# "HE WHO HAS THIS BOOK WILL NEED NO OTHER BOOK:"

# A STUDY OF *MITZVOT ZEMANIYOT* BY RABBI ISRAEL ISRAELI OF TOLEDO\*

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RESUMEN: El Dr. Nahem Ilan, de la Universidad hebrea de Jerusalén, ha trabajado de manera muy especial los escritos del rabino toledano Isaac Israeli (s. XIII-XIV), el Comentario del *Pirqe Avot*, todavía inédito, y el *Mitsvot Zemaniyot* (el libro de los preceptos de tiempo fijo). Sobre esta última obra, escrita originariamente en árabe, de la que tan sólo nos resta la traducción hebrea de Shem Tov Ibn Ardutiel (s. XIV), el Dr. Ilan hace una presentación global: describe manuscritos existentes, su estructura y contenido, sus fuentes, su importancia y popularidad. En el MZ, catalogado entre los libros de ritual haláquico, se recogen los preceptos que el judío ha de celebrar en tiempos señalados (en la praxis diaria, en los días festivos, diversas oraciones). Véase BAEO 33 (1997) 329-339.

PALABRAS CLAVE: Isaac Israeli, Toledo al final del XIII y principios del XIV, códigos haláquicos, ritual judaico

ABSTRACT: Dr. Nahem Ilan, of the Hebrew University of Jerusalem, has worked in very special way the works of the Toledo's rabbi Isaac Israeli (XIIIth - XIVth. cent.), the Commentary of the Pirqe Avot, still unpublished, and the Mitsvot Zemaniyot (the book of the fixed time precepts). On this last work, written originally in Arabic, from which only remains the Hebrew translation of Shem Tov Ibn Ardutiel (XIVth cent.), Dr.Ilan makes a global presentation: he describes the existing manuscripts, its structure and content, its sources, its importance and popularity. In MZ, catalogued between the halakhic ritual books, are collected the precepts that the Jew has to perform in indicated times (in daily practice, in the public holidays, various prayers). See BAEO 33 (1997) 329-339.

<sup>\*</sup> I wish to thank Prof. I.M. Ta-Shma, who kindly read the Hebrew draft of this article and whose comments helped me to improve it. This paper was first published in Hebrew in *Te'uda* 16-17 (2001), pp. 105-121. The English translation was made by Mr. Michael Glatzer, the academic secretary of Ben Zvi Institute in Jerusalem.

KEY WORDS: Isaac Israeli; Toledo at the end the XIIIth and beginning of the XIVth cent., Judaic ritual.

#### INTRODUCTION

Rabbi Israel Israeli, a leading member of the Jewish community of Toledo at the turn of the  $13^{th}$  and  $14^{th}$  centuries, left two major works. The first is his commentary on *Pirqei Avot*, written in Judeo-Arabic and still unpublished. The second is a halakhic work originally written in Judeo-Arabic, but which is extant only in the Hebrew translation by the poet and translator Shem Tov Ibn Ardutiel  $(14^{th}$  century) <sup>1</sup>. It is entitled *Mitzvot Zemaniyot* (herein: MZ). These are not popularly known, and consequently they have not been treated either from a literary point of view or with regard to their popularity in their day or their influence beyond the time of their composition. Recently I have discussed at length the author himself and his commentary on  $Avot^2$ . In this article I wish to present a preliminary examination of his other major work – *Mitzvot Zemaniyot*.

MZ was published in the 1980s by Moshe Blau<sup>3</sup>, but his brief introduction does not provide a systematic analysis of the composition, nor does it place the work in its contemporary context. Most of Blau's efforts were devoted to the publication of the text itself, and here too his work was less than complete, as will be discussed below. To Blau's credit he cited R. Israel's halakhic sources systematically – biblical, Talmudic, gaonic and from the works of the early medieval scholars of Europe ("Rishonim"). He pointed out parallels to Maimonides' Mishne Torah, to the rulings of Rabbenu Asher and the Tur, compared citations with those in the work of R. Isaac al-Fasi, and pointed out parallels and textual variants to Ozar ha-Geonim, to the prayer books of R. 'Amram Gaon and R. Saadya Gaon, to Mahzor Vitri and additional medieval works.

Up to now MZ has been discussed only incidentally. Schlossberg and Habermann claimed that the Arabic original was written in rhymes or in

<sup>&</sup>lt;sup>1</sup> Regarding him see F.Díaz Esteban, "Jewish Literary Creation in Spanish," in H. Beinart (ed.), The *Sephardi Legacy*, Vol/ 1, Jerusalem 1992, p. 429; H. Shirmann, *Toledot ha-Shira ha-Ivrit bi-Sefarad ha-Nozrit uvi-Drom Zarfat* (edited by E. Flesicher), Jerusalem 1997, pp. 562-565. [His remarks in note 75 (p. 562) should be corrected, since the reference is to R. Israel and not to his brother Isaac; likewise in note 92 (p. 566)]; A.D. Deyermond, *The Middle Ages*, London 1971, pp. 120-121.

<sup>&</sup>lt;sup>2</sup> See N. Ilan, "Pursuing the Truth" and "A Way for the Public" – Studies in the Teaching of Rabbi Israel Israeli of Toledo, Ph.D. Dissertation, Hebrew University of Jerusalem 1999 (Hebrew; infra: Ilan, Studies). On R. Israel – see pp. 48-57; for a description of the manuscripts of Avot – see pp. 58-74; the purpose and the intended audience for the commentary – pp. 194-212.

<sup>&</sup>lt;sup>3</sup> M. Blau, *Sefer ha-Shulhan ve-Sefer Mitzvot Zemaniyot*, New York 1984 (below: Blau).

the form of a poem, but there is no evidence for this claim in the Hebrew translation or in the translator's preface 4.

From R. Israel's introduction it appears that the work was written in response to a request by a student, but he did not cite who the student was. Blau presumed that it was his son since at the beginning of the introduction he wrote: "May God prosper you, O sweet and moral son, child of pleasure, with the prosperity of those who uphold His teaching, and give you, O intelligent student<sup>5</sup>, enormous comprehension, the gifts of those who serve Him properly." Beyond this opening R. Israel provides no additional information regarding the explicit or implicit audience to which the book was addressed. One may assume that since it was written in Arabic it was originally intended for a reader or an educated public, such as existed in Toledo at the time, i.e. at the turn of the 13th and 14th centuries 6. At any rate. I have grave doubts as to whether the language above refers to R. Israel's biological son. My doubts are increased by the lack of any further direct address to him in the rest of the work, except for one 7. It seems to me that this is no more than a literary convention, or at most he used this language as an expression of fondness for a beloved student, for whom and at whose request he wrote MZ.

The purpose of the book is clarified in the continuation of the introduction, in his language:

You asked me to write for you a book providing the prayers of the entire year, what is derived from them, and what depends on them of the commandments of the blessed God to which we are obliged, and the excellent introductory poems, with which the ancients of blessed memory arranged for us to worship our Master, all of which is called in our language the *Siddur* (prayer book). And you asked me to include <sup>8</sup> everything that the Reader is meant to repeat <sup>9</sup>, and everything that the individual should say on weekdays and Sabbaths, holidays, New Moons, fasts and festivals, with everything they should use from the appropriate *piyyuţim* (liturgical poems). And you asked me to evaluate them with regards to obligations, commandments, regulations, time limits, manners and orders...

<sup>&</sup>lt;sup>4</sup> See *EJ*, Vol. 14, col. 849, towards the end of the article; in the article on Israel Israeli (*EJ*, Vol. 9, cols. 1056-1066), Ta-Shma did not mention at all that R. Israeli also wrote MZ!

<sup>&</sup>lt;sup>5</sup> In Blau's reading the words intelligent and student appear in reverse order.

<sup>&</sup>lt;sup>6</sup> See Ilan, Studies, pp. 77-79, 194-195.

<sup>&</sup>lt;sup>7</sup> At the beginning of the seventh section (see below, discussion of the structure and content), he wrote: "Know, my son, may the blessed God prosper you, that the greatest of all commandments and the strongest of all forms of worship are blessings...".

<sup>&</sup>lt;sup>8</sup> In the version FL and N (regarding the manuscripts, see below): "that I should include."

<sup>9</sup> Blau reads: "to omit!"

From even a cursory look at the composition it is evident that it includes more than a detailed prayer book for the individual and the Reader. It contains laws that are unrelated to prayers or even to blessings. For example, "laws of the purity of vessels to be used on Passover; the law of leaven and the punishment should it be mixed with Passover [foods]; work permitted on the intermediate days of a festival; the description of the ram's horn, how it should be sounded and the regulations of hearing it; the obligations of fasting (on the Day of Atonement); building a tabernacle, i.e. its description and expansion; description of the four species and how to take them" etc. The broad scope of the composition and R. Israel's thorough work led the translator, Shem Tov Ibn Ardutiel, to praise the work, declaring in his preface:

He who has this book will need no other book in order to know how to pray and recite blessings, and will cry before it "avrekh" [bend the knee] since he arranged everything in its place, without adding too much or emending or omitting anything essential.

Shem Tov Ibn Ardutiel pointed out three qualities of the book: its contents, order and sense of proportion. All three do indeed characterize a work that answers the various needs and provides a full answer <sup>10</sup>. To the best of my knowledge the only scholars to deal with MZ up to now have been Ta-Shma and Blau <sup>11</sup>, and recently del Valle <sup>12</sup>. The following is Ta-Shma's description of MZ:

A broad encyclopedia of a broad number of *halakhot* related to time: blessings, prayer, holiday and festival, fasts et al., and resembles in both structure and content *Sefer Ohel Mo'ed* by Rabbi Meshullam ben Rabbi Samuel Yarudni, his elder contemporary <sup>13</sup>. Rabbi Israel's book demons-

<sup>&</sup>lt;sup>10</sup> See Ta-Shma, below, note 14.

<sup>&</sup>lt;sup>11</sup> Blau, pp. 7-9.

<sup>&</sup>lt;sup>12</sup> C. del Valle, "El libro de los preceptos de tiempo fijo (*Sefer Ha-Mişwot Ha-Zemaniyyot*) de R. Israel Israeli (sigol XIV)," *Boletin de la asociacion española de orientalistas* 33 (1997), pp. 329-339; see esp. pp. 333-337. I wish to thank Mr. B. Richler, who pointed out this article to me. This article makes a new contribution to the subject, but the treatment is still partial and lacking, even with regards to the number of manuscripts of MZ. It is mainly a general description of the social context of R. Israel's activity and a general description of MZ.

<sup>13</sup> Ta-Shma's characterization is slightly exaggerated. The two books are similar, but Ohel Mo'ed also includes laws of prohibited and permitted actions; See M. Elon, Ha-Mishpat ha-'Ivri, Vol. 3, Jerusalem 1973, pp. 1082-1083, and note 286. See also Y.S. Spiegel, "Sha'ar Reshit Hokhma [ha-arokh] ve-sha'ar ha-Refua [ha-arokh] le-Rabbi Shmuel b. R. Meshullam," in M. Benayahu (ed.), Sefer ha-Zikkaron la-Rav Izhak Nissim, Series III, Jerusalem 1985, pp. 199-307. According to Spiegel (p. 303), work on the book was completed between 1310 and 1340, and if so Rabbi Samuel was indeed R. Israel's "older contemporary." See also, Y.S. Spiegel, "Haqdamat ha-Hibbur ve-Seder leil Pessah le-R. Shmuel ben R. Meshullam Yarudni ba'al Ohel Mo'ed," Moriah 21, nos. 10-12 (1998), pp. 6-15, and esp. Rabbi Samuel's introduction, pp. 8-9.

trates his broad and accurate knowledge in every area of *halakha*, its details and requirements... <sup>14</sup>.

Ta-Shma's few words say more than Blau's introduction to MZ. Shweika characterized it in very general language as "a legal work in the laws of *Oraḥ Ḥayyim* ('way of life')" <sup>15</sup>. They are accurate, but do not present the unique features of the work.

This article has two purposes:

- 1. To provide a short description of the manuscripts of MZ, a desideratum for any future study of the work.
- 2. To characterize the work in general. I hope that this part will explain, at least partially, the popularity of the work, particularly in Spain in the fourteenth and fifteenth centuries, as demonstrated by the many copies of the composition.

# DESCRIPTION OF THE MANUSCRIPTS OF MZ

Blau stated at the end of his introduction that he based his edition on two manuscripts <sup>16</sup>. In the Institute for Microfilmed Hebrew Manuscripts at the Jewish National and University Library in Jerusalem (herein: IMHM) *six* manuscripts of MZ are listed, and the following is their description <sup>17</sup>:

1. Firenze-Lorenziana Or. 451/3 (herein: FL). 131 folios. Late Sefardi semi-cursive script <sup>18</sup>. The fact that it was written by a professional scribe is apparent. It was written in either the fourteenth or fifteenth century. The last folio is missing, and it was bound as fol. 119. There is an addition in the right margin on fol. 12b. Between 17b and 18a two folios are missing. On fol. 99b notes were added in the right margin and there are corrections in the margins of additional pages. Every page has 17 lines. It opens with an introduction by Shem Tov Ibn Ardutiel. IMHM no. 17991. This may be the oldest of the manuscripts.

<sup>&</sup>lt;sup>14</sup> I.M. Ta-Shma, "Philosophical Considerations in Halakhic Decision-Making," *Sefunot* 18, Jerusalem 1985, pp. 104-105.

<sup>&</sup>lt;sup>15</sup> A. Shweika, "The Polemic over the Toledo Ordinance with Regards to a Husband's Inheriting from His Wife," *Tarbiz* 68, 1 (1999), p. 99.

<sup>&</sup>lt;sup>16</sup> Blau, p. 10.

<sup>&</sup>lt;sup>17</sup> Langermann was not entirely accurate citing only four manuscripts; see Y.T. Langermann, "Ma'asse ha-Raqi'a: R. Hayyim Israeli, R. Izhak Israeli and Maimonides," *Jerusalem Studies in Jewish Thought* VII (1988) [= Shelomo Pines Jubilee Volume, I], p. 469 note 36.

<sup>&</sup>lt;sup>18</sup> See M. Beit-Arié, "The Hebrew Book in the Middle Ages," Zemanim 8 (1982), p. 30.

2. Oxford-Bodleian 904/1 (Bodl. Or. 603; herein: A). Fols. 1a-87b. On fol. 88a in a different hand a Hebrew version of a story found in Arabic in R. Israel's commentary on Avot! <sup>19</sup> Rabbinical Sefardi script. After MZ a work named *Shulḥan* ("Table") was copied in the manuscript, ending with a colophon: "This book was completed, giving words of wisdom, entitled *Shulḥan* [emphasis in the original], in the year 5241 A.M. [= 1481]." It was probably copied in Spain. 24 lines to the page. Occasional marginal notes (e.g. 77a, lines 1, 18). IMHM no. 21863. Blau used this manuscript.

3. Oxford-Bodleian 1081 (Reggio 63; herein: A¹). *Maḥzor* according to the custom of Spain (Aragon) <sup>20</sup>. Fols. 1a-338a. Most of Shem Tov Ibn Ardutiel's introduction is lacking; 1a <sup>21</sup> opens with the words "and this is how I translated this," which belongs close to the end of the introduction. Fifteenth century. MZ was copied in the margins of the *mahzor*, three lines above and four lines beneath the text. This format is familiar from at least two other *maḥzor*s from Spain <sup>22</sup>. MZ is harder to read than the text of the *maḥzor*. Instead of the abbreviations found in most of the other manuscripts this manuscript writes the words out in full. Blau used this manuscript, but he cited it inaccurately <sup>23</sup>. IMHM no. 17688.

<sup>&</sup>lt;sup>19</sup> See Ilan, Studies, p. 392 (original text), 403 (Hebrew translation), in a discussion of "Rabbi Levitas said: Be very, very humble' (*Avot* 4,4). The Hebrew version concludes with the words "From this they learned how great is the power of humility and self-abasement etc.," which is of course the context of the passage in *Avot*.

<sup>&</sup>lt;sup>20</sup> The card catalogue of IMHM states erroneously (evidently following Neubauer, *Catalogue of the Hebrew Manuscripts in the Bodleian Library*, Oxford 1886, cols. 274-275) that it is a *mahzor* in the Greek custom. The computerized catalogue has been corrected and referes to relevant literature.

<sup>&</sup>lt;sup>21</sup> Five folios numbered in Roman numerals precede the text. On the first page in a different hand from the body of the manuscript it says "including a *mahzor* in the custom of Calabria," and beneath it "*Mitzvot Zemaniyot* by R. Israel, brother of the author of *Yesod 'Olam.*" See previous note.

<sup>&</sup>lt;sup>22</sup> The two manuscripts are: (1) Prayer book for the Entire Year following the Spanish Rite, London Or. 11594. IMHM no. 8351. It was presumably written in the fifteenth century. In its margins the legal work *Qizur Zekher Zaddiq* was copied. The way in which it is arranged on the page differs from that of *Mahzor Aragon*, but that does not matter from the point of view of the literary phenomenon discussed here. (2) Ms. Moscow-Ginzburg 821. IMHM no. 43068. It dates presumably from the fourteenth or fifteenth century. Most of the pages are in three columns, the right column containing the text of the prayer book. The two left columns contain commentaries on the prayers. Sometimes the commentary fills two-and-a-half columns. On some pages the external margin has a fourth column with notes. I wish to thank the director of IMHM, Mr. B. Richler, who kindly pointed out this manuscript to me.

<sup>&</sup>lt;sup>23</sup> In the margins of p. 10 he noted that he relied on "the manuscript in the Seminary in New York, no. 1090, 1091," but in fact the manuscripts that carry those numbers are unrelated to this topic. It is likely that he relied on A<sup>1</sup>, but erred in citing its number, and we have already cited other errors with regards to this manuscript. See references in the computerized catalogue of IMHM (note 20 above).

- 4. Paris héb. 831/9 (herein: P). Fols. 330a-417b. 25-27 lines per page. The script changes from fol. 350 on. The colophon at the end of the manuscript states that it was copied in Burgos in 1489. Sometimes corrections were marked in the margins (e.g. 332a, l. 8; 340a, l. 14; 346b, l. 9; 353a, l. 3; 367b, l. 2; 378b, l. 15). The manuscript also includes late additions, among them quotes from other legal works, foremost among them *Arba'a Turim* by R. Jacob ben Asher (333a-335a, 402b-403a, 413a). The "page markers" are decorated with ornamentation in a number of forms. IMHM no. 30737.
- 5. New York, JTS Ms. 3604 (herein: N). Fols. 1a-101a. It dates from the fifteenth century <sup>24</sup>. 24 lines on every page. Occasionally the page markers are decorated. Fols. 87a-88a are designed in the shape of two triangles touching each other at their vertices. Fol. 88b is written in this way only in the upper part of the page, i.e. in the shape of a triangle with its base above and its vertex at the bottom. The following page was copied normally. A very few corrections were inscribed in the margins (7a, 16a, 18a, 25a, 25b, 28a, 29a, 32b, 35a, 37b, 39b, 47a, 55a, 76a). IMHM no. 43202. Enalau used this manuscript when he made his comparisons of El-Neqawa's language in *Menorat ha-Maor* to that of R. Israel <sup>25</sup>.
- 6. Montefiore 259,1 (herein: M). Fols. 1a-6a. The introduction by the translator (Shem Tov Ibn Ardutiel) is lacking. It dates from the nineteenth century <sup>26</sup>. 27 lines per page. Fol. 6a is written in a different hand. IMHM no. 5224.

<sup>&</sup>lt;sup>24</sup> Immediately after MZ the work *Maskiot Kesef* was copied, followed by the statement: "On Wednesday, 5 Adar I in the year *amen and amen*, 263 I bought this book from Rabbi Rabbenu the Karaite (?), may God preserve and sustain him for twenty and testifying to that is David son of the honorable Rabbi Shemarya Noah, of blessed memory, of the sons of ???"? and ???"? (I cannot decipher these two abbreviations). The numerological equivalent of *Amen and Amen* is 188. That would make the date of purchase 1428. If this reading is accurate, I do not know what the meaning of combination ??"? (263) is. If that is the date of purchase, it occurred only in 1503. That is how Adler understood the text, as he wrote in his catalogue, Cambridge 1921, p. 79, par. 1577.

<sup>&</sup>lt;sup>25</sup> See note 76 below.

<sup>&</sup>lt;sup>26</sup> The title page says: "Seder Mitzvot Zemaniyot by the comprehensive scholar R. Israel of blessed memory copied from a Sefardi Mahzor written on ancient parchment found sealed in the library, Hand-written by our teacher Rabbi Abraham Regio, may he live a long life, head of the rabbinical court and teacher of righteousness and head of the yeshiva in the holy community of Gorocia and copied at the request of the great Rabbi Mordecai Samuel Gerundi, may he live a long life, teacher of righteousness and head of the academy of the holy community of Padua." R. Abraham Regio lived in Italy in the eighteenth and nineteenth centuries; regarding him see EJ, Vol. 14, p. 37. R. Mordecai Samuel Gerundi is also known. He lived in Italy in the nineteenth century. Regarding him see Elon, Ha-Mishpat ha-'Ivri (note 13 above), p. 1301.

The relatively large number of copies of MZ testifies to the fact that it was a respected work in Spain in the time just after its composition. The fact that it was written in the margins of a prayer book (ms. A¹) enhances this impression. The textual variants in the manuscripts require a separate study in order to determine systematically the relation between them <sup>27</sup>.

#### THE STRUCTURE AND CONTENT OF MZ

The subjects discussed in MZ are the following (in the order in which they appear in the work): the laws of washing hands, one hundred blessings, the laws of recitation of the *Shema* and its blessings, the laws of prayer and its blessings, the laws of the Sabbath, the commandments of the New Moon and its obligations, the laws of Hanukkah, the laws of Purim, the laws of the Festival of Passover, the laws of the festival of Pentecost, the laws of the fast days, the laws of the New Year and its obligations, the laws of the Day of Atonement and its obligations, the laws of the festival of Tabernacles, the laws of blessings and how they apply. Many laws were divided into sections (*she 'arim*), each one with its own title. Only the laws regarding washing hands are divided into chapters (*peraqim*).

At the beginning of some of the topics R. Israel prefaced a few sentences regarding the internal structure of his remarks and sometimes added a brief conclusion. Some examples:

- (1) After the title "The Commandments of Prayer and its Blessings," he wrote "We shall commence by recalling the general commandments of all prayers, and afterwards return to each commandment in detail" (p. 410) <sup>28</sup>. Subsequently: "And this is what I found to set down for you from the commandments and general obligations of all the prayers. And now I shall begin to devote individual sentences to the prayer of eighteen benedictions and their order, and say..." (p. 414); and finally: "And this is what I saw fit to write down for you of the laws of weekday prayers and their obligations and regulations. And may God bless you and give you the strength to perform what pleases him and guide you to carry out his will and serve him with your whole heart. Amen. The end, the end" (p. 418).
- (2) After the title "Laws of the Sabbath" he wrote "and its commandments which concern exclusively its sanctity and the great honor of its prayers. Since you did not ask me, may God help you, about <sup>29</sup>

<sup>&</sup>lt;sup>27</sup> For an example of these variants, see my article referred to in note 32 below.

<sup>&</sup>lt;sup>28</sup> All the references to MZ refer to Blau's printed edition.

<sup>&</sup>lt;sup>29</sup> The translation uses the word *biglal* (because) here, which does not fit the context. I presume that the Arabic said *min sha'n*, which should be translated "about."

- work that is forbidden or permitted on it. Moreover that subject does not belong to this composition. And I shall begin with matters appropriate for the Sabbath eve, and I rely on God. And I say... (p. 418) At the end of the section he adds: "The commandments of the Sabbath have been completed" (p. 426).
- (3) "The laws of the Festival of Unleavened Bread and their obligations. I saw fit to organize the laws of the Festival of Unleavened Bread and their obligations in ten sections, divided as follows: section 1 – regarding the purification of the vessels to be used on Passover; section 2 – regarding searching for leaven on the night of 14 Nissan; section 3 – the requirements of the day of 14 Nissan and how to burn the leaven on that day; section 4 – sanctification over wine and the Passover seder; section 5 – regarding leaven and the punishment if it should be mixed with Passover [foods]; section 6 – how the dough is kept from rising; section 7 – regarding the prayers and the scriptural readings; section 8 – regarding observing the holiday and refraining from work; section 9 – regarding work permitted on the intermediate days of the festival; section 10 – regarding the counting of 'Omer and the prohibition of [eating from] the new crop. And now I shall commence, with God's help, the sections in detail..." (p. 233).
- (4) The chapter on the laws of blessings has a particularly lengthy preface, which includes a brief theoretical discussion of the value of blessings and their educational and ethical significance. After it he added: "And the blessings are divided into four categories: blessings of the prayers and blessings over the commandments, which have no specific time of the year for their recitation, but are permanent every day, such as the commandment of phylacteries and the commandment of the fringed garment, or incidental such as the blessing over circumcision and the blessing over marriage and the blessing over enjoying good things, and the blessing of praise and thanks. And I saw fit to divide them into ten sections..." (p. 504). And subsequently: "The tenth section – regarding commandments that have no assigned time during the year. And we have already dealt in previous chapters in this book with the blessings that are required by other commandments that are time-related throughout the year. And now we shall arrange the blessings pertinent to commandments that have no appointed time during the year. And even though that is beyond the intent since everything that we have presented in these few chapters is the blessings of time-related commandments, I saw fit to add in this section the blessings of non time-related commandments, in order to include all the blessings. And we shall commence with the blessing over circumcision, which is the first commandment that obliges every male of Israel

as soon as he comes into this world..." (p. 525). The laws of blessings conclude with the following words: "And thus are completed the order of blessings suitable to be recited over commandments that have no appointed time during the year. And may the blessed God teach us and guide us in the right path to fulfill his commandments and help us to do his will with a whole heart for his mercy and grace, Amen. Blessed is the Lord forever Amen and Amen" (p. 530).

R. Israel explained in his preface why he opened the composition with the laws of prayer and why he preceded them with the laws of hand washing:

... to testify to his greatness, and to announce his power, to praise him and glorify him, to beseech him and bow down before him in a request for his needs, to glorify him and exalt him for his grace and goodness, therefore it is fitting that the obligation is greater in the intention to believe that should precede the action. And the first of all the obligations one should think of is the obligation to worship and [fulfill] the commandments of prayer.

... and in order for the preparation of the believer for prayer to be the purity of his body inside and out... therefore it is fitting that we preface the commandments of prayer with the laws of washing the hands <sup>30</sup>.

These remarks about the quality of prayer as a special and essential fulfillment of the faith of the believer are only the essence of a position which R. Israel discussed at length at the beginning of the chapter on the laws of prayer. Beyond this he did not reveal his considerations with regards to the internal organization of the composition.

The work may be divided into three main sections:

- (1) Daily matters hand washing, one hundred blessings, the recitation of the *Shema* and prayer;
- (2) Holidays and festivals Sabbath and New Moon, Hanukkah and Purim <sup>31</sup>, Passover, Pentecost, fasts, the Days of Awe and Tabernacles:
- (3) Various blessings, most of them related to daily life.

<sup>&</sup>lt;sup>30</sup> Blau, p. 402.

<sup>31</sup> R. Israel did not explain why he placed Hanukkah and Purim before the festivals prescribed in the Torah, nor why he began the yearly cycle with Hanukkah rather than Passover or the New Year. I have no explanation for this. Maybe these two fit into the context of daily matters, which R. Israel completed before going over to festivals that need more detailed descriptions – and these start with Passover and conclude with Simhat Torah.

Even a cursory examination reveals that MZ differs in structure, contents and technique from parallel works: Maimonides' *Mishneh Torah*, with which he was definitely familiar <sup>32</sup>; *Ha-Maspiq le-'Ovdei Hashem* by R. Abraham Maimuni <sup>33</sup>; *Arba'ah Turim* by R. Jacob ben Asher, written at the same time and place as MZ, presumably shortly after it.

MZ is similar in structure and content to the prayer books that preceded it and with which R. Israel was undoubtedly familiar. First and foremost the prayer book of R. Saadya Gaon. It also contained many laws in addition to the text of the prayers, as did the prayer book attributed to R. 'Amram Gaon. As will be demonstrated below R. Israel was acquainted with these prayer books <sup>34</sup>. R. Israel appears to have been influenced also by *Mahzor Vitri*, which also follows the same pattern <sup>35</sup>. There are, in fact, important differences between them, but from a phenomenological point of view all four works reflect the same approach. The two obvious differences between MZ and the prayer books of R. Saadya Gaon and R. 'Amram Gaon as well as Mahzor Vitri are that unlike these three, R. Israel did not quote the text of the prayer book as an integral part of his book and that he expanded the limits of his discourse beyond the confines of the synagogue and prayer.

MZ in its Hebrew version uses only a few Arabic terms, all of them related to *realia*<sup>36</sup>. References to the time and place of the writer are very sparse <sup>37</sup>.

<sup>&</sup>lt;sup>32</sup> See Y.D. Galinsky's brief discussion in The *Arba'ah Turim* in the Halakhic Literature of Spain in the fourteenth century – Historical, Literary and Halakhic Aspects, Ph.D. dissertation, Bar-Ilan University, Ramat Gan 1999 (below: Galinsky), pp. 96-97.

<sup>&</sup>lt;sup>33</sup> Although only about one tenth of this massive work has survived, even a look at the table of contents reveals the differences between the two compositions; see *Ha-Maspiq le-'Ovdei Hashem*, ed. N. Dana, Ramat Gan 1989, p. 59. I am not discussing here the complex question of whether R. Israel was familiar with the work by R. Abraham Maimuni. At this point it is only an unproven hypothesis. See my article, "Between Halakhic Codification and Ethical Commentary: Rabbi Israel Israeli of Toledo on Intention in Prayer, in H. Ben-Shammai & B. Hari (eds.), *Proceedings of the Ninth Conference of the Society for Judaeo-Arabic Studies* (forthcoming).

<sup>&</sup>lt;sup>34</sup> See below notes 41, 42.

<sup>&</sup>lt;sup>35</sup> Regarding the impact of *Mahzor Vitri* on R. Israel's commentary on *Avot* see Ilan, Studies, pp. 153-158 (in the discussion of Rashi and Rabbenu Samuel), and 191.

<sup>&</sup>lt;sup>36</sup> Blau, pp. 497, 498-499, 513, 514, 516, 517, 520. For a detailed enumeration of the Arabic terms cf. the Hebrew version of this article in *Te'udah* 16-17 Aviv 2001, pp. 105-121.

<sup>&</sup>lt;sup>37</sup> Ibid. p. 439: "And when we want to calculate the measure of an olive [with regards to eating unleavened bread at the Passover seder], i.e. it refers to the Agori olive, a kind of olive from Eretz Israel, which is like the largest olive in our land;" p. 442: "Babylonian *kotah* and Median beer and Edomite vinegar and Egyptian *zitum*, which are kinds of condiments not found in our times, nor do we know how they were made."

### THE MAIN SOURCES OF MZ

Unlike Maimonides, who systematically refrained from citing his sources, R. Israel did cite his although not in every case. A survey of the sources that he cited by name demonstrates the R. Israel was knowledgeable in all facets halakhic literature up to his own day. The abundance of sources he cited in his commentary on *Avot* also makes this impression, but it is stronger here because of the nature of the work <sup>38</sup>. Citing sources by name is not surprising since R. Israel used a different technique from that of Maimonides in *Mishneh Torah* even though he knew that work well and made use of it. R. Israel not only gave legal rulings and decided between conflicting opinions, but also presented the various sides of an issue or at least mentioned that there were various opinions on a particular issue <sup>39</sup>. In this respect his technique is very close to that of R. Jacob b. R. Asher in his *Arab'ah Turim*, with, however, one very important exception – MZ does not even cover all of the topics in one part (*Oraḥ Hayyim*) of the four parts of R. Jacob's comprehensive book.

He learned the teachings of the Babylonian academies from *Halakhot Gedolot* <sup>40</sup>, Rabbi 'Amram Gaon <sup>41</sup>, Rabbi Saadya Gaon <sup>42</sup>, Rabbi Samuel b. Hofni Gaon <sup>43</sup> and Rabbi Hai Gaon <sup>44</sup>, sometimes citing "Geonim" in general <sup>45</sup>. He also quoted the three most important legal authorities of North Africa until his time – Rabbenu Hannanel <sup>46</sup>, R. Isaac Alfasi <sup>47</sup> and Maimonides <sup>48</sup>.

<sup>&</sup>lt;sup>38</sup> Regarding the sources of the commentary on *Avot* and how R. Israel used them, see Ilan, Studies, pp. 140-193 and esp. 149-160.

<sup>&</sup>lt;sup>39</sup> Blau, p. 441: "And he should not dip the unleavened bread in *haroset*, in order not to eradicate its taste. And he should eat it reclining. And he should give each of those present. And that is the opinion of most of the Geonim and Rabbi Isaac Alfasi and Rabbi Moses [Maimonides]. And there are many other varied opinions about this, but there is no need to mention them since this is the right opinion in my estimation on which we should rely." At the end of his discussion of the Torah reading for Passover (p. 447), he wrote: "That is my opinion, but there is another opinion as well."

<sup>&</sup>lt;sup>40</sup> Ibid., pp. 500-501, 507.

<sup>41</sup> Ibid., pp. 420, 431, 469.

<sup>&</sup>lt;sup>42</sup> Ibid., p. 482.

<sup>&</sup>lt;sup>43</sup> Ibid., p. 449.

<sup>&</sup>lt;sup>44</sup> Ibid., pp. 404, 460, 469, 473, 501.

<sup>&</sup>lt;sup>45</sup> Ibid., pp. 425 (see note 93 ad loc.), 441, 466, 469, 474, 482.

<sup>&</sup>lt;sup>46</sup> Ibid., pp. 513, 515.

<sup>&</sup>lt;sup>47</sup> Ibid., pp. 417, 427, 430, 441, 464, 472, 498.

<sup>&</sup>lt;sup>48</sup> Ibid., pp. 441, 442, 444, 459, 460. In the passage on p. 459 in all the manuscripts the language given is "Rabbi Moses" except for Ms. P (fol. 372a, l. 6), in which the text says Ramban (Nahmanides); however the passage cited does not appear in the latter's work *Torat ha-Adam* (see Writings of Ramban, ed. H.D. Chavel, Jerusalem 1964, II, p. 245), to which Blau referred in note 9 *ad loc*. or in Maimonides, Laws of Fasts 5:6, to which Blau also referred.

He also knew well the works of the French scholars, quoting R. Meshullam b. R. Qalonymus <sup>49</sup>, Rashi <sup>50</sup>, R. Isaac the Tosafist <sup>51</sup>, R. Zerahia ha-Levi <sup>52</sup>, the author of the '*Ittur* <sup>53</sup>, R. Abraham b. David <sup>54</sup>, Rabbi Jacob [b. Meir, i.e. Rabbenu Tam] <sup>55</sup>, R. Samson <sup>56</sup>, also referring to them as "the French rabbis" <sup>57</sup>, or "the sages of France" <sup>58</sup>. This fact should not surprise us since in the course of the thirteenth century mutual relations between the scholars of Spain and those of France and Provence became closer, and during the lifetime of R. Israel mutual influences were well known <sup>59</sup>.

R. Israel also cited by name seven Spanish scholars: Samuel ha-Nagid <sup>60</sup>, R. Isaac ibn Giat <sup>61</sup>, R. Meir Halevi (Haramah) <sup>62</sup>, Rabbenu Jonah <sup>63</sup>, Ramban <sup>64</sup>, "Abba Mari" <sup>65</sup>, Rabbenu Jacob (i.e. R. Jacob b. R. Asher, author of the *Arba 'ah Turim*) <sup>66</sup>.

Twice he cited his source as R. Jacob 67 and twice as the "rule-makers" 68.

<sup>&</sup>lt;sup>49</sup> Ibid., p. 468.

<sup>&</sup>lt;sup>50</sup> Ibid., p. 513.

<sup>&</sup>lt;sup>51</sup> Ibid., p. 468.

<sup>&</sup>lt;sup>52</sup> Ibid., p. 454, concluding his remarks with the words "and his view regarding this is correct in my opinion."

<sup>&</sup>lt;sup>53</sup> Ibid., p. 468.

<sup>&</sup>lt;sup>54</sup> Ibid., pp. 495, 498.

<sup>&</sup>lt;sup>55</sup> Ibid., p. 438. The text itself says R. Jacob, but the passage in Tosafot (Pesahim 35b s.v. "*u-mei peirot*"), to which Blau refers in note 21 ad loc., says Rabbenu Tam.

<sup>&</sup>lt;sup>56</sup> Ibid., p. 466.

<sup>&</sup>lt;sup>57</sup> Ibid., p. 509.

<sup>&</sup>lt;sup>58</sup> Ibid., 495.

<sup>&</sup>lt;sup>59</sup> See Ilan, Studies, pp. 11-13, 27-30, 190-194; B. Septimus, *Hispano-Jewish Culture in Transition*, Cambridge, Mass. & London 1982.

<sup>60</sup> Blau, p. 425, and note 88.

<sup>61</sup> Ibid., pp. 444, 460, 473, 482.

<sup>62</sup> Ibid., p. 468.

<sup>&</sup>lt;sup>63</sup> Ibid., p. 445.

<sup>&</sup>lt;sup>64</sup> Ibid., <sup>461</sup>. Mss. P, A and A<sup>1</sup> read: HRMBM (ms. FL: HRM BMZL; ms. N: HRMBM, but there is a mark over the last two letters). As mentioned above Blau relied on this manuscript; perhaps the mark led him to correct the text to read Ramban. In note 28 ad loc. he refers to *Torat ha-Adam*, p. 256, and in fact the passage does appear at the bottom of p. 255, and does not appear in Maimonides' Laws of Fasts.

<sup>&</sup>lt;sup>65</sup> The reference is probably to R. Israel's father. See below in the fourth example of customs. There the remarks are cited in the name of R. Meir Halevi, who was active in Toledo and died in 1244, and it is likely that Joseph, R. Israel's father, was one of his disciples.

<sup>&</sup>lt;sup>66</sup> Blau, pp. 414, 466.

<sup>&</sup>lt;sup>67</sup> See. Ibid., p. 438, note 21 and p. 466, note 22, from which it is clear that the reference is not to R. Jacob b. R. Asher, author of the *Tur*.

<sup>&</sup>lt;sup>68</sup> See Ibid., p. 464, note 7 (perhaps the reference is to R. Isaac Ibn Giat), p. 512, note 92.

# THE IMPORTANCE OF MZ AND ITS POPULARITY

MZ is an important and occasionally exclusive witness for a number of customs that were common when it was written. The following are the most notable examples:

- (1) R. Israel pointed out that during the winter one "asks for rain in the blessing on the year saying "bless us and grant us dew and rain for a blessing in **desirable rains** (*gishmei berakha*)." The last two words are unknown from other sources <sup>69</sup>.
- (2) And some people used to read after the additional prayer (*Musaf*) a chapter of the Mishnah relevant to that day on Sabbaths close to festivals and on holy days. But on the other Sabbaths of the year they read tractates Berakhot and Shabbat. And after the reading they recite the *Oaddish* of the Rabbis and then they go home" 70. At the end of the laws of Hanukkah he wrote: "And since the laws of Hanukkah are not found in the Mishnah, but in the Gemara on the chapter "Bameh Madligin" [Shabbat, Ch. 2], and R. Isaac Alfasi interpreted them in his book of laws, therefore some people would read on the Sabbath of Hanukkah instead of the regular chapter of the Mishnah, the chapter "Bameh Madligin" appending to it the laws of Hanukkah from R. Isaac Alfasi from the beginning until the words 'for another year they declared them holy days.' If there were two Sabbaths in Hanukkah, they complete the laws of Hanukkah on the second Sabbath as they ordained after the Hanukkah prayers, with the help of God". Regarding the additional service on the first holy day of Passover he said: "Afterwards the reader repeats the prayer and says 'On Israel and on the Rabbis...' and the chapter – if they practiced such, as I will relate in detail with the help of God"<sup>71</sup>. In the next passage: "On the Sabbath of Intermediate days of the festival... the chapter 'Ve-elu megalhin ba-mo'ed' [Mo'ed Qatan, Ch. 3] ... and for the last two holy days ... the chapter 'Hakol hayavin be-reiyah' [Hagigah, Ch. 1] 72. With regards to the New Year:

<sup>&</sup>lt;sup>69</sup> Ibid, p. 416.

<sup>&</sup>lt;sup>70</sup> Ibid., p. 423.

<sup>&</sup>lt;sup>71</sup> Ibid., p. 446, and Blau added in square brackets after the word "and says:" [Qaddish titqabel, yehe shelama rabba. And recite the mishnayot Elu 'Ovrin bephesah from tractate Pesahim, and says Qaddish], and in note 3\* ad loc. he adds: "Thus it is in Menorat ha-Maor II, p. 270. And thus it should be here. Because otherwise why would he recite the Qaddish of the Rabbis if they did not first learn a passage from the Oral Law?" Blau's suggestion is logical and reasonable, but does not appear in mss. A, N, P and FL. In ms. A¹ the reading is "and he recites Qaddish 'al Israel." Maybe this indicates that Blau's suggestion is correct, and the source of the omission is a homeoteluethon (Qaddish...Qaddish).

<sup>&</sup>lt;sup>72</sup> Ibid., p. 447.

- "On the two Sabbaths before the New Year he should read tractate *Rosh Hashanah*, reading on the first Sabbath '*Arba'ah Rashei Shanim Hem*' [Ch. 1] and on the second Sabbath '*Im ein makirin oto*' [Ch. 2], and on the first day of New Year '*Rauhu beit din*' [Ch. 3], and on the second day of New Year '*Rosh Hashana shehal lihyot be-shabbat*' [Ch. 4]. And if the first day of New Year was a Sabbath, they read it [Ch. 4] on the first day and '*Rauhu beit din* [Ch. 3] on the second..." <sup>73</sup>.
- (3) "And people used to read the *Azharot* of R. Solomon Ibn Gabirol on the days of the Festival [Pentecost], the affirmative commandments on the first day and the negative commandments on the second day. And some Readers recite them during the additional service when they reach the words 'and as you wrote to us in you Torah by Moses your servant.' But the more experienced of them recite the *Azharot* after finishing the prayers, in order not to make an interruption in prayer, and that is more correct, may the blessed God prepare us to serve him" <sup>74</sup>.
- (4) "And my father and teacher (*Abba Mari*) of blessed memory told me in the name of R. Meir ha-Levi of blessed memory, that because there is some doubt he would recite the *Qiddush* on the second night of the New Year over new wine, and would recite '*sheheheyanu*' [the blessing over arrival of a certain time or occasion]... and I always do so 75 when there is new wine, and if I did not have new wine, I would bring new fruits, such as quince or pomegranate and recite '*sheheheyanu*' over them in order to escape doubt 76.
- (5) "And in some places they did not light candles in their homes on the eve of the Day of Atonement, lest he see his wife and desire her. And in some places they did light, so that he be embarrassed and take care to refrain from relations with her. And in our generation the custom was to light" 77.

<sup>&</sup>lt;sup>73</sup> Ibid., p. 470.

<sup>&</sup>lt;sup>74</sup> Ibid., pp. 455-456. Cf. *Tur, Orah Ḥayyim* end of par. 494: "... And the custom everywhere is to say during the additional service after the repetition of the prayer *Azharot* based on the list of commandments. And each locale according to its custom." R. Israel composed a liturgical poem based on the *Azharot* of R. Solomon Ibn Gabirol. For a discussion of it, see Ilan, Studies, pp. 51-52, and the literature cited there.

<sup>&</sup>lt;sup>75</sup> Mss. A<sup>1</sup>, P add: "as is my custom;" ms. N: "And I always practice as is my custom." In the light of these remarks and some of the other examples presented here the application of Spiegel's assertion in *Sha'ar Reshit Hohkma*, p. 407 [cf. note 13 above], with regards to R. Samuel Yerundi should be reconsidered: "Sometimes he altered a law according to current practice, or negated a law because it was not the custom. In this manner his system differs from that of the other sages of Spain, who we do not find applying custom to law, or arbitrating between custom and law, and this matter itself requires more study."

<sup>&</sup>lt;sup>76</sup> Blau, p. 468.

<sup>&</sup>lt;sup>77</sup> Ibid., p. 475.

(6) "And the time for reciting the blessing on the rest of the days of the festival [of Tabernacles] – the Andalusians used to recite the blessing 'to sit in the sukkah' every time they entered the sukkah and sat down in it, because they derived it from the verse 'sit in booths' [Lev. 23, 42]. Since sitting in the sukkah is the commandment, every time that one sits down in it one fulfills the commandment and should recite the blessing over it. If so, one should recite the blessing standing up and then sit down immediately, like all the commandments over which one should recite a blessing and then perform them. However the sages of France and R. Abraham b. David and Rabbenu Jonah ruled that one does not need to recite it except at the time of eating, since they understood 'sit in booths' like 'And Jacob sat' [Gen. 37, 1] meaning dwelling, and not explicitly sitting. And in the Jerusalem Talmud they also said 'sit in booths' as in 'and you will inherit it and dwell in it' [Deut. 11, 31]. And that is the right opinion. And the essence of dwelling is eating, therefore the fundamental commandment of the sukkah is to eat in it. And one need not recite the blessing unless he enters the sukkah in order to eat. And consequently one may recite it seated, since that is anyway before eating and thus he proceeds to perform the act, the commandment being when he begins to eat. Therefore we do not need to recite the blessing standing" 78.

(7) "Regarding the Torah reading on that day [Simhat Torah] there are various opinions in many places. And the custom in our generation is that the Reader takes three Torah scrolls out [of the Holy Ark], and reads in the first *Vezot ha-Berakha* [Deut. 33, 1] with five men, reading with the fourth until 'and his laws with Israel' [33, 21] or until 'And you shall tread on their backs' [33, 29]. And with the fifth person, who completes the reading he repeats from 'This is the blessing' [33, 1] and he reads the entire section until 'before the eyes of all of Israel' [34, 12]. And afterwards he reads in the second scroll from 'When God began to create' [Gen. 1, 1] until 'from all the work of creation which he had done' [2, 3]. And he reads in the third book with the maftir, 'On the eighth day you shall hold a solemn gathering' [Num. 29, 35]. And the reading from the Prophets - 'And it was after the death of Moses the servant of the Lord' [Joshua 1]. And the chapter from the Mishnah is 'Hakol hayavin biriyah' [Hagigah Chapter 1]" 79.

The relatively large number of manuscripts and the proximity of time and place during which they were copied (fourteenth and fifteenth century

<sup>&</sup>lt;sup>78</sup> Ibid., pp. 494-495, and see the references in notes 76-80 ad loc.

<sup>&</sup>lt;sup>79</sup> Ibid., pp. 503-504, and see note 6 on p. 503.

Spain) testify to the popularity of the composition. Ms. A¹ has a special status as a result of the exceptional way in which it was written. It shows that at least the copyist or the owner of the manuscript regarded MZ as a suitable work with which to adorn the prayer book, providing the user with the information he needed. In light of the fact that other legal works were written at the same time the choice of MZ indicates that this work had a preferred position and was regarded with great respect.

The notes, glosses and additions written in the margins of the manuscripts –some more, some less– demonstrate that these manuscripts were read and used after they were copied since what is the point of writing notes in the margins of a manuscript that no one consults?

The degree to which MZ was accepted may also be ascertained from references to it made after it was disseminated. In this respect two works written close to MZ both chronologically and geographically are notable – the Prayer Book of R. David Abudirham and *Menorat ha-Maor* by R. Israel Elneqawa. At this stage I wish to point out this fact without characterizing its extent, character and techniques. As mentioned above Enelau already pointed out that MZ was one of the sources of *Menorat ha-Maor* <sup>80</sup>. This fact is more notable now because of the notes that Blau added to his edition, from which it is clear that many details in MZ were quoted in *Menorat ha-Maor* and in Abudirham, for which there is no other identified source <sup>81</sup>.

#### CONCLUSION

Even if we take the words of R. Shem Tov Ibn Ardutiel regarding the excellent quality of MZ –R. Israel Israeli's legal work—as only rhetoric, the description of the work given so far in this article should suffice to demonstrate three qualities that R. Israel brought to the composition: He had **penetrating knowledge** of the legal writings that existed up to his time; **courage and willingness** to decide regarding legal questions about which there were different opinions; He used **concise and clear language**. The combination of these three qualities may explain the popularity of the work among the Jews of Spain in the period just after its composition. It was so popular that even when the language in which it was written

<sup>&</sup>lt;sup>80</sup> See *Menorat ha-Maor* by R. Israel El-Neqawa, ed. Enelau, New York 1930, II, pp. 23-24, 116 (note to 1. 7), pp. 209 (note to 1. 1), 243 (note to 1. 9), p. 277 (note to 1. 2), 396 (note to 1. 15), 438 (note to 1. 1; III, 426 (note to 1. 1), 450 (note to 1. 5), 457 (note to 1. 3), 463 (note to 1. 10), 582 (note. to 1. 10).

<sup>&</sup>lt;sup>81</sup> See, e.g. Blau, p. 417, note 97; 422, note 49; 436, note 22; 477, note 32; 502, note 88; to mention only a few. For this issue in general see I. Ta-Shma "The Puzzle of *Menorat ha-Maor* and Its Solution", *Tarbiz* 64, 3 (1995), pp. 395-400, and esp. p. 398 at the text between notes 13 and 14 and in those notes.

-Arabic- ceased to be understood by the potential readership, it was thought necessary and worthwhile for such a capable and authoritative scholar as R. Shem Tov Ibn Ardutiel to translate it to Hebrew.

Moreover the readership seems to have changed. Judging from its language the original work was aimed at the intellectual elite of the Jewish community of Toledo at the turn of the thirteenth and fourteenth centuries 82. After several decades (I cannot make a closer estimate), its copies became known to a wider readership, which needed a book that dealt mainly with commandments related to the daily and yearly cycle. Its scope is narrower than that of *Orah Ḥayyim* in the *Tur*, but in fact it provides an abundance of useful information –evidently sufficient, in defined contexts– both in the synagogue and at home.

MZ is one of the first omens of a new trend in the rabbinical literary writings of the rabbis of Spain in the fourteenth century. Their antecedents in the thirteenth century engaged mainly in *novellae* and commentaries on R. Isaac Alfasi, as Galinsky has demonstrated <sup>83</sup>. Galinsky suggested that the abundance of legal works written in the course of the fourteenth century reflect both the success of the academies and the increase in the number of their students, and the influence of Ashkenazi religious ideals which had been infiltrating Spain for the past century <sup>84</sup>. It seems to me that the issue is more complex and that difficult circumstances also affected the development of the community in the beginning of the fourteenth century <sup>85</sup>. Nevertheless Galinsky's interpretation is probably mostly correct with regards to the potential readership for whom MZ was written <sup>86</sup>.

An interesting finding that needs elucidation is the lack of cross-references between MZ and the commentary on *Avot*. We still do not know which book was written first, but it seems only reasonable that the one written later would refer to the earlier one, much as he did provide cross-references within each work. I have no explanation for the lack of cross-references.

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<sup>82</sup> See Ilan, Studies, pp. 77-79, 194-195.

 $<sup>^{83}</sup>$  Cf. Galinsky, pp. 85-89. The first halakhic work that he lists (chronologically) on p. 89 is MZ.

<sup>84</sup> Ibid., pp. 98-100.

<sup>&</sup>lt;sup>85</sup> I have examined various aspects of the issue in the following articles: "And Know How to Respond to the Heretic' – the position of R. Israel Israeli of Toledo," in J. Blau and D. Doron (eds.), *Massoret ve-Shinui ba-Tarbut ha-'Arvit-ha-Yehudit bi-ymei ha-Beinaim*, Ramat Gan 2000, pp. 9-26; "Let not the wealthy man be praised for his wealth' (Jer. 9, 22) – Subliminal Social Criticism in R. Israel Israeli's commentary on Avot," *Sefunot* 23 (forthcoming); "The Jewish Community in Toledo at the Turn of the Thirteenth Century and the Beginning of the Fourteenth," *Hispania Judaica Bulletin* 3 (5761/2001), pp. 65-95.

<sup>&</sup>lt;sup>86</sup> See his remarks on pp. 113-128 and his summary on p. 134.

The discussion above only scratches the surface, but it does provide guidelines for evaluating MZ. The work is a legal work written by one of the leading Jews of Toledo at a time of great change for the community, with the appointment of R. Asher ben Yehiel as its rabbi in 1306. It may prove to be an important source for the history of Halakha and its implementation in the community of Toledo in particular and in Spain in general, mainly in the fourteenth and fifteenth centuries. It may shed light on an aspect of R. Israel Israeli that has not been sufficiently studied – his influence as a legal authority. Blau's work provides a basis for the work of scholars and students even if it is incomplete and in some respects inadequate. Only after a thorough and critical study of MZ will we be able to determine whether R. Shem Tov Ibn Ardutiel's remarks quoted at the beginning of this article were a cogent conclusion or only rhetoric, that should not be taken literally, and what impact R. Israel had in the area of Halakha.