Kashruth supervisor for 12 weeks ending at the same time..... 12 dirhams.

It is further interesting to note that in this Geniza document the community paid for the school tuition of the shomer and the community leader. The accomplishments of a teacher often reached teaching the child to recite the Targum of Onkelos as noted in a letter from Cairo to a merchant on trip to India, “Your boy Faraj now reads the Targum accompanying the lections- as I guaranteed you he would.”155

While most children were sent to the synagogue school for primary education the wealthy tutored their children at home. 156 The documents from the Cairo Geniza reveal children’s primers showing that children were taught to read by being taught letters, together with other symbols used in Hebrew and their various combinations. Teachers also employed drawing large calligraphic outlines of letters, which the children filled in with colors such as red and brown. 157 The Geniza also accounts for several teachers who were women.158 The varying ranks of primary school teachers included melamedei tinoket (teachers of young children), talmidim (scholars), and haverim (accredited learned men). Haverim were at the top of the educational payscale according to the Geniza.159 The spiritual leader of the community was called Dayan (judge).

After attending primary school where a boy acquired basic literacy in Hebrew and Arabic the ability to read and study the Torah in Hebrew, and some arithmetic skills, a Jewish boy was supposed to learn a craft or trade as indicated by Talmudic Tractate Kiddushin19a which also specifies that a father pay for their children’s education. Those few students who were exceptionally bright went on to the rabbinic academies where the language of study was Aramaic. Yet all Jews were enjoined to learn lifelong as indicated by a letter from the 11th century in the Geniza which states, “Just as the body needs food, so the soul needs learning. Therefore part of a man’s time should be dedicated to learning, meaning in the free time, Sabbath and Holidays.” 160 Schepping Nachas had its equivalent In the Sephardic world of

158 Goitein, S.D., 1962, p.64.
160 Goitein, 1962, p.129; This seems to be an extrapolation of a sugya in Baba Batra that one should divide their days into threes: the study of Mikra, Mishnah, and Gemarah.
Arabic and Hebrew where one letter from a Tunisia Jew notes, “You wrote that you had gone over the Bible a second time and knew it, and furthermore that you study mishna and the Talmud. You made me extremely happy….” Learning was the injunction upon all not just the rabbis in the academies and Goitein shows in detail the educational process of scholars, judges, preachers, cantors, other religious functionaries, scribes, copiers, physicians, druggists, pharmacists, perfumers, preparers of potions, and so on.

In the course of Jewish history, after the Hurban, where the great majority of Jews transformed their occupations from a land based farm economy in Eretz Yisrael where the Beit Hamikdash was the center of Jewish religion and Levitical priestly focus, to a diaspora mobile economy comprised of money lenders (finance), traders who could draw on converting currencies in different languages, and physicians (who were required to be literate in reading the works of medieval health texts), the economic investment on literacy provided good returns in making Jewish religiosity portable to distant diaspora lands, essentially keeping Judaism alive in the diaspora. Physical versus portable human capital included literacy being mobile and Jews tended to go into professions that were not only open to Jews as medieval Charters excluded Jews from fields such as government bureaucracy so that literacy gave Jews a competitive advantage in crafts, trade, banking, finance, law, and medicine whereby the transition from a farming economy tide to Eretz Yisrael to an urban skilled occupation occurred over history of Jews in the diaspora. Thus the side effect of the purpose of investing in literacy and Jewish education ensured Jewish continuity in the diaspora and was a part of the Rabbinic ethos placed on building the foundations for later Rabbinic elite learning, it also played into the diaspora trends of making Jews mobile and urban.

Jews invested in learning and intellectual capital rather than often building Cathedral like structures and with the prohibition on “graven images” (lo oseh likhah pesel) the emphasis was on literacy so art did not play the kind of role it plays in Christianity to teach the alogos “Bible stories” by viewing paintings, stained glass windows, and statues. Literacy and memorized knowledge that is internalized is portable like movable capital (mitaletlein) and thus the Jews could transport their education from their wanderings in the diaspora. Exogenous factors such as restrictions in medieval charters, discrimination as dhimis or paying additional Jew taxes, persecution such as pogroms and Crusades, and massacres ensured literacy, learning and education that was mobile. The demonstration of the prohibition of writing down oral torah based on Gittin 60a and Temurah 14b and a host of other factors may explain why from besides the Cairo Geniza the existence of medieval libraries is relatively scarce and it further allows us to show the medieval Jewish pedagogic curriculum based on the ethos to make every Jewish child literate derived from the takkana of Joshua ben Gamla nearly 2000 years ago and reiterated in various Rabbinic texts emphasizing universal Jewish literacy and education. By raising the question of reconstructing medieval Jewish libraries we thus show a basic underpinning element of their existence, the medieval Jewish Rabbinic ethos for the elementary curriculum.

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Part IV. THE CAIRO GENIZA: Containing Not only Azharot texts and many other genres of Discarded TEXTS, not mere “library discards” but a treasure trove of Knowledge about the Medieval Mediterranean Society and its Culture

The Cairo Geniza is a most important source for our knowledge of early texts. Nehemya Allony studied _Book Lists from the Cairo Genizah_ in a publication in Hebrew from the Ben-Zvi Institute for the Study of Jewish Communities in the East (Jerusalem, 2006) edited by Miriam Frenkel and Haggai Ben-Shammai with participation by Moshe Sokolow under the project director of M. Ben Sasson and S. Shaked and others. Geniza research is immense since the time Solomon Schechter “excavated” the geniza of the Cairo Fostat synagogue where Maimonides served as a rabbi with over 800 hits in RAMBI of papers on the subject. Geniza scholarship can be characterized however by methodologies and approaches. For instance Davidson looked at liturgical (piyyutim) and poetry from the Geniza, while Goitein in his multivolume set _The Mediterranean society_ and _Letters from the Geniza_ that focused mostly on trade and legal documents. Geniza scholars such as Rabinowitz, Schechter, and many others looked at halakhic/legal texts from the Geniza. Schechter also gave Louis Ginzberg a text which Ginzberg published under the title _Ein Unbekannte Juedische Secte_ which is in fact a kind of paraphrase of _The Damascus Document_ which my teacher Rabbi Joseph Baumgarten published and edited with notes and critical apparatus, after being given an early facsimile from the coterie of Catholic scholars, given from the Polish clergyman Millik via Albright, from the collection of Dead Sea Scrolls with Cambridge University Studies in the Judean Desert. More recently Mark Cohen with an ethical social conscience has looked at the status of the vulnerable in Jewish society such as widows, poor, orphans, divorced women, etc. from texts in the Geniza published in a 2 vol. set Poverty and charity in the Jewish community of medieval Egypt. Thus the Geniza has been approached with many methodologies and types of approaches. The Librarian Stefen Reif is the head of the Cambridge-Taylor Research unit that is digitizing some of the treasures from the Geniza at: http://www.lib.cam.ac.uk/Taylor-Schechter/exhibition.html

A. Scholars of the Genizah might be described under these rubrics

(1) Solomon Schechter- excavator brought materials back to Cambridge, JTS, and Dropsie

(2) Louis Ginzberg: Yerushalmi Fragments, Geonica, Eine unbekannte jüdische Sekte. [Zadokite Text of DSS] (halakhic texts)

(3) Israel Davidson: Geniza poetry including Yannai

(4) Zulay
Schirmann published in 1938 a biography of Rabbi Yehudah HaLevy; _Hebrew Poetry from Spain and Provence_ (1956) and 1965 collection of some 250 previously unpublished Geniza poems, and did much research on documentary archival geniza documents relating to poet Dunash ben Labrat including some of his prose. Schirmann founded the Israel National Academy of Geniza Research for Hebrew Poetry in 1967. The Institute's extensive index of meters, refrains, genres, opening lines, rhyme schemes, stanzaic structures, and scriptural citations all cross-referenced was an attempt to map the “genetic identity” of 90 thousand poems. Schirmann was given an excellent education by his father and from the age of 12 was interested in Andalasian Hebrew medieval poetry and went on to work as a researcher going between the Israel based Schocken Institute (first in Berlin and relocated to Rehavia, Jerusalem) and Cambridge. In 1930 Schirmann wrote of his research at Cambridge, “I came across heaps of important ms. – some containing unknown poems by well-known writers, or work by their contemporaries to whom fortune had been less than kind and whose compositions had fallen into the abyss. Every evening, as I looked back over the day’s work, I’d dream of the discoveries that awaited me the following day.”

Schirmann was also an excellent violinist. When his apartment in Tel Aviv burned down Schirmann miraculously escaped from the top floor roof clutching his precious violin as his most prized instrument. Schirmann was lowered by a rope while holding his violin. In Schirmann’s passing on in 1981 a 2 volume book on the history of all five hundred years of Spanish medieval poetry was found, although Schirmann is buried in Paris. Schirmann was well aware that Spain in the golden middle ages of the Jewish renaissance provided a treasure trove of literary interest. In 900 CE “in Cordoba for instance there was a population of nearly ½ million people with thousands of shops and many libraries (the one of the caliph alone contained 400,000 volumes) and it belonged to a trading network that connected Constantinople, Alexandria, Baghdad, and Damascus with India and China.”

This cultural renaissance provided fertile findings for Schirmann and his colleagues at the Institute for Geniza Medieval Spanish poetry.

(6) Robert Brody

(7) Ezra Fleischer- Headed Institute of Geniza medieval poetry after Schirmann and among his many extraordinary contributions discovered a poem by the wife of Dunash ben Labrat’s wife which told of the couple’s painful separation: Will her love remember his graceful doe/ her only son in her arms as he parted?/ On her left hand he placed a ring from his right/ on his wrist she placed her bracelet/ as a keepsake she took his mantle from him,/ and he in turn took hers from her/ would he settle now in the land of Spain/ if its prince gave him half his kingdom?

While Schirmann focused on secular poetry Fleischer focused for the most part on liturgical poetry and looked to the east, (Palestine and Iraq) for keys to the Spanish accomplishment. Fleischer discovered poems of Yosef ibn Avitor and Menahem ben Saruk. In the final lecture Fleischer ever gave a year before passing on at age 78 Fleischer considered the accomplishment of excavating the Geniza by declaring, “The study of the Geniza has given us not so

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much a quantitative increase in knowledge although that has been immense; and not just a qualitative advance that surpasses expectation although that has been astonishing; and not merely an influx dizzying as that has been of dates and names, of hues and lights and voices. The recovery of the Geniza has meant rather, the spectacular completion of a breath-taking landscape, the perfect harmonious and inevitable unity of which all of a sudden seems revealed."

Fleischer referred to his work of discovering 10s of thousands of hitherto unknown poems by hundreds of unknown poets that were, as “suddenly with the Geniza’s discovery released like spirits or ghosts through the square opening of that sealed room at the end of the women’s’ gallery of the Ben Ezra synagogue” (191). Today the Ezra Fleischer Geniza Research Institute for Hebrew poetry is located in a maze-like back hallway of the National Library where scholars work in windowless rooms surrounded by tin shelves crowded with files, under framed, black and white portraits of Schirmann, Zulay, Fleischer, Goitein, Leopold Zunz, and Shalom Spiegel and others.

(8) Jacob Mann: doc. Evidence- letters, contracts, court records on communal life

(9) S.D. Goitein: A Mediterranean society : the Jewish communities of the Arab world as portrayed in the documents of the Cairo Geniza (trade, accounts, etc.). Goitein’s enthusiasm in excavating the “virgin genizah” fragments that Scheckter considered less important is described when he wrote, “I never imagined that I’d have news and discoveries this time, But yesterday the head of the library, Creswick (pronounced resick) together with the head of the oriental department, Miss Silliter, took me to the 7th floor, under the roof- I was amazed to find that the attic of this magnificent building is just like ours- pipes and water tanks (and the tanks were exposed) and what do I see? Actual crates, as they were sent from Egypt in 1897... Schecther deposited here what he though no longer of any value, but not a quarter hour had passed before I pulled out a piece of a large letter (60 lines) that’s among the very best I have about travel to India- along with another 3 documents. The librarian.... Was clearly excited and ordered the crate to be taken down to a special room so that we could examine it ( mean me with the help of Ms. Skilliter) and so this morning, even though it was Saturday and a holiday (Simchat Torah), I decided to celebrate the Sabbath by rummaging around in a virgin geniza, really like

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167 Mann attempted to chart the Jewish life across the heart of an empire and had gone through the whole Cambridge collection wearing a homemade gas mask to protect himself from the fumes. He also scoured the holding of the Bodleian and British museum collections. Yet Mann noted that no claim was put forward of having exhausted all the available materials. His book was presented in an attempt to reconstruct the life of Jewries of Egypt and Palestine from the beginning of the Fatimid reign in Egypt (969 CE) till about the time of Maimonides (1134-1204). Mann brought to light hundreds of new transcriptions of Hebrew fragments of communal appeals, elegies for public figures, formal epistles, letters to and from religious leaders never before published. Mann’s book in Goitein’s words reclaimed pre-Crusader Palestine for Jewish history. Mann’s book, _The Jewish in Egypt and in Palestine_ was a treasure trove of historical details. Gotein referred to the book as a string of pearls held together by a chronological and associiative sequence.
Schechter in his day, and I stood there all morning long, taking things out and sorting them...

Gottein thus recognized treasure where others had saw trash. Before Goitein scholars of Geniza materials had almost always focused their energies on major trends in Jewish pietism. What mattered were liturgical fragments, pages of Talmud and midrash, rabbinical rulings, and documents relating to important political and religious developments, to the lives and leanings of medieval Jewish communal leaders. Dramatic discoveries like the Ben Sira fragments, the piyutim of Yannai, and the Damascus Document commanded the academic and popular interest in the Genizah during the first half of the 20th century. Carlyle has stated that “The history of the world is but the biography of great men and their accomplishments.” Goitein as did later Salo Baron however turned the historians attention to the mundane, daily, ordinary, to derive insight into the social and religious history of the Jewish people. George Elliot in her novel Middlemarch expressed this as not the focus on men and their battles and monuments of triumph but rather social history is interested in the quotidien, repetitive, little details of daily living and what that can shed light on the human condition. A Balzac novel contains microscopic details of its subject and so too the Genizah in Goitein’s mind could reveal great insight about the daily details of medieval Mediterranean society and the lives of the people who constituted that time and place. For Goitein striving for historical truth mean descent into millions of discrete particulars in the grittiest minutiae of daily life and language and their eventual reconstruction in a larger frame. Goitein referred to himself as an “interpretive sociographer” who describes a culture by means of its texts. This approach contrasted with Salo Baron who painted with a broad brush stroke. Baron looked at overarching grand demographic, economic, and communal themes that emerged slowly, almost geologically over centuries. Goitein with pick axe in hand immersed himself in the millions of fragments of the historical geological record as so many splinters of rocks and fossils from which he reconstructed the dinosaurs of the period under study. Gotein was a tireless researcher. By 1954 with the publication of his “preliminary report” on the subject, he had already surveyed all the known documentary contents of eleven Geniza collections on four continents; he’d copied the contents of hundreds of fragments by hand and begun the laborious process of deciphering, translating, and annotating them. He even composed a lexicon of the nomenclature of trade that spoke to the particular language of mercantilism that supplied him with much of his sources. Goitein also championed bringing to light the women “Wuhsha the pawnbroker” who turns out more than any other woman in the papers once held by the Ben Ezra Synagogue.

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170 Known in the documents by her nickname- which Goitein translates as “desiree” or “object of yearning” through the three letter Arabic root also implies “wild one”- Wuhsha (whose real name was Karima, the daughter of Ammar) was a rich 11th century divorcee with a flourishing business as a sort of private pawnbroker. She also had a Jewish lover by the name of Hassun and bore him a son out of wedlock. One document tells of her son Sa’d who wanted to prove he was not the product of an incestuous relationship and witnesses were summoned to attest to his paternity. Another document attests to Wuhsha being kicked out of a synagogue where she came to pray on Yom Kippur but she got the last laugh as she left in her will assets to all the synagogues of Cairo except the one from which she was kicked out. In her will she also named a teacher to teach her son about the Bible and prayer book “to the degree that it is appropriate that he should know them.” She set aside funds for the teacher’s
Of greatest fascination and passion to Goitein was his research however into Rambam\textsuperscript{171} and Rambam’s son, Rabbi Abraham Maimonides. Abraham’s overworked schedule and bureaucratic demands in fact Hoffman and Cole see reflected in Goitein’s own life.\textsuperscript{172} However where Rabbi Avraham Maimonides tended towards the ethical and ascetic life, promoting friendships with Jewish Sufis who fasted, wore wool, and retreated to solitude for contemplation, Goitein was very much a man in the world and a part of the world. Perhaps his microscopic immersion in the nitty gritty of the Geniza by lifting up the detritus of the jetsam of the quotidian as his all-consuming life work, reflects this rejection of asceticism and focus on the practical and being very much in the world. While ascetic companions of Abraham Maimonides lived in the world they did not make their essence of the world, while Goitein did. Goitein was driven by a philological passion in the challenge of brining order to histories detritus. For other scholars this reconstruction of the Mediterranean society of Cairo fostat and the surrounding culture took on almost a mystical sense of resurrection, although not that type of mysticism of which the Jewish Sufis with whom Abraham Maimonides looked up towards as exemplary. While many Geniza exemplars testify to the son of Maimonides, of texts relating to Maimonides himself there are more than 60 fragments in the philosophers own handwriting, including marked up “draft copies” of his famous Mishneh Torah. As both Maimonides and his son were physicians also the Geniza provides the equivalent of “an entire Medieval Physicians’ Desk Reference, describing in precise detail the cause, diagnosis, and treatment of diseases; the preparation of a Mediterranean medicine chest of potions, pills, pastes, ointments, lotions, a nd gargles; and event he social and ethical aspects of the medical profession.”

\textsuperscript{171} The geniza reveals that Maimondies was constantly revising his commentary on the Mishnah from its initiation until the end of his life. This is evident not only from the drafts preserved in the Geniza and from many cancellations, alterations, and additions in his own fair copy of the work but also from the fact that Rambam himself explicitly corrected and changed in his responsa his own already circulated text. Maimonides was aware of the problem of authorized versions as it attested by his inscription and signature at the end of a copy of part of his MT. copied in his lifetime (1134-1205) and now preserved at the Bodleian library. Maimonides confirms that the manuscript was corrected according to his own personal copy. This the only surviving example of a Hebrew manuscript of the practice known in Arabic transmission as ijaza, the validation by the author of a final version, which was then recopied by later scribes following the authors approval or hashkamah.

\textsuperscript{172} Hoffman, Adina, and Cole Peter, Sacred Trash: The Lost and Found World of the Cairo Geniza, Schocken, 2011, 215-216

\textsuperscript{173} Hoffman, Adina, and Cole Peter, Sacred Trash: The Lost and Found World of the Cairo Geniza, Schocken, 2011, p. 234.
Gottein has made clear that the documents of the Cairo Geniza cover not only the profession of medicine but about 450 occupations related to commerce and banking, crafts, and teaching including scribes and rabbis. Gottein argues that knowledge of Hebrew was universal among males at least at the minimal level of ability to read the Bible, the core of Jewish education. Responsa from the geniza refer to schools, teachers and their salaries, pupils, and books. Some letters refer to teachers and tutors being appointed in small towns and villages. Some responsa indicate that Jewish children in synagogues learned Hebrew and Arabic script as well as arithmetic. Other response mention that non-Jewish families were interested in sending their children to synagogues to learn nonreligious topics. The Geniza also includes a wealth of information confirming the primary education among Jewish children including documents such as budgets, letters, contracts with reference to teachers and fees. One document from the Geniza entails a Jewish merchant who complains about his wife who let the children miss school and play in the streets. In the same letter he sends his brother 15 dirhams for his children’s teacher and a fine piece of clothing for his son, to encourage him to attend school where the father is paying tuition. The groups of melamedei tinokot (teachers of young children), talmidim (scholars), and haverim (accredited learned men) made up the teachers of elementary school children. Geniza documents also testify to a communal tax also gathered funds from the communities of Fustat, Jerusalem, Damascus, and Baghdad to pay for the schooling of orphans and the poor. Every household head who had resided for 12 months in a given location had to pay an education tax to finance the schooling of orphans and poor children. This document from the Geniza provides evidence of household expenditures for their own children and that of orphans and poor children in the Jewish community. More than Gottein it would be his student M.R. Cohen who examined systematically documents regarding the vulnerable from the Geniza, such as widows, orphans and the poor.

(10) Marc Cohen: Voice of the Poor in the M.A. Under the auspices of the Princeton Geniza Project one of Gottein’s leading students Cohen has since the mid-1980s supervised able students to transcribe and create a large searchable database of the Geniza’s historical documents in Judeo-Arabic and Hebrew.

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175 Gottein 1967-88, vol. 2, 177; For example in a letter written by a wealthy Jewish trader and scholar Halfon b. Manasse ha-Levy (1100-39) a widow contracts the merchant to instruct her son in Arabic calligraphy and arithmetic. For successful teaching the instructor’s remuneration would be 2 dinars.  
177 Assaf, Simcha, A sourcebook for the History of Jewish Education from the Beginning of the Middle Ages to the Period of the Haskalah, with added comments and supplements edited by Shmuel Glick, 5 vols. NY: JTS 2002-6, vol. 2 p.27; Rabbi Hai the head of the academy in Pumbedita in the late 10th to 11th century notes that children may study “Arabic script and arithmetic as an addition to the study of the Torah. But without the teaching of torah one should not teach these and that one should avoid as far as possible the teaching of children of gentiles in synagogues; but if there is a fear it may cause outrage, then it should be permitted so as to keep the peace.  
178 Gottein 1962; In addition to living expenses and the head tax, education took up the major portion fo the family budgets found in the Cairo Geniza.  
Known as the “TextGarden”, the database currently includes some 400 thousand fragments, nearly a quarter of the Geniza’s documentary nonliterary materials.

(11) Stephen Reif: liturgical aspects & much more. Reif has advanced the organization of Schechter’s original finds far beyond the black binders on rows and rows of shelves a few aisles down from the Charles Darwin papers in the closed stacks of the University library. The Taylor-Schechter collection constitutes 70% of the world’s Geniza stash. Besides what Schechter carted back it includes purchases from Wertheimer, Chester, Henriques, and others. It was Reif who in 1973 began systematic examination. An energetic Scottish Jewish scholar and bibliographer Reif laid out an ambitious 10 year plan to bring order to the jumbled mess by conserving, cataloging, microfilming, and creating a bibliography for the collection in its entirety. Beyond Cambridge, Geniza fragments are held physically in private storerooms from the JTSA in NY to the Bodleian at Oxford. 75 collections have been counted.


(13) Albert Friedberg a kind of latter day Salman Schocken has financed a massive project make all Geniza fragments available online. Carried out by a staff of mostly young ultra-orthodox women on the 14th floor of an unprepossessing office building surrounded by shwarma stands in Jerusalem. With an international team of scholars the cyberwizard behind the Friedberg site is Yaacov Choueka. Choueka is revolutionizing the study of the Geniza. As planned when the project is complete photographed images of hundreds of thousands of the Fustat ms. – the recto and verso of 331,351 folios from the Ben Ezra cache- will be available at the click of a mouse on the Friedberg website, along with half a million items of data about these ms., compiled over the course of the previous century. It adopts state of the art face-recognition technology to the medieval context. And the Friedenberg programmers have made possible the mechanical identification of candidates for “joins” the reunion of long separated parts of torn ms. As well as fragments from the same scribe.

B. Solomon Schechter’s Excitement on Excavating the Geniza and His Sense of Humor

183 Botticini, Maristella and Eckstein, Zvi, The Chosen Few, Princeton University Press: NJ, 2012, 57; “Many documents from the Cairo Geniza (including thousands of contracts, letters, business partnerships, account books, deeds, and wills) and the rabbinic respona (comprising debates and court cases) refer to the sale and purchase of land and other transactions involving landholdings. This wealth of evidence shows that landownership was not just a legal option but also a reality for the Jews living in vast territory under Muslim rule. The right of Jews to own land and the actual ownership of land by Jews however did not halt the occupational transition that in less than 2 centuries transformed the Jews of the Middle East from a population of farmers, like the rest of the population to an urban population of craftsman, brokers, moneylenders, court bankers, and physicians.”
Schechter displays a good bit of humor with regards to his excavation of the genizah when remarking

“One can hardly realize the confusion in a genuine, old Genizah until one has seen it. It is a battlefield of books, and the literary productions of many centuries had their share in the battle, and their disjecta membra are now strewn over its area. Some of the belligerents have perished outright, and are literally ground to dust in the terrible struggle for space, whilst others, as if overtaken by a general crush, are squeezed into big, unshapely lumps, which even with the aid of chemical appliances can no longer be separated without serious damage to their constituents. In their present condition these lumps sometimes afford curiously suggestive combinations; as, for instance, when you find a piece of some rational work, in which the very existence of either angels or devils is denied, clinging for its very life to an amulet in which these same beings (mostly the latter) are bound over to be on their good behavior and not interfere with Miss Jair’s love for somebody. The development of the romance is obscured by the fact that the last lines of the amulet are mounted on some I.O.U., or lease, and this in turn is squeezed between the sheets of an old moralist, who treats all attention to money affairs with scorn and indignation. Again, all these contradictory matters cleave tightly to some sheets from a very old bible. This, indeed, ought to be the last umpire between them, but it is hardly legible without peeling off from its surface the fragments of some printed work, which clings to old nobility with all the obstinacy and obstructiveness of the Parvenu.”

Solomon Schechter, Description of Original State and contents of the Geniza is given with humor. It also ponders the accident of fate whereby a sacred text could become over time nestled next to a love letter. Once in England with the task of sorting Accounts have it that Schecther had around him a great many grocery boxes, labeled “Philosophy”, “Rabbinic”, “theology”, “Literature”, “History”, “Bible”, “Talmud” etc. and with his magnifying glasses he would study each little ragged piece, and then put it into its proper box with so much alertness that it was almost "like a housewife counting different articles of laundry". Schecther was very protective of his unique find and in a letter to librarian Francis Jenkinson before sending the hoard of fragments back to Cambridge Schechter wrote:

“The MSS will probably belong soon to your library. I want only to hear first whether you and the syndics will agree to certain conditions which I have to make. Money plays no important part in these conditions and I am sure you will find them very fair and just. But till then I want the MSS to be considered as my private property so that the boxes must not be opened before I have returned. For I am very anxious to be the first to examine them properly. If you cannot agree to these conditions (sic) will you do the favor to send at once- when the boxes arrive for Mrs. Schecther (2 Rock Road) and hand her over the boxes who will bring them into some place of safety until I return. Please G-d.”

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184 Sacred Trash: the Lost and Found World of the Cairo Geniza, Hoffman, Adina, & Cole, Peter, Schocken: NY, 2011, p. 84
Once returned to England and with some time to examine the geniza materials Schecther wrote a PR piece to announce the importance of their finding in the Times under the title, “A hoard of Hebrew Manuscripts” which explained the cache and its history for the general reader, and Jenkinson read the proofs then helped Schecther compose a reply when the day after Schechter’s article appeared on Aug. 3, and anonymous reader wrote the following letter to the editor:

“In his interesting description of the ancient Geniza in Cairo Mr. Schechter omits to mention that the honor of the discovery of this treasure belongs truly to the learned librarian of the Bodleian, Dr. A Neubauer, who was the first to light upon it and to obtain a large number of important fragments for that library. He has published already some six years ago, a few of these documents and has placed others at the disposal of scholars…. The other who went to that “hiding place” of the ancient synagogue in Cairo was Mr. Elkan N. Adler who not only brought last year very valuable MSS from there, but practically gave the key to it to Mr. Schechter. In apportioning the honors of the discovery we must be just and fair.”

The letter was signed “Suum Cuique” “To each his own”

Schechter and Jenkinson responded to this slap in the face of a letter with the calm response:

“The honour of discovering the Geniza belongs to the nameless dealers in antiquities of Cairo, who for many years have continually offered its contents to the various libraries of Europe....”

One of the early recognizers of the importance of the Genizah was book collector and Rabbi Shelomo Aharon Wertheimer. Born in 1866 in Slovakia, the Jerusalem rabbi and independent scholar supported his large poor family by buying and selling manuscripts. In 1890s Jerusalem Wertheimer was known as an expert bibliophile, and thus received visits from dealers and suppliers who brought him manuscripts for inspection and possible purchase. One of these suppliers was known as the “Yemenite”, a man who Wertheimer dispatched to Egypt to buy manuscripts on his behalf. Werheimer tried to sell the fragments to the libraries of Oxford and Cambridge. From 1894 to 1896 Wertheimer sold 62 Geniza ms. To Cambridge and 239 items to Oxford. In an important book of hitherto little known rabbinical commentaries Werheimer made conscious reference to the source of the manuscript with which he was working: it comes from the old Geniza. .. in the land of Egypt. And he would go on to publish other volumes filled with rich range of material from the Geniza- including more unknown midrash, rabbinic response and liturgical poems. The wise scope of Geniza documents he put up for sale to Cambridge everything from Judeo Spanish poetry collections to marriage contract to legal deeds to the seventh century Apocalypse of Zerubbale to medical tracts to letters to Passover hymns- also indicates a keen understanding of the vast and eclectic potential of the cache. Wertheimer unfortunately was barely paid for his recuperation of Geniza texts. Count Rimao d’Hulst was also another retriever of geniza manuscripts not compensated for his hard work. Another person A. H. Sayce who had through d’Hulst been steadily supplying Oxford with geniza manuscripts claimed the Jews of the synagogue offered to sell the who Geniza collection for about $5000 but the difficulty to get the materials out of Egypt

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remained a problem. In 1896 Elkan Adler returned to Cairo and was conducted by Chief rabbi Rafail ben Shimon to the end of the ladies gallery and permitted to climb to the topmost rung of the ladder to enter the chamber of the Genizah. Adler took away with himself a sacksful of paper and parchment for the 4 hours he was permitted to collect. Upon his return to England Adler announced his discovery to Schechter and Neubauer. Adler had in Neubauer’s eyes paid a heavy sum for a lot of trash. Schechter’s genius in traveling to Cairo to retrieve materials from the Geniza was the hishtadlanus he did with the leading Jewish families in Cairo to gain their trust to cart away such a large finding of texts. Schechter also realized that were the geniza to be picked apart and sold piece meal it would deplete its value.

After Schechter settled in America news came that the scholar David Kaufmann had come in possession of six hundred Geniza fragments which were donated on his death to the Hungarian Academy of sciences in Budapest.

Once Schecther relocated to American to become chancellor of the JTSa he employed the assistance of Israel Davidson. Davidson’s discovery of acrostically signed poems of the poet Yannai on palimpsests proved to be revolutionary and important. Davidson was born near Kavno (Kovno) and his parents had already lost 12 children, and when Israel (Chaim) was born he lost his parents at the age of four. Having studied at the Slobadka yeshiva Davidson sought to avoid the Czar’s military draft and fled to America. He became a graduate of City College in 1902 and completed his PHD at Columbia on “Parody in Jewish Literature” and then worked as a chaplain at Sing Sing for a number of years. In 1905 he was hired by Schechter to teach Talmud at the JTS. In 1910 while looking through some of the genizah items Schechter brought with him from Cambridge, Davidson happened upon a 5X4 inch pages contain instructions in Judeuo-Arabic regarding the procedure of a prayer service. The directions cited the first words of several liturgical poems called piyyutim. The Hymns were written by Yannai. In the 10th century Sadya Gaon counted Yannai as “the elder poets” whose verse he says are model compositions. The German Jewish liturgical poet R. Ephraim of Bonn (1133-1196) tells the story of how a certain hymn of Yannai is not recited because in an act of what the Talmud in another context calls kinat Sofrim, writers envy, he murdered his student Eleazar Kallir, the most prolific and celebrated of the early Hebrew liturgical poets, by placing a scorpion in his sandal. May God forgive all those who say this of Yannai. , the only quaisi compunctious Ephraim adds, “if it did not really happen.” Davidson published the Yannai findings in the JQR with his commentary. Davidson after traveling to Cambridge made another remarkable Yannai discovery when identifying a palimpsest of what earlier was identified as liturgical and which Charles Taylor had focused more intently on the underlying Greek. Yannai’s Hebrew hand was found as an acrostic running down the spine of a poem, a kind of signature. It was a find by Davidson that was overlooked by the scholarly world previously that had focused on the underlying Greek text, and Davidson’s discovery would lead scholars to complete works of one of the titans of Hebrew poetry. These acrostic signatures had been published for 2 decades so it makes one think of Wittgenstein’s remark that the truth is under one’s nose. In 1914 Davidson published a catalog of his own beloved library collection titled, Hemdat Yisrael (Israel’s delight). Davidson later went back to the palimpsests and identified forty individual units of eight long composite poems all of which were clearly part of the Yannai hymn book. As one observer noted Yannai’s hymns as analogous to Bach Cantatas that glorify the liturgy further. Yannai, a 7th century Jewish poet, makes no reference to Islam, but he does site 5th century Midrashim. Schoken referred to the Yannai hymns as analogous in Jewish terms to
the recovered national German Epic, The *Nieblungenlied* (Songs of Nibelung) a poem based on pre-Christian motifs, which 18th century scholars brought to light.

**C. Schocken Institute for Medieval Hebrew Poetry**

Schocken founded the Institute for Hebrew poetry, *Forschungs institut fuer hebraische Dichtung in Berlin*. The institute’s director was Chaim Brody, a Hungarian born former chief rabbi of Prague. Brody hired a 30 year old Galacian Jew named Menachem Zulay. Zulay had made aliyah but Schocken brought him back to Saxony to instruct his children, and there Zulay enrolled in the University of Leipzig and eventually transferred to Berlin. Zulay envisioned that there were at least 30 volumes of sacred Hebrew poetry to be published from the Geniza. Zulay wanted to bring to life, resurrect the bones and limbs in the geniza and bring them back to life. Zulay saw that he would have to sift through the thousands of copies of fragments with loving care and devotion, as a sacred task without end. The fruits of Zulay’s work was a 1938 edition published by Schocken titled *Piyyutei Yannai*, containing about 800 poems, about a 200% increase over Davidson’s finds. Zulay understood that the Jewish People’s legacy is not in conquered lands or constructed cities but in the written texts it has created. Zulay attempted to restore to the history of Hebrew literature the lost page of Hebrew poetry of late antiquity in the land of Israel. Ezra Fleischer the inheritor of Zulay’s mantle, spoke of the electric aspect and sorcery of the piyyut’s allusive self-contained language as well of its distant strange and “uniquely Jewish beauty” in a 1999 assessment offered a sobering reminder of just what it is that goes into the work that Zulay and his colleagues did and do. Fleischer wrote:

The importance of the Geniza’s contribution to the study of Hebrew liturgical poetry cannot be overstated. But what has been garnered from this tremendous contribution… is not the contribution of the Geniza itself, and we err in speaking of these finds in the passive formulations so often employed in this context. For in this field as in other fields of research nothing is given and nothing is discovered. No document is deciphered and no author is identified. No item is dated, no picture reconstructed, and no theory is raised. All these acts are the achievements of a dedicated host of scholars- early and later-great and less great, who devoted their lives to the study of the Geniza and wearied in their labor, sweating blood in their efforts to sort its treasures, sometimes succeeding and sometimes failing, their eyes weakening their hairlines receding, and their backs and limbs giving out as they grew old and frail—each in his way and at his own pace.

**D. Geniza Studies and Classic Rabbinic MS.**

Other scholars of the medieval period like Malachi Beit-Arie [with whom DBL took a seminar at The University of Pennsylvania], and Shamma Friedman have also done much to document how,where,

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when, and what texts existed and were written down in the Middle Ages. These two scholars are exemplary an experts in medieval scribal practices. Their work is invaluable. Marc Brettler has also brought to the attention of the scholarly community a complete copy of Avot de Rabbi Nathan and a fragment of Hullin and Shmma Friedman has examined 2 fragments of Neziqin from the Geniza. Yet the majority of the Geniza is limited to the period of the Rishonim. The question of texts and their existence before the Rishonim is a major conundrum in Jewish scholarship today. Menachem Elon in Mishpat Ivri gives a magisterial overview of the development of Jewish law that is also an important source. 

E. Book Lists in Cairo Geniza

E.J. Worman published in JQR “Two Book Lists from the Cambridge Cairo Geniza Fragments.” Some of these books have information about the former owners or provenance. One catalogue lists among 200 volumes only 19 secular books of medicine and fiction. A Cairo booksellers catalogue of the 12th century shows about the same proportion. It lists 77 bound books mostly liturgical but also some on grammar, medicine, and mathematics.

F. Jewish physician bibliophiles in Cairo

(1) Yakub ben Yusuf ben Killis was a cultured physician in Cairo who collected large numbers of books and manuscripts. After unscrupulous dealings in Bagdad he fled to Cairo, where he rose to eminence in the service of the caliph (979 CE). He built a magnificent palace, and entertained writers and employed copyists for the transcription of legal, medical, and scientific books. Copyists and binders together cost the Jewish physician a large sum of 1000 gold dinars monthly.

(2) A second Jewish bibliophile in Cairo was the physician Ephraim, who lived in eh second half of the eleventh century. Ephraim was the student of the Arabic doctor, Ali ibn Ridwan.

He put great value on the acquisition and increase of books, so that he possessed great collections of medical and other works. He constantly employed copyists who were supplied by

189 With regards to the oral law vs. the written law, Elon writes, “At the outset it should be made clear that these concepts written law and oral law are not the same as two apparently similar concepts labeled in other legal systems. For example, Roman law uses the terms jus scriptum (written law) and just non scriptum (unwritten law), which at first glance might seems to be the same as written law and oral law in the Jewish tradition. However the term jus non scriptum refers to the law that has its source in custom and has not been reduced to writing; it is sometimes equated with the idea of jus natural i.e. law whose source is “in nature” and not in legislation or in authoritative decisions. Jewish oral law is different, in that it includes legislation i.e. takkanot and gezerot, as well as laws that have been arrived at through the process of interpretation and similar methods; the only part of Jewish alw not included in the oral law is the law explicitly written in scripture. Therefore the terms “written law” and “oral law” in the Jewish legal system are not really compatible to the written law” and unwritten law of other legal systems. (p.191, Mishpat Ivri , vol. 1 , trans. By Auerbach and Sykes).


194 Steinschneider, M., Die arabisch Literature der Juden, Frankfort, 1902, p.175-76.
him with all necessities. Among them was Mohammed ben Said al-Hagarin known as Ibn Milsaka, I found a whole series of books written by his hand for Ephraim. My father told me that once there came a man from Iraq to Egypt in order to buy books and take them with him. He met Ephraim and they agreed that Ephraim sell him ten thousand books. This happened in the time of the Afdal, the son of the Amir al-Guyush. When Afdal heard of the books deal he ordered that the books remain in Egypt and that they should not be taken abroad. He therefore sent to Ephraim the sum of money which the man from Iraq had promised to pay him; the books were transported to the library of Afdal, who put his honorary title on them. Thus I saw many medical and other works which carried the names of both Ephraim and Afdal. Ephraim left behind him more than 24 thousand volumes and much property in cash and real estate.195

Clearly Ephraim did much to promote, preserve, and further, knowledge by his employment of copyists and collection of 24 thousand volumes, a large number for his time and age.

G. Other Jewish Physician Bibliophiles of the Middle Ages outside of Cairo

(1) In the 13th century (1223 CE) the library of the deceased physician Abraham ben Hillel (Arabized as Abu’l’Tizz) was sold at auction and the names of the books and their buyers are recorded giving us knowledge about a major collector of medieval manuscripts. The library contained Maimonides, Galen, Averroes, Hippocrates, and treatises on astrology, and on the diseases of sheep, etc.196

(2) A more extensive library was that of the physician Leo Mosconi, a doctor in Majorca in the early 14th century. Mosconi composed a commentary on the commentary of ibn Ezra on the Humash. Mosconi’s widow Muna made an inventory of all the books including medical instruments and manuscripts which were sold at auction. The public notary made a notation of every book sold listing its title, price, and name of purchaser. The total sale of books was sold for 147 livres and 19 sous. Mosconi collected just as many secular works as religious. Of the non-religious authors they included Aristotle. Aristotle’s physics, ethics, and metaphysics shows Mosconi’s interest in philosophy which at that time was science before science’s break off from philosophy in the 18th century Enlightenment. Not found of Aristotle’s works are Aristotle’s politics, because this was only lately rediscovered in the Renaissance. Also amongst Mosconi’s non-Jewish texts were those of Averroes, Galen, Maimonides, Ptolemy (Almagest in Hebrew or Arabic), Hippocrates, Avicenna, etc. There were many treatises on astronomy, anatomy (although the church forbade autopsies in the Middle ages although Galen had explored monkey anatomy), meteorology (Aristotle composed on this subject of trying to understand weather patterns), medicine, physics, music, logic, ethics, and grammar.

Surely these topics also were amongst Maimonides library as Shlomo Pines “translator’s Introduction” to the University of Chicago edition of the Guide for the Perplexed“ reconstructs some of Maimonides’ references and sources to non-Jewish authors, which would be familiar to educated medieval physicians.

196 The catalogue was given to Worman, op. cit. XX, 460-63; cf. J. Mann, The Jews in Egypt and in Palestine under the Fatimid Caliphs (Oxford, 1922), II, 327n; W. Bacher, “La Bibliotheque d’un medicin juif”, in Revue des etudes Juives, XL, 1900, 55-61.
Pines notes that Maimonides consulted the works of Plato, Aristotle, the Pythagoreans, Epicurus, Galen, Proclus, Al-Farabi, Avicenna, ibn Bajja, Averroes, the Sabians, the Kalam, Al Razi, etc. Amongst the few literary works included romances such as Barlaam and Josaphat. Amongst the Jewish sages works found in the library included ibn Ezra and Samuel ibn Tibbon.

Amongst the few literary works included romances such as Barlaam and Josaphat. Amongst the Jewish sages works found in the library included ibn Ezra and Samuel ibn Tibbon.

(3) Jewish physicians show similar content as that of Mosconi. The collection of Dr. David d'Estella, a Jewish doctor who lived in France at the end of the 14th century included Aristotle, Galen, Averroes, and Maimonides and Dr. David also owned treatises on grammar, fevers, physics, therapeutics, and zoology.

H. Books amongst Ashkenaz vs. Sephardic Jews

Chaim Soloveitchik has written about the difference between medieval Ashkenazic culture of northern France and Germany as opposed to the Sephardic culture in the more southern regions of south of France, Spain, Italy, and the Mediterranean Basin. While the Ashkenazic culture involved close attention to Talmudic texts and super commentaries on Talmudic tractates with the use of pilpul by emphasizing halakhic technical studies, the culture of the Sephardim was much more generous in its scope and ken in incorporating scientific Muslim translations of Greek and Latin classics. In the Sephardic culture Maimonides championed Jewish Aristotelianism as did Ralbag in Avignon (Rabbi Levy ben Gerson, author of the Milhamot HaShem, etc.) while Moses ibn Ezra and Jehudah HaLevy wrote beautiful poetry with a theological purpose however often adapting the Arabic meter, and poetics of the Muslim culture. The Kimchis championed Hebrew grammar. Alfasi codified the laws. Ibn Tibbon dynasty participated in the restoration of Greek learning in Europe by translations and original philosophic scientific works.

In England Jews translated secular works, and a few compiled scientific books. Reb Elchanan known as Deodatus Episcopus Judaeorum (d. 1184) wrote an astronomical treatise. Samuel Nakda of Bristol compiled a Hebrew grammar in 1194. Benedict of Oxford translated many scientific works from Latin or old French into Hebrew. Among Benedicts translations include those of Abelard of Bath’s Quaesiones naturales, containing dialogues between uncle and nephew on natural history. Benedicts translation was neither literal nor accurate. He left out proper names and referred to Aristotle only as “one of the wise

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197 See Pines, Shlomo, “The Philosophical Sources of the Guide for the Perplexed”, in The Guide for the perplexed, Chicago: University of Chicago, Ivii-cxxxiv; Rambam’s Jewish sources include the breadth of Rabbinic texts up to his time (1134-1204) although Rambam forbid consultation with works such as Shiur Koma which gives the dimensions of the G-dhead in crude anthropomorphic terms. Rambam does readily cite Rav Saadia Gaon, Rav Yehudah HaLevy, ibn Ezra, and normative canonized Rabbinic texts: Mishnah, Tosefta, Bavli, Yerushalmi, Midrashim, etc. In a conversation on 6/27/13 Dr. Rabbi Michael Shmidman told me that he also is working on an essay that reconstructs Maimonides’ sources, and library etc.


men of Arabia and Keder. 201 Recently the Shakespeare scholar Rosenberg has published book on the first chief rabbi of England whose scholarly output was quite significant author about 40 halakhic works.

I. High cost of medieval manuscripts

Books in the middle ages, Talmudic or scientific were scarce and expensive. Zunz notes that in 1150 a copy of the Humash cost 3 marks while a Hebrew teacher’s salary was only 10 marks annually. In 1200 a Torah sold for 60 marks. In 1272 a copy of Isaiah sold for 3 ounces of gold. In 1301 in Seville the medical Almansor cost 6 gold gulden. In 1302 a Humash sold for 18 livres. In 1384 Maimonides Moreh HaNevukhim cost 9 ducats. In 1427 in Brandenburg a Hebrew Tanakh in 3 folio volumes was sold for 33 gulden. In 1441 Manetti of Florence paid 21 gulden for a 13th century Hebrew Bible. In 1454 at an auction in Algiers, Vayikra and Devarim were sold for 4 gold pieces. 202 The high cost of books may be the reason R. Judah ibn Tibbon taught his son the virtue of lending books by keeping good records cautioning him to “make a memorandum of it before it leaves the house.” 203 The high cost of books may seem to contradict Sefer Hasidim’s cautioning, “if A has two sons, one of whom is averse to lending his books, and the other does it willingly the father should have no doubt in leaving all his library to the second son, even if he be the younger” but this is quickly understood that the text also cautions that the lender keep good records of the texts lent out to the borrowers.

Because texts were so expensive this may be further reasons, besides the theological while the oral transmission was emphasized as most Jews would be able to recite by memory the basic davoning and the shaliach Tzibur would recite the liturgy aloud without recourse to a siddur. Abrahams argues that this high cost of written texts besides the Jews love of learning lishma, also contributed to Jewish reverence and cherishing of texts. 204 Illuminated manuscripts would be even more expensive although Jewish artists were forbidden by the pusek (lo oseh likhah pusel) to represent G-d in any anthropomorphic form. The Birds head haggada is a case and point about this. Here even the heads of sages in the Haggadah are represented by birds’ heads perhaps based on the pusek in Genesis that one cannot see G-d’s face and live, as Yakov wrestled with the angel at Peniel (the word of the place means face of G-d) and saw G-d face to face yet his life was spared. Even Moshe Rebbeinu in Shemot only saw the back straps of Hashem’s tefilin, while in Devarim only Moshe as the unique chief exemplary prophet spoke with Hashem face to face.

In the context of the history of the production of medieval Hebrew Manuscripts, In general block text was more expensive to copy than cursive script. 205

J. The scarcity of Medieval Texts was not only due to their high cost but also Persecutions of book burnings

202 Zunz, Leopold Zur Geschichte und Literatur, Berlin 1845, p.211-13
204 Abrahams, I., Jewish Life in the Middle Ages (NY, 1896, p.352; Abrahams writes that the high cost of written texts “increased the instinctive reverence with which Jews always regarded books in the middle ages.”
205 See “The History of the Production of Sciences and Humanities & fasc. 12 (Jerusalem: The Israel Academy of Science and Humanities, 2000).
Many Jewish texts were scattered, confiscated, or destroyed by hostile groups that sought to cut the life blood of Jewish survival out from under Jews. That is to say by preventing Jews from learning and knowledge the hostile groups could attempt to cut Judaism at the roots by strangling its life blood that nourished its purpose, meaning, and foundation. Anti-Semites have long recognized that by depriving Jews of self-knowledge and knowledge of their tradition they can attempt to suffocate the survival of Judaism.

In 1391 the books of the exiled Jews of Germany were given to the University of Heidelberg which sold them. At the plunder of Jewish communities in Germany and Castile, Hebrew books were destroyed together with other Jewish properties. In Lisbon manuscripts were seized and given to Christian libraries. In Savoy in 1440 the Jews terrorized by Fra Vicenze hid their books in a well. Often Jews were forced to sell their manuscripts to raise money for ransoming Jews taken captive.206

The Censorship of Rabbinic texts particularly the burning of the Talmud is an immense topic, hopefully the future of one of my other papers. A short essay on Censorship of Rabbinic texts is found at TC. Autumn 2006 Newsletter at: http://legacy.touro.edu/library/newsletters/live/008_Fall_2006%20Vol.%206,%20Issue%202.pdf

David's AJL presentation in Washington D.C. titled Censorship of Rambam’s Moreh HeNevukim and Sefer Mada: The Maimonidean Controversy treats the subject of internal censorship.

K. Migration of Books against odds of fire, war, invasion, flood, and vermin

Interestingly a Latin document concerning an English monastery was found in the Cairo Geniza. It was probably brought by some Jewish refugee out of England in 1290 when Edward I expelled the Jews.207 There are also numerous Yiddish documents in this Sephardic Cairo Geniza. It is truly miraculous that these non-Sephardic materials ended up in the Cairo Geniza when one considers the destruction of precious manuscripts by war, fire, flood, vermin, and wanton negligence. Maitland’s Dark Ages on this matter is to the point:

If the reader has fairly considered the probable effects of wars and fires, aided by the more slow and silent but incessant operations of Time assisted by damp and all the auxiliaries which he has employed when eh negligence of man has left manuscripts to his mercy; if he has reflected that more than six hundred years have elapsed since the close of that period (the Dark Ages) of which we are now speaking, during all which time the work of destruction has been going on; if he has at all realized these facts, surely I might confidently appeal to him whether it is very far short of a miracle that any manuscripts of that or any earlier period should have survived to the present time.208

Maitland is writing before the discoveries of the Dead Sea Scrolls which were preserved due to the dry weather of the Qumran environment and the Nash papyrus also preserved due to climatic conditions. Yet Maitland is right aht books and manuscripts were in precarious threats to grave robbers, warriors,

208 Maitland, S.R. The Dark Ages, p.276
War and invasion frequently broke up and scattered collections. In Europe the wars between Germans and slavs, the Norse conquests of France and England in the 9th century, the wars of the Magyars in Germany and Italy in the 10th century, the repeated invasions of France in the 14th and 15th centuries by the English, the crusaders in the near east, and the Mongol invasions in the 13th century all threatened text collections and were destructive to them. The invasion of the Visigoths and Vandals in Rome may account for the disappearance of the menorah that the Romans originally plundered from the Beit HaMikdash around 70 CE.209

Malachi Beit Arie writes, “The loss of most of the codices was not the consequences of historical conditions alone. Hereow books were destroyed or abandoned not only through wanderings, emigrations, persecutions, and expulsions, or consigfated and burend in Christian persecutions, and expulsions or consigfated and burend in Christian countries: they were also above all worn out by use. Unlike Latink, Greek and to a certain degree Arabic books, there were not preserved either in well protected royal or aristocratic collections or in moasteries, mosques, or religious academic institutions but were privately owned and used.”210 Beit Arie notes that the Jews adopted the codex form relatively later than their Latin and Muslim counterparts.211 The earliest extant categorically dated Hebrew Codices were written in the beginning of the 10th century all of them from the Middle East.

L. Publication and Dissemination of Rabbinic texts212

Walter Ong213 has characterized the publication and dissemination of texts in the Middle ages as the chiographic era differing from the post-printing press typoigraphic era. Rather than linear transmission
of texts there was multi-linear transmission by scribal copyists. Abramson gives many examples of authors and translators starting from Rav Saadia Gaon who appeal to the readers of their works to correct any mistake they may find in them. Their appeals do not only related to grammar and linguistic mistakes and omissions but also to content. Some authors even encouraged the users to add material as did Rav Nathan ha-Yeshiva in his introduction to a commentary on the Mishnah. Publishing medieval works often involved letting them be reproduced and circulated, which interrupted the linear transmission of many texts imposing multi-linear reproduction. As pointed out before in this monograph such encouragement to correct, emend, and add to authorial texts reflects a medieval concept of intellectual ownership totally different than the modern one namely collective authorship.

Some scribes conceived their duty as being more than copyists but had the mission to correct and improve the text being copied. They often regarded themselves as critical editors sometimes even as redactors so much that when a copyist refrained from improving his model he would apologize. The goal of the scribe as not only to correct mistakes in the model exemplar, but also to edit the model for better. Copy scribes often consulted multiple manuscripts in order to arrive at a final completed homogenized better version. For example Reuven Vidal Bonastruc proofread and vocalized a prayer book in Avignon in 1453 while consulting various prayer books which presented various textual and vocalized readings. Vidal ben Solomon ben Qatorzi produced in 1445 probably in Provence a copy of ibn Ezra’s commentary on the Humash while using two glossed copies and selecting from each the version he considered to be superior. In some cases the scribe copiest even saw his role as to re-create the text. In some cases the copiest scribe overruled the original author’s explanations which seemed to him unreasonable and thereby integrated his own opinion into the text. Some copyists goal was to establish what Kantorowicz defines as a “richtige” right version as opposed to an “echte” authentic one. Some Hebrew manuscripts produced since the 13th century represent deliberate integration of related texts by the scribal copyist.

Thus the text of an author was continually “in process” a bit lihavdil like Walt Whitman’s _Leaves of Grass_ which the poet worked on his whole life. The difference is that Medieval Hebrew scribes who copied texts entered in not only the reception history of the text but the actual authorial process of the original text. In the Medieval ages evidence also exists that important texts were copies and circulated as each section was finished before the completion fot he entire work. An example of this is Levi ben Abraham’s colophon to his philosophic book _Livyat hen_, completed in Arles in 1295. In his colophon he

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214 Abramson, Shraga, “Mehem u-vahem”, in The Book of Siva: A collection of Studies and Essays in Memory of the Later Jerusalem Publisher Shalom Siva, ed. A.Even Shoshann et al , Jerusalem, 1979, 3-7. Malachi Beit Arie points out that an additional example can be found in the colophon of Solomon ben Levy to his translation of Emunah Ramah by Abraham ibn David ha-Levy (MS. London, Jews College 291).

215 Abramson, Shraga, 4.


217 See Beit Arie, Malachi, “Jewish Scribality and Its Impact”, p. 234

218 Kantorowicz, Herman, Einfuehrung in die Textkritik: Systematische Darstellung der textkritischen Grundsaetze fuer Philogen und Juristen, Leipzig, 1921, 5.

writes that in the course of the creation of his work he made textual and structural changes and from
time to time corrected it and added new material. The Rabbi was informed that while this process was
going on, people, copied most of the work, and he therefore pleads with those who have copies of one
of the earlier versions to correct the text according to the latest version, or replace it with the final
version. Thus Beit Arie concludes that “contrary to common belief, medieval verbal texts were not
fixed once they were written down. Chirographic and visual texts were as flexible as oral ones.”
Scribal copyists had an immense impact on the interpretations and reception of texts by their
introduction of titles, initial words, running headlines, decorations and illustrations, diagrams, tables of
contents, etc. Scribes also effected the transmission of texts by choosing types and sizes of scripts,
paragraphing and subdividing, spacing, underlinging certain parts or words, or just by using different
colored inks. Thus copyists determined the hierarchical structure and legibility of the texts that they
copied with their interpretive choices. Beit Arie relates these writer downers of texts in the transmission
process to the oral repeters in earlier ages. Beit Arie writes:

The impact of scribes on the transmitted written text and its reception may be compared to that of the
reciters nad performers o the oral text, and these observations on the nature of written transmission of
Hebrew medieval texts may contribute further arguments for the removal of the cultural barriers
between orality and scribality. Furthermore some of the characteristics of scribal individual reproduction
presented here such as critical intervention, editorial freedom, eclectic conflation of different models
and the visual and figural remaking, may very well be found to fit also early Hebrew typological mass
reduplication of medieval texts. If this assumption is right, as random examples hint, the deamarcation
between oral, scribal and printed reproduction will have to be “rewritten” and perhaps a unified
observation of all the sorts of verbal reproduction would emerge.

N. Doanne introduced the model of “scribally reperformed texts” referring to scribes who are part of
the oral traditional culture and who write or copy oral poetic works.

Hand copying texts rather than the printing press methods for duplicating texts led to their own set of
errors. Factors causing errors include: The repeated movements of the copyists eyes from model to
copy and back, which may caused omissions, repetitions, and transpositions, the memorization of the
visually perceived seriesof words; the impact of converting a text in one format or layout or type of
script to a different one; the significant consequences of the apparent phonetic or oral medium involved
in copying, whether it be vocal by reading aloud the copied text, or silent as in the phenomenon

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221 Beit Arie, Malachi, Jewish Scribality and Its Impact”, p. 237.
222 Beit Arie, Malachi, Jewish Scribality and its Impact, p. 238.
223 See“Oral Texts, Intertexts and Intratexts: Editing Old English” in Influence and Intertextuality in Literary History,
224 In Sefer Hasidim: “One who used to copy from the Bible and the commentaries... and would first read aloud
anything he was writing”; see Das Buch der Frommen, ed. J. Wistinetzki, Berlin 1891, 187, par. 733-420, par. 1363
which Havet calls “internal dictating” and to which A Dain attributes most copying errors, claiming that the visual aspect of the text and incorrect reading affects copying much less than the oral aspect involved in the process; the unidentified psychological factors such as the toll of poverty on the scribe which produce errors of hallography, dittography and association, etc.

William Wattenbach cites a colophon formula from an 8th century Latin manuscript with elements that appear in many later colophons, which indicates reading aloud as part of the copying process. However the common assumption of reading aloud in the Middle Ages was recently revised by Paul Saenger who argues that the separation of words in Latin manuscripts, starting from the 7th century onwards enabled silent reading and copying, which were well suited to the monastic conditions.

In Jewish studies Saul Liebermann in his book on the textual criticism of the Yerushalmi, provides a treatment in the first 50 pages to the classification of the demonstration of textual errors in the transmission of the Jerusalem Talmud. Regarding Yerushalmi the famous Leiden manuscript of the Jerusalem Talmud copied in Italy in 1289 was commissioned by the physician Yehiel ben Yequtiel ha-Rofe who was a scholar and identified as the author of the halakhic compendium Tanya and other works. The physician testifies in his colophons that his copying was a critical one, and he endeavored to emend his corrupted model. For codicological reasons Yehiel the physician copied twice the text of one folio in large format. I.Z. Feintuch who compared the text of the two parallel leaves and analyzed the differences between them, found at least 50 discrepancies in the 76 duplicated lines. In addition to discrepancies in spelling and grammar and roshei tevot (abbreviations), change of names, and omissions and additions, there were differences in wording, and some critical interventions which occur in one copy but not the other. Some scribal copyists bid the reader’s forgiveness by evoking and citing Psalm 19:13; Some scribal copyists actually asked forgiveness and classified the types of errors that might have been made and appealed to future readers to make corrections, thereby acknowledging the mutable nature of the transmission.

225 Havet, Louis, Manuel de critique verbale appliquee aux textes latins, Paris 1911, 44-46; Cf. Henry John Chaytor, From Script to Print: An Introduction to Medieval Vernacular Literature, Cambridge, 1945, 5-6, 19, on acoustic and kinesthetic or speech motor images of words and the auditory memory of medieval scribes.


229 Al ha-Yerushalmi, Jerusalem, 1929

230 Israel Zvi Feintuch, Versions and Traditions in the Talmud (Hebrew), Ramat-Gam, 1985, 65-76

231 Israel Zvi Feintuch, Versions and Traditions in the Talmud, 51-63

232 Rabbi Saadia ben David Adani, a Yemenite scribe, copyist, and author, who wrote 15 surviving manuscripts in Syria and Palestine between 1463 and 1485 adopted a formula specifying the varous types of potential errors
Copying of texts was not uniform. It is analogous to the phenomena of a story being told to many persons all of whom retell the story in different ways. That is to say study of the comparison of the same text copied twice by the same hand from the same model within a short time yields different texts. Such a comparison demonstrates that deviation from the exemplars is not rigidly determined by certain psychological, linguistic, and mental structures, or by the copyists spelling habits, pronunciation, and associations, but is flexible and open. That is to say copying is subject to unstable determinants which may result in them producing two different versions while copying from the same model exemplar.

Some scribal copyists also attribute their mistakes to the faults in their model exemplar. The model may be mixed up, or hardly legible or decipherable or fragmentary. The scribe would do their best to emend the text but oftent his was hard if the model they were copying from was damaged or imperfect. Some scribes also attribute their transmission errors to lack of time, pressure on speed of copying. Some scribes in colophons note their harsh conditions and attribute their errors to their poverty, constant worries, wandering, or detrimental environmental conditions.

O. Technical Production of Rabbinic Texts

The relatively late Tractate Soferim describes the nature and how of the making of sifrei Torah. “For medieval Hebrew manuscripts marginal pricking allowed forms of vertical rows on the outer or on both the outer and inner margins to guide the tracing of the horizontal lines, while single prickings are found on the upper and lower margins to guide the tracing of the vertical boundary lines or in case of partial ruling, the tracing of just a frame. In most Hebrew manuscripts pricking was applied to all the folded folios of each quire concurrently not only to reduce labor time but no doubt also to ensure ruling uniformity.”

Whether written Latin, Greek Hebrew, Syriac, Copic, Armenian, Glagolithic, or Cyrilic scripts they all shared the same anatomy and same materials to divide space for their layout and requiring planning for their formats and proportions on the page. The molecular structure of quiring achieved by folding a certain number of bifolia and the employment of means for ensuring the right sequence of the quiries or the bifolia and folios within the quiries located on the margins was a geometric art.

The few dated manuscripts that survive from the period of the early Hebrew codex in Provence, Bas Languedoc, and in the Iberian Penninsula to the Maghreb all produced by North African Scribes in the late 10th and early 11th centuries, attest to a very economical practice of ruling, characteristic of Latin

committed in copying namely mistakes in transcribing, additions, and ommisions, indicating that these errors creep in unwillingingly by the copyist. See: Beit Arie, Malachi, “Jewish Scribality and Its Impact”, p. 233.


234 One scribe pleads with readers by himself being overwhelmed by troubles and miseries which inflicts on him distress; see: Danon, Abraham, “Documents relating to the History of Karaites in European Turkey, JQR, 17, 1926-27, 165-166.

manuscripts until the middle of the 9th century. Two successive unfolded bifolia or four sometimes six folios were ruled by hard point at once, the direct ruling being exercised on the hair side. Thus in just one step eight or even 12 pages were ruled together when the furrows made by the shard ruling instrument not only became visible on the flesh side of the rule folio or bifolium but also left their imprint on the consecutive folios or bifolia. The practice though never abandoned was replaced as the standard ruling technique in the mid 14th century by single unit ruling. The large majority of dated or colophoned parchment manuscripts were ruled bifolium by bifolium a procedure observed already in the 13th century providing the same number of ruled pages as the previous one (4 pages) while requiring the prickling of only the outer margins. If a scribe were to incorporate a running commentary on top of a primary text the page layout would be changed so that copying of those integrated glossed legal compilations or biblical books accompanied by Aramaic translations, and commentaries, which had emerged sometime earlier, required repeated changes to the interior layout and a dynamic design of the textual components. Scribes responded creatively to this challenge and produced skillfully elaborate multilayer books, fitting together related texts in a modular way often presented in alluring decorative and striking shapes. Beit Arie argues that Hebrew scribes were creative in shaping composite corpora of textual exemplars that promised the study and learning to facilitate new ideas pointing to the individualistic nature of the transmission of medieval Hebrew texts illustrating a primary scribal initiative played in this enterprise. Scribes realized that the uniform layout of four pages at once did not suit the dynamic nature of the new genre layout. On the other hand plummet which had already been in use in Europe and was usually applied to each page separately fitted the flexible ruling dictated by the texture of modular integrated layers. Indeed the same technical transmission which occurred in Latin codices about a century earlier had been associated also with a literary and intellectual function—the spread of the glossed bible. To save time and effort Albert Derolez argues that there existed a ruling device that in one step traced with ink all the horizontal lines. He assumed that such and advance technique developed in the learned and cultural society of the Italian Renaissance, was introduced by stationers who sold ready ruled quires to scribes, as a few published inventories of cartolai indeed indicate. This technology revolutionized the way in which manuscripts could be copied and cut costs in the commercialized mass production of quired and ruled writing materials. Peter Gumbert argues that the invention of a kind of ruling rake allowed the ruling of number of lines at once again cutting labor costs. Yet Beit Arie cautions against assuming that scribal activity was always determined by the bottom line of costs. He writes, “in most

239 See Derolez, Albert, Codicologie des Manuscrit en ecriture humanistiques
areas both Jewish copyists who produced copies for their own use and financed the production themselves and individuals who commissioned books from professional scribes, defied economic constraints and gave priority to other interests such as comfort of copying, aesthetics, and literary functionality. In Germany and France ruling efficiency was sacrificed in favor of new and vital scholarly requirements. In Spain and other Sephardic areas visual clarity and the ruling scaffoldings which ensured aesthetic and uniform copying was preferred over low cost. Only in Italy can one claim an economic rationalization and preclusion for the financial considerations. What appeared to be a considerable increase in ruling input in Italy can be interpreted despite certain reservations as remarkable progress in ruling pages by mechanical devices, if not by mass production.241

P. Scribal Technique: Line Management

Line management the designates scribal maneuvering at the ends of lines. The term is coined by Marilena Maniaci as gestione della riga.242 Later in French scholarship line management was called gestion de la ligne by Ezio Ornato in the concluding overview of the compilation of his and his colleagues articles.243

The Dead Sea Scrolls have much to shed light on scribal practices of the medieval ages that they anticipated by 9 centuries.244

One technique of line management involved isolating the last penultimate letter and stretching it and magnifying it or giving it a “tail” which was attached to one of its strokes ex post facto, after the completion of the normal tracing, thus making it reach the left margin line. Another technique of line management involves lexitomy or word division, placing one segment at the end of the line and the second segment at the head of the following line, allowing uninterrupted regularity of writing in any script.

Some scribal practices are revealed in multi hand manuscripts. As well as for identifying and unifying manuscripts written by the same scribe but not necessarily in the same mode of writing, or even type of script.245 A sub category of this is the case where a colophon of an existing manuscript is copied by another scribe who adds to it his own colophon.

242 Marilena Maniaci, “Alla fine della riga: Divisione delle parole e continuità del testo nel manoscritto bizantino” Scriptorium 51 (1997), 192 see also idem, Costruzione e gestione della pagina nel manoscritto bizantino (Cassino: University degli Studi di Cassino, 2002).
243 La Face cache du livre medieval (Intro, note 1), 662 and 668.
An offshoot of this is the rare case in which the same hired scribe or learned copyist copied the same text twice from the same model within a short time. Comparisons between such copies betray the astonishing reality that deviation from the examplar is not as it is assumed rightly conditioned by certain psychological linguistic or mental configurations nor by the copyists spelling habits and pronunciation for it is a volatile and inconsistent process. A Scholar copiest would revise his exemplar, correct it, and offer critical editing and not mere duplicating. Some learned copyists saw themselves as having a duty and mission to improve the copied text by emending corrupted exemplars and offering clarifying remarks. Some went so far as to critically redact the text they were copying.

Typography would be another way a scribe could employ line management.

A further aspect of line management would employ the late medieval practice of writing headings and especially initial words at the beginning of textual units in large square characters.

Highlighting is also a technique witnessed in some medieval manuscripts. Final headings and its openings and ending eulogies are highlighted in some ms. not merely by being spaced and centered on separate lines but also by upper decorative markings. The so called Kaufmann Code in the Library of the Hungarian Academy of Sciences- the most important ms. of the mishna which was copied in Italy between the late 11th and 12th centuries has headings and endings of books and treatises usually on separate centered lines, in the uniform script of the text but discriminated between them in a hierarchical manner. The scribe underlined all the headings of the sedarim and most of the massakhtot and their ending formulas by signing them with simple upper decorative marks.

A comparison between the headings and endings in the Florence codex of part of the Talmud- the earliest extant dated Franco-German ms. written in 1177 and those of the Italian Kaufmann Codex of the mishnah from about the late 11th century elucidates the major evolution of the visual structuring of the copied text and its searchability that took place in the time span separating their creation.

Sometimes different scripts are found in the same ms. constituting different textual layers. An example of this the autograph copy of the commentary to the mishnah by Maimonides. The surviving 4 volumes of the commentary completed in 1168 were written by Maimonides in a semi-cursive script of the Andalusian type and served as fair author copies in which Maimonides inserted additions and modifications and deleted or replaced words and phrases over the years. Maimonides wrote the headings in larger letters in square mode of script. Maimonides sought to control the visual design of

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his own work and not leave it up to copyists. In the many drafts of several of his works found in the Geniza written in his cursive hand, Maimonides insisted on inscribing the headings in larger letters. In the late medieval ages initial words and titles were conspicuously highlighted by large characters, decorations, and occasional illuminations and the deployment of differentiated character sizes. Further we find marking out foreign words and singling out nomenclatural words, inserting running heads, and the revolutionary introduction of the paragraph numeration and tables of content.

Q. Funding of Private Commissions

Beit Arie notes a difference between the vast majority of Hebrew ms. and those its latin Christian analogue. He writes, “unlike the ecclesiastical institutional and authoritative framework in which most Latin and Greek (to some extent also Arabic ) ms. were produced until the high middle ages and unlike the production and dissemination of many Latin manuscripts by commercial secular ateliers or cartolai in the late middle ages, the production of Hebrew codices was never initiated by intellectual establishments. They were never fabricated in clerical academies or commercial copyin centers. Hebrew manuscripts were produced as a private enterprise and they were likewise privately kept and consumed. They were either privately commissioned from independent hired scribes or were owner produced books copied for the copyists own use. The individualistic circumstances of Hebrew book production are firmly attested by the 4 thousand 200 medieval colophons that have survived in extant manuscripts. Apart from a very few codices written for a community or a synagogue all these manuscripts were privately and personally produced. Less than half of them were copied by professional or semiprofessional or even saule scribes commissioned by private people to produce books for them: the rest were prepared by learned users of books or scholars for their personal use.” Institutional commissioning of ms. production by the church for latin book production allowed for control over the product by political forces. These sponsorship in the Christian church were carried out by monasteries, cathedral schools, universities, or commercial outlets which enabled supervision and control over the propagatin of texts and the standardization of versions. Among Hebrew copiists a few colophons were copied by women for their or their families use, thus privately.

R. Scripts

In the medieval ages many scripts were used including Oriental, Italian, Byzantine, Sefardje, Ashkenazic (Franco-German), and their sub-types. Lieftinck’s threefold classification of the levels of execution of Latin Gothic script (the textualis, hybrid, and cursive has analogues to Hebrew scripts. Julian Brown

249 See Suliman David Sassoon, Mehqar maqif al ketav yado shel ha-Rambam (Jerusalem: David S. Sassoon, 1989).
Expanded later this classification terming them formata, media, and currens. It should be noted that the letters of the square scripts are formed by many more strokes than those of the semi-cursive ones and thus take longer and cost more to produce.

By the 12th century it was elaborated to such a degree that the sefardic type could be classified into fourfold mode: square, semi-cursive, cursive, and current cursive. In other types of script such as the Ashkenazic and the Italian current cursive writing emerged only in the 16th century. The square mode crystallized in the Orient before the 10th century as a calligraphic script for formal copies of the Masoretic version of the Bible but its inception can be noticed already in the late formal script of the Dead Sea Scrolls and the Byzantine Hebrew papyri.

Questions arise if the rapid spread of a cheap writing material (paper) in the Islamic orbit or the large extent of self-production of Jewish books everywhere encourage the emergence of a less formal—namely semi-cursive script? Did the desire to cut copying costs, save writing material and reduce the duration of the copying compel patrons, scribes, and copyists to choose a smaller denser and more cursive script—feature that hindered the speed and comfort of reading? Three quarters of the medieval ms. are written in semi-cursive script. Cursive was thus the most easy and speedy and less costly mode for copying. Copying a text in square script requires a much greater investment of time as the letters are executed in many more strokes and the flow of the pen is impaired by the decorative elements added to the bare anatomy of the letters. Moreover a square mode usually claims more writing materials as its letters are wider than those of the non-square modes and it does not naturally submit itself to a small size.

According to Sirat the first two centuries in which paper was used as a codex writing material in the Middle East where paper was used for Jewish books from about 1000 at the latest to the emergence of a semi-cursive mode coincided with the spread of paper, scribes who used paper wrote by default in semi-cursive script virtually everywhere and always and only exceptionally and rarely in square script. Even Ashkenazic scribes who used the square mode in parchment codices more extensively than did other scribes, refrained from using it in cheap paper copies. Liturgical ms. are another matter. Among all extant colophoned liturgical ms. the semi-cursive mode is slightly more extensively used than the square one. Further the number of decorated or illuminated ms. written in a semi-cursive mode produced in Italy between 1250 and 1500 almost equals that of those written in a square mode. It is possible that the Sefardic, Ashkenazic and Italian semi-cursive mode was regarded by medieval scribes and owners of books as more beautiful and elegant than the various square modes.

Sirat, C., ad Glatzer, and Beit Arie, Codices Hebraicis intro note 13 vol 1
Beit Arie, M., Unveiled Face sof Medieval Hebrew Books, Selecting of Book Script, p. 79
This section investigates the interplay between oral transmission and esoteric revelatory wisdom. The phenomena appears that the more esoteric the means of transmission the more dangerous the content of the Kabbalistic doctrine and more restrictive the group not readily available to all Jews in an equal manner. A Kabbalist will pass on his secret wisdom to a disciple orally, an act which takes on the character of an initiation rite only when the disciple is at least 40 and has attained a certain level of wisdom. Qabbalah connotes reception of an occult lore or practice that is transmitted orally. This transmission can occur in a small coterie of a study group in which older esoteric documents (megillot setarim) are analyzed, interpreted, and expanded for mystical consequences. The content of the lore transmitted, hokmat ha-nistar is secretive and thus transmitted to only a small group. In most Kabbalistic circles the act of imparting the sacred esoteric tradition in oral form establishes a boundary between initiates and outsiders. Kabbalistic oral traditions are most often intended to be secret, restricted to a few initiates or illuminati. Alexander Altmann in his essay, “Das Verhaeltnis Maimunis zur juedischen Mystik” published in 1936 notes that the “esoteric nature of the mystical teachings in Judaism is expressed by the terms sod (secret), sitrey Torah (mysteries of the Law) and their equivalents.” Scholem in distinguishing between mysticism and esoterism maintains that the former “means a kind of knowledge which is by its very nature incommunicable” whereas the later involves a “kind of knowledge that may be communicable and might be communicated but whose communication is forbidden (verboden).” Moshe Idel puts it this way, “Kabbalah is by definition an esoteric body of speculation whether in its theosophical-theurgical explanation of the rationales for the mitzvoth, or in the ecstatic trend dealing with techniques of using divine names, esotericism is deeply built into this

259 The root of Kabbalah is to “receive” (kibel) an oral tradition. Thus the phrase qibbalti (I received) is employed in connection with a theosophic reading of Ex. 20:11 according to which the 6 days of creation are transformed into symbols for six divine emanations (see Sefer ha-Bahir, ed. R. Margalio (Jerusalem, 1978), par. 57) Qibbel in the Bahir denotes reception of an exegetical tradition orally. In a second passage we read, “R. Rehumai said ‘Thus I received that when Moses wanted to know the knowledge of the awesome and glorious name, he said Show me your glory (Ex. 33:18). He wanted to know why one righteous person experiences goodness and another evil, and why one wicked person experiences goodness and another evil (Sefer ha-Bahir , par. 194). Thus theodicy is recast as knowledge of the divine name and permutations of the name of Hashem encrypted in the dNA of the universe.
260 For a description of the topics of esoterica see Charles Mopsik, “Oralite et ecriture dans le Journal mystique de Rabbi Joseph Karo” in Experience et ecriture mystiques dans les religioens du livre, actes d’un colloque international tenu par le Centre de‘etudes Juives Universite de Paris, pages 145- 154; Ce que nous appelons mystiques our experiences mystiques comme des visions des anges ou de Dieu, des ascensions celestes, des phenomenes d’oratio infusa comme ceux auxquels nous avons affaire en ce qui concerne R.Joseph Karo, pour n’evoquer que quelque exemple celebres, pourraient tout aussi bien etre qualifies de crises psychopathologiques ou d’access delirant.”
lore.”

Secrets are embedded in the matrix of esoteric topics such as cosmology, eschatology, ma’aseh hamerkvah, ma’aseh bereshit, sefirot, angelogy, mysteries of impregnation (sod ha-ibbur), levirate marriage (sod ha-yibbum), korbanoth, and Ezekiel’s merkavah, the mystery of the tetragramaton, etc. Secrets are portrayed as being recorded in “books of limited circulation” (sometimes secrets are said to be inscribed on heavenly tablets that are only accessible to angelic powers). M.D. Swartz notes that the topos of celestial hidden books whose primary aim is to establish a reliable chain of tradition as a source of esoteric knowledge continues to influence Jewish mysticism through the generations. Sefer Ha-Zohar makes mention of reference to these hidden books of esoteric secrets. Thus for example the milieu of the lynun circle in 14th century Spain gave rise to the Kabbalist Joseph ben Shalom Ashkenazi who in his commentary on Sefer Yetzirah gives over that the teacher of Adom Kadmon was Raziel, and that of Shem Yofiel and that of Moses Metatron, and that of Elijah Maltiel. Each of these particular angels would transmit to his student by means of a book or orally. While the secrets were set down in Hashem’s archive in a “book” receiving the esoteric knowledge is oral reception of angelic disclosure underlying the phenomena of maggidism.

Secret religious doctrine becoming available to the masses is deplorable. Only those deemed fit for reception of secrets may receive the secret doctrine. Those deemed fit (roy) are frequently referred to in Kabbalistic texts as those who are loved by the maidens (al ken alamot aheivukha) from Shir HaShirim 1:3. Implicit in the verse from Shir HaShirim is the play on words of alamot, maidens, and ha-alamah, concealment. The metaphor of concealment is further found in Proverbs 27:26 kevasim li-levushekha (the lamb’s wool will provide you with clothing). That is to say the tallit under the garments contain the mysteries of the world concealed by lamb’s wool. Yet this metaphor clearly is not only understood by peshat (the literal tallit katan under the garment) but figurately. Song of Songs Rabbah 1:8 refers to the figure or non-literal sense of scripture as sodah shel...
The title of one of Ibn Ezra's works is "torah," as mentioned in bPes 119a. It refers to the one who conceals the matters that the Ancient of Days concealed, and "what are they?" the Secrets of Torah. In bHag 14a, it is noted, "There are the scholars who bend (meqammetin) themselves over words of torah in this world." The Holy One, blessed be He, reveals to them the secret in olam ha-bah, as it says, "their foundation (yesodam) poured out like a river" (Job 22:16).

R. Meir in P.a. notes that he who studies Torah for its own sake merits various things, including the disclosure of secrets of Torah, megallin lo razei torah. Thus, the stakes are high, for the toiling in torah in olam ha-zeh and the insights derived is directly proportional to one's divine reward in olam ha-bah. The motivation should be for its own sake, lishmah.

In some sense, Shir HaShirim is the prooftext of Kabbalistic speculation, the Heiliggeschichte for all Kabbalistic understanding of the divine name, and the torah as the string of Hashem's divine names encoded in the universe as G-d's DNA. Indeed, Shir Hashirim is the spring board for Kabbalistic speculation by Ezra of Gerona who wrote a commentary on the text. Ezra holds that the words of the sage were said through ruach hakodesh, to arouse the hearts of understanding of the subsequent sages or enlightened ones, the kabbalists (hamaskilim ha-mequabbalim). Ezra expounds on the mystical reasons for the mitzvoth and secrets of cosmology as well as saw himself at the brink of messianic visionary understanding. Ezra understood that imminent messianic redemption began with the onset of the 6th millennium in Jewish history based on the esoteric teachings of cosmic cycles (shemittot). The later is alluded to in his commentary on Shir HaShirim: "For now the winter is past (Song, 2:11)," which refers to the approaching days of rest and coming of menucha in the messianic era, when Israel will inherit the land of Israel again.

Ezra is in conformity with Song of Songs Rabbah that sees Shir HaShirim as the Heiliggeschichte "from the exodus from Egypt to the future messianic redemption." Shir Hashirim represents the sacred union of masculine and feminine aspects of the divine, the lover and beloved who will bring together in the ingathering of the exiles who return to the land promised to the Israelites. In Genesis Rabbah 1:3, the nature of the transmission of secrets is described as being given over in a whisper. Why? The torah was given in secret. Secret is transmitted in a whisper. "This refers to the授课 (Torah) in a whisper, 131:4, r. Meir in P.a. notes that he who studies Torah in this world, the Holy One blessed be He reveals to them the secret of Torah, sodah shel torah, in a whisper (yedidat yomim).

In Genesis Rabbah 1:3: the nature of the transmission of secrets is described as being given over in a whisper. This secret of the words of Torah must be given over in a whisper. 275 Kabbalists who have received this "Light of the Chain of Transmission must be given over in a whisper. Why? The torah was given in secret. Secret is transmitted in a whisper. "This refers to the授课 (Torah) in a whisper, 131:4, r. Meir in P.a. notes that he who studies Torah in this world, the Holy One blessed be He reveals to them the secret of Torah, sodah shel torah, in a whisper (yedidat yomim).
hush” meditating in shifting sea sound, often refer to themselves by the expressions: qibbalti (I received), qibbaltiha (I received it), I heard (shemati), shematiha (I heard it). The formula shemati indicates that we are not being told over statements in a written text but which the rabbi has had told over to him by his teachers in a chain extending back to Sinai. The transmission of secrets by means of a whisper reflects the rabbinic idea of the manner in which an esoteric matter is handed over by a master to his talmidim. This transmission is given over according to bHag 14a to the one “whom it is worthy to transmit words of Torah that are given in a whisper (be-lahash). As noted earlier the thematic link between orality and secrecy is epitomized in the midrashic text when the Mishnah is called the mistorin (or mistirin, from the Greek mysterion) of G-d. The particular context in which this occurs reflects the polemic against those who wanted to commit the oral torah to writing. The oral torah can be called G-d’s mystery because it should not have been formalized in a written document. The interplay between orality and textuality in the composition and or redaction of the mishnah has gained much attention recently in academia.

From its beginning rabbinic Judaism held the primacy of its oral tradition, the oral torah in its formative compilations, the Mishnah, the Talmudim, and various midrashic collections which had their genesis in the work of small study-circles whose traditions were passed only orally and the restriction of orality of these groups is reflected also in the group study of the early Kabbalists.

At some level an esoteric tradition must partake of the recalling of a certain aspect of the primordial revelation, a fragment of knowledge which reverberates in the very soul of the recipient and Informant or transmitter. Moses is seen as the prototype of both Recipient and Informant of secret lore. Thus Kabbalistic traditions are often depicted as stemming from the mouth of Moses, the initiator of the human chain, behind who stands divine authority, whereby Moses is a vehicle or vessel for oral transmission of esoteric lore. In the 6th and 7th centuries a genre of texts arose called the Hekhalot. All of them have used the magical practices of Hekhalot Zutartei named the Shimmusha de-Shedei in order to climb the ladder of prophecies and powers by means of it. The Shimmusha de-Hekhalei

That Shines, Princeton 1994, 148-160). In response to why the rabbis rarely speak of such a critical idea as the Holy spirit (rambam does note the Ruah hakodesh will determine the tribes biyamei hamashiah in Sefer Shoftim of the MT.) Judah writes, “The sages did not speak of this explicity so that people would not come to contemplate what is above... Therefore they would transmit this matter to their students and sages in a whisper and privately through an oral tradition (qabballah).” Thus the vehicle (merkavah) of transmission of an esoteric tradition is orality.

In the name of the Mikubal Joseph Gikatilla writes, “This is the novel explanation that I RECEIVED (qibbalti) from the sage R. Joseph Gikatilla, may God watch over and redeem him, concerning the secret of the vocalization of the unique name (sod niqqud ha-shem ha-meyuhad) which is known to every kabbalist, for it is the root and principle of everything (cited by E.R. Wolfson from Ms. Cambridge University Library Heb. Add. 645 fol 20b; MS New York, JTSA Mic. 1878 fol 26b) in “Transmission of Medieval Mysticism” p. 220.

Memory and Manuscript: Oral tradition and written transmission in Rabbinic Judaism and Early Christianity, Copenhagen, 1964, 133.

Bhag 14a, Bershit Rabbah 1:3 eds. J. Theodor and C. Albeck (Jerusalem, 1965), 19-20

Cited previously in Midrash Tanhuma, Wayyera 5; Pesiqta Rabbati, ed. M. Friedmann (Vienna, 1880, 5, 14b

Zutartei and Shimmusha de-Shedie is a ladder by which Mikubalim attained reported degrees of prophecy and its powers.281

Nahmanides in his pirush on Ecclesiastes declares, “These issues”282 and others like them cannot be understood properly in any essential way from one’s own reason (mi da’at atsmo) but by means of Kabbalah. This issue is explained in the Torah to whomever has heard the meaning of the commandment by kabbalah as is proper- a receiver (meqabbel) from the mouth of another receiver going back to our Master Moses who receive it from the mouth of the L-rd.283 It can be concluded that for Nahmanides esoteric issues under the rubric of “kabbalah” must be transmitted orally. They go back to Moses as the original Informant. Nahmanides notes that the oral tradition of ma’she merkavah assumes that there was an oral tradition that goes back to the time of Ezekiel who glimpsed the reflection of the merkavah in the Chabar river, Isaiah’s throne vision in haftorah Yetro, and to Elijah himself ascending in a fiery chariot. The orality of the transmission of this subject at best could be reduced in written form only to the chapter headings, roshei peraqim. Yet the Ramban in Torat ha-Shem writes,

“I am perplexed for I see that the Torah speaks of the account of creation (ma’aseh bereshit) and cosmology (hokhmat ha-yetsirah) but I do not know where it alludes to the account of the chariot (ma’aseh merkavah). The supernal chariot (merkavah ha-elyonah) which is the knowledge of the Creator, is written in the Torah, but I do not know where there is an allusion (remez) in the torah to the chariot of the palaces (merkavah shel hekhalot). Perhaps it was an ORAL TRADITION until Ezekiel and Isaiah (hafоторah Yetro) came and gave it textual support.”284

Spanish Kabbalah of the 13th century may be characterized by 3 dominant trends: (1) linguistic mysticism (contemplation of the divine holy Hebrew alphabet), (2) theosophic Kabbalah (speculation on the ten dynamic powers that complete the pleroma of divine energies, referred to as the sefirot laid out earlier in Sefer HaBahir), (3) prophetic Kabbalah (attainment of divine ecstasy of the unio mystica through meditative techniques including letter combination and permutations of the divine names). All 3 trends ascribe that their respective transmission is orally received. Even Moses de Leon in setting down Sefer ha-zohar, ascribed to Shimon bar Yohai in the tannaitic period, at times confesses the need to conceal a matter or withhold its full disclosure.285

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281 Sullam ha-nevu’ot ve-koheteiah. R. Isaac ben Jacob Ha-Kohen, Ma’amor ha-Atsilut ha-Smalit, ed. G. Scholem, Mada’ei ha-Yahadut (Jerusalem, 1927), 120; the term Kabbalah mesura occurs numerous times in this treatise
282 i.e. gematria, notarikon, temurot, permutation of Hebrew letters, their acronym GiNaT “the Garden fo the Nut” serving as a metaphor for mystical speculations. Another esoteric subject is the cosmic cylces of shemittah and yovel within the system fo the luach. The subject of ma’aseh merkavah Rambam understands as an allegory for metaphysics in the Moreh HaNevukhim while other Kabbalists of ecstatic Kabbalah saw it as a visionary experience, and still others like R. Abraham Abulafia describes the interpretative techniques and mystical practical techniques to it, li-yoredei limerkavah. Yet oral transmissions of the divine Names and the written permutations of the letters are inferior to the inner mental pronunciations and oral transmission.
283 Kitvei ha-Ramban 1:190
284 Cited by E.R. Wolfson, “Transmission in Medieval Mysticism”, p. 203
Before the flowering of Spanish Kabbalah in the 13th century we can locate oral transmission of the secret knowledge of the divine name in works like Asher ben David’s Perush Shem Ha-Meforash. This esoteric work begins with the statement, “we have received a tradition in our hands from our ancestors” concerning the theosophic meaning of the tetragramaton.”

Earlier still in the French exegete Solmon ben Isaac of Troyes and his grandson Samuel ben Meir we find mention of the technique of ascending to the merkavah by secret knowledge of the shem hamephorash. The description of kabbalah as the knowledge of The Name, is found later in Jewish history in Sheva’ Netivot ha-torah.

It is Nachmanides and his talmidim who while incorporating all 3 trends of Kabbalah of the 13th century considered the third trend of attaining divine mystical ecstatic states of prophecy as a peak experience only for the most mature and fit. While the earlier decisor Maimonides ascribed ma’aseh ha-merkavah to metaphysics and ma’aseh bereishit to physics thus emphasizing the central place of reason in attaining wisdom, understanding, and knowledge, Nachmanides and his circle were skeptical of the limits of reason. They were open mystics who alluded to what was beyond speech and the written text. While true, Maimonides argues that esoteric knowledge is hidden in parables in both scriptural and rabbinic texts (see Part III, ch.51 of the Moreh HaNuvukhim) and held that these sects have never been set down in any systematic way but were preserved by Jewish contemplative philosophers originating from Adam Kadmon, Nachmanides considers the tradition of philosophy suspect given its taint inherited from the influence of Greek philosophy on it particularly during the Muslim period when many Greek scientific works were translated into Arabic and which Jewish scholars consulted i.e. Maimonides and Gersonides. Despite the many differences in hermeneutic strategy and Hashgafa between Maimonides and Nachmanides there is a basic similarity in terms of the formal acceptance of esotericism that is linked with orality and oral transmission and the need to intentionally conceal via the method of intential contradiction, secret teachings from the masses, ad captum vulgi, so that they not penetrate the circles of secrecy guarded with the Kabbalistic knowledge more powerful than the Pentagon. A main difference however remains between Maimonides and Nachmanides while the former takes the road of knowledge Nachmanides considers science in its limits to be culturaly determined and what later Thomas Kuhn noted in his controversial thesis that all scientific revolutions are the epitome of the spirit of their age but represent paradigm shifts that change understanding of the Foucaultian power-knowledge regime. For Maimondies no rabbinic knowledge can be complete or unified if it is

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287 See: Pedaya, “Flaw and correction, 157 n.2
288 See: Jellinek, A., Philosophie und Kabbalah (Leipzig, 1854), 9. Still further in Gikatilla’s Ginnat Egoz (Jerusalem, 1989) 343-44 Gikatilla identifies the 22 letters (otiot) which are comprised in AHW"Y, the letters of the permutation of the divine name that add up to 22
290 See Altmann, “Maimonides Attitude towards Jewish mysticism”, 200-219
not holistically integrated into a foundation of deep scientific understanding of the current age and time and place of its context. In a nutshell Nachmanides holds that the truths of Kabbalah cannot be deduced philosophically by the power of reason or supposition (sevara) is a position that is odds prima facie with Maimonides who states explicitly that he deduced knowledge of the secrets of Torah on the basis of conjecture and supposition rather than oral transmission from a teacher.\(^{293}\) This is the whole reason of the manner in which the Guide is sent to Rambam’s star pupil Joseph who due to geographical separation received chapters of the Guide which were meant for him because as well as rabbinic knowledge he possessed scientific knowledge. We find a precedent for Maimonides position in Zohar Hadash where Rabbi Haggai is told that he can join R. Diostai in his excursion to visit R. Eleazar ben Arakh (tannaim) if he is capable of comprehending what he hears. To this challenge R. Haggai responds “I have heard the matter of the supernal secret, I have contemplated it, and I have proposed a sevara.”\(^{294}\)

However for Nachmanides the oral transmission from the mouth of a kabbalistic sage to the ear of a receiver (mipi\(^{295}\) mequbbal hakham le-ozen meqabbel) is essential for oral transmission.\(^{296}\) Subsequent to Nachmanides in the 15\(^{th}\) century R. Abraham ben Eliezer ha-Levy follows in the footsteps of Nachmanides as does R. Hayyim Vital in the 16\(^{th}\) century by rejecting reason as the means to comprehend or ascertain esoteric wisdom.\(^{297}\) Thus for Nachmanides and his circle orality and esotericism are inextricably bound together. The oral transmission process of esoteric must be shequbbal peh el peh. Thus in extrapolation and intended correction of the Guide Pt. 3 ch.51 the rejection of reason based on its limits (gevulum) allows Nachmanides to assert that secret transmission from mouth to mouth allows one and only by oral transmission “to enter the chambers of the king, HaKodosh Baruch Hu.” Given Maimonides elitism, it is very rare and far and few in between to find someone who uniquely is capable of discovering exegetically via the tribunal of reason based on their outstanding intellectual capabilities. Thus for the majority Rambam would agree that the option of transmitting orally esoterica assures the authenticity of the mysteries of the torah via the hermeneutic of sod the fourth method of the PaRDES. For Maimondies the threat of forgetfulness is so strong that transgressing the oral nature of transmission of esoterica overrides that oral nature of kabbalistic transmission by which the oral manner in which the secret is disclosed preserves it being kept a secret by being deliberately allusive. Maimonides however adopts esoteric writing to transmit secrets as already mentioned because he feared that these secrets risked being forgotten in the crisis of his age and time. Ideally esoteric matters should be transmitted orally because their ultimate grounding is oral torah, but give the limits of human beings in history, the unideal world where forgetfulness is a danger, Rambam broke the law in order to save the law to allow the secrets to pass on from generation to generation.

A. Nahmanides WARNING OF ONLY ORAL TRANSMISSION OF KABBALAH and his Talmidim

\(^{293}\) Guide, 3 Intro, p.416
\(^{294}\) Zohar Hadash, ed. R. Margaliot, Jerusalem, 1978, 25c
\(^{295}\) The formulation qibbalti mipi (I received from the mouth of) and shama’ti mipi (I have heard from the mouth) again emphasizes the orality of esoterica and its oral transmission.
\(^{296}\) Perush ha-Ramban al ha-torah, 2 vols, ed. C. Chavel (Jerusalem, 1984) 1:7
\(^{297}\) See Wolfson, E.R. “By way of truth: Aspects of Nachmanides Kabbalistic Hermeneutic” AJS Review 14, 1989, 105 n. 6
The central role orality is illustrated in Ramban (1194-1270) works and the following generations of those who as disciples comment on his corpus. Daniel Abrams writes, “I believe that Nahmanides’ attitude to the dissemination of his Kabbalah is best expressed by the following 3 rules:

1. Reliable and authentic traditions are only to be transmitted orally
2. He who possesses reliable tradition may write of its existence and only hint at its content alone
3. The non-initiate who reads these hints is discouraged in the strongest terms from speculating of the meaning of these remezim because all attempts to uncover their full meaning of the Kabbalistic doctrine without a received tradition are futile.\(^298\)

For Nahmanides the true Kabalist is not permitted to write down the existence of his Kabbalah but may reveal a small part of its content to initiates. Thus a ban on speculation of Kabbalah outside of a living received oral tradition is forbidden.

Rabbi Solomon ibn Aderet (Rashba) was Nahmanides’ most prominent student. A number of the students\(^299\) of the Rashba constitute a chain of transmission of the Ramban’s esoteric teachings. The students of the Rashba produces super commentaries to Nahmanides Commentary on the Torah, namely Keter Shem Tov by R. Shem tov ben Abraham ibn Gaon\(^300\) written between 1198 and 1305, Beur Leo-Sodot ha-Ramban by R. Joshua ibn Shu’eib written about the same time, and a third anonymous super commentary based in part on that of R. Shu’eib and written between the years 1315 and 1330. Due to the various explanations of Nahmanides in Bahya ben Asher’s commentary to the Torah, written in 1291, it too is a type of super commentary on the Ramban’s esoterica. Rabbi Isaac of Acre who travelled to Spain in search of various traditions at the beginning of the 14\(^{th}\) century edited ibn Gaon’s Keter Shem Tov with the Yalkut ha-Hakham ha-Maskil, and the 15\(^{th}\) century copying of ibn Shu’eib’s Commentary alongside that of ibn Gaon.

In a ms. From Parma the Kabbalah of the Rashba influenced by Ramban is presented in an unorganized series of a few hundred entries which begin with the words, Another matter (inyan aher).\(^301\) A more organized arrangement of Ramban’s esoteric writings is found in the writing of Sefer Ma’arkehet ha-Elikhut, a systematic presentation of Ramban’s Kabbalah which has a complex structure. Ramban stresses that oral transmission is the main medium for conveying the secrets and that his literary work contains only hints.\(^302\) The reception history of Ramban’s esoterica must be based on comments concerning the limited sections of his literary work and the body of oral traditions. An abridgement titled, Secrets of the Torah, meticulously abstracts every statement where Nahmanides tops short of a

\(^{298}\) Abrams, Daniel, Orality in the Kabbalistic School of Nahmanides, Jewish Studies Quarterly, vol. 3, issue 1, 88.

\(^{299}\) Rashba, Sheshet of Catalonia (Mercadell), Isaac todros, and David Ha-Kohen are listed as students of Ramban in Kabbalistic matters in Scholem, Germson, Origins of the Kabbalah, p. 384 & in Idel, “No Kabalistic Tradtion”, p. 65

\(^{300}\) Judah ibn Yakar was a teacher of Ramban.

\(^{301}\) Judah ibn Yakar was a teacher of Ramban.

\(^{302}\) See Scholem, Gershom, Origins of the Kabbalah, p.392, n.67

Ramban writes “everthing is written in the Torah either explicitly or implicitly (ha-kol nikhtav ba-torah be-ferush o be-remez)” (Perush ha-Ramban al ha-Torah 1:3). Nahmanides reasons for if all wisdom could not be extracted from the Torah, that would imply that the torah was deficient. This is confirmed in gemaria in that the torah begins with beth and ends with lamed which corresponds to the 32 paths of wisdom.
full Kabbalistic explanation being sensitive to terms such as sod, remez, and al derekh ha-emeth. These key terms signal Nahmanides’ own directive not to write further about Kabbalistic matters.

Ibn Gaon is astutely aware that Nahmanides polemicized in the introduction to his commentary on the Torah against anyone who tries to understand his work through reason or without a received oral tradition. He writes:

**And now make an effort to know this introduction and to receive an explanation of it orally for in this way or through this method you will come to understand better the remezim of the Rabbi may his memory be blessed. And even though I hint to you concerning each and every remez and I add light to each one, you should not believe that reason will suffice to understand Ramban’s view.**

This can be seen as ibn Gaon’s attack on Aristotelian philosophy, with its emphasis on the sufficiency of reason, as being insufficient and at a much lower level than Ramban’s esoteric teachings. Ibn Gaon goes on further to describe “closing the gates” before those who engage in speculation. These prescriptions for secrecy resemble and correlate to the mystical paradigms of concealing teachings from the many ad captum vulgi.

Ibn Shu’eib’s commentary on the torah develops the Ramban’s concept of the upper masculine waters and the lower feminine waters. Ibn Shu’eib writes:

**“And G-d said: Let there be a firmament in the midst of the waters…” This concerns the account of Creation. Don’t expect me to write anything about it (see Ramban’s commentary, ed. Chavel, I., p.18). And we (ibn Shu’eib) have not received anything about it. But the sage R. Ezra hinted about the aggadah of the upper masculine waters and the lower feminine waters.**

Ibn Shu’eib refracts the chain of transmission of the Ramban through ibn Ezra. This way he marshals a major authority into his camp for interpreting this esoteric matter.

Isaac of Acre’s work *Me’irat Einayim* is edited with Nahmanides Commentary in mind and Isaac is extremely sensitive to the importance of not writing down esoteric oral traditions. Isaac writes:

And the author of *Keter Shem tov* erred a grave error in his interpretation of Nahmanides’ comment and because he made such an error it is impossible that he received it, rather what he wrote is based on his own reasoning. And if he presented his reasoning such according to the way of truth as if he received it from a pious Kabbalist, then his sin is very great indeed. And I have explained this matter in the periscopes of Beshalah, and if he received this from THE MOUTH OF HIS TEACHER, he should have mentioned his name.

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303 Ms. Vatican Barb. 119, fol. 95b-c
304 Tishby, Commentary on the Talmudic Aggadot of Rabbi Azriel fo Gerona, Jerusalem, 1943, p.36. On p.36-37 Tishby lists further uses of Ezra’s work.
As late at 16th Century Safed the cabbalist and Talmid Mevuhak of ha-Arie HaKodesh, Rabbi Chayim Vital sets up Lurianic Kabbalah as a direct link in the chain of transmission of the Ramban who received oral torah of esoterica. Rabbi Vital writes:

Do not go near any of the later Kabbalistic works written after Nahmanides may his memory be blessed because following Nahmanides the path of wisdom has been hidden from the eyes of all wise men and nothing is left to them except a few branches of their introductions, lacking their roots. And upon this the later Kabbalists based their words according to human intellect (which is insufficient).  

Rabbi Vital is bridging the gap from Ramban to Lurianic Kabbalah. Acknowledging that Ramban’s warning that his Kabbalah could only be received in oral tradition, Rabbi Vital claims authority for that transmission. Meir Poppers writes in his 17th century work Torah Or commenting on Rabbi Vital:

Nahmanides commentary is very profound, who can understand it. And there is no one who understands his meaning to its depth. And R. Isaac of Acre composed a work called Me’irat Einayim, written according to the wisdom of the early Kabbalists. and also his words are obscure. Therefore I have chosen to delve into it so that maybe I will understand something of it. And I saw that after I read Rabbi Chayim Vital’s Ez Hayyim and ate from the fruits of its words almost all his words became clear and need no explanation. Therefore I have been encouraged to compose a commentary to the words of Nahmanides and his Kabbalistic hints, to the degree that I understand them. According to the haqdamoth of R. hayim Vital and I am not transgressing the instructions of Nahmanides because I have received them orally from a wise Kabbalist, from one ear to the another ear, and I am writing nothing which arises from reason.  

C. Abraham Abulafia : Further Emphasis on secret oral transmission of Essoterica

Abulafia enumerates 3 principles of Kabbalah as follows:

306 Sefer Ez Hayyim, Jerusalem 1988, vol.1, p.19
307 Quoted in Schoelm in his description of Ms. Jerusalem JNUL 4 108, in his Catalgus Codicum Hebraicorum, p. 146. This passage is printed as well in the edition of his complete work Jerusalem 198, p.1-2
308 See: Sefer Mafteah ha-Hokmat. The three levels of religious perfection include: (1) the simple or contextual meaning (peshat) corresponding to the righteous tsaddiq) (2) the secrets of torah known through way of philosophy or science (sitrei torah al derekh hakhami ha-mehqar) i.e. the allegorical meaning concerning the Hasidim, and (3) the comprehension of the text as an amalgam of divine names corresponding to the prophets (nevi’im). (see Idel, Language, Torah, and Hermeneutics, 109-111). Nachmanides and his circles adopted the third way while Maimonides believed prophecy could be attained by philosophic contemplation grounded in scientific knowledge. Nachmanides radically holds the position that the comprehension of the divine text is an amalgam of divine names corresponding to the prophets (nevi’im). In Abulafia’s own words, “If you want to reach the levelof torah where you will be prophets, you must follow the way of prophets, for their way was to combine all of the letters of the torah, and to grasp it from beginning to end as the way of holy names, as the true tradition (ha-qabbalah ha-amitit) which has come to us in the entire torah as the names of the Holy one blessed be He, from the bet of bereshit to the lamed in le’einei kol yisra’el. In Sitrei torah Abulafia further categorized 3 grades of sages: (1) the prophets (nevim) who are forced by the divine influx to speak or write (2) the wise of heart (hakhmei lev) who speak through the holy spirit and who write books on divine wisdom according to what they have received orally form the prophets or indirectly from their compositions, and (3) philosophers, however rare they are, (hoqrei mada) who attempt to understand the hidden matters through their own understanding and reason.
...letters, combinations of letters and vowels... their acronym is AZN which can be permutated as TzoN.

The permutation controls the letters, the vowels control the permutation, and the spirit of man, given by G-d controls the vowels until they cause the emergences and illumination of the concept proper (for any intelligent Kabbalist). 309 Kabbalah sikhlit requires a foundation of wisdom, understanding, and knowledge on the part of the recipient of oral transmission. R. Abraham Abulafia however confesses that a low level of Kabbalah can be transmitted in books in his Sefer ha-Hesheq where he classifies orally transmitted kabbalistic traditions when writing, “In order to understand my intention regarding the meaning of the qolot (voices), I shall hand down to you the well-known qabbalot, some of them [which have been] received from mouth-to-mouth from the sages of our generation, and others that I have received from books called Sifrei Qabbalah, composed by ancient sages, the Kabbalists, blessed be their memory, concerning these wondrous matters, together with other traditions bestowed on me by G-d, blessed be He, which came to me from ThY in the form of the daughter of the voices 310, those being the higher qabbalot (qabbalot elyonot). 311 The revelation of those higher qabbalot elyonot is for those who are mevin (one who understands) and hakham (wise) and knowledge (a da’atan). Esoteric lore is transmitted only to one who understands on his own (mi da’ato), is wise, and has knowledge. Oral teachings provide Kabbalists with the techniques for attaining mystical experiences. Abulafia clarifies, “The purpose intended by the ways of Kabbalah is the reception of the prophetic divine and intellectual influx from G-d blessed be He, by means of the Agent Intellect, and causing the descent of blessing, and providing the means of the Divine Name for the individual and the community.” 312 In Sefer ha-Tseruf Abulafia writes of the transmission process:

Whatever is transmitted concerning the lore (merely constitutes) chapter headings and requires intellect to understand. That is why it is called “intellectual Kabbalah and is unlike other sciences, that is the propaedeutic ones which are transmitted alone, but this lore known as Kabbalah is impossible to transmit in toto orally nor in written form, even for thousands of years. An no matter how great the Kabbalists interpretive effort, everything remains but a hint of the chapter headings. 313

From Abulafia’s Sefer Shomer Mitsvah we again encounter the prohibition of writing down Kabbalistic secrets. Abulafia notes:

The Kabbalist may not reveal (kabbalistic secrets) and explain them in writing, but he should disclose one handbreadth while covering two. But when the Kabbalist encounters a person who is prepared

310 Bat Qol is related to Qolot (voices) and Qabbalot (minus ba) is also implied in the idea that traditions coming from above are voices.
312 See Idel, Moshe, Transmission in 13th Century Kabbalah”, in Transmitting Jewish Traditions: Orality, Textuality, and Cultural Diffusion, Yale Univ Press: New Haven, 152; Idel notes that Kabbalists of the secondary elite were concerned with their own mystical experiences or the avenues open to the realization of such experiences, namely mystical techniques. Thus while Nachmanides a belonging to the primary elite saw Kabbalah as a store of traditional teachings, Abulafia and other innovative Kabbalists like Gikatilla and De Leon can be envisaged as artists of Kabbalah who transformed it into an art of praxis.
313 Cited by Idel from MS. Paris BN 770, fol. 175b
and worthy of having these secrets revealed to him orally, he should first reveal two handbreadth while covering one. And if the recipient will receive it, and really desire to complete what he has begun, some topics may be revealed, in accordance with the recipient’s capacity to receive them; these topics should not be hidden from him, though they are by nature hidden and occult and essentially concealed.\(^{314}\)

Abulafia continues to emphasize the importance of not writing down esoteric and secrets in the same treatise where we learn further:

Despite the fact that wondrous secrets ([sodot nifla’ot]) emerge out of their numbers ([gematriot]) these secrets ([sitreihem]) should be taught only orally, and only after much labor concerning the essence of the paths of Kabbalah, so that the knowledge of truth should not be given to the recipient in a random manner. But it is necessary that at the beginning he should put forth great efforts to follow the ways and paths of Kabbalah, which are the ways which open to gates of understanding, in order to understand the truth. Whoever wishes to enter the depths of truth according to the Kabbalah must at the beginning lay the foundation of wisdom and understanding within his heart, i.e. receive oral transmission.\(^{315}\)

According to Idel with the movement of Spanish Kabbalah to Italy at the end of the 13\(^{th}\) century mainly by means of written documents- as evident from the writings of R. Menahem Recanati, and at the end of the 15\(^{th}\) century as can be seen from the writings of R. Yohanan Alemanno the esoteric features of Spanish Kabbalah’s insistence on oral transmission was dramatically reduced, although the culture of orality prevailed for transmission of esoteric lore. As late as R. Abraham Cohen Herrera a 17\(^{th}\) century Kabbalist in Amsterdam, emphasis still remains on the oral transmission from master to disciple of esoteric lore.\(^{316}\)

Abulafia in his *Or ha-Sekhel* as a preface to his exposition of the secret concerning the motif of the image of Jacob engraved on the throne of glory writes, “verily at this time that which was hidden has been revealed because forgetfulness has reached its limit, and the end of forgetfulness is the beginning of remembrance.”\(^{317}\) Thus cultural amnesia was a rationale for disclosing hidden secrets in an esoteric manner. Although Abulafia conformed to the kabbalistic position that what is truly esoteric cannot be written he recognizes that the forgetting of these secrets legitimates their being set down. Despite the obvious influence of Maimonides on Abulafia the position that kabbalah is the transmission and preserving of mystical truth that is oral, a prophetic tradition unique to the Jewish people (thus agreeing with R. Yehudah HaLevy) Abulafia departs from Maimonides holding that kabbalah transcends the bounds of human reason.

\(^{314}\) Abulafia, *Shomer Mitzvah* fol. 48b. cited by Idel  
\(^{315}\) Abulafia, *Shomer Mitzvah*, fol. 78a, cited by Idel  
\(^{316}\) See: *Puerta del Cielo*  
\(^{317}\) Cited by Wolfson, Elliot R., from Ms. Vatican Biblioteca Apostolica ebr 233, fol 97b
Like Nachmanides Abulafia emphasizes that the Torah in its entirety is the encryption of Hashem’s holy names. This idea is also found in the work of the German Pietists, theosophic Kabbalists, and Rabbi Sedeqiah ben Abraham author of the halakhic compendium, Shibbolei ha-Leqet. A later text that expounds on the mystery of the string of divine names is Sefer ha-Temunah. As noted before the foremost expounder of this idea of the Torah as the encrypted string of G-d’s divine names is Nachmanides in his Kadmah li-perush ha-torah. For Nachmanides this esoteric doctrine is qabbalah shel emet. On numerous occasions Abulafia paraphrases Nachmanides. The emphasis again is on the orality of this tradition and its oral transmission, for according to Abulafia the exegetical decoding is the aggregation of holy names of Hashem which is the true oral torah in its essence that cannot be committed to writing. In Abulafia’s Sheva’Netivot ha-Torah in which Abulafia describes the 7 hermeneutical paths of interpretation, the seventh path is known as “truth and essence of prophecy which consists of the matter of the knowledge of the comprehension of the essence of the unique nameof Hashem..... It is not appropriate to write in a book the substance of this path, which is called holy and sanctified, and it is impossible to transmit any traditions, even the chapter headings, except if one who desires it has at first orally received the knowledge of the 42 letter name and the 72 letter

Idel, Moshe, Concept of Torah” 54, n.10
See Scholem, G., “The secret of the Tree of Emanation by R. Isaac: A Treatise from the Kabbalistic tradition of Sefer ha-Temunah, Qovets al Yad 5, 1951, 67 n.2; This text represents a stage of Castillian Kabbalh preceding the generation of kabbalists referred to Schoelm as ‘gnostic circle’ which included Jacob and Isaac ha-Kohen [see D. Abrams, “The Book of Illuminations of R. Jacob ben Jacob HaKohen”, PhD Disseration, NYU, 1993], and their disciple s Moses ben Simeon of Burgos and Todros ben Joseph Abulafia. Sefer ha-arah of Jacob reflects this concern further for the Hebrew alphabet and the names of G-d encrypted in the Torah. This orientation which also focuses on the nature of letters, nukudot, and cantillation also has correlary reperoire of concern in Rabbi Joseph Gikatilla’s Ginnat Egoz as well as the circle to which Moses ben Shem Tov de Leon belonged in the early stage of his life (see Farber, A. “On the Sources of R. Moses de Leon’s Early Kabbalistic System” in Studies in Jewish Mysticism and Philosophy and Ethical Litererature presented to Isaiah Tisby on his 75th birthday (Jerusalem, 1986), 67-96. It is possible that this linguistic mysticism and language hermeneutics may have been transported from German Pietists to Castile.

Idel, Moshe, Language, Torah, and Hermeneutics, 48-49.
Moses ben Simeon of Burgos, A Castillian Kabbalist active in the 2nd half of the 13th century begins his commentary on the 42 letter name of G-d as follows: We have a complete oral tradition from R. Hai, blessed be his memory who received from the Geonim going back to R. Akiva and R. Ishmael the High Priest, may peace be upon them. Cited from E.R. Wolfson from MS. Oxford Bodleian library,1565, fol 95b (see E.R. Wolfson, “Transmission in Medieval Mysticism, p.220). The secret of the 42 letter name is claimed by Moses of Burgos as a textualization of orality of a channel of an authoritative teaching that is attributed to the Hai Gaon. From this same ms. Wolfson quotes Moses of Burgos (fol. 95b) as further stating “After we have informed you that we have mentioned the sayings of those who speak by means of the Holy spirit and the sages, blessed be their memory, regarding the statutus of the greatness of the aforementioned Name of 42 letters, we will write the essence of the names in their vocalization as we have received and the variant readings that we may have found in the writings of the Geonim, blessed be their Memory”. Qibbalnu (we have received) denotes an oral transmission. After presenting the vocalization of the 42 letter name, the author writes, “Now we shall begin to explain the meaning of the words

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name. Only a special kind of writing is permitted by one who has received the oral torah and who will be able to interpret and expand the written allusions.

D. The Magid Mesharim of Rabbi Yosef Karo: The Paradigmatic Case of the Tension between Orality and the Written Grapheme

Further in the 16th century Rabbi Joseph Karo in the Maggid Mesarim emphasizes the experience of spiritual elevation as one in essence being that of oral reception of secrets from the Shekhinah. Charles Mopsik writes:

*Dans le cas des experiences relates dans le Maggid Mesarim de R. Joseph Karo l'oralite occupe une place preponderante a telle point qu'il n'est nulle part question d'une vision de la figure celeste qui lui adressait des remontrances, des messages sur son avenir, son statut personnel ou des enseignements esoteriques. La mise par écrit de ces instruction possede un caractere singulier. Une breve analyse de la nature de cette ecriture peut nous permettre de considerer que la transmission orale par le maggid represente une sorte de regression a sa situation initiale de Torah se'be'al peh, un retour de la Mishnah et donc de la literature rabbinique a siade ou elle etait encore un pur enseignement oral, avant sa mise part écrit sous la forme d'un code et de ses commentaires autorises.*

Mopsik further notes, that R. Joseph Karo heard the voice of the Shekhinah giving over to him the *Sitrei Torah*, and the act of writing down his dreams of this voice of divine secrets presents an interesting dynamic given the interdiction of writing down such secrets. Mopsik notes further:

“R. Joseph Karo comme l’on sait recoit les enseignements d’un maggid qui n’est autre que la Misnah elle meme, qui par son relevement sous la forme d’une figure divine ou Angelique redevient LA VOIX la Torah orale, authentiquement orale qu’elle n’aurait jamais du cesser d’etre. La stricte oralite des revelations de cette VOIX qui s’exprime par la gorge de R. Joseph Karo est la garante de l’authenticite du message et confirme le maître dans son statut de maître de la Torah orale. Cette regression de la torah orale a sa realite materielle as sa proper oralite perdue qu’elle retrouve par le biais de Karo, assure a ce dernier un statu de heros ou de martyr de l’enseignement oral. La Voix de la Misnah lui

and letters by way of proper tradition (al derekh qabbalah nekhonah) from the learned of the world of kabbalists (ge’onei olam mequbbalim) from the secrets of their exalted and inner intentions to edity wonderous matters.”

See: Mopsik, Charles, “Oralite et ecriture dans le Journal mystique de Rabbi Joseph Karo” in Experience et ecriture mystiques dans les religious du livre, actes d’un colloque international tenu par le Centre de’tudes Juives Universite de Paris, p. 148; Mopsik notes further, “Un problem interne a la tradition rabbinique a ete le fait qu’elle viole un preceppt important de la societe juive ancienne en mettant par écrit les traditions orales, les rabbins ont transgresse ce qu’ils consideraient comme un interdit d’une tres grande gravite. Meme sic et interdit a ete viole en fonction d’une contrainte exeriere majeure, la crainte d’un disparition de la memoire doctrinale et religieuse autoriesse du people juif a cause de la persecution et de la dispersion, la Torah orale a conserve et ce titre paradoxal de Torah orale puisqu’elle a ete mise par écrit ) et la nostalgie de l’époque lumineuse ou elle pouvait pleinement s’apanouir sous une forme exclusivement orale.
annonce tres frequemment pour sa plus grande joie, qu'il finirait sur le bucher a cause de la sanctification du Nom Dieur.  

Rabbi Karo’s setting down of the oral torah of the voice of the Shekhinah personified materially as the Mishnah is an act of regression into corporeality that originally was represented by the setting down of torah by Moses on Mt. Sinai. The materialization of the Mishnah by R. Yehudah haNasi as an experience is also the experience had by R. Joseph Karo in setting down his dreams where the Mishnah spoke to him in visions giving over the secrets of torah. His act of “de sa mise our remise en voix un debouche et
un expression reconfortante,” constitutes Regressio ab oriigne de l’ecrit vers l’oral, de l’oeil vers l’oreille ou de l’oeil vers la bouche... Mopsik writes:

“le fait d’entendre avec se propres oreilles la Torah se be’al peh a l’instant des matiere ancien du Talmud confere a R. Joseph Karo la confirmation d son statut de maître insigne, auquel plusieurs passages de son Maggid mesarim font allusion comme s’il eprouvait le besoin pressant d’etre assure d’une position sureminent au sein du people juif don’t il se voulait le guide et l’instuctuer infaillible.”

Not only a master of halkah but of Kabbalah thus is assured R. Karo by his dream diary where he received mouth to mouth communications of the Mishnah personified as the shekhinah. Rabbi Karo covers the prohibition of writing down secret oral Kabbalistic traditions by encoding his Maggidh mesharim in difficult Aramaic idioms. This language of Rabbi Karo differs from the Beit Yosef and Shulchan Arukh. It is an esoteric language of Aramaic from the idiomatic forms of Sefer Ha-Zohar and the Aramaic of the Talmudim of medieval rabbis. This constitutes a return to a sign of oral teachings and its prohibition to be written down. R. Karo covers two handbreadths by revealing one handbreadth in the language of Abulafia. Those who do not know the Aramaic of the Zohar thus cannot access the Magid Mesharim. Thus the readership of the Magid Mesharim is encoded in encryption purposefully by R. Karo to keep secret from the masses the esoteric lore. It also protects the intimate journal of his dream life and his experiences mystical by redacting them perplexingly that gives primacy to their original transmission from a celestial voice of the Mishnah personified as the shekhinah. R. Karo has hidden by writing the extraneous secrets revealed to him in his dream life by the particular nature of his act of writing via concealment. The oral revelation is thus protected by the walls of the language of the transmission so that the marvelous secrets are not democratized for the many but only the elite who has access to the language of the Zohar and Talmudim. The profundity of the mystical experiences demands such a mode of writing of that protects by concealment. Rabbi Karo like R. Abulafia speaks to the unwrittability of such a revelation. Rabbi Karo received a revelation from the mouth of the

329 Ibid, 149
330 Mopsik notes, “Un autre element peut encore renforcer ce processus de retour a l’oralite de la Torah orale mise par écrit est le fait que R. Joseph Karo a partillement redige son livre inspire ou dicte par son maggid en une sorte d’Arameen.
331 Mopsik cites the French edition of the Maggid Mesharim by transcribing: Mais le secret de la chose est le secret des secrets, dissimule a l’extreme d’une prondeur inaccessible don’t n’a eu connaissance aucun sage qui ait ete au monde. Et i est impossible de le saisir a moins qu’il ne soit transmis oralement (litt. De bouche a bouche) car son nom est qabbalah (reception), c’est pourquoi il faut le recevoir de bouche a bouche, et il n’existe personne qui
Mishnah to his mouth according to consecrated expressions found in the Zohar. Rabbi Karo confers an esoteric teaching that was revealed to him in his mystical dreams. The act of writing down this oral transmission of the voice of the Mishnah was an act of concealment by writing. Thus orality and writing are the two phases of a process of celestial revelation of the mystic towards the collectivity. The substance of the mystical transmission in writing is concealed by the nature of its linguistic purity and difficulty so that the writing retains the mystical character of the original oral transmission of the voice of the Mishnah carried over in the semantic power of writing as an act of concealment paradoxically on the other hand as an act of revelation. Writing as trace, is the reformulation of the original mystic experience of the divine dream life of R. Karo put in writing in an elusive manner. This elusively is demanded by the very nature of the prohibition of writing down oral torah, especially esoteric oral torah of Kabbalistic mystical experiences. Thus orality itself is esotericism and encoded in the corpus of Rabbinic texts. It is concealed by the act of writing down oral torah purposefully for the nature of this esoteric demands concealment in writing. It is Rabbi Karo’s authority in halakhic matters that gives authority to his esoteric transmissions of mystical experiences whereby revelations were given over by the Shekhinah personified as the Mishnah to the halakhist turned Kabbalist. Orality and writing are thus the dynamic that is in tension in a work like the Maggid Mesharim. It is a paradigm itself of the esoteric nature of the prohibition of writing down oral torah that pervades the culture of orality of Rabbinic society and culture. The oral transmission of secrets by Rabbi Karo is hidden (caches) intentionally by the manner of its beings set down. In putting to sleep (En couchant par écrit) by writing these marvelous revelations given over to R. Karo the written text commands the reader/learner to hear the celestial voice of the Mishnah which can only be done in full by learning the total corpus of Rabbinic texts to which Rabbi Karo was a master. The voice of the Mishnah in demanding of R. Karo to “put to sleep by writing” the esoteric teachings encrypts into their writing the importance of the relationship between the nature of the oral and the written. Thus the necessity of an internal spiritual mystical experience that cannot be written down, yet must be written down, constitutes a facet of the revelation itself.

Part VI WHO, WHAT, WHERE, WHEN?: The Medieval Landscape, an Overview

l’amis par écrit et y a fait allusion de quelque façon, a l’exception de Simeon bar Yochai mon fils, qui y a fait quelque peu allusion dans le Zohar mais nul home n’est capable de le comprendre s’il ne lui a pas ete transmis de la maniere que j’ail dite, et ce secret des secrets est une perle precieuse c’est un beau cadeau que je vais te donner parce que tu as acheve l’étude de six order de la Mishna (Maggid mesarim fol. 34b)

Mopsik writes, “du travail de mise par écrit d’une Torah orale qui n’en finit pas de sourdre de la Bouche divine. Contariement a la dimension exoterique ou halakhique de la Torah orale qui a ete entierement couchee par écrit par les maître de jadis sa dimension esoterique et percue comme n’ayant ete que tres partillement revelee dans les ouvrages classique de la Qabbale et attend donc des homes de me

332 Mopsik writes, “L’oralite qui fait loi, la parole magistrale qui enonce le varia doit obligatoriement etere fixee par écrit non seulement pour etre communiqué et transmise mais surtout peut etre pour qu’elle s’inscrive dans le standard de la literature canonqiue de la torah orale. Ainsi la necessite interieure d’une experience mystique et la necessit impostee par la norme collective se rejoignent se renforcent l’une l’autre et finalement ne font qu’un. Dans le cas de R. Joseph Karo, l’experience mystique strictement orale est objectiee par le travail d’ecriture de l’exegese esoterique ou theosophique. La Qabbale theosophique n’est pas eliminee par l’experience mystique mais au contraire elle y trouve sa legitimation et un mode de revelation important (p. 154). “

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The evolution of Jewish medieval classification of library collections evolved over the Tannaitic (70 CE to 200 CE), Amoraic (200-500 CE), Savoraim (500-600) Geonic (600-900), Rishonim (900-1450), Achronim (1450-Shoah) periods as the genres of Jewish knowledge expanded and the world of Jewish knowledge developed in an oral tradition that later was set down. Mordecai Breur, Ephraim Kanarfogel, Isidore Twerski, Adin Steinsaltz, and Nathan Drazin have shown that this evolution of the Jewish library within the context of Jewish educational “institutions” such as the medieval Yeshivot, Rabbinic Academies, Beit Midrashim, Synagogues, and self-regulating Jewish Communal government (kehilah) allowed for the classification and organization of manuscripts and sefarim to remain internally coherent.

The halakhic process of *torah shel ba’peh* (oral law) expressed itself in the way manuscripts and later sefarim after the printing press (Gutenberg, 1450 CE) were organized in these institutions. For example the lecture notes of the students of Rabbi Yochanan ben Zakkai who met in a vineyard in Yavne during the Tannaitic period and constituted the displacement of the Sanhedrin from the *Lishvat Hagazit* (Chamber of Hewn Stone), differed from those of the notes of the masses of talmidim (students) during the Yarchei Kallah of the Geonic Babylonian Geonic Academies of Pumberdita and Sura. Jeffrey Rubenstein (the Culture of the Babylonian Talmud, JHU Press) has noted how the Savoraim wrapped up the Amoraic period by putting the finishing touches on the gemarah as a written text. The redactors of the Babylonian Talmud regularly register variants in the names of tradents and in traditions regarding essential legal points. These variants, which are almost all the creation of errors of association of hearing, rather than “scribal” in nature, also allow one to gauge the effect of such transmission. As Shamma Friedman has suggested scribal activity produces similar variants as well but by intentional scribal editorial activity. Pervasive variation thus can result from scribal setting down of oral tradition into a written tradition which can shed light on the mutual interaction of oral and written texts within the process of learning texts. Martin Jaffe shows based on Greco-Roman grammatical and rhetorical transformations beginning with the mastering of the memorized text itself how the Roman orators appropriation of the text of a chreia (a concise statement i.e. Rabbinic *memra*) worked it orally through a serious of rhetorical transformation. Jaffe concludes that Yerushalmi’s exegetical engagement with the Mishnah seems to be aware of both oral and written transmitted sources. Nevertheless Jaffe illustrates the differences between Palestinian and Babylonian rabbinic cultures, namely the prohibition of recording “rabbinic legal tradition in writing” was much more stringently observed in Babylonia than in Palestine. Daphna Ephrat and Ellman investigate another aspect of orality, one which carries through into the medieval period in Europe: oral transmission as a source of authority. Their joint chapter on Jewish and Islamic institutions of elite education in the 11th and 12th centuries in Iraq attempts to appraise the effect of the increasing availability of writing on the organization of learning

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335 Tradents seem to have reorganized three genres of rabbinic material in regard to textual inviolability: (1) strictly legal materials, where the range of permitted variation is narrow, (2) Talmudic dialectic, where the greater freedom is permitted, and (3) anecdotes and narrative material which is handled with much greater freedom.


337 See: Peter Schaeffer (ed.), The Talmud Yerushalmi and Greco Roman Culture (Tubingen, 1998), article by Martin Jaffee; Jaffee applies the Roman model to a case in Yerushalmi in which the latter seems to have drawn on the information contained in earlier compilations, and have recycled them in its own way, with the addition of a crucial element, the investigation of the scriptural sources for the rabbinic statements.

338 Jaffee, Martin, in Transmitting Jewish Traditions: Orality, Textuality, and Cultural Diffusions, p. 44.
within the central institutions of the yeshiva and Islamic madrasa. For the Rabbis writing was considered a threat to the elites’ authoritative access to the tradition by providing an oral venue for the written transmission of authoritative texts by means of i‘jaza.

Local institutions for the pursuit of Talmudic studies developed further in the time of the Rishonim. The first Yeshivah in southern France was Narbonne in the 10th century. In Lunel, Posquieres, Beziers, Marseilles, and Montpellier also arose Academies. Rashi learned in Mainz and Worms, and later descendants of Rashi, the Tosafists, headed Yeshivat at Remerupt (R. Tam), Dampierre (R. Isaac b. Samuel), Orleans, Falaise, Sens, Coucy (R. Moses b. Jacob of Coucy), Chinon, and of course Paris (R. Yehiel who debated Nicholas Donin in 1240 which led to 24 cartloads of Talmud volumes being burned outside of Notre Dame. Even the Tosafists only “rediscovered” dialectic- they did not invent it, as H. Soloveitchik noted. In Germany of the Yeshivah of R. Gershom b. Judah in Mainz, Yeshivot in Speyer, Regensburg, Bonn, and the Rhine communities flourished but declined as Jews were blamed for the Black Death (1348-1349). The Hasdei Ashkenaz in German from whom the work Sefer Hasidim springs were very ascetic in their tendencies striving for saintliness. Yeshivot arose in Austria in Vienna, Neustadt, Krems, Prague, and throughout Bohemia.

Yeshivot in Islamic Countries and in Western and Central Europe to the 15th Century flourished in North Africa and Spain. Yeshivot arose in Maghreb- in Fez, in Gabes, in Sijilmassa, and in Tlemcen. The Kairouan yeshivah where R. Yakov Nissim was active became renown. In Egypt arose yeshivah in Fostat and a motion to revive the Geonite was done. R. David B. Solomon ibn Abir Zimra was a leader in Egyptian Yeshivot. Yeshivot of Eretz Yisrael moved to Damascus and Aleppo. The Spain Yeshivot clustered in Cordoba, Granada (headed by R. Shmuel HaNagid), Toledo, Lucena. The Almohad invasion lead to the fall of the Spain Yeshivot and were replaced by the Yeshivot of Aragon and Castile. The Yeshivot of Barcelona and Toledo flourished in the time of R. Solmon b. Abraham Adret, Asher b. Jehiel, and Nissim b. Reuben Gerondi in the 14th Century.

During the Achronim period in Italy Talmud academies existed in Venice, Oria Otranto, and Bari, and Lucca, Siponto, and Rome. An impetus to the study of Talmud in Italy was given in the 15th and 16th centuries by arrival of exiles from Germany and France. In the Renaissance, Shabbethai b. Joseph Bass (1641-1781) in Sifre Yeshenim (Amsterdam 1680), lists 2200 Hebrew books, in the alphabetical order of titles, giving the author, place of printing, year and size of each book, as well as a short summary of its contents. Bass divided the whole of Jewish writings into Biblical and post-Biblical, and each group in turn was subdivided into ten sections. Bass’ classification is hierarchical classification, in that it is based as much as possible on the natural organization of the subject, proceeding to form classes to divisions to subdivisions. Renaissance Italy saw may great Talmudists such Menahem ben Benjamin Recanati (14th C.), Azaria de Rossi (1511-1578), Yohanan Alemanno (1435-1504), Avraham Herrera (1570-1635), Judah Moscato (1530-1593), Judah Abarbanel (1460-1523), Moshe Trani, Leon Modena (1571-1648), Mordecai Dato (1525-1601), Menachem Azariah Ano (1548-1620), David Leon

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Ovadia Sforno (1470-1550). Rabbi Israel Saruq brought the Kabbalistic teachings of Rabbi Isaac Luria to Italy from Safed which also saw a flourishing of Rabbinic mystical activity during this period. In Safed Rabbi Moshe Cordevero (1522-1570) Rabbi Moshe Alsheikh, Rabbi Shlomo Alkabetz, HaAri HaKodesh and his student Rabbi Chaim Vital (ztsl).

In the 15th to 18th Centuries Jews in Germany, Austria, and Spain saw Yeshivot in Mainz, Nuremberg, Augsburg, Castile (Spain), etc. In the 16th and 17th century witnessed large concentration of Yeshivot and widespread Torah learning in Poland-Lithuania. Yeshivahheads included R. Shalom Shakhna (Lublin), R. Isserles (Cracow), R. Solomon Luria (Ostrogs Lublin), Maharal (Prague, Poznan, Nikolsburg), R. M. Jaffe (Prague, Grodno, Lublin), R. Joshua Falk (Lvov), R. Samuel Edels (Ostrog), R. Isaiah Horowitz (Ostrog, Prague), R. Yom Tov Lipmann Heller (Prague, Vladimir-Volynski, Cracow) and R. Menachem Mendel Krochmal (Nikolsburg). Lithuania Yeshivot developed at Brest-Litovsk, Pinsk, and Slutsk and in tandem Italian Yeshivot continued to grow in Padua as well as Cremona, and in Turkey (Constantinople), and Salonika. German Communities celebrated practical halakhah more while the Sephardic communities often also focused more on philosophy, aggadah, and minhagim. Ashkenazic Yeshivot like Frankfurt on the Main, Fuerth, Hamburg-Altona, Halberstadt, and Metz (France), and even Hungary (Eisenstadt, Pressburg) devoted themselves to Codification and practical halakhah over the philosophic midrashic and aggadic parts of the Talmud and Midrashim. Levels of attainment were designated in titles such as bahur, meshuhrar, morenu, smeikhah, and serving on a beit din. In Lithhuania the Yeshivah system drew on Baal Batim to support buhurim physically by mandated "essentag" (eating days) where the students were fed by the professionals of the shtetl. The Lithuania yeshivot were mainly concentrated in Grodno (Brest-Litvosk), Vilna, and Minsk (Pinsk, Slutsk). Volozhin near Vilna became a famous center for Talmud pilpul as championed by Hayyim of Volozhin. There also existed large Yeshivot in Mir (Minsk region), Vilna. The Yeshivah of Slobodka and Telz were destined to influence greatly the American Yeshivot. Rabbi Hutner of Chaim Berlin, Rabbi Ruderman of Ner Israel, and Rabbi Aaron Kotler all were students at Slobodka, near Kovna. Perushim kolel in Kovno was headed by Isaac Elhanan Spektor (d. 1897) who was Rosh Yeshivah of 200 students. In the last days before the Holocaust many Yeshivah Litewere annihilated with the rest of East European Jewry. Remarkably the Mir Yeshivah survived by escape to Shanghai via Transit Visas with the help of the Vaad HaTzalah headed by Rabbi Silver of the Agudas Yisrael and others. The Yeshivot of Slobodka, Telz, and Ponevezh (panevezyas) in Lithuania, the Polish Yeshivot of Kletsk, Baronwivichi, Radzyn, Warsaw, and Lublin were not so lucky as Mir.

The Yeshivah in which Rashi learned in Mainz and Worms involved student's keeping notebooks (pinaksim & mahberot), that differed in organization from those later kept by the bucherim during the network of Lithuanian Yeshivot of which Stampfer, Eckman, and others have written. In the genre of parshanut, Bible commentaries, once the Soncino and Bomberg press laid out the mephorshim of the Mikra Gedolot text or in new commentators were forced to the margins and the space limitations led to star bursts of new genres of secondary and tertiary texts. So too the process of codification of halakhic works illustrates how once Rashi’s commentary (on the inside of the daf) on the gemarah and Tosofist commentaries (on the outer margins of the daf) on it filled up in setting of the Soncino and Bomberg printing press layout, later with the Rashba, Ran, and Yad Mordecai in the back, the genre of the Vilna Shas including Rabbi Akiva Eiger, the Ayn Mishpat Ner Mitzvah, and Bach’s marginalia was forged and
set. Jewish legal knowledge and its organization and classification, had evolved and only later due to the space limits of the technology of the printing press, its destining for those previous eras was signed and sealed, but only to continue evolving in the development of secondary and tertiary commentaries and the genre of the response (teshuvot). So too codification from the Tur, Mishneh Torah, Shulhan Arukh, and Tur Zahav, Mishneh Berurah also represented a canonization of legal knowledge, but this time in the genre of the code/digest form rather than the wide ranging scope of gemarah learning. Pilpul, the Brisker Method, and Musar traditions interpreted these materials with their own particular methodologies, ideologies, and perspectives.

Thus the expanding content-knowledge of Rabbinic works in either the genres of Talmud, parshanut, Codification, or Teshuvot in the evolution of the oral law across 2000 years of Jewish history, worked in tandem with the classification of Jewish library systems to organize manuscripts/codex/pinkasim, and later after Gutenberg (1450 CE), the book form. Library classification in Jewish history from the Tannaitic to Achronim periods cannot thus be separated from a knowledge of the expanding evolution of the textual genes and nature of the halakhic processes of the rabbinic tradition itself, and it is this processes working in tandem (textual/library & educational/institutional) that is so exciting.

PART VII: RETURN TO ORALITY WITH a Few Medieval Exceptions of Megillat Setarim

This takes one back to the question of early periods such as the Tannaitic, Amoraic, Geonic, and Savorieim periods. What kinds of collections of Jewish texts existed then, and how were they arranged and ordered? This topic is more nuanced but approaches have been attempted by scholars such as Yakov Ellman, Martin Jaffee, Elizabeth Shanks Alexander and many others on the concept of orality and the fact of “pervasive orality” indeed and ideology of oral torah that proscribed the writing down of texts during these periods. Ellman shows for instance that the Bavli in particular according to tradition redacted by Rav Ashi and Rava was transmitted largely orally in the context of the culture of Babylonia. Ellman argues that it is Greek, Roman, and Arabic culture that celebrated transmission via the written word while Rabbinic oral traditions set out an ideology where written texts were less frequently set down based on a Rabbinic ideology of oral transmission. Even the Bavli’s redactors, the stammaim operated in an oral environment and Jacob Neusner and Peter Schaefer have taken very different approaches and positions on the redaction process. The verb sadder, suggests to arrange, or redact or edit. The Aramaic verg taratz suggests to solve with difficulty or as Kohut writes in Arukh Completum “eben gerade sein.” Ellman admits that during the Tannaitc, Amoraic, and Geonic periods many pinqasayot and megillot setarim were written down. However Ellman argues that the Amoraim masters are hardly ever depicted as having had recourse to written texts with which they were not already intimately familiar with the exception of larger numbers of collections of written down Aggadata. Rabbinic culture has an ideology of oral transmission which Rambam in the Introduction to the MT, drawing on the opening of the famous mishneh from Avot that Moses transmitted the Torah to Joshua and Joshua to the elders to the prophets to the men of the great Assembly all the way up to the Rambam’s own present day 1135-1204. Rambam was very conscious of this ideology of oral transmission as the text says “Moshe Kibel torah miSinai” and not “HaTorah” which Rashi points out, “if it had said “hatorah” then that would only mean “written torah” but written torah and oral torah are coterminous. The Geonim before Rashi put a ban on the disclosure in writing of the secret names of
The secret of the great name of Hashem [sod ha-shem ha-gadol] is in this transmission of oral torah. Rabbinic ideology of oral transmission denied the validity of written transmission of oral torah. Thus Rambam justified that the Great Eagle would write down the secrets of ma’aseh bereshit and ma’aseh merkavah and other esoteric matters in the Moreh Nevukim because these esoteric traditions risked being forgotten in an age of crisis. This was also the logic of Rabbi Yehudah HaNasi who is claimed to have written down the mishneh in the 3rd century although the prohibition of setting oral torah down was well known. Gershom Scholem in fact argues that his generation lived in a time of crisis and that is the reason he pioneered academically the field of Jewish Mysticism, a topic the Wissenschaft des Judentum Beweigung gave sparse attention to. Ironically the Jewish Encyclopedia was written down (1901-1906) as the culmination and summary of Wissenschaft des Judentum Beweigung scholarship according to various scholars because its writers brought academic Jewish Wissenschaft from European lands to America while so much was left out of the Renaissance of Jewish learning in the Wissenschaft period see: http://www.jewishlibraries.org/main/Portals/0/AJL_Assets/documents/Publications/proceedings/proceedings2002/levy.pdf

According to Gittin 60a devarim she-be-al peh you may not write and the Rabbinic class in the Tannaitic, Amoraic, and Geonic periods (Geonic to a lesser extent) were literate by the Rabbinic society was not (See Lee Levine). The founder of the Pumbeditha Yeshiva Rabbi Yehudeh ben Yehezkel reports in the name of Rav that a scholar must learn (tzarikh limod) before the stage of ketav, script. Hullin 9a notes that only the laws of ritual slaughtering and brit millah should be written down. Scribes produced legal documents of course like Ketubot magnificent illuminated ones which exist on the JNUL and JTSA websites http://jnul.huji.ac.il/dl/ketubbot/ yet scribes (in Greek Katova) were within the ideology of preference for oral transmission and written documents according to Beit Arie were extremely

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340 Cited by Wolfson, E.R. “Transmission in Medieval Mysticism” p. 218 based on MS. Oxford Bodleian Library 1953, fol. 24b; The text ends with the chain of tradition noted in beginning of mAvot: “This is the tradition (qabbalah) received by Moses from the mouth of God at Sinai and he transmitted it to Joshua, and Joshua to the elders, and the elders to the prophets, and the prophets transmitted it to the members of the Anshei Knesseth HaGedolah for they were masters of wisdom (ba’alei hokmah), masters of tradition (ba’alei qabbalah), masters of fear (ba’alei yir’ah), masters of kavod (ba’alei kavod), concerning whom it is written, ‘the secret of Hashem is with those who fear Him (Ps.25:14 סוֹד יְהוָה, לִירֵאָיו; וּבְרִּיתוֹ, לְהוֹדִּיעָם.).’ And they hid it within the secrets of the Talmud (sodot ha-talmud), for it is all a tradition (given) to Moses at Sinai (qabbalah le-moshe mi-sinai). [fol. 28a as cited by E.R. Wolfson]

341 See Berit Menuhah (Amsterdam, 1648), 2a; The mystery of the name encodes in this first mishnah of Avot was transmitted by the sages, “from chamber to chamber in great secrecy and with perfect intention, mouth to mouth.” The anonymous author of Berit Menuhah process to trace the chain of transmission of the secret of the name that extends from Adam to the Geonim. After the chain is completed mention is made of three angels, Sham’uel (or Shemu’el), Metratron, and Yahoel, “reveal the secrets of this name to human beings in order to make known His splendor (Bahir) and the glory of his omnipotent strength [fol. 2b as cited by E.R. Wolfson, “Transmission in Medieval Mysticism”, p. 218.] Thus the transmission of esoterica is allied with orality.

342 Malachi Beit Arie investigates the implication of book culture in the Jewish Middle Ages for the question of transmission. As he concludes those Jewish manuscripts produced after the middle of the 13th century “present texts no only corrupted by the accumulation of involuntary copying errors, but also distorted by editorial or even redactional reconstruction, by contamination from different exemplars and versions, and by deliberate integration
expensive. Beit Arie is an expert in noting scribal culture’s “editing” of medieval manuscripts, and decoding scribal errors and ways. Scribal errors may represent failures in memorization. Though Beit Arie carefully provides examples of the openness of the medieval Hebrew book “to correct, emend and add to authorial texts” from all eras and areas of medieval Jewish culture, this tendency was more pronounced in Germany than in Spain. Ta-Shemaa notes, this freedom extended to the legal sphere: German and Northern French authorities upheld local custom against codified law, something that was unimaginable in Medieval Provence.  H. Soloveitchik points out this mindset extended to interpretation of Talmudic texts. Thus French Jewry in its heyday unlike in Spain resisted efforts at codification. The Spanish tradition harkens back to geonic Babylonia and that of Ashkenaz to Palestine.

Sanh. 57a notes the exception that “books of Aggadata” (non legal material) existed in the house of Rav and Rabbi Nahman had them (Ber. 23b) and Rabbi Hisda and Rabbah b. R. Huna also collected this genre in written form (Shab 89a). R. Hisda was directed to reveal something in his written Agadatta collection (Hul 60b). Nahum Danzig has noted that insistence on oral transmission of legal texts predominated in Babylonia. Post the Saboraic Period numerous geonic collections were written down such as Rav Sadia Gaon’s Emunot ve Deaot, commentary on the siddur, etc. and the work of the Hai Gaon, and Sherira Gaon, and the earliest collection of the taryag hamitzvot, Halakhot Gedolot. Collections of Geonic exist and were edited by Louis Ginzberg and others. Yet oral transmission in Babylonia was a conscious choice against and in opposition to “Greek book culture in Islamic Iraq”. Oral reciters known as garsanim were given the job of memorization and the term Tanna means a “repeater.” Even Ben Sason (1989) admits that written texts under extenuating circumstance were compiled. As late at the 10th century Rabbi Aaron HaKohen Sargado notes, “our whole Yeshiva version of The Talmud (bavli) is from the mouths of our great teachers who have memorized the text and most members of the yeshiva have never seen anything resembling a book, and only on layning days see a Sefer Torah.”Further S.D. Goitein further admits that there is a “relative paucity” of Tamudic MS. In the Geniza collections (1962:15-53, 164) and the earliest COMPLETE edition of Bavli in the Munich ms. From the 9th century. Islamic book culture and writing of Geonic halakhic response and compendia did certainly proliferate but not the setting down in writing of Bavli. It was probably in the period after the death of Ravina around 500 CE that the Bavli took its form. However we do not have time or place for that discussion of the redaction process In our historical overview of Jewish libraries and collections of texts. The point is: How could there be Jewish texts particularly in the Tannaitic and Amoraic periods in an culture of the ideology of oral transmission? Rabbi Yehudah HaNasi justified writing down the Mishnah only during a period of crisis when the oral text risked being forgotten. Legal decisions of courts were written down in the 7th century and on as witnessed by Geniza exemplars. Ellman has shown that memory techniques can be located in Bavli such as mneumonics, ring cycles, chiastic structures, 3x organizations principles etc. Attention to these linguistic structures often derives from non-Jewish scholarship of oral traditions such as that of (1) Walter Ong _Orality and Literacy_ (2) An. Doane _Anglo Saxon Scribes_, (3) Joseph Puggan _La Chanson de Roland et oralite_, (4) Albert Lord, _Singer of Tales : Orality in the Odyssey of

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343 Ta shema, Minhag Ashkenaz ha-Qadmon (Jerusalem 1992, 103-105)
344 Halakhah, Kalkalah ve-Dimmuy Atsmi (Jerusalem, 1985), 111-112
These ring cycles and mnemonics helped perpetuate the Bavli ideology of orality before and after the period of redaction. In Erubin 21b we find an important statement of Rava that it is “impossible to write oral torah down” and that written notes, aide memoires, are preferable. While scribes, judges, and exilarchic bureaucrats did write as part of their trade on a daily basis the mysterium sanctum of Jewish culture, the Bavli was largely transmitted orally. Walter Ong has noted that writing distances the writer from the source and thus oral cultures stress internalization of text, living the text, which comes with oral memorization. Of course the pusek from Tehillim Kuf Yod Tet, “ is the source of the prohibition of writing down torah she ba' peh based on קיט פרק קיט et la-asot li hashem hafarin torahtekhah.

A. THE NATURE OF THE PROHIBITION AGAINST REDUCTION TO WRITING and the REASONS THEREFOR

The verse in Shemot 24:27, “And the L-rd said to Moses: “Write down these commandments for, in accordance with these commandments I make a covenant with you and with Israel” was interpreted by the School of Rabbi Ishmael as follows, “write down these commandments (lit. words) these shall you write but you shall not write the halkhot (oral law).” In the following century R. Judah b. Nahmani the spokesman (meturgeman) for Resh Lakish, an amora of the Land of Israel, interpreted this verse from the book of Exodus in a dual manner: “Matters that are written you are not at liberty to recite orally, matters transmitted orally you are not at liberty to recite from writing.” From many Talmudic sources we learn of Sages who had in their possession for reference use when necessary private scrolls.

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345 There is now a general development across a number of disciplines away from older views of text as hard-edged, spatial, fully comprised by its verbal components, existent independent of its performance, analyzable separately from other texts or other aesthetic media, or finally as the form in which artistic expression quintessentially exists and should be analyzed. How, for example can we explore the complex relation between “texts” and “textuality” on the one hand and specific performances or events on the other (if indeed this is a proper distinction)?... Questions also arise about the place of “intertextuality” in oral poetry, of the unfixedness of what were once regarded as definitively established genres, and about how far a concept of text as emergent process may throw more light on oral (and perhaps written?) poetry than the older model of finalized a-social product (Bloomington, 1992, p.x-xi)

346 Whenever scribes who are part of the oral traditional culture write or copy traditional oral works, they do not merely mechanically hand them down; they rehear them “mouth them”, “reperform them” in the act of writing in such a way that the text may change but remain authentic, just as a completely oral poets’ text changes from performance to performance without losing authenticity, (O’Keefe, (Cambridge, 1990),80-81.

347 Yuval writes, “The Jewish tactic of concealment succeeded well. So long as the oral torah was preserved within its oral framework it indeed remained a “mystery” as far as Christian knowledge therefore was concerned. It was only during the course of the 13th century that awareness began to spread among Christian scholars that the Talmud and not the bible, was the quintessential Jewish book. (Yuval, “The orality of Jewish oral: from pedagogy to ideology” in Judaism, Christianity, and Islam in the course of history, 2011.

348 TB Temurah 14b; Gittin 60b.

349 TB Gittin 60b; likewise in TB Temurah 14b where it is stated in reverse order
containing newly adopted laws.\textsuperscript{350} The object was to prevent the contents from being forgotten.\textsuperscript{351} There is also evidence of halakhic matters by letter and by other means of communication.\textsuperscript{352} Individuals may have put laws in writing for their own use, and that the prohibition was aimed only at the writing of laws for the purpose of teaching them in public directly from the text.\textsuperscript{353} The written law should be taught only from the text and not orally from memory; conversely the oral law should be taught only orally from memory and not from written texts; and this was true even when there were laws that had been put in writing. The prohibition of rendering oral law into writing was seen by R. Judah b. Shalom, an amora of the 5\textsuperscript{th} generation of Palestine as a uniqueness of the Jews:

R. Judah b. Shalom said “when G-d told Moses, “write down” Moses sought to have the Mishnah reduced to writing, But G-d foresaw that in the future the nations of the world would translate the Bible and read it in Greek and they would say, “we are Israel! – and now the scales are balanced.” G-d said to the nations: You say that you are my sons. I recognize only those to whom I have confided my secret mystery- they are my sons, and what is My secret mystery? It is the Mishnah which was given orally.”\textsuperscript{354}

While Christianity adopted Scripture and attempted to prove from its verses that it was Christianity that discovered and maintains scriptural teachings, Judaism holds the written law can only be understood in light of the oral law. Therefore the oral law was given to Moses at Sinai to clarify and explain the Torah, was not put in writing; it was to remain secret between the Jewish people and G-d, to prove and identify Israel as the children of G-d.\textsuperscript{355} In later times Jewish scholars viewed the prohibition against putting the Halakhah in writing as an indication of the character and aim of the Halakhah itself. The written law gave rise to every letter and crownlet and from them innumerable legal rules were derived and built. The essence of the oral law is content of its rules and since it is not committed to writing is something that continues to evolve over historical time to the messianic era. As late as the Penei Yehoshua, (Joshua Falk) we read:

\textit{They should not depend on a written text to which they are less likely to give the same careful consideration that must be given to what is taught orally: oral instruction requires constant thought to keep the material in mind, and as a result many laws will be brought into being out of the deliberations and reasoning process involved in studying the oral law.}\textsuperscript{356}

\textsuperscript{350} TB Shabbat 6b, Bava Metzia 92a  
\textsuperscript{351} Rashi, Shabbat 6b, s.v. \textit{Megillat setarim}  
\textsuperscript{352} TB Ketubbot 49b, 69a et al  
\textsuperscript{353} See: J.N. Epstein, Mavo Le-Nusah ha-Mishnah pp. 699ff; H. Albeck Mavo, p. 113ff.; The accuracy of such notes written for personal purposes of the sages was sometimes questioned (They do not ave the signature of Mar B. Ravana upon them”- TB Yevamot 22a) and “they had no more weight than their statements and they did not carry the authority of written documents” (Lieberman, Hellenism, 87ff.)  
\textsuperscript{354} Tanhuma Ki Tissa 34  
\textsuperscript{355} Urbach, The Sages, p.305  
\textsuperscript{356} Intro to Joshua Falk to his Sema on Sh.Ar. HM; Earlier Falk quoted the reason stated in Tanhuma: The sages wrote that the reason was so that sectarians (minim) would not transform the oral law into heresy as they did to the written law, and as it is written “The many teachings I wrote for him have been treated as something alien”; See also guide for the Perplexed Part I, ch. 71
Permission to reduce the oral law to writing is connected in the Talmudic tradition with the difficulty of remembering the material of halakhah and transmitting it orally; putting it in writing because necessary to prevent the Torah from being forgotten. In justifying the elimination of this prohibition the Sages interpreted the verse in Tehillim, “It is time to act to act for the L-rd.” This prohibition from Tehillim is cited 676 times in rabbinic texts. Without Hashem in the formula it is cited four times.

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357 Tehillim 119:126
358 유 النبي يقيم يومًا بيني وبينك (文化产业):rogate me not, for I am a man and have sinned.
of prohibiting the writing down of oral torah can be broken only by great sages during times of crisis when the torah risks being forgotten or violated. It is better that one letter of the torah should be uprooted so that the ENTIRE torah will not be forgotten in Israel.

However, Ellman and his followers argue that even if the Mishnah was put in writing as soon as it was redacted by R. Judah Ha-Nasi, it could not be conducted orally and not from the written text. Epstein holds that The written Mishnah may have been consulted only when necessary in case of doubt.
or inability to remember. Lieberman holds that the Mishnah and Talmud were first reduced to writing at the time of the savoraim, in the sixth Century C.E.

C. Anecdote by Professor at LCW about the Place of Orality while Attending a Shiur of Rav Soloveitchik

A professor at the LCW told over his experience with oral torah while in a shiur with Rav Soloveitchik in which students in the class included great scholars like Rabbi Dovid Cohen and Rabbi Blau, mashgiyah ruhanit of YU, when in walked Rabbi Aaron Lichtenstein, and within 5 mins. The Rav and Rav Aaron were shooting lighting flash exchanges of obscure sources back and forth in the thunder of dialectic that could not be written down, and if put on recorder and transcribed would not capture the essence of those exchanges of oral torah.

An interesting remark of Rabbi Simon b. Gamaliel in BT. Shabbat 13b is found with regards to the authors of Ta’anit, a text which uncharacteristically was written down in the 2nd temple times before 70 CE. Rabbi Simon says that the redactors of Ta’anit “embraced troubles” and with regards to other tractates we would not be able to write them down (ein anu maspiqin). Ellman argues that the different types of textual variants and exemplar witeness of ms. (see Saul Lieberman Talmud Database on TC. website) of Bavli by redactional hands point to oral provenance. Also the dictum in (Avot 6:6= BT Meg. 15a= Hul 104b= Nid 19b) that one who says something in the name of their teacher who said it in the name of their teacher brings redemption to the world also suggests an oral culture.

C. Idiomatic Aramaic Expressions Emphasizing a Culture of Orality

Also idiomatic formulaic phrases in Bavli such as suggest oral transmission:

Ve i-teima and if you will say

Ve-amri lah and some say it

Ika de amri there are those who say

Keinu matnuta is the teaching really this

Hakhi qa amor this is what he means by saying

Eipokh reverse the opinion stated orally

Muhlefor ha-shittah principle is revealed orally

Hasurei mih assara something is certainly missing from the argument

Kerokh v-teni wrapt together and recite

Samei mi- kan remove from here

361 Epstein, Mavo, p. 703 and the bibliographic references, supra n. 167.
362 Lieberman, Hellenism, pp. 83ff.
These phrases may suggest that recitation was the educational curricular norm. The root Katav (to write) appears 11,976 X in bavli and variants of passive Ketiv 8465x. 348 of those instances are unrelated hits as in Katov Rahmana and 3163 are related to writing mezuzot, sifrei torah and tefillin and thus pertaining to the late Tractate Sofrim. Thus there are relatively few occurrence of the term to write. Thus an argument for oral transmission and therefore lack of what we know as libraries. In Tan 8a Resh Laqish is said to recite Mishnah 40x and then appear before Rabbi Yochanan his teacher. Rabbi Ada b. Aha would recite Mishnah 24x and appear before Rava. It is safe to say in Rabbinic culture there is reluctance to write down. Thus the later Brisker tradition the Rebbeim were said to publish little in their own lifetimes, while the Schechter institute is publishing many writings in the name of the Rav based on notes and recordings by students. Reluctance to write down is also seen in Peah 2:6 and 17a in a discussion between Rabbi Zera and Rabbi Eleazar based on a pusek from Hosea 1:8.

D. LATE ADAPTATION OF CODEX FORM BY JEWS EMPHASIZES COMMITMENT TO ORALITY
Malachi Bei-Arie has noted in his *Panizzi Lectures* that the “earliest reference to the Hebrew Codex form in Jewish history does not date before the end of the 8th century of beginning of the 9th century and the earliest term designating a codex was borrowed from Arabic and persisted in the orient for a long time. The relatively late adoption by Jews of the codex form may well reflect the basically oral culture of the transmission of Hebrew post-biblical texts testified by sources. The earliest Hebrew codex according to Beit Arie dates to the 10th Century. Meanwhile the codex form was celebrated and used by Christians which is ironic because medieval iconography frequently represents Jews looking down at shadowy texts while their Christian interlocutors are looking up at the sun. It should be pointed out that “people of the book” is the designation of the Koran and was not how Rabbis in the medieval ages referred to themselves. Rava quotes Eccl. 12:12 “of the makers of books there is no end” in a way that suggests that book culture is suspect. Rabbinic law and oral tradition is too voluminous to reduce totally to writing. Only one complete copy of the Ms. Munich 95 Bavli survives. This may be due to the cumbersome size of the Bavli for instance a torah scroll has about 80,000 words while the Bavli if written out would take 18x that number or 18 scrolls. Thus oral transmission remained the norm in Babylonia.

Of course the position of Ellman is not uniform. Y.N. Epstein holds that the Mishnah and beraitot were available in written form in the Amoraic times in Babylonia as suggested by aural variants in the mishnaic text ms. Yet the pervasive orality is a reflection of the social and intellectual ideological environments in which Rabbinic texts were compiled and redacted in form. The Babylonian Rabbinic elite unlike their colleagues in Palestine operated in a climate in which written texts played a smaller role even though literacy was valued, most of their work took place without much recourse to writing with the exception of legal documents and compilations of aggadata. The ideological factor or oral transmission forbade written transmission of such texts and this ideology held sway from the 3rd to the 9th century long after Christian and Arabic society was more inclined to set teachings in writings. The warp and woof of dialectical makloket dissuaded recourse to written form. The term *peligi* (they disagree) suggests oral exchange as does *bi shlama .... Ma ika lemeimar*. The nature of Bavli is continual and unending dialogue typical of oral societies. A sugya might be defined as an oral exchange in dialogue form. The sugyot come down to us much later as “stenographic records” of hotly contested debates or in same cases of reconstructed shiurim. The ideology of oral transmission of bavli continued into the book culture of the Geonic period as late as the 10th century according to Elman. Ellman argues that the existence of Palestinian structures within Bavli (interpolations and paraphrasing etc.) point to some written transmission and Bavli redactors organized some of the Yerushalmi and expanded upon it i.e. Bavli is much longer than the Yerushalmi. The bringing of Yerushalmi ideas [from Israel] and texts to Babylon is well known to result from the “travelers” such as Ula, R. Dimi, Rabin who transferred special Palestinian traditions to Babylon. In general the teachers insisted on memorization and not recourse to writing. In sum the history of Bavli’s redaction was complex and have involved confluence of oral and written texts but all of which stem out of an oral culture. For the purposes of our historical overview this oral culture leads to the deduction that there were not large collections of written texts in the tannaitic and amoraic periods. Certainly no existence of what we know today from the Renaissance as a “Jewish library”
E. ESOTERIC KNOWLEDGE TRANSMITTED ORALLY

Moshe Idel and Elliot Wolfson demonstrate that orality is an ideological strategy of transmission for esoteric teachings for the esoteric nature of the lore being disseminated compelled and ideology of orality, deployed in the service of textuality only reluctantly for esoteric lore was withheld from the many. As noted by Ellman in the geonic times in Babylonia the maintenance of a policy of oral transmission served the purpose of maintaining the geonic elites’ monopoly and authority over rabbinc tradition and its interpretation. The dissemination of esoteric lore by Spanish mystics for example within the “book culture” of the 13th century Europe shows that an aura of orality continued into this relatively late period of history for orally transmitted Kabbalistic esoterica. Kabbalists of the 13th century committed their teachings to writing reluctantly to disseminate volumes of Kabbalistic lore even while insisting on the primacy of the essential oral modes of transmission. Oral and literate traditions often functioned side by side and in tension.

Part VIII The BIRTH OF MODERN LIBRARIES

A. Jewish Libraries in the Renaissance

In the Renaissance with the renaissance of interest in Latin and Greek classics in the original languages of these texts, libraries as we know them today thrived and expanded as David Ruderman, Robert Bonfil, Author Lesley and others have explored in the period of the Italian Renaissance. Books such as the Hebrew text of Shifra Baruchson titled, _Sifra: Tarbut shel Yehudim Italia biTekufah HaRenaissance_ and many other studies exist on Jewish Renaissance libraries partly because the evidence is so plentiful and easy to access. Marvin Heller’s _Studies in the Making of the Early Hebrew book_, contains 24 excellent essays on Hebrew book production in the 16th to 18th centuries encompassing little known printing presses, makers of Hebrew books, and book arts. Print shops in Padua, Freiburg-im Breisgau, Verona, and the first presses in Livorno were just a few key locations. Book arts address the titling of Hebrew books, dating by means of chronograms, printers pressmarks, mirror image monograms, and the development of the printing of the Talmudic page. Early Hebrew book sale catalogs also exist.

Saftei Bass’ catalog is well known. The history of the printing press and the effect of this technology of Jewish transmission of tradition. One of many sources for this is: Printing the Talmud : from Bomberg to Schottenstein / edited by Sharon Liberman Mintz and Gabriel M. Goldstein. The Inquisitions ban on the printing of the Talmud reveals how dangerous book printers were faced with when taking on a venture to print the _mysterium tremendum_ of the Jewish people. Marc Saperstein has noted that the coming of printing the publication of originally orally presented sermonica allowed the perpetuation in frozen form of those rhetorical strategies originally formulated for oral presentation.363 We must never forget that

363 See Saperstein, Marc in Transmitting Jewish Traditions; Saperstein’s study illustrates that the sermons of Saul Levy Morteira a 17th century preacher of the Portuguese community of Amsterdam reveals the nature of the interface between orality and textuality. Saperstein notes Morteira’s use of a ring structure which enclose the entire sermon, where the sermon ends as it began, thus enabling the preacher to open with a prefiguration of his theme, and to leave his audience with that theme once again fresh in their minds. Also see: Saperstein, Marc, Exile in Amsterdam : Saul Levi Morteira’s sermons to a congregation of "new Jews", HUC Press, 1995. & Saperstein, Marc, Jewish preaching, 1200-1800 : an anthology, Yale, 1989.
printing of Guttenberg and Bomberg was a revolution in technology which many orally dominated rabbis of transmitting texts in oral form opposed as it would lead to a forgetting of text and lessening of memory. Today we are witnessing an also massive technological revolution in the nature of textuality in cyberlearning. Cyberlearning also serves to return the transmission of knowledge to its essentially malleable base, where the tradition is modified in an echo-chamber effect at its very point of transmission. The concept of a fixed tradition, itself the effect of the introduction of redaction to writing, may give way to a process by which the fluidity of oral transmission is combined with the historical memory of recorded text as event.

B. Jewish Libraries From the Renaissance: Modernity as a collection of TEXTS written down during Crises- Breaking the Law in order to Save the law

From the Renaissance the evidence of the proliferation of Jewish libraries explodes and today we enjoy such great repositories such as YIVO, JTSA, JNUL, Jews College in London, the Bodleian Collection of Oxford, the Cambridge Jewish Library, British Museum, the NYPL Dorot division, LC, Staatsbibliothek, the saltykov library in St. Petersubrg, the Vatican, the Bibliothque Nationale from which Shlomo Munk found a copy of Solomon Ibn Gabirol’s Fons vital, which was only known in latin translation for many centuries until the Hebrew version, Mikor Hayim was found by munk in the French library. Libraries according to Jennifer Summit “are more than inert storehouses of written tradition; they are volatile dynamic spaces that actively shaped the meanings and uses of books, reading, and consciousness that evolves. They are spaces where conceptions of knowledge are created and grow. They are the crucibles in which knowledge is shaped and advanced.” This is even more so with modern and postmodern libraries as knowledge has become shaped by librarians themselves as teachers.

After the printing press Jewish book culture proliferated so that Jews became known as the people of the book(s). Yet still to this day as noted by the Brisker tradition’s reluctance to publish in the lifetime of its rebbeim oral transmission is privileged over the written text. Yet during times of crisis as during Rabbi Yehudah HaNazi and the Rambam Gedolei hador take upon themselves the noble endeavor to preserve the truth by storing up in writing esoteric written secrets by breaking the law of not writing them down, in order to save the law. It is such texts, the sparks and embers of esoteric traditions still glow, and our libraries today house as traces of eternal truths. Each rabbinic interpretation is a spark of scripture, sparks that link one back to HarSinai when Hashem carved out the luchot with a “Word of fire” amidst thunder that was “seen” and lightning that was “heard” for much of the pervasive orality of rabbinic transmission is a part of the divine process of discerning with the ear. This hearing precedes the act of writing, which is often the last resort to preserve and bind up the law so it not be forgotten and lost following rabbinic catastrophes. Thus Strauss’ understanding of the dynamic between Persecution and the Art of Writing, clearly has a Talmudic text in Gittin 60b and Temurah 14b which in turn are based on the pusek from Tehillim: עת לישון להשם הפרו תורתך

A. Rabbinic Texts incorporating in the mashal, mishlei shu’alim, and parables, and tall tales (oral lore)

365 In the 19th century Jewish folklore became a more respected academic discipline. In the mid 19th century Wolff Pascheles published in Prague a volume of Sippurim (Tales) 1853-70 that he described as a collection of Jewish folk-legends, tales, myths, chronicles, and biographies, including the story of the Golem. Saul Ginzburg (1866-1940) and Pesah Marek (1862-1920) together circulated a questionnaire that yielded the material from which they selected 376 texts for their volume Yiddish Folkslider in Rusland (1901). The poet Takor Marc Warshavsky (1885-1942) published a collection of his songs and music as Yiddishe folkslider mit Noten. One of his songs Oyfen Priptchik obtained great popularity as a Yiddishe folkslid. Ignatz Bernstein (1836-1909) recorded Yiddish songs as Juedische Sprichwerter und Redensarten (1908). Baron Horace Guenzberg’s Jewish Ethnographic Expedition to Volynnia Podalia and to the area of Kiev in 1912-1914 financed mostly by his son Vladimir and headed by S. Anski (Solomon Zainwil Rapaport 1863-1920). In the article “Jewish Folk Creativity” Anski proposed that spirituality distinguishes Jewish folk heroes from other nations’ heroes, whose excellence was based on physical prowess and not intellectual acumen. Anski and other Yiddishists began to occupy themselves with the recovery of Yiddish folklore. Influenced by neo-romantic and modernist ideas Isaac Leib Peretz (1852-1915) for example published two collections of Yiddish stories Khasidish (Hasidic Tales) and Folkstimlikh Geshikhten (Folktales) in 1909. J.Y.L. Cahan’s Yiddishe Folksongs with their Original Airs (1912) was incorporated into his 1957 volume Yiddish Folk Songs with Melodies. Cahan’s collection included viglider (cradle songs) or shlofider (sleeping songs). Chaim Nahman Bialik (1873-1934) also helped to revive folklore but as a Hebraicists wrote mostly in Hebrew. Joseph Hayyim Brenner (1881-1921) articulated in an essay published in 1914 in Jerusalem an article calling for the preservation of an indigenous folklore in the newly revived tongue. After WWI A. Druyanov and Bialik and Y.Yh Rawnitsky began publishing the Hebrew annual Reshumot: Me’ases le-divrei zikhronot etnografia ve-lefolklore beyisrael (Odessa 1918; Tel Aviv 1930). In 1925 YIVO, Yidishe Visnshaftlekher Institute inaugurated a Folklore Commission under the leadership of Judah Leib Cahan (1881-1937) who in turn organized a network of collectors (zamlers). These zamlers collected massive amounts of Yiddish texts of folktales, folk songs, and folklore subjects. In 1944 Raphael Patai (1910-96) and J.J. Rivlin (1889-1971) founded the Palestine Institute for Folklore and Ethnology and its corresponding journal Edoth. Yom Tov Lewinski (1899-1973) who renewed the publication of Reshumot founded in 1948 the Israel Folklore Society and its journal Yeda-Am which is currently published. In 1954 Dov Noy established the Israel Folktales Archives now at the University of Haifa. The Jewish Folklore Section of the American Folklore Society and the publication of Jewish Folklore and Ethnography Review (formerly Jewish folklore and Ethnography Newsletter) was founded in 1977. The most comprehensive annotations for Yiddish tales are found in Haim Schwarzbaum, Studies in Jewish and World Folklore (1968). Simultaneously the emergences of Spanish scholar Joan Menendez Pidal (1861-1915) initiated the recording and analysis of Sephardic poetry. Max Grunwald initiated the systematic research into Jewish folktales recording Judeo-Spanish folk ballads in translation in German and later in Hebrew. Heda Jason classified hagiographic saint tales in her Folktale of the Jews of Iraq (1988). Such hagiographic praise works existed long before in Yiddish. Shivhei ha-Besth which appeared in the Ukraine (1814) and Oseh Pele (Miracle Worker) which Yosef Shabbetai Farhi published in 4 vols. In Livorno (1845-69) both in Hebrew. Jokes also are included in the area of lore. In 1956 two Israeli humor writers, Dahn Ben-Amotz and Hayyim Hefer published an edited collection of Jokes Yalkut ha-Kesavim that included jokes told by members of the Jewish underground of the Palmah during the 1940s. Eliott Oring has translated it and has furthermore supplemented it from the authors manuscripts. The result was published as Israeli Humor (1981). Tales are also collected by Yad Tabenkin the central research institute of the United Kibbutz Movement. 366 Commenting upon the verse “Looking up, Jacob saw Easu coming, accompanied by 400 men (Gen. 33:1), Rabbi Levi drew and analogy between the biblical scene in which Jacob divided his household into 2 camps as they approached Esau, and the fable about the appeasement delegation that the animals had sent to the lion. The animals had initially appointed the fox as their leader, but when it approached the lion, the fox actually withdrew from the head of the end of the line (MR. Gen 78:7).
The element of folklore which is usually transmitted originally orally is found in Rabbinic texts. For example anecdotes function as a joking relationship in averting social tension. For instance we find the wise men of Athens said to Rabbi Joshua ben Haninaanania (BT, Bekhorot 8b):

Tell us some stories [milei de-badayyah]. He said to them: There was a mule which gave birth and round its neck was a document in which was written “there is a claim against my father’s house of one hundred thousand zuz.” They asked him: Can a mule give birth?” He answered them: This is one of these stories.”

This is a catch tale that derives its humor from the contradiction that mules don’t give birth. Most other humorous narratives are tall tales (divrei guzma) whose narrator according to tradition Rabba bar bar Haninaana (4th C.) who traveled between Babylon and Palestine and in each location gave over orally his tall tales and travelers’ tales. Long before the Canterbury Tales of Chaucer, this genre existed in Rabbinic texts. These tall tales undoubtedly were meant to be told orally. For example in BT. Bava Batra 74a:

Rabbah bar bar Haninaana further stated: “We traveled once on board a ship and the ship sailed between one fin of the fish and other for three days and three nights; it swimming upwards and we floating downwards. And if you think he ship did not sail fast enough R. Dimi when he came stated that it covered 60 parasangs in the time it take to warm a kettle of water. When a horseman shot an arrow the ship outstripped it. And R. Ashi said “That was one fot he small sea monsters which have only two fins.

This oral tall tale assumes gross exaggeration. The editors of the Bavli assembled these tall tales in specific tractates such as Bava Batra 73a-74b; Eruvin 30a; Gittin 57b-58a; Keutbbbot 111b-12a; Shabbat 21a; Ta’anit 22b, etc and in Yerushalmi Pe’a 7:3-4.

In contrasts to the oral tall tale is the mushal. The formula mahsal le-mah ha-davar domeh le… (A parable what is the matter like? It is like?) opens the parable, establishing it as an anthology to a given situation, and the word kakh (it is like) closes the metaphoric description and serves as a transition to its application. An abbreviated introduction, mashal le… (A parable: It is like) is also a pattern. In the following list of the clans of Edomites (Bereshit 36:40-43) Rabbi Levi inserts the following parable (MR. Genesis 83:5):

The wheat, the straw, and the stubble engaged in a controversy. The wheat said : For my sake has the field been sown and the stubble maintained for my sake the field was sown. Said the wheat to them: When the hour comes you will see. When harvest time came the farmer took he stubble and burnt it, scattered the straw and piled up the wheat into a stack, and everybody kissed it. In like manner Israel and the nations have a controversy each asserting “For our sake was the world created”. Says Israel: The hour will come in the messianic future and you will see how Thou shalt fan them, and the wind shall carry them away (Isaiah 41:16) but as for Israel- And thou shalt rejoice in the L-rd, thou shalt glory in the Holy one of Israel.”
The moral application of parables do not require the codified language of politics. For example in (BT Bava Kamma 60b) we find an oral parable about a man with 2 wives:

To what is this like? To a man who has had 2 wives, one young and one old. The young one used to pluck out his white hair. Whereas the old one used to pluck out his black hair. He thus finally remained bald on both sides.

Oral tradition also provides reports of rabbis who knew orally of Aesop fables. Hillel the Elder and Rabbi Yochana ben Zak'kai and Rabbi Meir often told fables.\(^{367}\) According to the later accounts Rabbi Joshua ben Haninaanannah used the fable of the “wolf and the Heron” to calm a crowd demonstrating against the ruler Hadrian, who had reneged on his promise to rebuild the Beit HaMikdash. (MR, Gen. 64:10). Rabbi Akiva once told a fable about a fox who tried to lure fish onto dry land in order to escape from the fisherman (BT, Berakhot 61b). The popular fable “The fox and the swollen belly” interprets the Ecclesiastic verse “As he came out of his mother’s womb, so must he depart at last, naked as he came” (Eccl. 5:14; MR. Ecclesiastics 5:14). Often rabbis in the BT. Introduce proverbs with the Aramaic formula: ki de-amrie inshei (As people say ) or mashal hediot omer (a commoner’s proverb says). Rhetorically the sages evoked with proverbs the authority of the oral tradition of the people.

The oral recitation of sacred texts is seen in the relationship between the darshan, doresh, or in Aramaic derusha who had an assistant, meturggeman or amora, who repeated his message to the public in the language they understood i.e. the vernacular which at that time was Aramaic. Early teachers whom tradition confers to be darshanim were Shamaiah and Avtalyon (BT Pesahim 70b). Later preachers developed expertise in law, ba’alei halakhat, and oral lore, ba’alei aggadah. These darshanim incorporated the ma’aseh (narrative account) into their speeches. In contrast to the ma’aseh, dvar bedai (false word) and the Aramaic beduta refer to the untruthfulness of a story. Buzmah means exaggeration and designates tall tales. Narratives that function as poetic metaphoric examples are meshalim (sing mashal). Fables, parables, and animal tales are called mishlei shu’alim (fox fables) and thereby draw on the character type of the “trickster) in Hellenistic literature. The term mashal also refers to the proverb, a gendre designated as well by the Aramaic term pitgam.

B. Medieval Oral transmission of medieval Folklore in Rabbinic culture

Editors such as Rabbi Simeon ha-Darshan (the preacher of Frankfurt) who compiled Yalkut Shim’on and David ben Amram Adani of Yemen edited the Midrash ha-Gadol. Both texts draw on earlier sources but also include texts from oral tradition. According to tradition (BT Bava Mezia 86a) Rav Ashi the head of the academy of Mata Mehasya (352-427) and Ravina the head of the academy of Sura (d.500) both put final touches on the editing of the BT. But later rabbis continued to add to it until the time of the Arabic conquest. Even later, rabbis and copyists added to the canon of oral tradition, often by including narratives that were previously oral folklore. The story of Rabbi Akiva and the Dead man” which tells of the redemptive prayer that saves a man from his punishment, appeared in the minor tractate of BT. Kalah Rabbati 52a) itself

\(^{367}\) See: Sofrim 17:9; BT Sukkah 28a; Bava Batra 38b
dated to the 7th-9th centuries. Later in the Middle ages this tale sanctioned the institution of the Kaddish. Even when Babylonian Geonic academies disbanded Babylonian continued to harbor Jewish communities where editors anonymously composed books that contained folk oral traditions. The Midrash of the ten commandments (Midrash aseret ha-dibrot) and the Alphabat of ben-sira, are 2 major tale collections that originated in Babylonia. Further a Kairuan rabbi, Rabbi Nissim ben Jacob ibn Shahin (990-1062) wrote a collection of tales in Judeo-Arabic known as _An Elegant Composition Concerning Relief after Adversity_ (Hibbur Yafe meha-Yeshua’ah). In later years this text was translated into Hebrew and still later, in the 16th century became a popular book of folklore. The Jewish community of Kairouan was also the source of oral tradition and dissemination of epistolary literature concerning the legend of the “10 lost tribes” which became a significant source of oral folklore. Eldad ha-Dani a traveler who claimed to have arrived from the land of the 10 lost tribes reached this community in the 9th century. Weaving together several themes current in oral tradition he created a Utopian fantasy that inspired travel literature.

Ms. No. 135 of the Bodleian Library of Oxford incorporates a number of oral folkloric texts from the medieval ages including: Alphabet of Ben Sira, the Mishlei Shu’alim of Rabbi Bereschiah ha-Nakdan[^368], Tales of Sendebar[^369], A Chronicle of Moses[^370], Midrash of the 10 commandments[^371], and Midrash va-Yosha. Some of these texts like some of Chaucer’s Canterbury tales include bawdry elements meant to shock. For instance the Alphabat of Ben Sira, begins with a bawdry incest narrative that explains how Ben sira and his mother were both the children of the prophet Jeremaiah.[^372]

While these Near Easter and Mediterranean works drew on earlier midrashic traditions a work like Sefer Hasidim reflects a dramatic change although it too drew on oral folkloric traditions. Rabbi Judah Ha-Haasid of Regensburg (d. 1217) wrote most of the book as an ethical guide for

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[^368]: Rabbi Berechiah ben Natronai ha-Nakdan (12th C.) who likely lived in Provence or northern France composed a collection of animal fables, Mishlei Shu’alim in rhymed Hebrew prose that for the first time in Jewish literature presented a corpus of this genre in a single collection.

[^369]: Often Kalila and Dimna with the Hebrew Translation of Tales of Sendebar are confused. In both books the name of the wise man and in ms. No. 1282 in the Bibliothque Nationale in Paris, the name of the translator Rabbi Joel, appear to be the same. Tales of Sendebar is a frame narrative that belongs to the group of medieval books known in the East as the Book of Sindibad and in the West as the Seven Sages of Rome. It contains several tales on the wiles of women, a popular theme in Jewish medieval folklore.

[^370]: Divrei ha-Yamim Shel Moshe Rabbenu and Meshalim shel Shlomo ha-Melekh were printed together in Constantinople in 1516. As rewritten biblical narratives the tales draw upon midrashic sources, but also add mediaeval elements i.e. Moses becomes a resourceful military strategist who wins a war after a prolonged standoff and is reward for his accomplishments with a kingship and wife.

[^371]: Midrash aseret ha-dibrot takes each commandment servina sa thematic framing principle around which the editor clusters tales. The book makes external references to the 7th century and 11th century as latest date for its provenance. It probably originated in present day Iraq but later it circulated widely in manuscript form. It ranged in size from 17 to 44 tales. The theme of the commandment “Thou shalt not commit adultery” attracted the largest number of tales.

[^372]: Although Joseph Dan refuses to mention the bawdy episode in his analysis (1974:71), modern translators of the text have not censored it. See: Stern and Mirsky 1990:169
communities of Jewish pietists in the Rhineland towns of Speyer, Worms, and Mainz. He drew heavily on Medieval German folk oral traditions and beliefs in the existence of demons, witches, werewolves etc. that were steeped in European folk traditions.

C. Yiddish oral traditions from the Cairo Geniza
The documents of oral tradition in Yiddish like the epic poems of Malan Shahin date back to the 14th century. The Yiddish language emerged around the 10th century among Jewish communities in Lothariingia in the Rhine valley where they spread it to Northern Italy, northern France, and Holland. Old Yiddish (1250-1500) was primarily a spoken language which served for tales, proverbs, and songs. The earliest document of literary activity in Yiddish is known as the “Cambridge Codex” which was discovered in a cachet of manuscripts in the Cairo Genizah. It dates from 1382 and includes poetical renditions of biblical themes.

D. Judeo-Spanish and the oral tradition
Jews spoke Judeo-Spanish in the Iberian peninsula before their expulsion in 1492. The use of Judeo-Spanish is evident from a 15th century text written in Spanish with Hebrew letters of Santob de Carriorn (alias Shem Tov Ben Ardutiel) c. 1290-1369 entitled Proverbios morales, or Consejos y documentos al rey don Pedro. The text is a collection of versified proverbs that occurred in daily speech.

D. Sefer Yuchasin and Historical sources based on oral traditions
Abraham ibn Daud of Toledio (c. 1110-81) starts his book Sefer Ha-Qabbala with a chronology of transmission chain that has Adam as its universal starting point. He continues by singling out biblical and Talmudic figures as links in his chain, but when he reaches the middle ages he resorts to the oral history of his own time and tells the story of the Four Captives. He continues his account by describing how the transition of the center of Jewish learning from Babylon to the countries of the Mediterranean. Those presented was historical fact the story is filled with oral folklore themes.

373 Prior to that it was brought about by the Lord that the income of the academies which used to come from Spain, the land of Maghreb, Ifiqqa Egypt, and the Holy land discontinued. The following were the circumstances that brought this about: The commander of a fleet whose name was ibn Ruhmahis, left Cordova having been sent by the Muslim king of Spain, Abd ar-Rahman an-Nasir. This commander of a mighty fleet set out to capture the ships of the Christians and the towns that were close to the coast. They sailed as far as the coast of Palestine and swung about to the Greek sea and the islands therein. Here they encountered a ship carrying four great scholars, who were traveling from the city of Bari to a city called Sebastian, and who were on their way to a Kallah convention. Obn Rumahis captured the ship and took he sages prisoner. One of them was R. Hushiel the father of Rabbenu Hananel and another was R. Moses, the father of R. Hank, who was taken prisoner with his wife and his son. R. Hanok (who at the time was but a young boy); the third was Rabbi Shemariah b. R. Elhanan. As for the fourth, I do not know his name. The commander wanted to violate R. Moses’ wife inasmuch as she was exceedingly beautiful. Thereupon she cried out in Hebrew to her husband R. Moses, and asked him whether or not those who drown in the sea will be quickened at the time of the resurrection of the dead. He replied unto her, “The Lord said I will bring them from the Bashan: I will bring them back from the depths of the sea.” Having heard his reply, she cast herself into the sea and drowned.” (see: Cohen, The book of Tradition, Sefer Ha-Qabbalah, by Rabbi Abraham ibn Daud. Philadelphia JPS, 1967; 63-64.)
Rabbi Ahimaaz ben Paltiel in his book Megillot Ahimaaz (The Scroll of Ahimaaz) set out to trace his family roots back to Jerusalem, when his forefathers following the Hurban in 70 CE. Came to the River Po as exiles and later moved to Oria in southern Italy. His book Sefer Yuchaisn is a chronology written in rhymed prose up to the date 1054 CE.

E. Later Folkloric works drawing on oral tradition

Shalshelet ha-Kabbalah (The Chain of tradition) written by Gedaliah ben Joseph ibn Yahya (1526-87) was published in 1587 is a book of Jewish history in which ibn Yahya drew upon books that were available to him.

Shmuel Bukh (Book of Samuel) printed first in Augsburg in 1544 and Melkhim Bukh (Book of Kings) printed in Augsburg in 1543 are Yiddish books that retell the accounts of Joshua, Judges, and Daniel and appeared in the 16th century. The heroic military acts and romantic episodes elaborate on the biblical canon.

Mayseh Bukh ((Book of Tales) is a collection of 257 tales in Yiddish that was edited by a Lithuanian book dealer named Jacob ben Abraham and was printed in 1602 in Basel by the press of Konrad Waldkirch. The target audience of this midrashic hodgepodge text in Yiddish was women who were more fluent in Yiddish than Hebrew.

Eliezer Lieberman translated from Hebrew to Yiddish and published in 1696 in Amsterdam a collection of historical legends and accounts that his father R. Juspa of Worms had written down and has come down to us as Sefer Ma’ase Nissim (A book of Wonders). These tales address hostility toward Jews, popular persecution, and tolerance by the authorities, rape, magic, miracles, romance, and events that changed the lives of individuals.

Part X. Muslim Libraries

The Koran calls the Jews the people of the book. Yet Arabic libraries in Bagdad, Cairo, Toledo, Cordovero and elsewhere in the medieval ages shows that the Jews were not the only ones who cherished books. Just as Latin literature drew heavily upon Greek literature both for themse and forms, so Arabic literature imitated Old Persian Literature. An early Muslim ruler named caliph Al-Mamun (813-33) of Bagdad gathered around him a great number of Syrian translators and scribes who converted into Arabic the Greek-Syriac-Persian works which the Arabs had found in fallen Persia. One of the greatest of these translators was Ayyub al-Ruhawi or Job of Edessa (ca. 760-835) a Nestorian Syrian. He was a prolific writer but only two of his works have survived- a teatise on canine hydrophobia and an encyclopedia of philosophical and natural science entitled The book of Treasures. Another famous translator of works of Greek science was Hunayn ibn Ishaq (809-77) whose son and nephew followed in

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374 Syriac version was translated by A. Mingana (Woodbrooke Scientific Publications, Cambridge 1935) see Isis XXV, 1936, 141-44.
his steps. He translated the works of Hippocrates and Galen, and with him the history of Arabain medicine began. Following him came Al-Razi, known to western Europe as Rhazes. He was an Arabized Persian and the greatest physician of the Muslim world, the author of over 200 works in medicine. Many of the original Greek texts that he translated came to light again when in 1204 when Constantinople fell into the hands of the Crusaders. The sack of the greats capital of Christendom resulted in the prodigious number of manuscripts of all sorts being dispersed many of which slowly found their way west for years after.

Bagdad in its glory hosted many libraries. Before caliph al-mamun in the time of his father Harun al-Rashid the Arabian historian Omar al-Waqidi (736-811) possessed one hundred and twenty camel loads of books. Al Mamun’s house of wisdom was founded shortly after around 813 CE.; the vizier Adrashir (1024) established the house of learning about 991; The Nizamiyah madrasah or college was founded in 1064; the Mustansiriyah madrasah in 1233, just 25 years before he destruction of Bagdad by the Mongols. There were great collections and of a semipublic nature as well as many private libraries as we know from the list or Fihrist compiled about 987 CE by al-Nadim, the son of a bookseller. Al Baiquani (1033) had so many books that it required 63 hampers and two trunks to transport them. Another Arab Bibliophile was Mohammed ben al-Husain of Haditha who was a friend of the author of the Fihrist. His collection of rare manuscripts was so precious that it was kept under lock and key. Bagdad possessed 36 libraries. The library of the vizier Ibn al-Alkami who owned 10,000 books perished during the sack of the Bagdad by the Mongols in 1258 when every other library also was destroyed. Bagdad also had over 100 book dealers who did business on stalls or in the bazaars and were stationers who sold paper, ink, pens, etc. Some were also publishers who supported copyists who worked in scriptoriums.

Every important city in Persia had its libraries. Libraries were found in Nishapur, Isphahan, Ghazanah, Bastra, Shiraz, Merv, and Mosul. Farther east in Persia there were many private libraries. Caliphs and princes encouraged learning. This was true of the Samanids in Bukhara, the Hamdamnids in Syria, and the Buuyids of Shiraz. In Bukhara for example the famous physician and philosopher Abu Ali ibn Sina, known as Avicenna (980-1037) was summoned by Sultan Nuh ibn Mansur to come to court. Avicenna was then 18 years old and the royal book collection he saw at court astonished him. He writes: “I found there many rooms filled with books which were arranged in cases row upon row. One room was allotted to works on Arabic philology and poetry; another to jurisprudence and so forth, the books on each particular science having a room to themselves. I inspected the catalog of ancient Greek authors and

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375 A.H.L. Heeren, Geschichte der classischen Literatur im Mittelalter, I, 152-56.
376 Margoliouth, op. cit, 192; A/ Grpj,amm. Böbliothe ken und Bibliophilen im islamischen Orient,” Festschrift der Nationalbibliothek in Wien, (Vienna, 1926), 439.
379 A. Von Kremer, Culturge geschichte des Orients unter den Chalifen (Vienna, 1877), II, 483.
380 See E. Herzfeld, “Einige Bucherschatze in Persien, Ephemerides orientales, Leipzig, 1926, no.28, p1-8
looked for books which I required; I saw in this collection books of which few people have heard even the names and which I myself have never seen either before or since.\textsuperscript{381}

Nuh ibn Mansur also invited the eminent scholar Ibn Abbad (938-95) the first vizier to be called Sahib, to become his chancellor. Abbad is said to have refused on the ground that it would require four hundred camels to transport his books.\textsuperscript{382} The catalog of ibn Abbad’s library filled 10 volumes.

In the city of Rai (or Rayy) the vizier Ibn Al–Amid (d. 971) was a passionate book lover. In 965 wandering sectarians broke into al-Amid’s house plundered the furniture and carried off his possessions. Ibn Miskawaih al Amid’s librarian wrote: “His heart sorrowed over his books for he loved them better than anything else. There were man of them including sciences and all branches of philosophy and literature, over 100 camel loads. When he saw me he asked me about his books 1st thing off, and when I told him that there were safe that no hand had touched them, he brightened up and aid Thou art a child of fortune all other things can be replaced but not copied manuscripts. And I saw that his face shone, and he said, Bring them tomorrow to such and such a place, this I did. The books were all that was saved from his property.\textsuperscript{383}

Basrah had a library built by the courtier Adud el Daulah (d.982) where those who read or copied received a stipend.\textsuperscript{384} In Isphahan a landowner established a library in 885 and spent 300,000 dirhems on books.\textsuperscript{385} Ibn Hibban (d. 965) the qadi of Nishapur bequeathed to his city a house with a library and quarters for foreign students and prived stipends for their maintenance but books were not to be loaned out.\textsuperscript{386} Of the Persian libraries the best were those of Shiraz and Merv. The Shiraz foundation was built by the Buyyid prince Adud ad-Daula (d. 982) on his palace grounds. The library which contained much scientific literature, was in charge of a director (wakil) a librarian (hazing) ad a superintendent (muskrif). The books were stored in a long arched hall, with stack rooms on the sides. Each branch of knowledge had separate bookcases and catalogs.\textsuperscript{387}

At Merv at the time of the Mongul invasion in the 13th century there were no less than 10 libraries tow of them in the mosques and the rest in the colleges. Yakut al Hamawi (1178-1229) the famous geographer stayed in Merv for 3 years and marveled at the liberality with which the libraries loaned books to him. “My house says Yakut, “was never clear of 200 volumes, taken on loan, or more than I had never to give a deposit though their value was 200 dinars.”\textsuperscript{388}

The libraries of the Muslim empire were destoyed by the invading hordes of Mongols and Tatars culminating in 1258 when Hulagu Khan sacked Bagdad. Neither Genghiz Khan nor Hulagu Khan had any regard for institutions of culture. They stabled their horses in mosques, burned libraries, used precious

\textsuperscript{381} Nicholson, op cit. p.265-66.
\textsuperscript{382} Bukhah, op cit. p. 132
\textsuperscript{383} Mez, p. cit., p.166.
\textsuperscript{384} Pinto, p. cit. p.224-23
\textsuperscript{386} Ibid 297.
\textsuperscript{387} Von Kremer, II, 483-84
\textsuperscript{388} Pinto, 215.
manuscripts for fuel, and razed and conquered entire cities. In the sack of Bukhara 30,000 people were slain. With the exception of Timur (Timurlane) the Mongols destroyed written culture. Timberlane built a large library in his capital of Samarkand.\textsuperscript{389}

The first library in Cairo was established by the Fatimid Caliph Al-Aziz (975-96) in 988 in connection with his house of learning, where 36 students were supported from endowments.\textsuperscript{390} This school had 100,000 volumes (some say 600,000) of bound books, among which were 2400 korans illuminated in gold and silver. The rest of the books on jurisprudence, grammar, rhetoric, history, biography, astronomy, and chemistry were kept in large presses around the walls which were divided into shelves each of which had a door with a lock. Over the door of each section was nailed a list of all the books contained therein as well as a notice of the lacunae in each branch of knowledge.\textsuperscript{391} A large part of the collection went into the house of science or house of wisdom founded by Caliph al-Hakim in 1004 which acquired so vast a collection of rare books that legend exaggerated its number to 1600,000 books.\textsuperscript{392} In 1068 vizier Abu l-Faraj carried off 25 camel loads of books and sold them for 100,000 dinars to pay his soldiery. A few months later the Turkish soldiers defeated the caliphs forces invaded the palace and plundered the remaining books. The military mob tore the fine leather bindings and made shoes out of these precious treasures and works of art. After this debacle the Fatimid princes again began to collect books and in 1171 Saladin entered Cairo and found a library of 120,000 volumes in the palace. He gave these books to the chancellor Al-Qadi al-Fadil.

Apart from Al-Hakim’s house of wisdom, Cairo possessed at least four great private libraries. Two of these belonged to Jews. The two Jewish libraries were those of Yakub ben Killis and the physician Ephraim.\textsuperscript{393} Information on Cairo’s private libraries is derived from the history of Greek and Arabic Physicians written by Ibn Ali Usaiia.\textsuperscript{394} For example the physician Mahmud ibn Fatik collected innumerable books.

In 711 the Arabs conquered Spain and made Cordova their capital. As in Bagdad and Cairo the caliphs were patrons of book collecting and libraries. As in the other Islamic centers the Arabs cultivated Greek sciences, wrote original books, and fostered learning and founded libraries. Arabic Spain had no less than seventy libraries established in all important cities. The greatest library the largest in the world at that time, was founded by Caliph Hakim II (d. 976) in Cordova. Hakim supported scholars and collected books on a massive scale and continued to sponsor translations. The library contained from 400,000 to 600,000 volumes some of which were supposed to have been catalogued and annotated by the caliph himself. To quote inb Al Abar: I was told by Talid, the librarian and keeper of the repository of the science in the palace of the Beni Merwan that the catalogue only of the books consisted of 44 volumes, each volume having 23 sheets of paper, which contained nothing but the titles and descriptions of the

\textsuperscript{389} Browne, II, 12.
\textsuperscript{390} Pinto, 225.
\textsuperscript{391} Grohmann, p.432.
\textsuperscript{392} Pinto, 227.
\textsuperscript{393} Pinto 216.
\textsuperscript{394} Yyun al anba fi tabqat al atibba ed. By A. Mueller (cairo, 1882, and Koenigsberg, 1884; extracts in L. Leclerc, Histoire de la Medicine arabae (Paris 1876), I, 583-87
books. A staff of librarians, copyists, and binders was housed in the scriptorium of the palace of Merwan where the collection was housed.

Abu al-Mut rif (d. 1011) a Cordovan judge possessed a large library of rare books and calligraphy. He employed 6 copyists. The judge had copies made for gifts. After Al-Mut rif’s death, his library was sold at auction in the mosque for a whole year, bringing in 40,000 dinars.

All these libraries were destroyed like the ones in Bagdad during the Muslim civil war sand conflicts between Moorsh and Christian princes. Some were taken to Seville, some to Granada, some to Allmeira and to other provincial cities. The age of Arabain learning says the biased and prejudiced Gibbon continued for about 500 years. And was coeval with the darkest and most slothful period of European annals. This is contrary to the understanding that the Muslim culture created a revival of Western science. The impact of Arabian science and their translation into Latin was also significant. We must understand that Muslimized Moors in 711 conquered Spain and converted the caliphate of Cordova and that of Sicily into a Muslim province from 831 to 1090. It was geographically through lower Italy and Spain that Muslim science which was remotely of Greek, Persian or Hindu origin, penetrated into western Europe. The beginning of the medical school of Salerno was influenced by the 10th century Arabian medical advances through Shabbethai ben Abraham ben Yoel, a Jew of Otranto in Lower Italy. Ben Yoel was taken captive by Saracen pirates in 925 and carried to Palermo where he learned Arabic and studied all the sciences of the Greeks and Arabs and Babylonians and Hindus. John of Gorze in 950 brought to Germany from Calabria copies of Greek scientific works and was the instrument for the conveyance of Arabic science north of the Alps and the earliest agent of its dissemination in Europe. In 953 Otoo the Great sent John of gorze on a mission to the caliph Abd-er Rahman III of Cordova where John fell in with the distinguished Spanish Jewish scholar ibn Shaprut. John learned from ibn Shaprut for 3 years and returned to Germany bringing back with him a horseload of Arabic books. The earliest Western translator of Arabic works of science into Latin was Constatinus Africanus, A Christian who was born in Carthage and was for many years a Muslim subject. In 1056 he became a monk in Monte Cassino. The historian Leo of Ostia calls him the master of East and West. The chief place for the dissemination of Arabic science was Toledo the recovery of which by the Christians occurred in 1085. Adelard monk of Bath and cousin of King Henry I was a pioneer in bringing Arabic rediscovery of Greek science to the Latin reading world. His Quaestiones naturals may be said to have inaugurated the intellectual revolution. By 1200 in addition to the works on optics and physics much of Greek science and medicine including Hippocrates and Galen was available in Latin translation together with the summary of of Arabic medicine in Avicenna’s Canon of Medicine. Just as the early Middle ages was influenced by Pliny’s Natural History and Seneca’s Natural Questions now the later Middle Ages had to digest the new Greek-Arab learning. This Greek-Arabic heritage was perpetuated by the work of Michael Scot, who had studied in Spain and whom Federick II called his courat at Palermo in Sicily.

395 Ibn al Abar, quoted in al-Makkari, p.168-69
397 Decline and Fall of the Roman Empire, ed. Bury, VI, 28
398 Haskins, C.H. Michale Scot in Spain, in Homaje a Bonilla y San Martin, publicado por la facultad de filosfia y letreras de la Universidad central (Madrid 1930), II, 129-34.
Scot was born about 1200 in Scotland or Ireland and after studying at Oxford and Paris settled in Toledo where he devoted himself to translations of divers scientific works from Arabic into Latin. His best known work is Liber phisionomie which he wrote in Palermo. By the middle of the 13th century the Islamic sciences were translated by Europeans into Latin. This was just in time before the Mongol invasions of the 13th century in the East which devasted Arabic Libraries and did not begin to recover until the Ottoman Turks in the 15th century. The expulsion of the moors from Spain in 1492 was followed by the destruction of thousands of Arabic books. What books were saved found lodgement in the libraries of Fez or Tunis. In the sack of Tunis in 1536 by the Emperor Charles V, all books written in Arabic were burned. The fate of the great libraries of Muslim science and culture of Bagdad, Cairo, and Cordova were largely destroyed by Mongol and other invasions. Kal wa-homer we can only imagine the terrible fate of Jewish texts, well before the expulsion of Jews in 1492 from Spain.

There are some interesting similarities and differences between the Muslim book and oral cultures and the Jewish oral and textual traditions. Muslim sages possession memories of sacred texts and culture were referred to in the biographical works as “oceans (bahr) of learning, recepticles (wi’a pl. au’iya) of knowledge. So too masters of the Talmud were called “swimmers of the sea” where the Bavli was metaphorized as the ocean, and one of the disciples of Rabbi Yohanan ben Zakka in P.A. is referred to as a cistern which does not loose a drop.” Further the Talmudic legal debate and dialectic in shaqla vatarya has some parallels in the Islamic reasoning diraya. Both Islam and Jewish tradition also relied although somewhat differently on oral transmission. Oral transmission as shown before was not only the proper way of doing things for the Geonim, it was considered more reliable than written transmission and it is to orally transmitted texts that the Geonim turn when questions arise regardin the proper readings of a particular passage. In Islam oral transmission also played an essential role for teachers or shaykhs would sit in teaching circles (halqas) and give over orally various learning. The difference is that Islam embraced the codex earlier than the Jews. An Islamic student would hear the teach dictating a book (sami’a minhu) and had transcribed what he had heard, or he had himself read his transcription to the teacher (qara a alayhi) who corrected any mistakes in the student’s recitation and copy. At a higher level the student could ask for ijaza, of a different kind, certifying that he was competent to teach a certain book or subject or to issue legal opinions (fatwas) as mutli-analogous lihavdil to semikhah. This certification however was unlike a Christian (Latin) university degree, licentia dicendi) which was granted by Eurpean Universities only upon Church consent. An ijaza could be an elaborate document mentioning a whole chain of transmission from teacher to student over the generations and so inserting the recipient into a long chain of oral transmitting ancestors.

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399 See: Brody, Sifrut ha-Teonim”, p. 243-244 and Y.N. Epstein Mervo’ot le-Sifrut ha-Amoraim (Jerusalem, 1962), 140-141; Epstein cites a response of Hai Caon in which it is stated that the amoraci stricture against wiring halakhot (those who write halakhot are as if those who burn the torah) applied only to the earlier times, “but now when hears have become constricted and people (alma) need to look into a tet (nosah) those who write halakhot do well”.

difference in that Islam relied on the codex as a part of the chain of oral transmission employed the isnad formula whereby the author “heard from” or “takes from” this or that authority and now “he is handing it down from him” (rawa anhu). True knowledge derives only from a learned person insisted Badr al-Din ibn Jama’a the early 14th century scholar and jurist, and not from books and institutions. Islamic religious law (the shari’a) was transmitted from generation to generation ideally in oral form. The relationship between the teacher shaykh and his disciple often is termed as one of friendship, subba or apprenticeship or companions sahaba. The Sunni ulama are interpreters of the Sunna of the Muhammed his sayings and doings that were eventually established as legally binding precedents. By hearing Islamic teaching directly from his shaykh and obtaining ijaza from him, the disciple could enter into the chain of oral transmission. The madrasa or study group conformed in circles halqa the students sitting in a semicircle with the teacher at the remote end and his closest disciple or sahib nex to him. In some ways lhavidil this may find parallels in the semicircles of the Yavne academy founded by Rabbi Yochanan ben Zakkai. Many Islamic scholars have pointed out that to study at the feet of a prominent scholar was more important than the empty elitism of being associated with a distinguished institution. For example the objective of the travels in search of knowledge (ribla fi talab al-ilm) of the young Abu Sa’d al-Isfahani (d. 1145) paid little respect to institutions but rather only to teachers who were independent and outside institutions, i.e. learning privately. The term alim refers to a student who has become a legal expert under the guidance of a teacher irrespective if the teacher is connected with an institution or not. This private study may contrast with the Yeshiva as an institution and the Yeshiva curriculum of Talmud learning. Often the continuing publication of halakhic compendia, biblical commentaries, and philosophical works was outside the Yeshiva curriculum. For example the Sura Yeshiva for which we have R. Nathan ha-Bavli’s description functioned mostly as a high court and center for Talmud and not for publishing. R. Nathan ha-Bavli estimated that the Yeshiva had about 400 students. We may assume that even when texts were made available local transmission was done orally as Goitein notes: “Learning by rote the exact wording and cantillation of an ancient text was regarded as a prerequisite for its proper interpretation in high studies, as it was in the elementary school.” It was also assumed that the order of prayer attributed to R. Amram Gaon in the middle of the 8th century was memorized by all Yeshiva members and laymen as well as prayer did not relay on what today is known as the democratic distribution of siddurim, in a culture of oral transmission. Oral transmission and memorization and not necessarily from a written text, were the standard traditional and accepted mode of doing things in Jewish society. In the world of the geonic Yeshivot the Gaon and the reshei Kallah were the guarantors of the accuracy of oral transmission. Thus the interface between orality and literacy in the Islamic madrasa is different from that of the Geonic yeshivot. Transmission in the madrasa is direct and from the “mouths of great ones” but it is not primarily oral nor is orality priviledged in that it is held to produce a more accurate text. The lesson of ijaza is just the reverse; neither oral nor written transmission alone is to be trusted. Orality was of greater importance within the Geonic context. Transmission in the yeshivot was primarily and almost exclusivel oral while in the madras it was both oral and written. The importance in Islam was to study privately with a great scholar or publically in the madrasa, while the Yeshivot were Rabbinic academies with politics and institutionalized customes and ways. In this way the Islamic madrasa was closer to the amoraic metivta than it was to the geonic

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yeshivot, with their faculty and institutional character. The Madrasa was the vehicle for transmitting the madhab, it was not its originator. The Geonic Yeshivot claimed to be the heirs of the Babylonian Talmud which is largely the debates between tannaim and amoraim as a collective transgenerational discussion.

While the process of the collection of hadiths may be reminiscent of the redaction of the Mishnah and the compilation of the baraitot the redaction of Bavli which is characterized by its dialectic, is somewhat parallel to the Islamic diraya, which is equated with fiqh, Law. Those who engaged in diraya sometimes looked down at those who were restricted to memorizing text or riwaya, recollecting how the amoraim sometimes looked down on the tannaim, those “living books” who repeated traditions a a donkey carrying many books. To use this analogy the Talmud is an amalgam of of riwaya and diraya asar ethe halakhic compendia. In Islam however they were kept separate, in the need for ijaza. The Islamic madrasa was in its early days closely tied to the halqa, and still priviledged oral transmission. But as the halqa gave way to the madras orality gave way and the culture become more written. Differently the Geonic yeshivot still retained old preferences for orality and oral transmission. While one who had ijaza could go out and teach and the text was written, no haver of a Yeshiva could go out and establish a new geonic yeshiva. The story of R. Aha of Shabha the purpoted author of the earliest geonic compilation, the She’iltot, which attributes the compilation to R. Aha’s loss of the Geonate and his subsequent move to Palestine demonstrates this assumption. The closed hierarchical nature of geonic society and economic forces undoubtedly separates and differentiates the Muslim and the Jewish educational institutions and curriculum.

Part XI. A NOTE ON MEDIEVAL CHRISTIAN LIBRARIES

Some Christian scholars admired the dedication of some Jews commitment to the principle of learning lishma. For instance one of Peter Abelard’s students in the 12th century wrote a letter in which he contrasted the Jewish emphasis on education exemplified by the regularity with which Jews out of zeal for G-d and love of the law, put as many sons as they have to letters, that each may understand G-d’s law... We read,

"If the Christians educated their sons they do so not for G-d but for gain, in order that the one brother if he be a clerk (a cleric), may help his father and mother and his other brothers.... But the Jews out of zeal for G-d and love of the law, put as many sons as they have to letters, that each may understand G-d's law...." 403

However like Christian students Jewish students often traveled from one school of one school to soak up wisdom from a variety of teachers. Rashi writes, “Like doves that wander from one dovecote o the second to seek their food, so they go from the school of one scholar to the school of another scholar to seek explanations.... for the Torah. 404

402 Makdisi, the Rise of Colleges, 144.
403 Smalley, Study of the Bible, 78.
404 Rashi on Shir Hashirim 5:16
However many Christian scholars valued libraries, perhaps just or more than Jewish scholars whose learning took place mostly in the Beit Midrash setting in active debate of makloket, fighting the Milhamot Hashem with the swords of pilpul by the bucherim. Christian monastic libraries were sanctuaries of quiet, peace, and quietude compared to the Beit Midrashic settings of loud and lively debate. We see this in the comment of Paulinus of Nola who comments: *Here he whose thoughts are on the laws of God May sit and ponder over holy books.* Bede also articulates a great admiration and valueization of the place and purpose of the monastic library when he comments,

— ' All my life I spent in that same Monastery, giving my whole attention to the study of the Holy Scriptures, and in the intervals between the hours of regular discipline and the duties of singing in the church, I took pleasure in learning, or teaching, or writing something."

Alcuin echoes this high estimation of the importance of the monastic library when he comments: *Oh how sweet life was when we sat quietly ... midst all these books.* As late at 1605 Francis Bacon, the author of the Organon and modern Scientific method, writes of the importance of libraries and learning that he fears is under attack and question by commenting:

A love of learning arose in me almost from earliest childhood, and I did not despise what many people today speak of as a horrible waste of time. And if there had not been a lack of teachers, and if the study of the ancient writers had not passed almost into oblivion through long neglect, perhaps, with the help of God, I could have satisfied my craving, for within your memory there has been a revival of learning, thanks to the efforts of the illustrious emperor Charles to whom letters owe an everlasting debt of gratitude. Learning has indeed lifted up its head to some extent, and support has been given to the truth of Cicero's well known dictum, "Honor nourishes the arts, and all men are aroused to the pursuits of learning by the hope of glory." In these days those who pursue an education are considered a burden to society, and the uneducated who commonly look up to men of learning as if seated on a high mound impute any fault which they may find in them to the quality of their training, not to human frailty. Men have consequently shrunk from this noble endeavor, some because they do not receive a suitable reward for their knowledge, others because they fear an unworthy reputation. It is quite apparent to me that knowledge should be sought for its own sake.

Libraries are as the shrines where all the reliques of the ancient saints, full of true virtue, and that without delusion or imposture, are preserved, and reposed

405 Si quem sancta tenet meditandi in lege voluntas Hic poterit residens sacris intendere libris.
406 Cunctum vitae tempus in ejusdem Monasterii habitu atque peragens omnem meditandis Scripturis operam dedi; atque inter observantiam disciplinis regularibus et quotidianis cantandis in ecclesiarum curam, semper aut docere, aut scribere dulce habui." See: Bede Historia ecclesiastica v. 24
407 O quam dulcis vita fuit dum sedebamus in quieti ... inter librorum copias." See: Alcuin Ep. Xxii
408 Amor litterarum ab ipso fere initio pueritiae mihi est innatus, nec earum, ut nunc a plerisque uocantur, superstitiosa uel [superuacua] otia fastidii; et nisi intercessisset inopia praecipuum et longo siti collapsa priorum studia pene interissent, largiunt deo meae auiditati satisfacere forsitum potuisse; siquidem uesta memoria per fomissimum imperatorum Karolum, cui litterae eo usque deferre debent ut aeternam ei parent memoriam, coepta reuocari, aliquantum quidem extulere caput satisque constitit ureitate subnixum praecellularum Ciceronis dictum: honos alit artes et attenduntur omnes ad studia gloria. Nunc oneri sunt qui aliquid discere
These comments by Christian scholars illustrate that the understanding of the importance of library and learning is not unique to the Jews. In fact the modern conception of a library as a sanctum silentia probably owes more of its history to the Christian medieval monastic scriptorium.\textsuperscript{409} A modern no talking in the library sign comes down to us from the medieval library as a notice Ad interventorem of the potential talkative intruder: \textit{Non patitur quenquam coram se scriba loquentem: Non est hic quod agas garrule, perge foras.}\textsuperscript{410} The ideal of the medieval Beit Midrash was the hum and buzz of passionate Talmudic debate and lively discussion of a cacophony of voices echoing the original thunder of the Sinai revelation. By the lightning flashes of insight that occur in silent meditation, this too was not foreign to the Jews as noted in Maimonides emphasis on silent contemplation of the eternal truths beyond language itself based on a pusek in Tehillim that one rest on their bed an contemplate Hashem’s goodness. According to the Rambam Moshe Rabenu was in constant illumination so that night was to him as if day for his mind was flashing in constant lightning flash insights. However communal learning in public was one of active articulated speech in the Beit Midrashic context. This was the norm of Rabbinic studies, not the Christian model of the cloistered monastic cell conducive to quiet contemplation and meditation.

It should be noted that the restoration of scrolling on computer screens today should be compared not to the ancient Hebrew horizontal book form of scroll read in the synagogue unfolded horizontally but to the roll described in latin sources as written “transversa charta”, termed by Lloyd Daly and Eric Turner rotulus. A vertically written unfolded and read scroll employed in antiquity and in the early middle ages in both the west and east for documentary purposes, was later adopted by Christian liturgy and Hebrew and Arabic literary texts.\textsuperscript{411}

Latin texts in the mid 13\textsuperscript{th} century were mainly produced in and disseminated by institutional copying centers of monastic multicopyist scriptoria, or cathedral schools, then by university stationers employing the pecia system. In the late middle ages commercial urban and lay ateliers took over.\textsuperscript{412} Malachi Beit Arie argues that in contrast “Hebrew medieval books were not produced by the intellectual establishments or upon their intitiative, whether in religious, academic, or secular institutional copying centers, but privately and individually and similarly they were also consumed and kept.\textsuperscript{413} In this way Hebrew book medieval production resembled more the Arabic model [on a lesser scale] whereby caliphs
employed private calligraphers, numerous public libraries and helped by the extensive commercialization of books through the warraqin, paper, and book dealers, whereby the dominant nature of Arabic book production and consumption seems to have been private, boosted by the early introduction of the cheaper writing material of paper. While institutional and centralized nature of Latin book production involved control and standardization of the text produced, no authoritative supervision was involved in the transmission of Hebrew texts privately funded by individuals not necessarily connected with a Rabbinic institution. Beit Arie draws his conclusions of the self-production practice and extent in Jewish booklore from the systematic study of colophons. Since 1965 the Hebrew Paleography Project stored in its SFARDATA, a sophisticated quantitative database and retrieval system of over 4000 measurable codicological attributes recorded in most of the extant explicitly dated and in the undated but otherwise colophonied or named Hebrew medieval Manuscripts sponsored by the Israel Academy of Sciences and Humanities in collaboration with the Jewish National and University Library in Jerusalem. This project was also carried out by the the Institut de Recherche et D’Histoire des Texts in Paris.

The work of Ornato and his colleagues who revitalized Latin codicology in the book, Le face cache du livre medieval: L’Histoire du livre vue par Ezio Ornato, ses amis ses collegues (Rome, Viella, 1997) is the title that inspired Beit Arie to name his own book: Unveiled Faces of Medieval Hebrew Books: The Evolution of Manuscript Production – Progression or regression (Hebrew University of Jerusalem: Magnes Press, , Jerusalem) which follows in the footsteps of this work in Latin codicology. Following the notion of progressive evolution with which Ornato’s writings are charged, Beit Arie discusses 5 different aspects of the production of medieval Hebrew hand-written books: (1) technical practices, (2) line management, (3) the structural disposition of the text and its transparency, (4) the nature of textual transmission, and (5) the selecting of the book script. Thus Beit Arie focuses on studying the history of the handwritten book in all its other civilizations including those of Christianity which employed Latin.

“Due to the far flung territorial dispersion of the Jews and their abundance to their natural script, medieval manuscripts written in Hebrew characters were produced in a territorial range larger than that of the Christian Latin texts. In contrast Christian society where literacy was concentrated among clerics and aristocrats Jewish society was largely classless and literacy was widespread. Extensive book consumption and a remarkable high rate of user produced books which was initiated not by intellectual or academic establishments but privately.”

While some Christians might have been sensitive to the learned tradition of the Jews and some Jews dedication to learning lishma, one cannot avoid the persecution by the Church of Jewish scribal traditions in the form of confiscation, censoring, and burning Jewish Hebrew texts. The case of a

The genre of this text may be described as *papeles sueltos* or *papeles extravagantes*. The document is a “memorial” of Hebrew books confiscated from the Jews in Jaca following the Tortosa Disputation of 1414 in which Rabbi Yosef Albo hermeneutically defeated his Christian intolocuter, thus causing resentment and making the Church feel that the Talmud contained anti-Christian elements that needed to be censored to weaken the stubborn Jews refutations of the truths of Christianity. This historical context of this library list is the pragmatic or ordinance of Pedro de Luna, the antipope Benedict XIII. It was promulgated after the Disputation of Tortosa and San Mateo (1413-1414). The Eclesiastical goal of the disputation was aimed at the conversion of the Jews and to expose Jewish errors in belief and conduct.

The Talmud as evidence on the docet and as authoritative religious text seen to give Judaism its raison d’etre and satanic power was the major issue of the disputation as seen from the polemical books on the subject to which it gave rise. The edict to confiscate Jewish books stems from the 1415 legislation of Benedict and King of Aragon, Ferdinand I of Antequera, who issued statutes discriminating against the Jews which are modeled on the Statutes of Valladolid of 1412. These laws demanded that Jews should turn over their books to the authorities. The Antipope’s pragmatic Etsi doctoribus gentium gives as its justification “Jewish blindness” (judaicae caecitatis) and the damage done by Jewish doctrines. Orders of Gregory VIII and Innocent IV are given as precedents for the proscription of the Talmud. The pragmatic decrees that within a month of its publication all books or volumes or writings containing the said “Talmud doctrine” should be taken from the Jews and kept in the Cathedral of each diocese, to be kept under lock and key of the authority of the diocesan or his vicar. Benedict invites...
the Inquisitors responsible for destroying heresy to seek out those Jews who still have “hidden books.” Christians who have Hebrew books with a license to try to convert Jews need not turn over their Hebrew books. He further decrees that there should be a search for further such Talmud books every two years and that those found in possession of such Rabbinic texts will be “punished” not excluding execution. The proscription of Hebrew books was handed over by Jewish communal authorities to the Christian authorities Anton de Bardaxi, caballero and Justicia of the town fo Jaca. The Jewish community was represented by 3 invididuals two of whom, Azerian (i.e. Azariah) avingoyos sonof Judah and Azerian Avingoyos son of Jacob, who were officers of the Jewish communal council bearing the title of adelantado. Barjala Abandbron son of Acach (i.e. Isaac) was the 3rd representative of the Jewish community. According to Papal demands the books were given over to two canons and vicars general fo the chapter of Jaca cathedral i.e. Raimundo de Garz and Garcia de la Rada. It was their function to censor the texts. The inventory was written by an anonymous notary on Friday 27 December 1415 which lists 600 books from 26 Hispano-Jewish libraries. The term “quadernios (quires) rather than notebooks is used in the description: Item hun saquo pleno de quadernios e libros de Talmut ( a bag full of quires and books of the Talmud). Abscent from the confisgation are romance readings.

Jewish comments about libraries from the Rishonim periods emphasize practical concerns. For example Yehudah Ibn Tibbon in his famous letter to his son advises, “Cover your bookcases with rugs and linens of fine quality; preserve them from dampness and mice and injury; for it is your books that are your true treasure. And further Rabbi Yehudah ibn Tibbon advises to lend only to those who are trustworthy to ensure the return of precious manuscripts. We recall his advice to his son further, “Never refuse to lend books to anyone who cannot afford to purchase them, but lend books only to those who can be trusted to return them.” Rabbi Judah of Regensburg however seems to emphasize the democratization of knowledge and sharing of precious texts by commenting, “If you have one child who does not like to lend books, and another child who does, leave your library to the second, even if that child is younger.” (Sefer Hasidim13th century). Medieval libraries often solved the problem of losing books when lending them by chaining books to desks or cases. J.W. Clarke writes, “Such cases as these must have been in use at the Sorbonne where a library was first established in 1289 for books chained for the common convenience of the Fellows (in communem sociorum utilitatem). Clark argues that the invention of printing had largely increased the number of volumes, and at the same time diminished their value, so that chaining was no longer necessary.

While the Christian tradition is more the origin of modern libraries as quite spaces, which of course is changing in the post-modern age as libraries become hubbubs for new social media technologies, Jews were not without their valuation of textual collections in the medieval ages. The Hai Gaon, Head of the Beit Din in Babylon during the Geonic period (998 CE) comments, Three possessions should you prize: a field, a friend, and a book.” Further a Talmudic dictum enjoins, None is poor save him that lacks

424 Clark, J.W., Libraries in the Medieval and Renaissance Periods, Chicago: Argonaut publishers, 1894, page 38
knowledge” suggesting that books are the sepulchers of knowledge and from them one can increase wisdom, understanding and knowledge. This is seen in Rambam’s Moreh HaNevukhim where the Rambam notes in the introduction that this work is a kind of “key” that will open the gates of the palaces of heaven into which the soul can be ushered, delighted, and refreshed by fountains of wisdom. This comment of the Rambam clearly is a part of the Hekhalot tradition where it was believed that angels of various ranks are giving derashot on various divine topics in the chambers of the 7 palaces in heaven. The meritorious have the right to listen to these shiurim. The Rambam notes (Hilknt Teshuva) there the righteous sit with crowns on their heads enjoying the ziv shekhinah, where the crowns on the heads are proportional to the wisdom, understanding, and knowledge gained in olam ha-zeh. The Rambam’s second metaphor for the nature of his book the Moreh Nevukhim is that it is like a precious jewel like pearl that the Rambam has doven down to the bottom of the ocean to retrieve. Clearly this is an allusion to the Shas as the SEA, and the allusion may also take on a personal biographical note as Rambam’s brother, Rabbi David Maimon, who supported the Rambam by dealing in precious gems, financially to learn for many decades, was lost at sea in a shipwreck on the Indian ocean when the family jewel collection that sunk to the bottom of the Indian ocean.

This is not just to comment as Shmuel haNagid does when he writes, Books lead us into the society of those great men with whom we could not otherwise come into personal contact. They bring us near to the geniuses of the remotest lands and times. A good library is a place, a palace, where the lofty spirits of all nations and generations meet.” Rather for the Rambam much more is at stake. According to the Rambam the Mishneh Torah itself is the life raft that will free one from their mental Egypts or confusions. That is to say the “yad hazakah”, the strong hand (the MT. is in 14 sections, yod= gematria of 14) is the outstretched arm and strong hand that will free one from false opinions and intellectual confusions. The MT. itself will be the one set desired in the messianic era above all else. It is the Moreh Nevukhim however that the Rambam devoted the last part of his life to writing, that is the text for perfecting knowledge and bringing one out of perplexities. It is the key that enters one into the palaces of shama'ayim. This is not to say that the Guide is the esoteric text and the MT. the exoteric text of the Rambam as Struasians hold nor as Rabbi I. Twerski holds the MT. is the esoteric text and the Guide the exoteric text. They are texts in tandem. They are required to both be learned from. They are the 2 keys to the seals in Hashem’s heavenly abode from which the careful reader can benefit with eternal rewards in olam habah. The stakes are high for a life redeemed by the pursuit for divine knowledge in quest for intellectual-moral-and spiritual wisdom, or a life unredeemed the unexamined life, factor into the reward of one in olam ha-bah as Rambam notes in Hilkhot Teshuvah 8:2

השלום нашем איני בו נמקו נמי אלא פשואו התדייק יום ביו עמליאי השירת. הוויליאויאו בו

גוונא איני בו אלא אכילתי א不孕א לא דבר מככ הדבירים שלמות בי אם צריינן לון בלולום הזה

ולא יאיץ דבר בו מככ הדבירים שפרע NEO לופמות בלולום הזה. كذلك ישביה ועמקיה ושינה ומיתו וצבוד

ויושק כיוצא עrotch. כי אמרה חכמה השכוניות השכלוםáb לא כתיב איני בו אלא אכילתי א不孕א שיתיה ולא שימש

לא לזריקי ישיבם ו(animation) בריבושם ונכון מימי השכינה. הרי נבכר על שאינ שומג פפ

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Maimonidean virtue demands that “thought not go on Holiday”\(^{426}\) and that the goal of all education is intellectual perfection that occurs when the sekel ha-poel contemplates the attributes of Hashem.

The Rambam certainly would cherish Jewish libraries because sparks from the anvils of Rabbinic understanding remain hidden in the texts. These sparks hearken to that eternal fire by which the luchot were carved when Har Sinai was aflame with Hashem’s fiery word whereupon the lightning was heard and the thunder was seen. This mixed metonymy gestures towards the importance of orality and oral transmission of oral torah. The lightning flashes that are usually seen became heard in the resounding oral transmission from Jewish teacher to disciple, and G-d’s thundering word is seen not in the mighty blasts of his omnipotent abilities but in the still small voice that comes after the storm. Orality in the medieval ages functions as the merkavah of Elijah who shows up after the storm. Hashem himself shows up after the storm in Sefer Iyov, where G-d asks Iyov:

1 Then the LORD answered Job out of the whirlwind, and said:

2 Who is this that darkeneth counsel by words without knowledge?

3 Gird up now thy loins like a man; for I will demand of thee, and declare thou unto Me.

4 Where wast thou when I laid the foundations of the earth? Declare, if thou hast the understanding.

5 Who determined the measures thereof, if thou knowest? Or who stretched the line upon it?

6 Whereupon were the foundations thereof fastened? Or who laid the corner-stone thereof,

7 When the morning stars sang together, and all the sons of God shouted for joy?

\(^{426}\) The phrase appears in the Notebooks of Ludwig Wittgenstein
8 Or who shut up the sea with doors, when it broke forth, and issued out of the womb;

9 When I made the cloud the garment thereof, and thick darkness a swaddling band for it,

10 And prescribed for it My decree, and set bars and doors,

11 And said: 'Thus far shalt thou come, but no further; and here shall thy proud waves be stayed'?

12 Hast thou commanded the morning since thy days began, and caused the dayspring to know its place;

13 That it might take hold of the ends of the earth, and the wicked be shaken out of it?

14 It is changed as clay under the seal; and they stand as a garment.

15 But from the wicked their light is withholden, and the high arm is broken.

16 Hast thou entered into the springs of the sea? Or hast thou walked in the recesses of the deep?

17 Have the gates of death been revealed unto thee? Or hast thou seen the gates of the shadow of death?

18 Hast thou surveyed unto the breadths of the earth? Declare, if thou knowest it all.

19 Where is the way to the dwelling of light, and as for darkness, where is the place thereof;

May we all search for Hashem's light and be meritorious to bask in the light of the Shekhinah in olam ha-bah. While human intellect has its limits G-d’s wisdom has no bounds but is indeed ayn sof. It is the medieval texts, in both its oral and written form, that can lead us to that place of the dwelling of infinite divine light. For this reason Jewish libraries are more precious than Rubies. Their value is beyond all human valuation, beyond the “bottom line.” See: http://www.ajlnyma.org/news/20_2.pdf

By better understanding the historical evolution of Jewish libraries from antiquity [see: http://www.jewishlibraries.org/main/Portals/0/AJL_Assets/documents/Publications/proceedings/proceedings2001/levydavidshort1.pdf]
to the present we hopefully better appreciate, cherish, and “value” the importance of Jewish libraries for all peoples at all times. Libraries are more than quite spaces for contemplation, they are the epicenter of knowledge, and the heart of any educational organization. They are the reason and purpose for which any institution of higher learning exists. Not as static spaces that serve as graveyards for great ideas of the masters of the past. But rather transcending time itself, the eternal ideas in the texts on the shelves teach us to become walking texts whereby the knowledge in the books on the shelves is internalized and integrated into our souls. Those eternal ideas are true for all times, all peoples regardless of differences in culture, education, economic, social, and other differences. They are ideas that are not in the “now” but eternal and thus outside of time itself (See: http://www.h-net.org/reviews/showrev.php?id=10382)

Life itself is a text of the Creation of the symphony of Hashem. The fish jumping out of a glacial lake in the Alps and slapping its back against the crystal pure water is the “Amen” of G-d’s Symphony of Creation.

Libraries play the key role in developing and shaping the intellectual perfection (shelmut sekli), correcting false opinions (tikkun ha-nefesh). Libraries are spaces of holiness (kedusha) that cause us to strive for ever perfecting holiness. They not only increase our knowledge of Hashem (daat Hashem) but perhaps more importantly our ahavas Hashem, and ahavas Torah. Thus libraries are more than memory banks that preserve knowledge. Rather Jewish libraries are sacred spaces, because they are sacred spaces of memory and creativity that not only preserve the past but provide the potential for their patrons to forecast the future. We cannot know where we are going unless we know where we have been. The library lets us know via its texts where we have been and provide guidance for navigating our future courses. The library as ibn tibbon invokes is like a garden that delights and refreshes the mind as the Provencal physician enjoins:

*Make thy books thy companions; let thy cases and shelves by thy pleasure-grounds and gardens. If thy soul be satiate and weary, change from garden to garden, from furrow to furrow, from prospect to prospect. Then will thy desire renew itself, and thy soul be filled with delight.*

Yet the stakes are higher than delight in olam ha-zeh. Indeed the library provides the potential for redemption in olam ha-bah, for all of us must appear in the Ebester’s court and give an account, the account book of our lives, how we have dedicated our moral compass to pursuit of the quest of hokmah, binah, ve-daas. Was learning torah a calling? How did we engage in torah lishmah? This process is a redemptive process and the books and knowledge banks in the libraries we inhabit can potentially help enhance this goal and bring us closer to Hashem. The library is more than an enchanted space, a Shakespearean forest of Arden or a place where Prospero of the Tempest can carry out his magic and create a Golem in the figure of Ariel to fly about and perform magical acts, for the library is a sacred space where patrons can seek to develop their highest potential intellectually, morally, and spiritually in reaching for the stars- *extende ad astra*. Each good book is a potential Urim veThumim. It can change who we are for the better, if we internalize its contents and begin to perceive reality through its lens and insights. The library that houses such sepulchers of wisdom, is truly dynamically “alive” for patrons who benefit from the myriads of knowledge invested there. Perhaps too as according to Sefer
Hasidim, even the souls of those who have moved on, seek refuge and comfort by tuning into the thoughts that are emanated from the sacred space of the library. Yet we must know how to receive the knowledge invested in the libraries holdings including books.

The forgotten kind of reading, langsame lessen, and critical thinking is in jeopardy and at risk to the mindlessness of the post-modern mindset where many want quick fixes, fast food, sound byte levels of lack of understanding, nihilistic music that falsely believes that amplitude is a function of sublimity (das erhhabene, peri huppsos), and falsely believe that with the quick click of the mouse their assignment is complete, when the process of research has not even begun, not to mention the critical thinking and organizing required after the gathering of primary and secondary sources. In these dark times, a time of world wars, genocide, exploitation of the environment, environmental decay, and the eradication of the ability to think amongst great masses of persons who believe that material gain is the ultimate goal so that the person with the most sophisticated technicalical gadgets at the end of life “wins”, may we all see the true light and strive to reach the abode of light alluded to in Sefer Iyov, and which Rashi promises us is stored up for the righteous in olam ha-bah. As Kohelet notes “Happy is the man who has seen the light of the sun.” However rare and few are philosophers, Strauss notes we are lucky if we were ever to meet one, such as meeting one of the hidden lamed vav nicks, who are able to make the ascent to the forms (eidos), from the shadows on the walls of the cave whereby those shadows represent the false opinions of the many, ad captum vulgi. Librarians should help their patrons come to understand dross from the light of truth. Librarians should understand themselves how the opinions of the many are mostly false, and if true only accidentally true, and help our patrons prepare themselves for their ultimate journey whereby they must give an account before the throne of Hashem. A good librarian prepares his patron for that redemptive journey to the heavenly court and equips the patron with the intellectual ability to prove before the tribunal of reason the truth claims of revelation, creation ex nihilo (yesh miayin), the attributes of hashem, or whatever else epistemological subject a journeyman in this world might seek after in establishing with certainty by valid, sound, and true understanding. Correctness of opinion is of no interest to reaching that goal. Correctness is merely the spirit of the fad of its times, the zeitgeist of the rise and fall of various empires across the stage of history for what is needed is an awareness of the holy and dedication to the principle injunction in Vayikra, “You shall be holy because I am holy”. A library should be a makom kodesh. It should be a space for the shekhinah.

Thus just as there is no eating or drinking for Maimonideans in olam ha-bah, nothing physical or gashmius at all, thus the “no eating” sign in our libraries point to a metaphysical truth that the library is indeed a makom kodesh. Whether we conceive of a makom kodesh as a beit midrash with the hum of Talmudic debate or as a cloistered library scriptorium, a sancta silentia, in the end may be irrelevant. That the library is a sacred space of noetic redemption is the ikkar. The library in our own times of “the dark ages” is a sacred space of light that can allow us to see light in the light of the divine. The library is a space in the world but not of the world for this sacred space can be indispensable in helping the soul ultimately be ushered into eternal reward by virtue of what goes on in the sacred space of the library.

Each of us here in our lives is compelled to find their bearings by his or her own powers with help hopefully from the powers of Hashem. We have no comfort in a Boethian sense, other than inherent in this activity called thinking, critical analysis, and in general the search for wisdom, understanding, and
knowledge in the library research process. We cannot exert our understanding, without from time to
time understanding something of importance: and this act of understanding may be accompanied by an
awareness of our understanding, by understanding of understanding, by noesis noeseos, and that this is
so high, so pure, so noble an experience that Maimonides could ascribe it to HaShem gives ultimate
goodness to the world, because it is the home of the human and divine minds. By becoming aware of
the dignity of the human mind linked to the divine via the sekel hapoel, we realize the true ground of
the dignity of human beings created in the image of Hashem, i.e. possessing the active intellect which is
the kesher between human beings and Hashem. The world is the home of human beings created in the
image of Hashem however not only because of intellectual virtue but also moral and spiritual virtue.
Libraries as holy spaces and librarians as guardians of the bridge to the divine can shape patrons souls to
strive to balance the trinity of intellectual, moral, and spiritual virtue. May we gain therefrom further
insight about the balance all of us must strive for in working on ourselves, in shaping our souls, to
manifest the spark of divine being. Evidence of the human spirit devoted toward attaining to some form
of saintliness often leaves no traces, for angels it has been said popularly, often do not leave footprints.
Thus perhaps there is a tincture of truth in sefer Hasidim’s note that books on the shelves of libraries are
consulted not just by humans but by angelic intelligences. Today readers do not merely worship at the
library shrines of previous cultural harvests but readers can become involved in the process of textual
transmission as electronic, digital reproduction and rewriting allow readers unlimited editorial even
authorial autonomy so that we are perhaps returning more to the age of collective authorship.

The history of textual collections in the Middle Ages was not a time of “The dark ages.” The medieval
Enlightenment of Maimonides, Rabbi Levi ben Gerson, and Rabbi Yehudah HaLevy and many other great
thinkers was according to Leo Strauss far superior to the modern Enlightenment of the 18th century.

When we consider that so much knowledge was set to memory and recollection rather than reliance
on the written word, we must ponder in awe how laborious, artistic, and conscientious the medieval
scholars were. We must realize and confess that the Middle Ages rocked the cradle of our knowledge,
and that we might hope to see more clearly in via that light, in lupine too videbimus lumen, misnamed
the “dark ages.” Truly Librarians (custos librorum) should be the guardians and gate keepers of this light.
Safranim (from the root sofer or scribe) should not only guard and preserve this light, but cultivate this
light not necessarily in the Latin tradition of making the library associated with a scriptorium, but rather
by making libraries dynamic places where knowledge is not only gathered, but shaped, molded, and
recognized to shed insight on the past as a guide for the future and beyond even time itself. This light of
the shekhinah in which the Tzadikim bask is metaphorized in language of gashmius, where these Tzadikim
enjoy in olam habah (figuratively) the wine reserved for the righteous in the world to come, yayin ha-
meshummar ba’anavav. That the gematria of yayin is 70 is not accidental for the gematria of sod is 70
as is the word “bachayim” which we remember particularly on Yom Kippur that we be remembered for
life in the upcoming new year. The metaphor of wine is significant. It is associated with Eliyahu ha-navi

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427 See: Strauss, Leo, Philosophy and Law: Contributions to the Understanding of Maimonides and His
428 bBer 34b; bSanh 99a; Targum Ecces. 9:7; Bemidbar Rabbah 13:2; see Ginzberg, L., The Legends of the Jews, 6
vols, (Philadelphia, 1968), 5:29n.79, 284 n.93
at the Pesah seder and at a briss.\textsuperscript{429} This is the wine of redemption. The exposition of rabbinic texts, a big Yeshiva in the heavens, is a view of what transpires at these banquets of the oral word, oral torah, and oral transmission.

\textsuperscript{429} This eschatological wine in the name of Isaac the blind is the very opposite of the wine that Eve reportedly gave to Adam in the Garden of Eden, for which she was punished by the blood of menstruation (see Ginzberg, L., “Legends of the Jews 5:101 n.85; Ginzberg comments al pi kabbalah that the wine preserved for the righteous is related to the view that the fruit which brought sin into the world will probably become “a healing” in the world to come citing Wayyikra Rabbah 12:5, ed. M. Margulies, (NY, 1993) 268. “In this world the wine as an obstacle to the world, but in the future the Holy One, blessed be He makes of it something joyous.”