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Report on the Rabbinic Dissertation Submitted by

Douglas Sagal

in Partial Fulfillment of the Requirements for Ordination

The Study of the Talmud:
An Investigation of Rishonic Literature:
Meiri and Ritba, A Case Study

Doug Sagal has written a comparative study of two medieval commentaries to the Babylonian Talmud, The Beit Ha-Behira of R. Menahem ben Solomon Ha-Meiri (c. 1249-1316) and the novellae of the Ritba, R. Yom Tov ben Abraham Ishbili (c. 1250-1330), using their glosses to the seventh chapter of Berakhot as basis for the study. After outlining the significance of the work of the rishonim and providing the biographical information concerning Meiri and Ritba, Sagal proceeds with a comparative stylistic analysis of the two commentaries. He finds significant differences between the two in structure, language and use of other sources. Sagal then studies the approach of each to analysis of the Talmudic sugyah, showing that while both Ritba and Meiri concern themselves with essentially the same issues and draw upon the same sources, Ritba is a Tosafistic commentary while Beit Ha-Behira is a commentary cum law code. In the process of writing his commentary, moreover, Meiri often "restructures" the sugyah, making it more understandable and accessible to the student of the Talmud.

Sagal then investigates the historical influences on each commentator and shows that both similarities and differences can be explained at least partially by a common intellectual tradition on the one hand and distinct cultural influences on the other. In particular, Meiri's choice of a commentatorial-codal structure may have been influenced by a general Provencal predilection for this form. In his conclusion, Sagal puts before us some questions that remain for further study.

Much can be said in praise of Sagal's work. It is concise and well-organized, and solidly based on painstaking study of Talmudic and medieval sources. There is a good balance of generalizations and hypotheses with illuminating examples and particulars. Sagal also manages to demonstrate the importance of Ritba and Meiri both in terms of the Rabbinic world of Talmud study and from the more general perspective of Jewish intellectual history. Most intriguing, and worthy of further study, are the connections he has found between Meiri and the works of Maimonides. Sagal has labored long and hard in the vineyard of Torah, and the fruits of his labor provide us with a clearer understanding of the agenda and methods

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of medieval Talmudic commentators and the milieu in which they flourished. Doug, his teachers, and Hebrew Union College can take much pride in his work.

Respectfully submitted,
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I would like to extend my sincere gratitude to the entire faculty of the Hebrew Union College. They have diligently and caringly guided me in the paths of Torah for five years. They both teach and exemplify by personal example the life of the Torah committed Jew. I will always be grateful for their influence.

Finally, to Lauren, I dedicate this work.

Doug Sagal

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Chapter One

On Studying the Rishonim

Rishonic literature comprises an essential part of the Jewish legal tradition. This legal tradition can be traced back to the Bible itself, which contains within it regulations for ancient Israelite society in the realms of civil, criminal and ritual law, as well as prescriptions regarding personal dress, eating habits, and social mores.

Yet this Biblical legal tradition presented certain challenges. As a society proceeds in its history, a written legal tradition must cope with new problems and concerns, new realities. In addition, the societal circumstances of one era may be different in another, and many laws found in the Bible were unclear or subject to varying interpretations. As a result, around this written tradition found in the Biblical literature there grew a legal body of interpretation and development, based on the original written law. This body of legal material eventually became codified in Tannaitic times, as Mishna, and legal material that did not find its way into the Mishna remained

as Baraita and Tosefta.¹

This material itself became the object of study, expansion and development. The Mishna became the basis of both the Talmuds, the Bavli and the Yerushalmi, which also commented on Baraitic and Toseftan material. The Gemāra, the part of Talmud which comments on the Mishna, engaged once again in the process of study, expansion and development. The inheritors of the Tannaitic legal traditions, the Amoraim, worked to make sense of the traditions of an earlier era, and apply them to the realities of their own time. In addition, the Tannaitic literature presented certain problems of its own- many passages in Mishna, or indeed, whole Mishnayot were unclear or confusing; often a Mishna and a Baraita would contradict each other, many times various authorities within the Mishnaic literature would contradict each other. Those who engaged in the development of the Gemara had the task of not only making sense of the earlier legal traditions, but of the Tannaitic literature itself as well.

The Gemara itself presented numerous difficulties to Jews who came to it in later times. Its language is not the Hebrew of the Mishna but Aramaic, which was not the common parlance of Jews

¹ The development of the oral tradition is a source of considerable debate. My brief comments reflect what is, at least, an acceptable theory held by many scholars. I have learned a great deal about the various opinions from several works, including Albeck, Mavo LaMishna, and Neusner, The Modern Study of the Mishna.

who came to live in Europe, Asia, and Africa. Many of the things common and understandable to the world of Babylon and Israel—places, units of money, household objects, social mores, no longer were known. The *Shakla ve Taria*, the "give and take" of the Talmudic discussion is sometimes terse and vague; often it is not entirely clear what specific issues underlay the argumentation. Individual authorities clash with and contradict each other. In addition, there were specific textual problems—different versions of Gemara existed, how to make sense of contradictions? How to reconcile conflicting material in the Yerushalmi and Bavli? In addition, as happened with the legal traditions set forth in Bible and Mishna, society changed; Jews lived in other countries, under different situations, and found themselves confronted with bringing the Jewish legal traditions into the realities of their lives.

The Rishonim stepped in to confront these challenges. While the precise history of the editing and codification of the Talmud is a source of great dispute among modern scholars, by Gaonic times authorities were already commenting on the Talmud. As Jews settled in Europe and Africa, Rishonim engaged in the process of study and elucidation.

The Rishonim were involved in numerous tasks. They sought to make the Gemara text itself comprehensible. For example, they had to choose between variant readings of received texts. They

attempted to identify "Saboraic" and even Gaonic interpolations. Rishonim sought to translate or explain difficult Aramaic passages or phrases. They had to clarify the Talmudic argumentation, to make it more comprehensible. The Rishonim had to reconcile conflicting passages within the Gemara itself. They sought to identify tradents. They had to identify and explain unfamiliar terms and objects. For example, in Berakhot 49b a Baraita reports that one who left Jerusalem and realizes that he has in his hand consecrated flesh, if he has passed "Tzofim", he can burn the flesh where he is, if not, he must return with the flesh and burn it before the "Birah". The precise definition of these terms is a source of some controversy among the Rishonim. Meiri, in his commentary, tells us that the "Birah" was a place on the Temple Mount where forbidden consecrated foods were burned (Pesulei HaMukdashim); and "Tzofim" was a point, perhaps on a mountain, from where one could see Jerusalem.²

Their second broad task was to elucidate the legal decisions of the Talmud so as to develop a systematic Jewish law for their own time. The accepted law is not often clearly specified within the Talmud itself, or a stated law seemed no longer feasible, and the process of developing a coherent legal system fell to the Rishonim. Much of Rishonic literature, from the comprehensive

² Meiri, Bet HaBehira, p.185.

Mishneh Torah of the Rambam to the narrowly focused Bet Yad of Meiri, which deals with the washing of the hands, is devoted to the development of a definitive Jewish legal system, of translating the Gemara into "Halacha LeMaaseh".

An example of the development of law from the Gemara to the Rishonim is the case of the Am HaAretz. In Brakhot 47b, it is stated that "One does not include an Am HaAretz in Zimmun". That is, the Am HaAretz is ineligible for inclusion in the Zimmun prelude to Grace after Meals. However, Meiri (as well as Tosafot) tell us that this regulation is no longer in force; in fact, the accepted legal practice is to include an Am HaAretz in Zimmun, to prevent undue division in the Jewish community. Ritba tells us that this requirement of including the Am HaAretz in Zimmun can be traced back to the Gaonim.³

In the process of developing the Jewish legal tradition, the Rishonim produced some of the most outstanding literary products of Jewish history. The Mishneh Torah of the Rambam, the Tur of Jacob ben Asher, the Shitah Mekubetzet of ~~D~~azriel Ashkenazi, the Bet HaBehira of Meiri, all are considered masterworks of our tradition. Rishonim comprise some of the giants of the Jewish tradition- Ramban, Rambam, Rashba, Ritba, Ravad, Rashi; all were Rishonim.

³ Ritba, Hiddushe HaRitba, column 330.

Indeed, the excitement in studying Rishonic literature is precisely the feeling that one is participating in a great process of discovery and creativity. Rishonim from Africa to Provence, from Spain to Germany, were engaged in the study of the same texts, pondering the same problems, and the results of their work defined the course of Judaism up to our own day. To a significant extent, Judaism was shaped and molded by the hands of the Rishonim.

I believe that the essential core of the Rishonic enterprise is the attempt to pattern life according to the desire and will of God. To be a Jew, liberal or traditional, is indeed to live a life devoted to fulfilling the demands of God's covenant with the Jewish people. The Rishonic literature, then, is a treasure to be mined and valued by any Jew who is occupied with the study and practice of Torah, with living a life devoted to fulfilling the demands of the covenant. The Rishonic literature is part of our heritage; its study will hasten the day when "The earth shall be full of the knowledge of the Lord as the waters cover the sea".

This thesis grew out of the advanced Talmud course taught by Dr. Michael Chernick of the Hebrew Union College. In that course, the comments of various Rishonim were compared in relation to a single Sugya. How did each Rishon understand the Sugya? What conclusions did each Rishon reach based on this understanding? If the conclusions were different, what could

account for different understandings of the same Talmudic passage?

In similar fashion, this thesis will compare Rishonim who are engaged in elucidating the same Talmudic text. The text chosen is the seventh chapter of Brakhot, "Shelosha Sheachalu". This chapter has as its main concern the topic of Birkat HaMazon, Grace After Meals, with special emphasis on the section which precedes the Birkat, known as the Zimmun. In preparation for this thesis, the entire chapter has been studied, together with much of the commentary of Rashi and Tosafot. For the elucidation of Tosafot, the commentary Mey Menuchot by R. Nachman Kahana has been extensively used.

Two Rishonim were selected for the main focus of the thesis, R. Menachem ben Solomon HaMeiri, and R. Yom Tov ben Avraham Ishbili (Ritba). These two Rishonim were selected for several reasons. They are roughly contemporary in lifetime, and represent two of the ~~great~~ Torah traditions- Ritba the Spanish, and Meiri the Provencal. In addition, these two Rishonim are somewhat accessible to the beginning student (particularly the Meiri). The primary sources used for this study are the Bet HaBehira of the Meiri, and the Hiddushe HaRitba of the Ritba. In addition, the Magen Avot of the Meiri and the Hilchot Brakhot of the Ritba have been utilized.

In addition to these Rishonim, several other works have been

used in this study as well. The Halachot of the Rif with Perush Talmidei R. Yonah was frequently studied side by side with the Talmudic material itself, as our two principal Rishonim demonstrate explicit knowledge of the Rif, and there is evidence that Perush Talmidei R. Yonah may have had some influence on Ritba.⁴ The Hiddushe HaRashba was consulted often, for R. Solomon Adret (Rashba) was a direct contemporary of the Meiri and a primary teacher of the Ritba. So too, his Torat HaBayit was utilized. Another teacher of the Ritba was R. Aharon HaLevi (Raah), and his work known as Pekudat HaLeviim, a commentary on the Rif, was also used. R. Abraham ben David (Ravad), the Provencal scholar who lived several generations before the two principal Rishonim of our study, was a great influence on subsequent scholarship, and his Hassagot HaRavad on the Rif, as well as his Hassagot on the Rambam were consulted. In addition, several secondary sources, which will be discussed later in the appropriate section, were utilized.

This thesis will compare and contrast the work of Meiri and Ritba. It will examine their literary styles, the way each approaches and analyzes the Talmud text, historical influences on their work, and finally, some possible underlying themes and issues expressed in their works.

⁴ The influence of other Rishonim is discussed more fully in subsequent chapters.

Biographical material related to the Meiri and the Ritba

R. Yom Tov ben Avraham Ishbili (Ritba). c. 1250-1330

Ritba was one of the leaders and scholars of Northern Spanish Jewish settlement. Little is known of the life of Ritba, but the name "Ishbili" suggests that he may have been from the town of Seville.⁵ He was the student of two of the most accomplished scholars of Spain- the Rashba and the Raah. Elon refers to him as the "Talmid HaMuvhak", the most illustrious student of the Rashba.⁶ That he was heavily influenced by his two teachers is the accepted opinion of most scholars, and one source states that there is some evidence from Ritba's own writing that Raah may have been personally involved in the composition of Hiddush HaRitba.⁷

Ritba became not only a prominent scholar, but a communal leader as well. A document from 1280 identifies Ritba as the Chacham and Dayan of Saragossa.⁸ Little is known of Ritba's

⁵ Encyclopedia Judaica, vol. 16, column 846.

⁶ Menachem Elon, HaMishpat HaIvri, Magnes Press. (Jerusalem, 1973), p.926

⁷ Encyclopedia Judaica, vol.16, column 847.

⁸ Ibid., column 847.

communal activities; however, Y. Baer has discovered evidence which suggests that on at least one occasion, Ritba ran afoul of one of the powerful Jewish families of Spain. "A young scholar, R. Yom Tov Ashbili (sic), was severely beaten by Moses Alconstantini and a member of the Eleazar family for having assisted the bailiff of Saragossa, at the latter's request, with a legal opinion in connection with the local family feuds".⁹

Ritba's principal work is the Hiddushe HaRitba, a commentary to the Talmud which covers most tractates. He also composed a codal work, of which only the section based on masechet Brakhot, entitled Hilchot Brakhot, survives. He also wrote a work entitled Sefer HaZikaron, a defense of the Moreh Nevuchim of the Rambam. This work is written as a critique of Ramban's comments on Rambam contained in Ramban's Torah commentary.¹⁰

R. Menachem ben Solomon HaMeiri (Meiri). c. 1249-1316. (But various dates given in the sources).

Slightly more is known of Meiri, simply because in his work Magen Avot, he wrote a history of Torah transmission from Moses to his own day. Even so, information is scarce. He was possibly

⁹ Yitzhak Baer, A History of the Jews of Christian Spain, JPS of America. (Philadelphia, 1962), p.224. This is virtually the only reference to Ritba in this detailed book.

¹⁰ Encyclopedia Judaica, vol.16, column 847.

born in Perpignan, and was part of a family with roots in Carcassone and Narbonne.¹¹ S. Sofer states that in the dialect of Provence, Meiri was known as Don Vidal Shlomo.¹² Little is known of his immediate family, although he was part of a family that included several scholars.¹³

His principal teacher was R. Reuben ben Hayyim, author of a work called Sefer HaTamid. Reuben ben Hayyim was a student of R. Isaac HaKohen, a student of Ravad. Therefore, Meiri studied Torah in a chain of transmission extending to Ravad.¹⁴

Meiri eventually became head of the community of Perpignan, where apparently he spent the rest of his life. He maintained an active correspondence with Rashba, head of the community of Barcelona.¹⁵ He also had contact with Christian scholars.¹⁶

Meiri was part of a time of ferment in the Jewish community. By the end of the thirteenth century, rationalists were engaged in such intellectual pursuits as interpreting the Bible

¹¹ Encyclopedia Judaica, vol.11, column 1258.

¹² Shmuel Sofer, Or HaMeir, Schreiber. (Jerusalem, 1942), p.10.

¹³ Ibid., p.12.

¹⁴ Ibid., p.14. See also Isadore Twersky, Rabad of Posquieres, p.230.

¹⁵ Encyclopedia Judaica, vol.11, column 1258.

¹⁶ Jacob Katz, Exclusiveness and Tolerance, Oxford University Press. (Oxford, 1961), p.124.

allegorically and denying personal immortality. Traditionalists, led in Provence by Abba Mari ben Moses Joseph, were outraged, and some pressed for a Herem to be pronounced on philosophical and scientific studies. A Herem was finally declared by Rashba, in his capacity of head of the Barcelona community. The Herem forbade the study of philosophy and science to any Jew until the age of twenty five. Excepted from this Herem was the study of astronomy, medicine, and all the works of the Rambam. Eventually, a second Herem was pronounced, against interpreting the Torah allegorically.¹⁷

Opposition to these Herems was strong in Provence, and a principal opponent was the Meiri. Meiri was part of the post-Maimonidean rationalist school. Katz writes, "In accordance with the exponents of this school, he held that the ultimate destiny of man was intellectual insight into the essence of God".¹⁸ For Meiri then, the study of philosophy and science was integral to this process and could not be forbidden. The Herem was eventually lifted.

Meiri was witness to the expulsion of Jews from France in 1306. Despite this, Meiri, in his commentary to tractate Avodah Zarah, excluded Christians and Muslims from the category of

¹⁷ Baer, p.302.

¹⁸ Katz, p.119.

"Ovdei Avodah Zarah", idolaters. This was a unique position in his time, one in opposition to that of the Rambam, and earned Meiri the title "Man of Enlightenment" in Katz's Exclusiveness and Tolerance.¹⁹ This remains arguably Meiri's most famous legal decision, still debated today.²⁰

Meiri's greatest work is the Bet HaBehira, a multivolume commentary to the Talmud, written between 1287 and 1300. It covers the orders Moed, Nāshim, and Nezikin, and individual tractates Brakhot, Hallah, Hullin, Niddah, Tamid, Middot, and Mikvaot.²¹ As mentioned he also composed a work on the ritual washing of hands, called the Bet Yad, and a defense of Provencal customs called the Magen Avot, in addition to other works.

¹⁹ p. 114.

²⁰ See Journal of Halacha and Contemporary Society, spring 1988, p.126, where R. Dovid Cohen attacks Meiri's position and declares that its "validity is suspect".

²¹ Encyclopedia Judaica, vol.11, column 1258. This list is also based on examination of the HUC library holdings and Sarei HaElef by Kasher.

Chapter Two

Literary and Stylistic Analysis of Meiri and Ritba

A comparison of literary method and writing style reveals marked differences between Ritba and Meiri. These differences extend to the basic structure of their works, their use of other literature and authorities, their respective attention to the Mishna and Gemara, and their use of language.

The Hiddushe HaRitba of R. Yom Tov ben Avraham is structured as a line-by-line commentary to the Talmud. It is arranged to closely follow the arrangement of the Talmudic chapter itself. Ritba typically comments on material as it appears on each successive page, rarely, if ever does he deviate from the order of the Talmud. There is no general introduction to a chapter, nor a delineation of themes. This particular structure, as will be seen, contrasts greatly with the style of Meiri.

Ritba's primary analytic focus is on the Gemara, as opposed to the Mishna. The one exception to this is the first Mishna, found on 45a of Brakhot; the Mishna which begins "Shelosha Sheachalu", and has as its focus the basic obligation of three who have eaten together to recite Zimmun. It also delineates

some foods that render one both fit and unfit to participate in Zimmun, and categories of individuals who are fit and unfit for Zimmun. Ritba devotes considerable attention to this Mishna, first explaining and examining underlying reasons for the Zimmun ritual itself, and then explaining some of the words used in the Mishna, such as "Tevel", "Maaser Rishon", "Maaser Sheni", and "Cuthean". In essence, Ritba is following the lead of the Gemara, which eventually elucidates these terms.¹ In the course of his commentary Ritba does not directly address any other Mishna of the chapter again. However, Ritba does comment on those sections of the Gemara which discuss other Mishnaic material, thereby indirectly commenting on the Mishna.

Ritba proceeds through the Gemara of the chapter, citing passages and commenting. He must often will cite verbatim the relevant line of Gemara, then begin with the word "Perush" (or sometimes "Klomar" <that is to say> or "Hilkach" <therefore>), as a way of introducing his comments.

As mentioned, much of the Gemara is written in Aramaic. Ritba writes his commentary in a mixture of Hebrew and Talmudic Aramaic, and his comments are peppered with Talmudic Aramaic expressions and phrases, such as *asikna* (we conclude), *taama* (this is the reason), *sevirah leh* (he thought), *ika lemeidaek*

¹ See Brakhot 57a-b.

(one should examine carefully), etc. Obviously, a familiarity with both Aramaic and Talmudic phraseology is necessary for full comprehension of Ritba. A typical comment of the Ritba is the following written in both Aramaic and Hebrew. He is discussing the Gemara on 45b which states that in the situation of two who eat together, one of the diners can act as agent to fulfill the obligation of the other in reciting Grace after Meals. However, a few lines later, it is reported in a Baraita that two diners must separate for Grace if they are both Sofrim (i.e. learned), but if one is a Sofer and the other a Boor (unlearned), the Boor can fulfill his obligation for Grace through the agency of his companion the Sofer. Ritba wishes to point out in his comment to the first statement (that one can fulfill the obligation for the other), that this does not refer exclusively to the case of a Sofer and a Boor, as might be the reader's impression after learning the succeeding Baraita:

פ'דוס: עא א"ר' גסופר ובור, זקא א"תא הוה ע"ה ע"מ'ר
 בהד"א שני' שאכלו אחד סופר ואחד בור כע'שלא דבר"תא
 דק"מ'ן אע"א וז"א בכ' אדק' קאמר ואפ"ל בשני' סופר'ן
 וקאמר זקא רצה עזאזת עכתחלה בהרכת חברו יוצא, אע"א
 וז"א מצוה מן המובחר הוא ע"חשק, וכדא"תא בהר"תא עקמ'
 שני' שאכלו מצוה ע"חשק, הא חובא ע"כא.

Two who ate together; one can fulfill his obligation through the

agency of the other. Perush- This does not refer to a Sofer and Boor, for if so, it would have said explicitly, "Two who ate, one being a Sofer and the other a Boor", as it does further on in the Baraita, rather certainly it is discussing anybody, even two Sofrim, and it is saying that if one wishes to fulfill his obligation from the very beginning by the agency of his companion, he can do so, but certainly it is the most preferable to separate, as it has it in the baraita further on, Two who ate, it is a commandment to separate, but it is not an (absolute) obligation.²

Ritba will usually not translate into Hebrew passages of the Gemara that are in Aramaic, but will sometimes try to clarify or explain vague or unspecific Aramaic text. For example, after the first Mishna introduces us to the concept of Zimmun, the Gemara asks in a classic Talmudic formulation, *Mena Hanei Milei?* (From whence is this derived?). Ritba's comment explains to the reader that this Aramaic phrase is essentially specifying that the purpose of the derivation is finding a source for the requirement of three, and not for Zimmun in general:

Mena Hanei Milei. Perush- Zimmun among three, and when there are three they are obligated to recite Zimmun.³

While in general Ritba writes in a mixture of Aramaic and Hebrew, occasionally entire comments are written in clear Rabbinic Hebrew and sometimes comments are written entirely in Aramaic.

² Hiddushe HaRitba column 309. Note- All translations in this paper are my own.

³ Hiddushe HaRitba, column 307.

Ritba's writing is heavily laden with material from other sources. He will frequently quote Talmudic material from other tractates, sometimes without specifying the source, stating D'Amri (as they said) or Amrinan Leayil (as we <i.e. the Talmud> stated previously), no doubt expecting the reader to have sufficient familiarity with the Talmud to recognize the source. Frequently, Ritba will provide the title of the tractate from which the quote is taken, as when he identifies a quote by stating "B'Arachin Amri" (In tractate Arachin it is stated). Sometimes he will identify the source by the name of the chapter; for example he prefaces one quote by stating K'Deita BeHaRoeh (as it is in the chapter called "HaRoeh").⁴ However it appears that typically, when Ritba wishes to cite a source by name, he will use the name of the tractate. When Ritba wishes to refer to the Jerusalem Talmud, which he does on occasion, he will always specify that he is doing so.

Ritba also will occasionally quote the opinions of other Rishonim, first introducing the Rishon by name, for example, "Rashi explains", "Rif explains", "Ravad explains", "Rambam explains", etc. But these instances are infrequent. As will be seen, in comparison to Meiri, Ritba's writing is relatively free of specific attributions to other Rishonic sources.

⁴ Ibid., column 315. Warsaw Edition, 1886, pp. 31-33.

Despite this, it is clear that Ritba was heavily influenced, both in terms of style and content, by other Rishonim, particularly his two teachers, Rashba and Raah. The writings of Ritba display some clear stylistic similarities with the Hiddushe HaRashba of Solomon Ben Adret.

Rashba also structures his commentary as a line-by line elucidation of the Talmud. Like Ritba, Rashba concentrates almost exclusively on the Gemara, with comparatively little examination of the Mishnaic portions of the text. Rashba also writes in a prose that is a mixture of Hebrew and Aramaic, and replete with Talmudic Aramaic phraseology. Rashba prefaces his comments with a verbatim quotation from the Gemara, followed by an introductory word (usually Perush or Klomar), and then proceeds with his comments.⁵

R. Aharon HaLevi, Raah, who wrote the work known as Pekudat HaLeviim, also displays similarities to Ritba. He also systematically elucidates the Gemara, writes in a mixture of Hebrew and Aramaic, quotes each statement to be discussed verbatim, and prefaces his comments with the word "Perush". Indeed, in Raah's case virtually every comment is prefaced by "Perush". Clearly Ritba was heavily influenced in writing style by his teachers. There are differences. Rashba is more at pains

⁵ Hiddushe HaRashba, Warsaw Edition, 1889, pp. 21-25.

to supply other Rishonic opinions and to identify by name other authorities, particularly Gaonic sources and the Rif. Raah devotes more attention to the Mishnaic material in the tractate. As an example of difference between Ritba and Rashba, on page 46b, after a discussion of Grace after Meals in a house of mourning, the Gemara asks "To where does he return?" (LeHaychan Hoo Hozer?). The precise meaning of this statement is a source of dispute among the Rishonim. Because of its proximity to a discussion of Grace in a house of mourning, perhaps it refers to the leader of Grace returning to the fixed Grace after the appropriate insertions in a house of mourning. Or, perhaps it refers to one who has interrupted his meal to recite Zimmun with others; after he finishes his own meal, to what point in Grace does he return to begin his own recitation? Or perhaps it refers to the repetition of certain verses by the leader in the Zimmun formula itself. These are all opinions held by various Rishonim.⁶

In their respective discussions of the passage, the two Rishonim display their differences of style. Rashba offers several opinions, referring in succession to Hai Gaon, Rif, Ravad, and "the Gaonim". Ritba discusses only one opinion, and

⁶ See the commentary in the Steinsaltz Talmud Brakhot, p.204, and the Meiri, Bet HaBehira, p.169, for a variety of Rishonic opinions regarding the meaning of this phrase.

that without any attribution.⁷

As mentioned, in addition to similarities of writing style, the great influence of his two teachers on Ritba is manifest in content as well. Frequently, material found in Ritba can be traced directly to Rashba or Raah, almost always without attribution.

For example, on 48a the Gemara discusses the issue of Zimmun in a group of ten or more. When there are three diners, up to a total of nine, no mention is made of the Divine Name. However, in a group of ten or more, mention is made of the Divine Name. The Sugya in question is examining the question of eating breadstuffs. Must all ten have eaten breadstuffs, to qualify for the special Zimmun of ten? Can some of the ten have eaten vegetables? Here is the comment of the Ritba:

We conclude: even seven who ate bread and three who ate vegetables may join for Zimmun, but not six, as we require a recognizable majority.⁸

Here is the comment of Rashba:

We conclude: even seven who ate bread and three who ate vegetables, but six, no, for we require a recognizable majority.⁹

So too, on 48a, the Talmud tells a story about Rava and Abbaye, presumably when they were children. They are asked by

⁷ Hiddushe HaRitba, column 323, Hiddushe HaRashba, p.22.

⁸ Hiddushe HaRitba, column 331.

⁹ Hiddushe HaRashba, p.24.

Rabbah if they know where God dwells. Rava points to the ceiling. Abbaye goes outside and points to the sky. Rabbah declares both shall be Rabbis, and the Gemara adds a saying "Young pumpkins are known by their stems". Both Rashba and Ritba comment that the praise is primarily for Abbaye, and the language used by the two Rishonim is markedly similar.

Ritba:

This is praise for the one who went outside and pointed towards heaven, for they saw that he knew and recognized that His dwelling is in heaven.¹⁰

Rashba:

They praise Abbaye who went outside and pointed to the heavens, but not really "heaven" per se, but they saw that he knew his Creator with full comprehension, as the comprehension of the great ones, that His dwelling is in heaven.¹¹

Many of Ritba's comments can be found already in Raah. For example, as has been mentioned, on 45a the Gemara begins its discussion of the first Mishna by asking Mena Hanei Milei? Ritba comments:

Mena Hanei Milei? Perush- Zimmun among three, and when there are three they are obligated in Zimmun. (The Gemara next states) As it is written, Exalt the Lord with me. (Gadlu LAdoshem Iti). "Exalt" is plural, and it is impossible for it to refer to less than two, and "with me", makes three, and when there are three, Scripture states "Exalt", i.e., to add a blessing, namely the blessing of Zimmun, and it is certainly of Rabbinic origin, the

¹⁰ Hiddushe HaRitba, column 331.

¹¹ Hiddushe HaRashba, p.23.

Scriptural passage is just an Asmachta.¹²

Raah comments:

Mena Hanei Milei? Perush- Zimmun among three, and three are obligated to perform Zimmun. (The Gemara then states) Rav Assi said, "Scripture states, Exalt the Lord with me. (Gadlu LAdoshem Iti). "Exalt" is plural, from this we get two, and "with me" is three, and in this situation, when there are three, it is said: "Exalt", i.e., to add a blessing, namely Zimmun, we add the blessing of Zimmun, and it is of Rabbinic origin, certainly the Scriptural passage is just an Asmachta.¹³

There are instances when Hiddushe HaRitba shows certain affinities to other Rishonic works as well. For example, as mentioned, Ritba begins his discussion of the Mishna with a consideration of the circumstances that would lead to Zimmun. This does not resemble the initial discussions in either Raah or Rashba, both of whom begin with simple definition of terms in the Mishna. However, Ritba's initial discussion bears striking similarity to the initial discussion found in Perush Talmidei R. Yonah.¹⁴

Certainly some of the similarities between Ritba and others can be ascribed to interpretive traditions that have become the common properties of many Rishonim and can be found in other sources besides Raah and Rashba. However, the fact remains that

¹² Hiddushe HaRitba, column 307.

¹³ Pekudat HaLeviim, p.139.

¹⁴ See Hiddush HaRitba, Mossad HaRav Kook edition, in which the editor acknowledges this similarity to "TRI", column 303.

much of the material in the writing of Ritba is found almost verbatim in the writings of his mentors, usually without attribution.¹⁵ In any case finding chunks of his teacher's material in Ritba should not be interpreted as plagiarism in the modern sense; it is entirely possible that such verbatim rendering were accepted as the faithful transmission of a master's teachings by an able pupil.

The style of Meiri differs in marked ways from that of Ritba. In contrast to Ritba, Meiri begins each chapter with a brief summary of the chapter's contents, organized by theme. Here is Meiri's preamble to the seventh chapter of Brakhot:

Three who ate, etc. This chapter has as its fundamental intent to explain for us in detail Grace after Meals and the matter of Zimmun and its content. Most of the chapter deals with five matters. The first- To explain how many people are required for Zimmun to be obligatory; and in what circumstance they join together, and in what circumstance they do not join together. Second, to explain what foods are appropriate for Zimmun to occur. Third, to explain who may participate in Zimmun. Fourth, to explain the content of Zimmun. Fifth, to explain those things necessary for the Cup of Blessing (Kos shel Bracha) and the contents of the Blessing. This is the general focus of the chapter, and several other matters have also been included, as will be explained.¹⁶

In contrast to Ritba, Meiri devotes considerable attention to the elucidation of the Mishnaic portions of the chapter.

¹⁵ But not always. Ritba does infrequently attribute to Rashba or Raah. See, for example, column 303 for an attribution to Raah.

¹⁶ Bet HaBehira, p.163.

Indeed, Mishnaic commentary is fundamental to Meiri's structuring of the Bet HaBehira. Meiri discusses each Mishna in the chapter, explaining it in detail, his explanation framed in the language of the Gemara's subsequent commentary. There is some resemblance to this in R. Ovadiah Bartinora's Mishnaic commentary, which also uses the Gemara to explain the Mishna. After elucidating the Mishna, Meiri will then turn to what he considers to be additional Gemara not already discussed in his Mishnaic commentary. This Gemara commentary can be extensive or limited, depending on how much space Meiri devotes to the Mishna. His commentary to the first Mishna is relatively brief, and his Gemara commentary is extensive. This situation is reversed later on in the chapter.

Meiri's Gemara commentary differs in style from the that of the Ritba. Unlike the line by line approach utilized by Ritba and Rashba, Meiri elucidates the Gemara as if he were writing essays on a series of Halachic topics. This essay style is achieved by the following factors- Meiri will often depart from the order of the Sugyot and individual passages in the Talmud; he often does not quote verbatim but paraphrases, and in his paraphrase often elaborates; and Meiri includes in his comments many other Rishonic opinions, so that the result is what amounts to an extended discourse on a topic.

Meiri follows roughly the flow of the Gemara as it appears

in the text, but will deal with varied topics or individual Sugyot out of their order. Meiri will combine disparate elements of the Gemara in an attempt to create a cohesive statement. For example, as has been discussed at length, on 46b the Gemara asks To where does he return (LeHaychan Hoo Hozer), a vague statement which is elucidated by the Rishonim in various ways. Ritba discusses this passage as it appears in the course of the Talmud itself, after a discussion of Grace in a house of mourning. Meiri, however, discusses the passage as part of his discussion of material found on 46a. This gemara deals with the precise extent and content of the Zimmun, and in his opinion, To where does he return? is concerned with the same issue. Meiri discusses this phrase before he discusses Grace in a house of mourning, not after, as the phrase is placed in the Gemara. In addition, Meiri will often skip over sections of Gemara if he feels he has already covered their essential points in his Mishna commentary. As he states after commenting on one Mishna:

This is the explanation of the Mishna, and in the Gemara some laws come from it, most have been explained by me in the discussion of the Mishna, what remains of them will now be explained.¹⁷

In contrast to the work of Ritba, which is devoted to commenting primarily on the Gemara of the Bavli, it can be said that Meiri's

¹⁷ Ibid., p.178.

work is as much a commentary on the Mishna as on the Gemara.¹⁸

Unlike Ritba, who always prefaces his comments with a verbatim quotation from the Gemara, Meiri frequently, but not always begin with a reference to the relevant line of Gemara, and when he does, this reference is often not a verbatim quote but a paraphrase. Often, this paraphrase is written in such a way as to be itself a commentary on and elaboration of the text. For example, on 45b the Gemara states, Three who eat together, one interrupts for two, but two do not interrupt for one. In other words, regarding recital of Zimmun, if three are eating, one may be required to interrupt his meal to recite Zimmun with two companions who have already finished, but two diners do not have to stop their meal for a single companion. Meiri writes:

Three who reclined together, and two finish their meal and want to leave and the third has not yet finished his meal; the one interrupts for the two and they include him in Zimmun, and he answers "Amen" with them if he desires, and one of (the two who have finished) blesses for himself and for his companion who has finished his meal, and the third who interrupted his meal for the purpose of Zimmun returns to his meal after they have finished Zimmun, in the manner that will be described below.¹⁹

Unlike Ritba, who will quote the Gemara verbatim, then discuss and elaborate on the text, Meiri combines a reference to the Gemara with descriptive and prescriptive material.

Indeed, Meiri's initial comments on a portion of Gemara have

¹⁸ I am grateful to Dr. E. Diamond for pointing this out.

¹⁹ Ibid., p.166.

the flavor of "Psak", rather than classic commentary. It is typical of Meiri to begin discussion of a complex Gemara with a simple definitive statement which sets out his Halachic conclusions relevant to that Gemara, and only then engage in extended discussion.

An excellent example of this is found in his commentary to 46a. This page contains what is arguably the most difficult Sugya in the chapter. It begins with Until what point is the Blessing of Zimmun? (Ad Haychan Birkat Zimmun?). This apparently is referring to the definition and extent of Zimmun. In the course of the Sugya, R. Nachman states that Zimmun extends until "Nevarech" (i.e. the last line of our current version of Zimmun) and R. Sheshet held until "Hazan" (i.e., the end of the first blessing of Grace, "Hazan et Hakol"). This Sugya is complicated by difficult Baraitic material, and a succession of Machlokot. As do the other Rishonim, Meiri devotes considerable attention to this Sugya, but in his characteristic fashion, he begins with a brief statement which sets out his basic understanding of the Sugya and the Halachic Psakim which attend to it:

The blessing of Zimmun is "Neverech Shealchanu" etc. until those responding finish "Uvtoovo Hayyinu"- this is what is called the blessing of Zimmun, and if one of the diners interrupts his meal for two others (for the purpose of Zimmun), he interrupts until those who are responding in Zimmun finish, and then he returns to eating, and when he finishes his meal he blesses by himself,

beginning with (the first blessing of Grace) "Hazan".²⁰

Meiri tells us right away that the Halacha follows R. Nachman, gives us the definition of Zimmun, and the Psak Halacha concerning the diner who interrupts his meal for Zimmun. Meiri then begins a protracted and detailed discussion of the Sugya, including arguments which support his conclusions, and those which oppose him as well. This unusual prefacing of commentary with "Psak" like statements make Meiri's subsequent commentary far more easier to understand and help considerably to illumine the Sugya itself.

It is an integral part of the style of Meiri to cite other opinions in his commentary. Meiri's writing is replete with references to other Rishonim, to the extent that his writing often reads like a digest of Rishonic opinion on a given topic. While Ritba will bring in other Rishonic opinions in the course of his writing on occasion, his style is quite different- Ritba does not consistently present a vast range of Rishonic opinion as an essential part of his commentary as does Meiri. Meiri weaves other opinions into his comments, seemingly with the purpose of allowing the reader to explore myriad sides of a given matter- acquainting the reader as completely as possible with the Talmud itself and its attendant issues.

²⁰ Ibid., p.168.

One of the distinctive features of the Meiri is that he does not refer to other Rishonim by their names; rather, he has developed his own form of nomenclature. "The Greatest of the Halachic Decisors" is the Rif, "The Greatest of the Rabbis" is Rashi, "The Greatest of the Commentators" is Ravad, and "the Greatest of the Authors" is Rambam. This form of nomenclature further distinguishes Meiri from Ritba.

However, Meiri will sometimes refer in less specific terms to other sources. For example, he will frequently cite an opinion in the name of "Yesh Omrim" or "Yesh Mishepiresh".

Like Ritba, Meiri will on occasion cite Tosafot. While Ritba will cite the Yerushalmi and on a rare occasion a Midrashic source, Meiri tends to make more extensive use of the Jerusalem Talmud and Midrashic sources than does Ritba.²¹

An example of Meiri's use of sources, his weaving them into his commentary and his unique nomenclature, can be seen in his comments to 45b.

The Gemara discusses the situation of three who have eaten together, and one goes outside before Grace after Meals is recited. Can this person outside be included in Zimmun? The outcome in the Gemara is that he can, provided that he responds when called on to participate, and in the case of ten diners, he

²¹ The probable reason for this is discussed in chapter four.

must physically return to the table for Zimmun. The Sugya begins- Three who ate together, and one goes out to the street, they call to him and include him in Zimmun. Meiri comments:

Three who have eaten together, and one of them goes into the street before he blesses, they call to him and include him in Zimmun, and provided that he answers to the Zimmun from where he is and says "Baruch Hoo Sheachalnu", etc. Now, the text says They call to him and he must answer; "The Greatest of the Rabbis" explained this to say that he answers "Baruch Sheachalnu", etc., and (even outside) fulfills his obligation for both Zimmun and Grace. Even though he is required to recite Grace in the place he ate, the obligation of Zimmun brings its own force into the situation; as long as he hears the voice of the one reciting the benedictions, all are drawn (as it were) from their place to that of the one reciting.

But there are those who say that he fulfills his obligation for Zimmun only, but he must return and recite Grace in the place that he ate. Similarly, all who fulfill their obligation for Grace through the agency of a companion must sit at the table in the place they ate.

But this does not seem right to me, for Zimmun acts as a joining force for all, bringing all together with the reciter.

There are those who say that even for Zimmun he must return to his place, and they are not lenient in this matter, but they allow that even though he may have gone into the street and become distracted (Hisiach Daato), if he is only a short distance away and within hearing, and can answer, they may include him in Zimmun, but if he is too far away, he can no longer join his companions, even if he returns. But the Sugya itself does not support this view.

There is one who explains that it is not necessary for him to return to his place, and not even to answer from where he is "Baruch Hoo Sheachalnu" etc., but his companions can include him in Zimmun, if he answers, he answers, and if not, so be it; rather the important thing is that they call to him and include him in Zimmun. But what of the Gemara which states They call to him and he answers?

(This same authority) explains that it means they inform him and call to him to pay attention to the Zimmun. He answers that he is already paying attention to this, and so wrote "The Greatest of the Commentators", that this person has given notice that he is an Am HaAretz, and does not know how to answer, so certainly we include him in Zimmun, there is no difference (for we include an Am HaAretz). In any event, regarding all these

interpretations, they are lenient only regarding three individuals, for their Zimmun does not contain mention of the Divine Name; but among ten they are not lenient since there is in that case mention of the Divine Name, rather, (the one who left) must return to his place.²²

Meiri here demonstrates several characteristics of his style. He paraphrases the relevant line of Gemara, creating what is essentially a brief, Psak Din based on the Sugya. He then engages in a detailed discussion of the issues, bringing in numerous opinions, among them Rashi and Ravad.

This style helps Meiri achieve a great degree of clarity. This clarity is enhanced by the fact that unlike Ritba (and Rashba and Raah), who write in an Aramaic-Hebrew jargon, Meiri writes in simple Rabbinic Hebrew. This aids in understanding both the Meiri, and the Talmud text, which Meiri usually renders into Hebrew in the course of his commentary.

For example, on 51a the Gemara discusses the situation of one who has finished his meal, and realizes that he has not recited a benediction. May he then recite, even though the meal is over? No, is the answer, and the Gemara adds in Aramaic:

וְהוֹאִילָא אִיזְדָּרְיָא אִיזְדָּרְיָא . Meiri translates the phrase for us: הוֹאִילָא וְנִדְרָא בְרַכְתָּ תִּדְרָא (Since his blessing is missed-it is missed).²³

²² Ibid., pp. 165-166.

²³ Bet HaBehira, p.188.

A comparison of the literary and writing style of Ritba and Meiri can be briefly summed up in the following chart:

1. Structure:

a. Ritba- Line by line elucidation of the text, does not deviate from the Talmud's own order. Comments prefaced with verbatim quote from Talmud. Concentrates almost exclusively on the Gemara.

b. Meiri- Comments on both Mishna and Gemara. Will follow roughly order of Talmud, but will deviate from that order for the purpose of creating a cohesive statement. Will often omit comment on parts of Gemara if he has covered the issue in his Mishna commentary. Will often paraphrase relevant line from the Talmud, combining paraphrase with prescriptive statement. This leads to his characteristic of often beginning discussion of a Sugya with "Psak" type statement.

2. Use of other Sources:

a. Ritba- Will occasionally use other Rishonic authorities. Shows heavy influence of Raah and Rashba, but usually does not explicitly give them attribution. Shows knowledge of Rashi and Tosafot, makes use of Jerusalem Talmud, very rarely Midrashic sources.

b. Meiri- Extensive and deliberate use of other sources, creating often a "digest" of Rishonic opinions on a given topic. Has own form of nomenclature for some of the Rishonim. Has knowledge of Rashi and Tosafot, makes more extensive use of Jerusalem Talmud and Midrash than does Ritba.

3. Language:

a. Ritba- Writes in Talmudic Aramaic-Hebrew mixture, peppered with Talmudic Aramaic phrases. Usually will not translate Aramaic of Talmud, but will sometimes try to clarify or explain.

b. Meiri- Writes in Rabbinic Hebrew. Will explain or clarify Aramaic of Talmud, will sometimes translate.

Chapter Three
The Analysis of the Sugya
In Meiri and Ritba

Meiri and Ritba display great similarities in their respective analyses of the Talmud text. Both have common concerns. They attempt to explain obscure or difficult words or phrases in the Mishna and Gemara. They are interested in the explanation of complex Sugyot. Meiri and Ritba strive to delineate the practical Halachic ramifications of the Gemara, although this is more pronounced in Meiri. Both try to reconcile conflicting texts, those conflicts that occur within the chapter itself and conflicts between material in Brakhot chapter seven and the entire corpus of Talmud.

The similarities extend to content. With great frequency, Meiri and Ritba identify the same problems in the Sugyot. If the problem is one of defining a difficult word or phrase, both Rishonim will center their efforts on that same word or phrase.

If the problem is explaining the Shakla ve Taria of a Sugya, the "give and take" of the Talmudic discussion, Meiri and Ritba will often end up identifying the same difficulties in the text.

For example, we have already discussed the situation on 45b of three who have eaten together, and one goes into the street. In addition to the comments of Meiri that have already been cited, he says:

There is one who says that in a situation of three people, they must be able to see one another, and if they cannot see one another, they do not join together.¹

Ritba cites the same position in his commentary:

Three who eat together and one goes outside into the street, they call to him and include him in Zimmun. Klomar (that is to say), the man is in his place and they must be able to see one another.²

If the problem is reconciling conflicting texts, Meiri and Ritba will point to the same conflicts, and often reconcile the problem in the same way.

One typical example of the similarities found in Meiri and Ritba is their discussions of a Sugya on 47a. The text states: Rav Yehuda the son of Rav Shmuel bar Shelat said in the name of Rav: Those around the table are not permitted to taste anything until the one who has recited the blessing has tasted. Ritba and Meiri raise precisely the same problem. In "Arvei Pesachim",

¹ Bet HaBehira, p.166.

² Hiddushe HaRitba, column 309.

(Pesachim 106a), a story is told of Rav Ashi who went to Mahoza and was asked to recite the "Great Kiddush". Not knowing what the "Great Kiddush" was, he simply recited "Borei Pri HaGafen", and was relieved to see one old man drink. Besides being a lesson for Rabbis who are put on the spot, the text presents a problem for our two Rishonim- How could the old man have drunk before Rav Ashi, seeing as our text in Brakhot states clearly that one must wait for the one who has recited the Bracha? Meiri and Ritba both quote from the Yerushalmi, Brakhot 6:1, in which it is again stated that no one may taste until the reciter has done so, but states that this applies only when all are drinking from the one cup held by the reciter, but not if all are drinking from individual cups. Both Meiri and Ritba solve this difficulty based on the Yerushalmi passage by saying that the passage in Pesachim referred to a situation where all had their own cups.³

The similarities extend to sources as well. In the above example, both Meiri and Ritba use the same Yerushalmi passage to solve the problem. There are many examples of their common use of Tosafot, Rashi, Rif, Ravad, and Rambam to resolve the same issues. If one Rishon has quoted, say, Ravad in a specific case, often the other will also, particularly if that Rishon's opinion is crucial to the resolution of a problem (although as mentioned,

³ Meiri, p.175, Ritba, column 325.

in the case of Ritba, the influence must sometimes be derived from the text, as attribution is not always explicit). A clear example is found in the commentary to the Gemara on 49a-b, which discusses changes in the Grace After Meals on a festival. Meiri mentions that Ravad held that one must mention the particular festival explicitly: "The Greatest of Commentators" wrote that one must mention "Yom Hag HaMatzot Haze", etc.⁴ Similarly, Ritba states, "The Ravad, z'l, wrote, one must mention "Hag Ploni Haze".⁵

Another example occurs in the discussion of the word on 49b mentioned in chapter one, "Tzofim", a place outside of Jerusalem. In his attempt to define the word, Ritba first quotes both the interpretations of Rashi and then Tosafot, attributing these explanations to them explicitly, and ultimately agreeing with Tosafot. Meiri follows precisely the same path, quoting both Rashi and Tosafot, and agreeing with Tosafot.

Both Meiri and Ravad seem to relate to their authoritative predecessors in the same way. Both respect and consider their opinions, but neither Meiri or Ritba are slavish followers of any one Rishon, and will side with different Rishonim in various disputes. Raah and Rashba are often at odds with one another;

⁴ Bet HaBehira, p.184.

⁵ Hiddushe HaRitba, column 342.

Ritba will often choose between them, or follow a different path entirely. It is interesting to see how in one Sugya Ritba will follow Raah over the Rashba, and in the very next Sugya, or sometimes the very next difficulty in the text, Ritba will prefer the opinion of Rashba over Raah! Ravad is one of the greatest authorities in Provence, yet Meiri does not always follow his opinion.⁶ For example, one issue is the question of one who has begun the fourth and last benediction of Grace, called "HaTov ve HaMetiv"- if he forgot to mention the special insertion for Shabbat in the third benediction, does he return to the beginning of Grace, or to the beginning of the third benediction? Meiri reports that Rashi and Rambam require him to begin Grace again, while Ravad holds that he must return only to the beginning of the third benediction. Meiri sides with Rashi and Rambam, against Ravad.⁷ Similarities between the two Rishonim extend also to larger concerns. Quite often, if one Rishon devotes considerable space to a particular topic, the other will as well. For example, on 46a the Gemara briefly sets out rules for the structure of benedictions- those that begin with a "Peticha" and end with a "Hatima", and those which do not. The whole

⁶ See Haym Soloveitchik, "Rabad of Posquieres, a Programmatic Essay", in Studies in the History of Jewish Society. (Jerusalem, 1980), p.13, for the influence of Ravad. See also chapter four of this paper.

⁷ Bet HaBehirah, p.184. vol. 17, volume 1253.

discussion in the Gemara is but a few lines. Yet Meiri and Ritba both write extended essays on the question of benedictions; their discussions of this Gemara make up the longest commentary in their respective works.

No doubt, much of the similarities between Meiri and Ritba can be ascribed to the fact that the "Peshat" interpretations of a text, and the problems inherent in that text, are apparent to both of our Rishonim, who are interested mainly in eliciting the "Peshat" meaning of the Talmud. It is not surprising that both of these accomplished scholars would focus on similar problems, and respond in similar ways. So too, Ritba and Meiri were inheritors of common interpretive traditions. Some of their interpretations can be traced as far as the Baal Halachot Gedolot, the Gaonim, and the Rif; they share knowledge of Rashi and Tosafot, Ravad was well known to both the Spanish and Provencal authorities. Meiri and Rashba, the teacher of Ritba, maintained an active correspondence on Halachic issues.⁸ That certain common interpretations would end up being in their respective works is a high probability, and I think this accounts for the preponderance of similar material in the two Rishonim.

This is not to say, however, that Meiri and Ritba do not display differences in their considerations of the Talmud text.

⁸ Encyclopedia Judaica, vol. 11, column 1258.

While Meiri and Ritba share to a great extent a common pool of Rishonic traditions, and often end by coming to similar conclusions, they do not always agree with one another.

For example: On 48b, which discusses the various sections of the Grace after Meals, the Gemara states, On Shabbat, one must begin with "Nechama", and conclude with "Nechama", and sanctify the day in the middle. Now, under discussion is the third of the benedictions of Grace, known as Boneh Yerushalayim. The Rif tells us that we must literally change the beginning of this benediction on the Sabbath to "Nachamenu", and the end to "Healenu LeTocha ve Nachameu...Menachem Amo Yisrael BeBinyan Yerushalayim" to comply with the Gemara. Raah agrees with the Rif. However, Rashi says that no, the entire benediction is one of "Nechama", that is its theme, and there is no need to change the actual form of the benediction. Rashba agrees with Rashi. Meiri also says there is no need to change:

Even though "The Greatest of the Halachic Decisors" (i.e. Rif) thought that the beginning and end had to really be written in a form of "Nechama", this does not seem right to me. We do not have to be meticulous to begin (the third benediction) on Shabbat with "Nachamenu" and finish "Menachem Amo Yisrael", but all who do not mention Shabbat in this benediction have not fulfilled their obligation.⁹

Ritba takes a third view. The beginning of the benediction can be unchanged for the Sabbath, but the end should be altered

⁹ Bet HaBehira, p.182.

according to the formula of the Rif.¹⁰

Another example: On 47a the Gemara states that Two diners must wait for one another over one dish (BeKaarah), three diners do not wait. Meiri interprets "Kaarah" literally, as one dish, and declares that if two diners were eating out of one dish, while one is drinking, the other must wait to eat, out of good manners. Ritba, on the other hand, interprets "Kaarah" figuratively, stating that this Gemara refers to a situation where one of the two diners is busy slicing the bread or drinking wine- his companion should not eat, out of good manners.¹¹

Another example: On 48b-49a the Gemara discusses the necessity of mentioning "Covenant" (Brit), "Torah" and "Kingship" (Malchut) in certain benedictions during the recital of Grace after Meals. Meiri states that one who does not mention "Covenant" in the second benediction and "Kingship" in the third benediction must be directed to return and begin again. However Ritba states that while mentioning these things may be required "Lechatchila" this is certainly not an "Ikuva", of absolute necessity. There is no need, as Ritba states, "to make him go back if he did not mention (these things)". Ritba therefore

¹⁰ Hiddushe HaRitba, column 337. Ritba's commentary here is a bit vague, and the reader is referred by the apparatus to his Hilchot, 7:9, where Ritba states his position explicitly.

¹¹ Hiddushe HaRitba, column 330. Bet HaBehirah, p.175.

disagrees with Meiri that the person should be made to repeat Grace.¹²

Another example: In the Rishonim, there is a discussion of wedding practices based on the Gemara of 50b, which mentions some wedding customs. Meiri states that it is an acceptable practice to toss wheat before a bride and groom on the wedding day and indeed, that was the custom in his community; Ritba deplores the practice.¹³

Despite these examples, the fact remains that Ritba and Meiri agree with one another in their interpretations of the texts and their Halachic conclusions a vast majority of the time; perhaps only ten to fifteen percent of the conclusions in the two works are in any real opposition to one another.

The greatest difference between Meiri and Ritba is manifested in their basic conceptual approaches to the text, a difference of both style and substance. Ritba is in essence "tosafistic"- he is primarily interested in solving problems in the text, reconciling conflicting passages, and elucidating the Halacha, but he does not write in a prescriptive fashion, as a code. Certainly he does not position the Halachic outcome of a

¹² Hiddushe HaRitba, columns 338-339. Bet HaBehira, p.183. You may be asking why Meiri neglects to mention "Torah" as well- I had the same question. The editor of my edition of Bet HaBehira is silent on the question.

¹³ Hiddushe HaRitba, column 362. Bet HaBehira, p.188.

particular Sugya as the primary feature of his commentary. Rather, it is one facet of his essential task of reconciliation, elucidation, elaboration and clarification.

Meiri, as has been mentioned, is also interested in resolving conflicts in the text and solving problems, but his approach to the Sugya differs from Ritba.

Meiri will first probe the Sugya and elucidate its Halachic conclusions. He will often first rewrite the Sugya, or elements of the Sugya, into a statement of law. For example, as has been mentioned previously, on 46a the Gemara contains a series of Sugyot of great complexity. Sugya number one begins Ad Haychan Birkat HaZimmun?, and appears to be dealing with the extent and content of the Zimmun formula. It contains Baraitic material, including the phrase- Birkat HaMazon Shnayim OoShelosh. The precise meaning of this phrase is a source of dispute among the Rishonim.¹⁴ Now, in the Sugya itself the Gemara offers the following interpretation of this Baraita (one of two offered); that it is referring to the number of sections of the Grace after Meals required by Torah law (three). However, "Shnayim" refers to the number of sections recited in a special Grace by workers. This part of the Sugya states:

When the Baraita states "Two and Three", (Rav Nachman) can say-

¹⁴ See Meiri, p.168, Ritba, columns 316-17 (and editor's comments there).

Here (in the case of "two") we are dealing with the Grace said by workers, for Mar said, (It) begins with "Hazan" and includes "Boneh Yerushalayim" in "Birkat HaAretz".

Now, the very next Sugya begins with a reference to Grace said by workers:

Said Rav Yosef- Know that "HaTov ve HaMetiv" is not DeOreita, for workers remove it (from Grace).

In typical fashion, Ritba approaches this issue in the course of his line by line commentary- quoting the Piska in full:

Know that HaTov ve HaMetiv is not DeOreita, for workers remove it. Even though "Boneh Yerushalayim" is indeed DeOreita, and even though this is so, workers do not recite it (as a separate benediction). But in this case, it is not removed, but it is included in the benediction of Birkat HaAretz, but HaTov ve HaMetiv is totally removed, they do not recite it at all.¹⁵

Ritba is interested in resolving a difficulty in the text- "HaTov ve HaMetiv" is not DeOreita, so it is not said by workers. But "Boneh Yerushalayim"? That is certainly DeOreita (by implication in this Sugya and discussed explicitly on 48b), and we might get the impression that it too is not being said. Ritba clarifies what has already been stated in the Gemara, that "Boneh Yerushalayim" is not removed, but simply loses its status in this special Grace as a separate benediction. Note that Ritba is also reconciling the two statements made about the workers'

¹⁵ Hiddushe HaRitba, column 318. Note that Ritba has chosen to comment on the matter when he comes to the second of the passages regarding the workers' Grace, which follows closely after the first in the Gemara.

Grace in the two Sugyot. Reconciliation and clarification, that is Ritba's agenda in this instance.

In his own typical fashion, Meiri does not even quote the Piskaot, but simply creates a "Psak Din" based on: A paraphrase of the two passages in these Sugyot, and a passage found earlier on 45b which states that Abbaye would recite "Amen" loudly after "Boneh Yerushalayim" so that workers would hear and get back to their work. Ritba discusses this statement as part of his commentary to 45b- Meiri takes it out of its order and incorporates it into the material on 46a:

In the case of workers who have eaten, it is not proper for them to prolong their blessing and waste time from their work. Rather, they bless the first benediction in its proper form, and begin the second benediction with "Birkat HaAretz", and include "Binyan Yerushalayim" in the midst of this, and they may not recite the fourth benediction at all, that is, "HaTov ve HaMetiv", for it is not from the Torah.¹⁶

Sometimes, as in the above example, Meiri will simply rewrite the Gemara into a prescriptive statement, and leave the matter. Usually, however, the Gemara is more complex, and needs elucidation. Therefore, the typical "Meiri" is to begin with a prescriptive statement based on the Gemara, followed by a discussion of the Sugya and then other Rishonic opinions. If the Sugya is particularly complex, he will sometimes break it down into its component parts, and address the Sugya in detail. He

¹⁶ Bet HaBehira, p.169.

will then subject the Sugya and its attendant issues to the gamut of Rishonic opinions, making sure that the reader knows by the end of the discussion which opinion Meiri himself values.

An example of Meiri's methodology can be seen in the discussion of the Gemara on 47b-48a. These pages contain a series of Sugyot generally focused on including a minor in Zimmun. However, the Sugyot are difficult and dense, they contain much seemingly extraneous material. The first Sugya is a lengthy collection of statements, beginning with the subject of including a minor but branching off to other subjects as well, such as the propriety of freeing slaves. The second Sugya is a collection of statements regarding participation in Tefillah and Zimmun with less than the required amount of people; the third Sugya discusses including in Zimmun a "Katan Poreach".

This Sugya is translated:

R. Yochanan said, a "Katan Poreach" is included in Zimmun. It has also been taught- A minor who has brought forth two hairs is included in Zimmun, and if he has not brought forth two hairs, he is not included in Zimmun. We do not check a minor carefully. This is a difficulty! You say, if he has produced two hairs, yes; if he has not produced them, no. Then it is stated, we do not check a minor carefully. What is it to include? Is it not to include a "Katan Poreach"? The Halacha is not as all these previous statements. Rather, it is as Rav Nachman stated: A minor who knows to whom he is blessing may be counted in Zimmun.

This Sugya concludes with the story already cited in chapter two of Abbaye and Rava being praised for their precocious recognition of the place of God's dwelling.

Both Ritba and Meiri focus on essentially the same issue- the elucidation of the correct Halacha regarding the participation of a minor in Zimmun. Both end up with essentially the same conclusion, that even a young child can be included if he knows to whom he is blessing. However, they display their different approaches in their commentaries.

Ritba is essentially interested in illuminating particular problems in the text. He methodically addresses each difficulty as it appears in the Talmud. First, he defines a "Katan Poreach":

Katan Poreach. Perush- He has begun to bring forth (testicular hairs) but has not finished, they have not grown so that their ends can be bent and doubled.¹⁷

Then, he discusses the statement that the Halacha does not follow all that has been said previously, and that of R. Nachman that a minor who knows to whom he is blessing is included in Zimmun.

The Halacha is not as all the (previous) statements, rather, as R. Nachman said, a minor who knows to whom he is blessing is included in Zimmun. Perush- Now, the Baraita reads well, for it is taught that "a minor who has produced two hairs is included in Zimmun", Perush, even if he does not know to whom he is blessing, so that he be not dissuaded from Mitzvot that he will be obligated in when he is grown. "If he has not produced two hairs he is not included in Zimmun", for he does not know to whom he is blessing. "We do not check a minor". We do not check his hairs. (The correct understanding of all this is) If he knows to whom he is blessing, even if five years old, we include him in Zimmun.

¹⁷ Hiddushe HaRitba, column 330.

Now this does not act as a support for Rav Nachman, because the Baraita can be interpreted in another way as previously done regarding the Katan Poreach. As for the matter of Zimmun among ten, minors who know to whom they are blessing are included, as long as there are at least seven adults, for we require a recognizable majority, for a recognizable majority is required when they are together, this is also the rule regarding prayer.¹⁸

Ritba then comments briefly on the story of Abbaye and Rava; we have already seen his comments in chapter two.

This is the total extent of Ritba's commentary. One can see Ritba's interest- he identifies the difficult term "Katan Poreach", he elucidates methodically the lines of the Sugya and arrives at an Halachic outcome, and finally, reconciles this Sugya to one on the same page which states the principle that in the Zimmun of ten, a recognizable majority is required.

Meiri, however, first presents a short "Psak" like statement which comprises the essence of his decision:

What has been stated in the Mishna, regarding the fact that minors are not included in Zimmun, is subject to varying interpretations. Even the great ones of old differed as to this. The correct view is that a minor who knows from his understanding to whom he is blessing, even genuine minors, like of the age of nine or ten, and even if they have not produced two hairs, are included in Zimmun of three, and if they know with very sharp understanding even younger than this. There is evidence for this in the story of Abbaye and Rava, who were sitting before Rabbah at a meal and he said to them "To whom are you blessing?" and they said to him, "To The Merciful One" etc...¹⁹

Meiri then informs us that this is the law. "This is the

¹⁸ Ibid.

¹⁹ Bet HaBehira, p.180.

general Din as it appears to me". Note that at the very beginning of his commentary Meiri cuts through the Gemara to the very last issue in the final Sugya, the story of Abbaye and Rava, in order to present his prescriptive statement.

He then turns to the elucidation of the Gemara, particularly the statement The Halacha is not as all the (previous) statements. Meiri decides he must clearly delineate all the "previous statements". Beginning with the very first Sugya, for the purpose of clarification, he breaks down all the relevant Gemara, listing each statement by number! (I.e., "The Halacha is not as the first statement, which said... and not as the second which said... and not as the third which said...."). This also is a way for Meiri to survey this section of the Sugya, which had not yet been cited.²⁰

After numbering every statement in the Gemara so as to clarify and fully explore the text, he discusses some issues brought up by the Gemara, bringing in other opinions besides his own.

While Ritba is presenting what is in essence a commentary, Meiri is presenting a combination code-commentary. His prescriptive statements which introduce every Gemara discussion are strongly reminiscent of the Mishneh Torah, and it is possible

²⁰ I am grateful to Dr. E. Diamond for this observation.

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Ibid., p. 93.

Chapter Four

Historical Influences on Meiri and Ritba

Until the twelfth century, scholarship in Provence and Spain pursued two distinct paths, and there were no extensive links between the two regions.

For several centuries prior to the twelfth, Provence had been recognized as a center of great Torah learning.¹ Provencal scholarship was completely Torah-centered; there was no secular or scientific component. Provencal scholars engaged in the study of Talmud and halacha. They did not just busy themselves in "practical halacha"; according to Benedikt, they studied tractate Zevachim as assiduously as Shabbat.²

A distinctive feature of the Provencal sages was their inclusion of Midrash and the Jerusalem Talmud as important literature.³ Benedikt, "LeToldotav Shel Mercas HaTorah BeProvence", in Tarbitz, 22, 1951, p.86.

¹ Ibid., p.93.

² Isidore Twersky, Sages of Provence, Harvard University Press, Cambridge, 1962, p.35.

subjects of study. This interest in Midrash and the Yerushalmi can be still seen in Meiri, who, as mentioned, uses Midrash and the Jerusalem Talmud more frequently than does Ritba.

In contrast, the Spanish scholars combined Torah learning with the studies of science, literature, and philosophy. In Talmud and Halachic matters, they looked to the Gaonim and Bavel as the source of authority. This contrasted with Provence, which did not accord the Gaonic and Babylonian traditions as much authority.³ As a result of these differences, Provence developed many Minhagim distinct to its own region.⁴

In the beginning of the twelfth century, Provence became politically associated with Northern Spain, the region known as Catalonia. This part of Spain had come under Christian dominance as part of the reconquista, and the ruling counts of Catalonia had achieved hegemony over Provence.⁵

With this new political association came extensive

³ Ibid., p.92. This is the view of Benedikt. H. Soloveitchik seems to hold the position that the Gaonim were indeed a great influence in Provence until Ravad. He writes, "Provençal writings (were) a storehouse of Gaonic literature". Due to the influence of Ravad, "Gaonic material in Provence dwindles". According to Soloveitchik, Ravad liberated Provence from the influence of Gaonic literature. See H. Soloveitchik, "Rabad of Posquieres, a Programmatic Essay", in Studies in the History of Jewish Society, Jerusalem, 1980, p.12.

⁴ Benedikt, p.93.

⁵ Isadore Twersky, Rabad of Posquieres, Harvard University Press, Cambridge, 1962, p.35.

connection between the sages of Provence and the sages of Catalonia. Spanish influence poured into Provence, eventually accelerated by Spanish scholars fleeing Muslim persecution in the south. Septimus writes, "The Spanish emigres brought with them the achievements of Spanish Halacha, philosophy, Biblical exegesis, and letters, stimulating in Provence a period of intense creativity and cultural change".⁶ Authorities such as the Rif, Ibn Megash, and Judah ben Barzilai were introduced into Provence, and were subjected to study and critique. Philosophy and science found their way into the Provencal curriculum. There grew in Provence the type of scholar the region had not yet produced; one versed in both Torah and philosophy. In a few generations, R. Menachem HaMeiri would come to exemplify such an individual.⁷

One of the pioneers in combining Spanish and Provencal traditions was, according to Twersky, R. Meshullam ben Jacob, one of the principle teachers of the Ravad. "Under (Meshullam's) aegis a decisive change in the character of Provencal Jewish learning took place: A Torah centered community completely devoid of secular learning turned, with remarkable zest and gusto, to the cultivation of philosophy and other extra-Talmudic

⁶ Bernard Septimus, Hispano-Jewish Culture in Transition, Harvard University Press, Cambridge, 1982, p.29.

⁷ Katz, p.114.

disciplines".⁸

The flow of discourse between Spain and Provence opened up a period of great creativity. Perhaps not coincidentally, it was also a period of change in Christian Europe. A feudal system was being replaced by principles of justice drawn from Roman law.⁹

There was great religious ferment as the Catholic Church came under criticism from various sects and heresies.¹⁰ That the Jews should be engaged in great legal development and Halachic creativity at such a time, and that eventually there would be an attempt in the Jewish community to root out heresy, is no surprise.

With the influx of Spanish traditions, some Provencal traditions came under attack. This tension between Spanish and Provencal customs is reflected in at least one instance in the Meiri and Ritba. The Spanish authorities, including Ramban, had objected to the Provencal custom of saying "El Melech Neeman" just before the Shma.¹¹ Meiri defended this custom in his polemical work, Magen Avot. This dispute shows up again in the

⁸ Twersky, p.13.

⁹ Baer, p.286.

¹⁰ Twersky, p.20.

¹¹ Bernard Septimus, "Open Rebuke and Concealed Love", in Rabbi Moses Nachmanides, I. Twersky, editor, Harvard University Press, Cambridge, 1983, p.30.

Bet HaBehira, were Meiri once again defends the custom, although seemingly without the partisan fervor displayed in the Magen Avot.

Indeed, Meiri states in the Bet HaBehira, "I have already gone on at length regarding this matter in a special composition in the matter of "El Melech Neeman".¹² Ritba mentions the issue in his Hiddushe HaRitba, but does not seem to commit to a particular position.¹³

The Halachic creativity stimulated by the association of Spain and Provence influenced both regions. Ramban, although one of the great defenders of Spanish traditions against those of Provence, was a student of R. Natan of Trinquetaille, a noted Provencal sage.¹⁴ Ravad, although a Provencal scholar, became one of the greatest authorities for both regions. Soloveitchik writes, "Ravad's influence upon Talmudic studies was...massive, not only in Provence, but south of the Pyrenees as well. Hundreds upon hundreds of his original insights were assimilated, adapted, and extrapolated by the scholars of Spain, whose school dominated Halachic thought for centuries".¹⁵ More specifically,

¹² Bet HaBehira, p.167.

¹³ Hiddushe HaRitba, column 315.

¹⁴ Ibid., p.34. (ff).

¹⁵ Soloveitchik, p.13.

"His commentaries on Brakhot and Eruvin influenced all subsequent literature, and Adret, Meiri, and the Baal HaMeorot cite them extensively".¹⁶

It is now apparent why Ritba and Meiri share so much as to sources and content. Not only were the two Rishonim both privy to the Franco-German traditions of Rashi and Tosafot, but they shared in the rich heritage of the Provencal-Spanish confluence.

It is perhaps in the work of Ravad that the influence on Meiri's distinctive literary style can be found. Both Twersky and Soloveitchik state that Ravad engaged in the production of works which were combinations of code and commentary. Soloveitchik even labels them "commentary-codes": "Ravad was effective in commentary-codes; where line by line explication de texte was out of place. The central topics (or problems) in a field had to be isolated, the controlling passages in the Sugya explained, and the merits of conflicting views weighed".¹⁷ This could be an accurate description of the Meiri as well. Further, Twersky writes of Ravad's commentary to Baba Kamma: "Ravad weaves select lines of the Talmudic text into a detailed explanation which reads like an independent little essay, the explanatory

¹⁶ Ibid., p.26.

¹⁷ Soloveitchik, p.16. I noted with some modest joy and happiness that Soloveitchik makes the same dichotomy between the commentary-code and the line by line commentary as is made in this paper.

remarks often indistinguishable from the text. It is in reality a mosaic of text interspersed with his comments and notes. His style in the commentaries, in keeping with what we have seen elsewhere, is lengthy, fluent, and easy- a fact immediately sensed in the first few pages. On many occasions, he stops to illustrate the logical sequence of the text and its arrangement. Finally, in common with his method in other commentaries, he cites a number of various explanations, discusses and clarifies them, salvages the tenable aspects, and offers his own".¹⁸ Again, this description of the method and style of Ravad can suffice to describe the Meiri as well- the weaving of text and commentary, an "essay-like" flavor, the offering of opinions other than his own.

Twersky identifies as pioneers of this style two of Ravad's teachers- Rabi (R. Avraham ben Joseph, also Ravad's father-in-law), and Rambi (R. Moses ben Joseph). "Unlike those codifiers who separated code from commentary, limiting their codes only to the actual, operative law, Rabi and Rambi unify the two aspects, presenting the final, normative conclusion together with its textual basis. This method was used and greatly refined by Ravad".¹⁹

¹⁸ Twersky, p.81.

¹⁹ Ibid., p.16.

One difference between Ravad and Meiri, however, may be indicated by the observation of H. Soloveitchik that Ravad's work has a certain lack of clarity and is technically difficult, and Soloveitchik surmises that Ravad was not concerned with guiding the ordinary student.²⁰ As was stated in the last chapter, Meiri seems to be concerned with presenting his material as clearly as possible, and may have been writing so as to enable a majority of students to reach an understanding of the Talmud and its interpretations.

Soloveitchik theorizes that this method of the Ravad (and by my extension, Meiri) did not characterize Spanish scholarship. Rather, Spanish authorities remained more or less committed to the tosafistic style. He writes, "It is, I suspect, the workings of the Tosafist dialectic upon the commentarial base of Rashi, Ravad and R. Hannanel that is, in many places, the tale told by Spain".²¹ This assumption would bear out some of what has already been stated in this paper regarding the style and method of Ritba.

I note the observation of M. Chernick that the code was

²⁰ H. Soloveitchik, *Class Notes*, 1987. Chernick attributes this in part to the influence of the Tosafists in Spain, and there are concepts of centralized authority. This view is in harmony with Benedikt's view of the extensive influence of the Tosafists.

²¹ Soloveitchik, p. 29. The Tosafists concerned the regulations of ritual cleanliness.

essentially a product of Sefarad.²² It may be then, that the delineation of code and commentary is more pronounced in Ritba and Rashba than in Meiri because the code was a more defined form in Spain. Raah had his Sefer HaHinuch, Rashba had his Hilchot in addition to his Hiddushe HaRitba, Rashba his Torat HaBayit in addition to his Hiddushe HaRashba, yet Meiri did not produce a major codal work. On the other hand, Ravad produced the Baale HaNefesh, characterized by Twersky as a codal work, albeit of narrow focus.²³ Nevertheless-and this is only a conjecture- the delineation of code and commentary may have been more pronounced in Spain than in Provence, which might account for some of the differences in both style and content between Meiri and Ritba that have been enumerated in this paper.

²² Michael Chernick, class notes, 1987. Dr. Chernick attributes this in part to the great influence of the Gaonim in Spain, and hence the concept of centralized authority. This view is in harmony with Benedikt's view of the extensive influence of the Gaonim in Spain, as compared to Provence.

²³ Twersky, p.85. The work concerns the regulations of ritual cleanliness.

Conclusion

This paper has compared and contrasted R. Menachem ben Solomon HaMeiri and R. Yom Tov ben Avraham Ishbili. It has been demonstrated that the two Rishonim exhibit various differences in their literary style and in the structure of their works. This paper has shown that while they often display great similarity of content, their approaches to the Talmud text differ in significant respects.

Yet at the conclusion of this work, some questions remain. I have noted that Ritba borrowed heavily from Raah and Rashba. It would be interesting to examine in detail their contributions to his work. What percentage of Ritba's work can be found in Raah and Rashba? Does he favor one teacher over the other? Are there specific types of issues in which he favors one over the other? Can we find other Rishonim who borrow heavily from their teachers? Also regarding Ritba, it would be interesting to explore in detail the relationship of his code based on tractate Brakhot with his Hiddushe HaRitba on Brakhot.

As for Meiri, his relation to the Rambam is an area

deserving of further consideration. I remarked in this paper that Meiri's "Psak Din" style is reminiscent of the Mishneh Torah. How conscious a process was this for Meiri? Did he deliberately pattern part of the Bet HaBehira to resemble the earlier work of the Rambam? If so, how far do the similarities go? Was the structure of the Mishneh Torah an influence on the development of the commentary-code genre in Provence?

I often wondered in the course of studying this material just who was the intended audience. Was Ritba writing for an educated elite, and hence his elevated language; was Meiri writing for a less learned group, and hence his simplicity and clarity? Or, do the different styles simply reflect the dissimilar methods of the two Rishonim, and have nothing to do with the "target" readership?

This paper made a distinction between commentary and commentary-code. I have hypothesized that the structural differences between Meiri and Ritba may result from the fact that the code was perhaps a more distinct literary form in Spain, giving rise to a greater delineation of code and commentary in Spain, than in Provence. Considering the extensive cultural and intellectual ties that existed between Spain and Provence, it would be interesting to further explore why the two areas seemed to have maintained this distinction. In other words, why the commentary-code in Provence as opposed to commentary and code as

separate works in Spain?

Finally, I think an area that can be explored is the presence of "meta-Halachic" issues in the two Rishonim. Certainly in the works studied, they rarely discuss underlying moral or "spiritual" issues. Is this characteristic of the two Rishonim throughout their works? Is this characteristic of Halachic Rishonic works in general? Are these concerns that reflect a twentieth century bias and cannot be applied to these works?

These and other questions remain. I hope that this present work has contributed a small measure to the study of Rishonic literature.

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