

The Development of Talmud Study in Spain

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The role of Spain¹ in the literary history of the Jewish people is paramount. After Israel came Babylonia, and after Babylonia came Spain. The culture and approach of Babylonian Jewry is palpable in early Spain, and both Talmud's refer to the existence of Jewish scholars in Spain.² However, it is when we get to the end of the Geonic period that Spain begins to move to centre-stage.³

At the close of the period of the Geonim, Jewish literature and its various branches found a congenial home in Spain. Transplanted from Babylon to the [Iberian] Peninsula, it ripened there, and produced noble fruit.⁴

Early Beginnings

The *yeshivot* of the Geonim in Babel were the pulsing heartbeat of the Jewish people.⁵ The Babylonian Talmud was formulated in their halls, and its *halakhot* were expounded by their mouths and pens to Jews around the world who sought Geonic guidance. After all, who knew the Talmud and how to derive *halakha* from it better than the Geonim? As they were the direct successors of the Amoraim and the Saboraim, the Geonic *yeshivot* were essentially the depositories of their ancient traditions.

Much has been written and said about the physical, ideological, and methodological links between these Geonim and southern Spain, as there is ample evidence of their intimate contact.⁶ This interface between the two

¹ It is important to note that “Spain” and “Sepharad” are not precisely the same. In medieval times, Spain was generally split into two distinct geographies, the north and the south. These areas were under the control of two distinct powers (Christianity and Islam, respectively), and therefore were politically, socially, linguistically and culturally different. While Jews in southern Spain (Andalusia) considered themselves “Sepharadi” and were generally influenced by the Babylonian Geonim, the Jews in northern Spain (e.g. Catalonia) did not, and they were ideologically and methodologically closer to the neighbouring *Ashkenazim* of the Franco-German Rhineland. For example, the most famous northern Spaniards (RaMBaN and RaSHBA) introduced many *kabbalistic* and *halakhic* concepts of *Ashkenaz* into Spain. RaSHBA was a student of R. Yonah Gerondi (foremost student of the *Ashkenazi* Shelomo ben Montpellier, leader of the movement against the *Sepharadi*, RaMBaM) and RaMBaN (student of Yehuda ben Yakar, Azriel ben Menaḥem (student of Yitsḥaq the Blind, amongst whom historical *kabbalah* appeared), and Natan ben Meir – all students of *Ashkenazi* academies). This distinction between southern Spain (Andalusia) and northern Spain (Catalonia) is also evidenced by the fact that ‘Catalonia’ was not included in the denomination ‘Sepharad’ in medieval Hebrew works, and Catalonian Jews did not consider themselves inhabitants of Sepharad (southern Spain). We also see the distinction in the writings of the great northern Spanish scholars such as RaMBaN and RaSHBA, who refer to “accurate” books coming to them in northern Spain (Catalonia) from the lands of southern Spain (Andalusia). We also see the distinction in legal codes such as R. Yosef Qaro’s *Shulḥan Arukh*, which differentiates between “*minhag Sepharad*” and “*minhag Catalan*”. For more on this topic, see Rabbi Dr. Jose Faur, *In The Shadow of History and A Crisis of Categories*; also see Eduard Feliu, *Some Clarifications on Several Aspects of the History of Jews in Medieval Catalonia*.

² *Yebamot* 115a-b

³ In this early medieval period of Talmudic transmission from Babylonia to (southern) Spain, the Sepharadim constituted 80-90% of world Jewry. This means that for 80% of Jewish history, most Jews were Sepharadi. It is only since the 1800s where we start to see Ashkenazim become the majority. For an analysis of this and more, see Daniel Elazar’s seminal essay ‘*Can Sephardic Judaism be Reconstructed?*’

⁴ Yitzhak Hirsch Weiss, *The Study of the Talmud in the Thirteenth Century* in *The Jewish Quarterly Review* (July 1889)

⁵ As Rabbi Yitzhak Berdugo notes in the introduction to his *Understanding Hazal*, “From the sixth to the eleventh century, the Geonim headed the great *yeshivot* of Sura and Fumbedita. Being the spiritual heirs of the Amoraim and Saboraim, they stood as the national leaders of the Jewish people, making their Talmudic interpretations and enactments authoritative, especially throughout the Muslim-ruled world, which then extended from the middle east to northern Africa and Spain.”

⁶ Watch this YouTube shi’ur for an overview: www.youtube.com/watch?v=RT1ZdX9N38c&t

communities cannot be overlooked, as it is due to such links that the shift in the geographic centre of Rabbinic learning from Babylonia to Spain takes place.

From the Geonim to Ḥakhme Sepharad

Language and culture play a critical role in the proper transmission of any tradition from one region to another. Therefore, it comes as no surprise that the linguistically and culturally Arabic society of (southern) Spain would be the natural recipient of Geonic traditions from Arabic Babylonia, beyond merely the geographical proximity.⁷

Many of the *teshubot* (responsa) written by the *yeshivot* of Babel (Babylonia) are addressed to scholars in Spain, and we can glean much knowledge from them. For example, we learn about the large Jewish communities in Spain, especially in the southern region of Andalusia which has cities described by Babylonian Geonim as being “*inhabited solely by Jews*”⁸. The Geonim refer to their Sepharadi counterparts as “*Ḥakhamim Gedolim*”, and we know of Rabbis from Babel who visited Spain and Rabbis from Spain who visited Babel.

*While the Spanish scholars visited Babylonia in order to sit there at the feet of the Princes of the Torah, the Babylonian scholars seem to have visited Spain mainly with the object of getting financial support for the Babylonian Academies [yeshivot]. The Spanish communities depended upon the Heads of those Babylonian Academies [Geonim] for enlightenment and help in the study of Talmud.*⁹

An outspoken proponent of the Babylonian Talmudic tradition, Pirqoi ben Baboi, also makes note of the *yeshivot* in north Africa and Sepharad.

*We have heard that God granted you merit and established houses of study in all the lands of Ifriqqiya (north Africa) and in all the places of Sepharad.*¹⁰

Tenth Century

As we move into the 10th century, we start to see how the questions and travels of Sepharadi Ḥakhamim to Babel in the 9th century allowed for the continuation of the Geonic approach in Spain.

*The Ḥakhamim Gedolim whom we meet in Spain in the 9th century no doubt had many disciples who spread in the land the knowledge and the study of the Talmud.*¹¹

This spreading of Geonic knowledge and methodology in Spain was later enhanced by the very presence of a Babylonian Gaon who landed on the shores of southern Spain. Rabbi Moshe ben Ḥanokh from one of the most important Talmudic academies in Babel (Sura) found himself in Andalusia, after being held captive on a boat in 995:

*After many days at sea, the ship cast anchor at Cordoba, Spain. Here R. Moshe and his son were quickly redeemed and set free by the Jews of Cordoba. R. Moshe and his son were so modest that they did not disclose the fact that they were great scholars.*¹²

⁷ The key features which the *yeshivot* of southern Spain (Sepharad) inherited from the Babylonian Geonic academies include their understanding and interpretation of Scripture (*miqra*), their approach to *midrash/aggada* in relation to reason and *halakha*, their study of science and philosophy as a means of knowing God, and their integration in society. For the purposes of this treatise, we will be focusing specifically on their shared approach to Talmud study and the subsequent derivation of *halakha*.

⁸ Natronai Gaon, *Teshubot Ge'onei Mizrah u-Ma'arav* (1888), para. 26

⁹ Samuel Daiches, *Talmud Study in Spain*

¹⁰ S. Spiegel, *Le-farashat ha-polmos shel Pirqoi ben baboi*, *Harry Austryn Wolfson Jubilee Volume*, Hebrew Section (Jerusalem 1965) 272-73.

¹¹ Samuel Daiches *Talmud Study in Spain*

¹² Abraham ibn Daud, *Sefer HaQabbalah*. This fundamental book in the canon of the Geonic-Sepharadi tradition opens with a survey of the very earliest generations and indicates the chain by which the Law was handed down from Moses, through

Once R. Moshe ben Ḥanokh arrived in Cordoba, he impressed the community leaders and was charged with being the *Dayan* (judge) of the city and the *RoSH* (head) of the *yeshiba*. The work of this recently arrived Babylonian Rabbi in Spain was greatly enhanced by a local Sepharadi named R. Ḥasdai ibn Shaprut, who was involved in financially supporting his efforts by buying copies of the Talmud from Babel.

We begin to see many *she'elot* (questions) being addressed to R. Moshe ben Ḥanokh in Spain instead of being sent to the scholars in Babel. The Babylonian *yeshivot* of Sura and Fumbedita were beginning to be supplanted by the Sepharadi *yeshivot* of Lucena and Cordoba.

When R. Moshe ben Ḥanokh died, much of his important work was continued by his son Ḥanokh. He produced an Arabic commentary on the Talmud¹³, and wrote many *teshubot* (responsa). The study of Talmud in Sepharad (Spain) was now at an even more advanced stage.

Eleventh Century

Studying the Talmud is no easy feat. It is for this reason that our Ḥakhamim placed Talmud study at the last stage of Talmud Torah, and this was upheld in Sepharad.¹⁴ The student of the Talmud was to have already mastered the earlier levels, so no skipping was allowed.¹⁵

*An **Am HaAref** is someone who has studied the Torah and the Sidur (= the first stage). The Torah refers to the written Torah. The **Talmid Ḥakhamim** adds the rest of Scripture (Miqra), i.e. the works of the Prophets and the Hagiographa, and the Laws (Halakhot). The **Ḥakham** adds three more things: the Mishna, the Talmud and the commentary.*¹⁶

*It is unseemly for an intelligent person to be ignorant of the knowledge of Scripture. When a student of the Talmud, who does not know Scripture, comes across a biblical quotation, he will not know its source.*¹⁷

Much of the difficulty surrounding the study of Talmud is in how one should *understand* it.

*Sometimes one passage seemed to contradict another; sometimes an Amoraic explanation of a Mishna or Beraita did not seem to be correct; sometimes the meaning of the words was not clear; often the decision was doubtful. Interpretation was therefore the constant requirement of scholars. In Babylonia, the traditions were living and the Geonim answered questions of peshat. Many of these traditions were also transplanted to Spain.*¹⁸

Given all these challenges, it was key that the students of the Talmud (the Babylonian Geonim) passed on their methodology to their successor. As the main depositories of Talmudic understanding (the *yeshivot* of Babel) were now coming to a close, the study and understanding of Talmud was going to get even tougher. The Sepharadi *yeshivot* who were to continue that original Geonic methodology understood this incoming reality. Therefore, a student of Ḥanokh, named Shemuel HaNagid, enhanced communication with the Geonim of Babel and their counterpart scholars of North Africa¹⁹. He wanted to ensure that their methodology of Talmud study and

the men of the Great Synagogue, the Babylonian exile, the Second Temple period, the time of the Hasmoneans, then the *Tannaim*, *Amoraim*, and *Geonim*, the creation of new centres of learning in Egypt, Qairouan, and the western Diaspora, particularly Spain (Sepharad), to which a full third of the work is dedicated.

¹³ He wrote this with his contemporary, Rabbi Yosef ibn Abitur, who also lived in Cordoba (Andalusia) and was a student of his father R. Moshe ben Ḥanokh.

¹⁴ See Rabbi Dr Jose Faur's, *Hora'at HaTalmud BaMassoret HaHinukhit HaSefardit*, Sheviley HaHinuch 35 (1975) 177-178

¹⁵ *Haqahot Maimoniot to Mishneh Torah, Hilkhos Talmud Tora*, at Chapter 1, note 9.

¹⁶ Simḥa Asaf, *Perush LeSidur Rab Seadya, Qiryat Sefer*, 18 (1941), p.65; *ibid* p. 63 in the Arabic original.

¹⁷ Abraham ibn Ezra, *Yesod Mora*

¹⁸ Samuel Daiches, *Talmud Study in Spain*

¹⁹ The North African town of Qairouan in modern-day Tunisia was another major Torah centre that maintained correspondence with, and the tradition of, the Babylonian Geonic academies.

interpretation was maintained. This Geonic methodology was clear, coherent, and – importantly – was focused on the *peshat*.²⁰

It is for this reason that Shemuel HaNagid produced an important methodological work that serves as an introduction to the Talmud, titled *Mabua HaTalmud*. He also wrote many *teshubot* and *halakhic* collections, many of which are unfortunately lost. His immense efforts extended to buying copies of the Talmud from Babel for the *yeshiba* of Cordoba, just as Ḥasdai ibn Shaprut had done. The timing was critical – by the time Shemuel HaNagid died (1055), the *yeshivot* of Babel had already been closed for almost 20 years.²¹

With the closing of these Babylonian *yeshivot*, the need for writings on Talmudic understanding and *halakha* became even greater. Once Shemuel HaNagid died, it was left to his students to produce such works, and they did.²² This was coupled with translations of an important Geonic work from Arabic into Hebrew²³, and commentaries on portions of the Talmud. This was followed by the production of a great commentary on the Talmud written in the 11th Century by Rabbenu Ḥananel.²⁴

The importance of this figure – Rabbenu Ḥananel – cannot be overstated. Not only did he produce a unique commentary on the Talmud, but he also produced a student who would become one of the most important pillars of the early Sepharadi world – Rabbi Yitṣḥaq AlFasi (RIF).

R. Yitṣḥaq AlFasi, also known as RIF, (1013–1103) was Head of the *yeshiba* in Lucena (Andalusia), having arrived from North Africa and having been a contemporary of the last Geonim of Babylonia. The RIF soon became the Rabbinic authority of his time, and the *teshubot* he received from around the world was testament to his prominence beyond the borders of Spain. Notably, the RIF went on to produce a work of incredible magnitude titled *Halakhot HaRIF*. This is essentially an abbreviated Talmud that acted as both a Code of Law *and* a commentary.

*In the work of AlFasi, we hear the voice of the Amoraim and we feel the hands of the master who made their words clearer to us.*²⁵

The work and traditions of the RIF were carried on by his student, R. Yosef ibn Migas (1077–1141). Having spent so much time studying from his master, R. Yosef ibn Migas was able to interpret the Talmud and answer questions on it, as evidenced from his *teshubot*.

Twelfth Century

The following century marked two of the most impactful events in Sepharadi history: the death of the *yeshivot* in southern Spain²⁶, and the birth of R. Moshe ben Maimon (RaMBaM).

As the doors of the *yeshivot* in southern Spain were shut, we see the doors of a new *yeshiba* open in a neighbouring city of exiles, thanks to the son of R. Yosef ibn Migas – Meir. It is around this time that a 13-year-old RaMBaM flees his beloved Spain to Egypt, to secure his place as the official mascot of *Torat Sepharad* forever more.

²⁰ This is contrary to the *pilpul* methodology that was developed in Ashkenazi academies later in history.

²¹ Sura in 1034, and Fumbedita in 1038.

²² This includes works written by R. Yitṣḥaq ben Giat of Lucena (1030–1089) and Yitṣḥaq ibn Albalia of Cordoba (1035–1094), who wrote compilations of *halakhic* collections and explanations of difficult *halakhot*.

²³ R. Yitṣḥaq AlBargeloni of Barcelona (1073–?) translated an important work by Ḥai Gaon. The existence of such activity in Barcelona (Northern Spain/Catalonia) is evidence that the study of Talmud was developing not only in the Islamic South, but also in the Christian North. See earlier footnote about the distinct geographies, and ideologies, of both regions.

²⁴ Rabbenu Ḥananel wrote this in Qairouan, North Africa. The academy of Qairouan, like those of Sepharad, was in close contact with the Babylonian academies.

²⁵ Samuel Daiches, *Talmud Study in Spain*

²⁶ Due to the fanatical Islamic sect, the Almohads, who persecuted the Jews of southern Spain.

The works and contributions of RaMBaM are well-known and require no elaboration here. However, it is worth highlighting his direct line of Rabbinic influences. RaMBaM's father, Maimon, was a *Dayyan* in Cordoba and a student of R. Yosef ibn Migas. Indeed, RaMBaM himself seems to have regarded R. Yosef ibn Migas as his own teacher. Although the *yeshivot* of Babel and southern Spain were now shut, the presence of RaMBaM allowed the Geonic approach to not only survive, but to thrive.²⁷

His most important contribution to Jewish law was his magnum opus, *Mishneh Torah*. For all intents and purposes, this was and remains the Restatement of the Laws of Israel. If one wishes to know the conclusions of the last authoritative and national work of Jewish law (the Talmud), one need look no further than this gigantic and unmatched work. By noting the conclusions (*masqanot*) of the Talmud, one need not get lost in the arguments that led to those conclusions and could now focus on practising the Law that was binding upon them.²⁸

Effect of the *Mishneh Torah* on Talmud Study

Since the Sepharadi system of Talmud Tora was split into three stages, the *Mishneh Torah* was ideal for the second stage which involved studying and mastering the Law. In the words of RaMBaM,

I have therefore entitled this work 'Mishneh Torah', because a person may first read Scripture (= the first stage), and after that (= the second stage) read this and know thereby the entirety of the Oral Torah.²⁹

In the Ashkenazi world of that time (a community which only represented less than 10% of worldwide Jewry), the *Mishneh Torah* was critiqued and burned. One of the Ashkenazi critiques was raised by R. Pinehas ben Meshullam HaDayan of France, who felt that the study of the *Mishneh Torah* would replace the study of Talmud. He asked HaRaMBaM to write a clarification:

It would be fitting for your honour to issue a clarification to the world that they should not leave off from their engagement in the study of Gemara.³⁰

It is not surprising to hear such words from a Rabbi hailing from an Ashkenazi educational system that was dedicated solely to Talmudic study, much like the mainstream “yeshiva” system today.³¹ To R. Pinehas ben Meshullam HaDayan of France, the world of Sepharadi learning was foreign. What follows is RaMBaM's response to him:

Concerning this whole matter, it is fitting for me to rebuke you and to inform you that I have already perceived your heart's intentions, even though you did not express them but only alluded to them. First of all, be aware that

²⁷ It should be noted that although RaMBaM did argue with Geonim in relation to the final law, he always explained the Talmud itself as “*the Ge'onim explained it to us in all of their works which they composed after the Talmud.*” See his Introduction to *Mishneh Torah*.

²⁸ For a detailed analysis of the primacy of the *Mishneh Torah* as the National Law of our People, see Sina Kahen's ‘*From Moshe's Torah to Moshe's Mishneh Torah*’, featured in the journal *Conversations*, Edition 35

²⁹ *Introduction, Mishneh Torah*

³⁰ *Qobeş Teshubot HaRaMB"am*, Leipzig, 1859, Section I, p.25, 2-3.

³¹ It is worth highlighting the fact that Ashkenazi academies were situated in medieval Christian lands that were intellectually primitive, culturally unproductive, and restricted Jewish involvement in the greater society. In contrast, the Sepharadi academies in southern Spain (Andalusia) were situated in an Islamic civilisation that was at the heights of intellectual superiority in many wisdoms, and allowed Jews to work at all levels of society. This no doubt impacted the role of Talmud study in each respective society. For the later Geonim and the early Sepharadim, getting stuck in the *pilpulist* approach to Talmud was seen as a distraction from deriving the practical law and gaining knowledge of God through the study of worldly wisdoms, such as science and philosophy. In France and Germany, however, there were no occupations for Jews other than that of the Talmud, mainly due to the dire conditions and treatment in those Christian lands. Further, much of the cutting-edge works on the wisdom of that time was translated from Greek into Arabic, which made a world of knowledge accessible to the Arabic-speaking Jew in southern Spain, but totally inaccessible to the non-Arabic speaking Jew in Ashkenaz. R. Yehuda ibn Tibbon also alludes to this reality in his introduction to *Hobot HaLebabot*: “*and in the lands of Edom (France & Germany) . . . they had great Sages in the wisdom of Torah and Talmud since the days of yore, however, they did not engage in other wisdoms because Torah was their livelihood and because books of other wisdoms were unavailable to them.*”

*I never said, God forbid, "Do not engage in the study of Talmud (= the third stage) or the Halakhot (= the second stage)".*³²

Therefore, the *Mishneh Torah's* unique ability to provide the final Law would allow students to master the second stage of *Talmud Torah* without having to spend copious amounts of time stuck in the back-and-forth discussions spread across the pages of the Talmud.³³

Thirteenth Century

Now that the *yeshivot* of southern Spain were no more, the traditions of the Geonim in Spain were at risk of fading. After all, the *yeshivot* of northern Spain were ideologically and methodologically distinct from the former *yeshivot* of southern Spain. With the former's intimate geographical interface with France and Germany, they were in close contact with the Ashkenazi academies across the border and were naturally influenced by them since the previous century.³⁴

*It is a remarkable and striking fact that at the beginning of the twelfth century a new tendency already showed itself in Spain. Profound and brilliant scholars, steeped in the general culture of their age and country drew, nevertheless, their inspiration in Talmud from the French school, whose method almost entirely superseded that hitherto current. Before the period of Maimonides, the literary productions of the northern school were comparatively unknown to Jews of Spain and the East.*³⁵

Contrary to the *peshat*-based approach of the earlier Geonic-Sepharadi *yeshivot* of southern Spain that focused on the practical law at hand, the Ashkenazi academies depended upon a totally different tool to study and interpret Talmud - *pilpul*. For these Ashkenazi academies, *pilpul* served as a method of arguing and deriving some sort of "Talmudic logic" by distinguishing between different Talmudic cases, especially to evolve decisions for new questions of *halakha*. This Ashkenazi Talmudic tradition was different to the Geonic Talmudic tradition.³⁶

³² Continuation, *ibid*.

³³ It is worth highlighting the fact that Ashkenazi academies were situated in a medieval Christian environment that was intellectually primitive, culturally unproductive, and restricted Jewish involvement in the greater society. In contrast, the Sepharadi academies in southern Spain (Andalusia) were situated in an Islamic civilisation that was at the heights of intellectual advancement, with its own Jewish intellectual elite, and that allowed Jews to work at all levels of society. This no doubt impacted the role of Talmud study in each respective society. For Sepharadim, getting stuck in the *pilpulist* approach to Talmud would be viewed as a distraction from deriving the practical law and gaining knowledge of God through the study of science and philosophy. In France and Germany, however, there were no occupations for Jews other than that of the Talmud, mainly due to the dire conditions and treatment in those Christian lands. Further, much of the cutting-edge works on the knowledge of that time was translated from Greek into Arabic, which made a world of knowledge accessible to the Arabic-speaking Jew in southern Spain, but totally inaccessible to the non-Arabic speaking Jew in Ashkenaz. It is worth noting that R. Yehuda ibn Tibbon alludes to this in his introduction to his translation of *Hobot HaLebabot*: "and in the lands of Edom (France & Germany)...they had great Sages in the wisdom of Torah and Talmud since the days of yore, however, they did not engage in other wisdoms because Torah was their livelihood and because books of other wisdoms were unavailable to them."

³⁴ The most famous northern Spaniards (RaMBaM and RaSHBA) were in close contact with Ashkenazi academies. RaSHBA was a student of Yonah Gerondi (foremost student of the *Ashkenazi* Shelomo ben Montpellier, leader of the movement against the *Sepharadi*, RaMBaM) and RaMBaM (student of Yehuda ben Yakar, Azriel ben Menaḥem (student of Yitshaq the Blind, amongst whom historical *kabbalah* appeared), and Natan ben Meir - all students of *Ashkenazi* academies). As historian Yitzhak Hirsch Weiss notes,

"The French method gradually gained a footing in Spain, where it found appreciative admirers. Two circumstances contributed to this recognition. The first is to be found in the leading part which the French scholars took from the beginning in the controversy that raged about Maimonides' writings. Their extensive and profound attainments, particularly in Talmud, and their distinguished piety, attracted a throng of Spanish students to their colleges to receive instruction from their lips, and induced many others to read their books."

³⁵ Yitzhak Hirsch Weiss, *The Study of the Talmud in the Thirteenth Century* in *The Jewish Quarterly Review* (July 1889)

³⁶ The Talmud Babli was compiled in the halls of the Babylonian *yeshivot* of the Geonim. The deep connections between these academies of the Geonim in Babylonia and the academies of the Sepharadim in southern Spain/Andalusia (and the resultant conveyance of tradition and methodology between them) has been examined and established in many places. For a

The earlier Geonic-Sepharadi methodology of studying the Talmud made no room for such *pilpul*-based approaches. In the words of R. Yosef ibn Migas, one of the foremost students of the RIF:

*Where the Talmud never distinguished between two cases, we cannot either. Rather, we must take it unreservedly, just as it is presented unqualified in the Talmud, for if this distinction was true and fit to be made, then some Tannaic or Amoraic sage or other great rabbi should have made, or alluded to, that distinction.*³⁷

Ḥakhamim of Sepharad did not see any relationship between “Talmudic logic” and *halakhic* decision-making.³⁸ After all, the RaMBaM established as a rule:

We don't leave a clear Talmudic conclusion to rule based off the give-and-take of the Talmud.

Using other words, he said:

It doesn't make sense for a person to abandon practical halakha in pursuit of difficulties and their resolutions.

From the above we can see that the main goal of engagement in Talmud study for Ḥakhme Sepharad is the discovery of *halakhic* rulings needed for ensuring correct conduct in practical life³⁹ – not the knowledge of the give-and-take, not the arguments, and not the questions and refutations.⁴⁰ In the eyes of the Ashkenazi Rabbis⁴¹, however, the Talmudic give-and-take was significant. Ultimately, these two differing approaches to Talmud led to different conclusions when ruling *halakha*. While the Sepharadi Ḥakhamim were dedicated to simplifying the Talmud by producing systematic legal codes for practical use, the Ashkenazi Rabbis wrote commentaries and meta-commentaries on the Talmud.⁴²

foundational presentation of this topic, see *Sefer HaQabbala* by Abraham ibn Daud. For a more recent and general presentation, see Chapter 6 of *Talmud Reclaimed* by Rabbi Shmuel Phillips. For an Ashkenazi perspective on this, we can turn to Rabbi Naftali Tzvi Yehuda Berlin (known as “the Netziv”), who notes that the RaMBaM followed the Geonic methodology for determining law from the Talmud. He goes on to state that the Ashkenazi Tosafist tradition lacked this Geonic tradition, and therefore had to fill resultant gaps in tradition with “*analogies, reconciliations, and logical deductions.*” (*Hakdamot Kidmat Ha'Emek* 1:12–16)

³⁷ Brought in *Shi'at Mequbešet, Baba Mešiq*, to f. 104a.

³⁸ In a legal system, the legislation is not necessarily consistent. If in 1944 the state of Texas enacts a law on marriage, and in 1984 the same state legislature enacts a law about inheritance rights, that later legislature may assume some rights that somehow contradicts the marriage legislature of 1944. Likewise, different legal pronouncements were made by different Amoraim at different times, and therefore there is no “Talmudic logic” or “principle” that can be derived from the web of Talmudic rulings that span so many years.

³⁹ This is also following the footsteps of many Babylonian Geonim who urged that the debates recorded in the Talmud had no interest for them, and that definite Halakha was what they needed. It is for this reason that some of the greatest Babylonian Geonim compiled short collections of practical law such as Halakhot Gedolot and Halakhot Pesukot.

⁴⁰ RaMBaM states that the reason for writing the Mishneh Torah was to put on one side everything extraneous to the Halakha. For of what use, he asked in his letter to Aknin, are Rabbinical discussions, controversies, questions, answers, and subtle distinctions to those who wish to learn their practical duties? These discussions, he thought, were not merely superfluous, but prejudicial. As historian Yitzhak Hirsch Weiss notes, “*Pilpulim were, in RaMBaM's opinion, a waste of time.*” See Yitzhak Hirsch Weiss, *The Study of the Talmud in the Thirteenth Century* in *The Jewish Quarterly Review* (July 1889)

⁴¹ Also known as *Tosafot*.

⁴² We can refer to the apt quotes below for further clarity:

*There was an absolute difference between the Spanish style of Talmudic study and that in vogue in the north (France and Germany). The whole range of the early literature of France and Germany does not exhibit the least tone of a desire to systematise Jewish science. It does not contain a single work which aims at the concise statement of the laws that govern Jewish life. All the writings of this (Franco-German) school which deal with legal decisions are full of discussions and distinctions, and are bulkier than the Talmud itself. – Yitzhak Hirsch Weiss, *The Study of the Talmud in the Thirteenth Century* in *The Jewish Quarterly Review* (July 1889)*

We see that the most outstanding features of the study of the Talmud in Spain were the codification of the Halakha and the writing of Responsa (teshubot). Interpretation of the Talmud seems to have been in the background. No great commentaries on the Talmud...came down to us from Spain. We have seen that some (Spanish) scholars wrote commentaries on some portions of the Talmud. We have also seen that all the great works of the Spanish Talmudist simplified interpretation of the Talmud.

As the academies of northern Spain (influenced by the Ashkenazi academies) took centre-stage in the absence of the earlier *yeshivot* of southern Spain, it is worth noting some of the phenomenal minds that these northern Spanish academies produced. One of them was R. Moshe ben Nahman, also known as the RaMBaN (1195-1270). He wrote commentaries to several portions of the Talmud and produced novellae (*hiddushim*) to the greater part of the Talmud. To the likes of the RaMBaN, and his Ashkenazi counterparts across the border, the study of Talmud was not a *means* to an end. Rather, the study of Talmud *was an end in and of itself*. As described earlier, this ran contrary to the Geonic-Sepharadi approach to Talmud in southern Spain.

One of the RaMBaN's foremost students was another immense figure from the northern Spanish academies – namely, R. Shelomo ben Aderet (RaSHBA) of Barcelona. He was widely recognised as the ultimate master of Talmudic learning in his time. His many *teshubot* helped and marvelled Jews from around the world, and his innovations were cutting-edge. As per the approach of the northern Spanish academies which merged Sepharadi *peshat* and Ashkenazi *pilpul*, the RaSHBA wrote many novellae (*hiddushim*) to many portions of the Talmud.⁴³

Fourteenth Century

Throughout these centuries, the study and interpretation of Talmud in Spain had seen much transition. In the early stages, we saw the deep bonds between the *yeshivot* of southern Spain and the *yeshivot* of the Geonim in Babel, ensuring the Geonic approach was alive and well beyond the borders of Babel. Soon after, persecution led to the dismantling of southern Spanish Jewry and its Geonic-Sepharadi *yeshivot*. This is when we begin to see the Talmudic approach of Spain shift to the Ashkenazi-influenced academies of northern Spain which combined the classical Geonic-Sepharadi *peshat* approach of former Andalusia with the *pilpul* approach of neighbouring Ashkenaz. By the 14th century, the Spanish transition to the Ashkenazi approach is more pronounced than ever before, as the leading Ashkenazi Rabbi of the time – R. Asher ben Yehiel (1250-1327) or ROSH – was invited by the RaSHBA to leave Germany and to settle in Spain.

The ROSH was a disciple of the great master of Talmudic learning and interpretation in Ashkenaz – R. Meir of Rothenburg. The ROSH went on to become the greatest Talmudic authority of his time, and his Yeshiva in Toledo was world-renowned. He produced many *teshubot* and wrote commentaries to parts of the Mishna and the Talmud.

After his death, the ROSH was succeeded in the rabbinate of Toledo by his son Yehuda ben Asher. The successor of his literary work, however, was his other son Ya'aqob ben Asher (also known as the Tur). In the footsteps of his father, the Tur wrote a great legal code that essentially compiled all the laws that were in vogue. The ROSH and his family in northern Spain were instrumental in Spanish Jewry after the destruction of the Geonic-Sepharadi *yeshivot* in southern Spain.

For nearly half a century, the ROSH and his sons made Toledo (northern Spain) the seat of classical Talmudic learning. In Catalonia (northern/Christian Spain), the disciples of RaSHBA continued the study of the Talmud in the way shown by their master, by his teachers R. Yonah Gerondi and RaMBaN.⁴⁴

Nevertheless, the political situation in Spain meant that Jewish settlements in southern Spain could finally make a return, such as in the cities of Cordoba and Sevilla. However, there were no *yeshivot* reinstated in these areas, so the earlier Geonic-Sepharadi presence in this southern region was still sorely lacking. By now, the great Torah centres of learning had moved to the northern cities, such as Toledo, Gerona, and Barcelona.

But we have no classical Talmud commentary from Spain. It may be that the Spanish scholars did not write any great Talmud commentaries because there was no need for them. The Talmudic traditions were alive. They all understood the Talmud well, and there was no need for an elaborate commentary. Their commentaries were living commentaries. – Samuel Daiches (Talmud Study in Spain)

⁴³ The Geonic-Sepharadi academies deemed the Talmud 'a closed book', in that its laws were binding on the People of Israel until another Sanhedrin or National Bet Din was reinstated, so novellae (*hiddushim*) were not commonly found in their writings on the Talmud.

⁴⁴ Samuel Daiches, *Talmud Study in Spain*

In Barcelona, scholars such as RaSHBA trained students that would come to shape the next generation of northern Spanish Jewry. These students included R. Yom Tob ibn Asebilli and R. Vidal of Tolosa, who both produced masterful works of their own.⁴⁵

When the RaSHBA died, another famous Jewish scholar – R. Nissim ben Reuben Gerondi (or, RaN) – became the head of the Barcelona Jewish community. He too wrote many novellae (*hiddushim*) on the Talmud, which was now a core and distinctive feature of the northern Spanish approach.

It is at this stage of the 14th century where external troubles such as plagues and wars began to cause mass disruption to Jewish learning and living in Spain once again.

Fifteenth Century

One of R. Nissim Gerondi's scholarly students – R. Yitshaq ben Sheshet – was able to live through these troubled times for a while but eventually left Spain for north Africa. Although R. Sheshet own scholarly student, R. Shimon ben Zemaḥ Duran (1361-1444) carried the mantle from the Spanish island of Majorca, he too ended up leaving.

Just as the Jewish communities of southern Spain experienced Islamic fanaticism in earlier generations, the Jewish communities of northern Spain were now in the firing line of Christian fanaticism. Jewish history repeated itself at the hands of our oppressors.

*Jewish blood flowed in rivers.*⁴⁶

Through all these troubles, the Spanish dedication to the Talmud was ever-present. A remarkable Rabbi of this period, R. Yitshaq Qanpanton (1360-1463), produced a small work dealing with the methodology of the Talmud. This was entitled *Darkhe HaTalmud*.

*Here we have the picture of Israel defying the elements of destruction. Down below the Christian mob may have been shouting "Death unto the Jews" and may have dealt it out to numberless victims, and in his study sits R. Qanpanton and works on the methodology of the Talmud. Israel is eternal!*⁴⁷

R. Yitshaq Qanpanton was the last great Talmudist of Spain, as the suffering of Spanish Jews hit its peak in the 15th century. First came the fire of the Inquisition, and then came the heartbreak of the Expulsion. Spain was under the control of fanatical Christians and was now Judenrein. After 600 years of glory, the study of Talmud in Spain ended abruptly.

⁴⁵ Rabbi Yom Tob ibn Asebilli was known for his novellae (*hiddushim*) on portions of the Talmud, and Vidal of Tolosa wrote a large commentary on RaMBaM's *Mishneh Torah*, titled *Maggid Mishne*.

⁴⁶ Samuel Daiches, *Talmud Study in Spain*

⁴⁷ Ibid.