

**RABBI ISAAC BEN JACOB ALFASI, *Sefer ha-halakhot* [The Book of Laws]
In Hebrew and Aramaic, manuscript on paper
Yemen, 1510**

618 pages on apparently unmarked paper, modern foliation in pencil in Arabic numerals near upper-outer corners of rectos toward front of volume, often erased, modern pagination in pencil in Arabic numerals in upper-outer corners (cited), complete (collation: i^o [i^o torn, with stub present] ii-xxxii^o), slanted catchword in lower margin of each verso, ruled in blind with a mastara (ruling board) (justification approximately 193 x 120 mm), single-column text written in beautiful Eastern square (headings and incipits) and semi-cursive (text body) scripts in dark brown and black inks in 25 lines to a page, justification of lines via dilation or contraction of final letters, suspension of final letters, insertion of (ornamental) space fillers, use of anticipatory letters, and abbreviation, Tetragrammaton abbreviated to three letters yod in a triangle formation followed by a wavy line, indications by scribe of his name on pp. 205, 343, marginal comment on p. 7, episodic corrections, enlarged headings and incipits (rubricated on p. 253), those at the beginning of each new section usually flourished (rubricated on pp. 390, 409), diagrams on pp. 107, 261-262, 292, 294, 389 (rubricated), 434 (rubricated), 441 (rubricated), scattered staining and dampstaining (darker on pp. 1-10, 599-618), some dog-earing, first (unpaginated) leaf torn, with only a bit of text visible on verso ("filosof zal"), small repairs in outer edges of pp. 1-6, in gutter at head of p. 11, in upper edge of pp. 17-18, and in lower edge of pp. 617-618, gutters of pp. 38-39 strengthened, folios comprising pp. 47-50 misbound, slight worming in outer edges of pp. 51-64, in lower edges of pp. 79-85, in upper edges of pp. 355-367, in upper margins of pp. 387-478 (sometimes repaired), and near gutter at foot of pp. 397-414. Original(?) leather over cardboard binding centered by a blind-tooled rosette and framed by elegantly blind-tooled interlace work, scratched, worn, and rubbed, spine rebacked and inside covers relined, shelfmark numbered in gilt at base of spine, early paper flyleaves attached to boards via leather guards. Dimensions 260 x 176 mm.

One of the most significant Jewish legal compendia ever compiled, Alfasi's *Sefer ha-halakhot* would exert enormous influence on subsequent jurisprudence and Talmudic interpretation, especially in Iberia. Perhaps due to its popularity, the work was adapted and altered during its transmission, making manuscripts representing the author's original text – such as the present one – especially valuable. Elegantly produced by a skilled scribe and decorated with several rubricated headings and diagrams, this copy is one of only three pre-1600 codices of the work known to have been offered publicly in the past forty-plus years.

PROVENANCE

1. The colophon on p. 617 reads: "Its completion took place on Tuesday, 18 Marheshvan 1822 AG [October 22, 1510], and it was written for [...] Rabbi Shalom, may He Who dwells in peace [*shalom*] keep him; son of [...] Rabbi Obadiah, may the Merciful One keep and sustain him; son of [...] Rabbi Abraham; son of [...] Rabbi Kokhav, may the memory of the righteous, holy, upright, and perfect be a blessing. It was written by the humble Amram ben Saadiah Ibn Abud, may his end be good." The scribe ends by paraphrasing the start of the poem appended by Rabbi Abraham Ibn Ezra (1089-1164) to the conclusion of his commentary on the Pentateuch: "My signature will reveal my name / After I have returned to the earth. / It shall serve as a memento, even after my hand / Has withered, and my writing will remain." A little over a year earlier (2

Marheshvan 1821 AG), Ibn Abud had finished copying a five-volume Torah commentary by Rabbi Samuel ben David ben Solomon on behalf of the same patron (Oxford, Merton College, Mss. Or. 6-10). While no location is given in any of the copyist's colophons, Michael Rigler has pointed out that the personal name Kokhav is found only among Yemenite Jews (Rigler, 1991).

2. The book eventually came into the possession of Abraham ben Baruch Cohen, who signed his name in poetic inscriptions on p. 1.
3. The present manuscript was later acquired by Naphtali Hirz van Biema of Amsterdam (1836-1901), a communal leader and bibliophile. Van Biema inherited the library of his uncle, Hirschl Lehren of the Hague (1784-1853), but also added to it throughout his lifetime. Following his death, his collection was auctioned by J. L. Joachimsthal of Amsterdam; this manuscript would have been offered at the sale held Thursday evening, February 23, 1905, at 6:30pm (Seeligmann, 1904).
4. David Solomon Sassoon (1880-1942), one of the most prominent private collectors of Hebraica and Judaica of all time, purchased the volume from the Amsterdam booksellers P.A. Hemerijck and A.T. Kleerekoper on August 9, 1939, and assigned it the shelfmark 1271 in his library (see p. 1 and spine). By the time he passed away a few years later, he would add just three more manuscripts to his collection, making this codex one of his final acquisitions.

TEXT

p. 1, pen trials and poetic ownership inscriptions; [pp. 2-3, mostly blank];

pp. 4-103, commentary on Tractate *Berakhot*, incipit, "me-ematai korin et shema be-arvin... yelekhu me-hayil el hayil yera'eh el e-lohim be-tsiyyon";

pp. 104-260, commentary on Tractate *Shabbat*, incipit, "yetsi'ot ha-shabbat shtayim she-hen arba bi-penim... ama[r] leih mit'assek be-alma ana";

pp. 261-334, commentary on Tractate *Eiruvin*, incipit, "mavoi she-hu gavoah me-esrim ammah... she-lo hittiru lakh ella mi-shum shevut";

pp. 334-388, commentary on Tractate *Pesahim*, incipit, "or le-arba'ah asar bodekin et he-hamets le-or ha-ner... hilekhakh shevsar di-sefeika de-shetsar hu la akhil ad le-urta ve-ken hilkheta";

pp. 388-389, Rabbeinu Hananel's explanation of halakhic (Jewish legal) volume measurements, incipit, "peirush etsbe'ayim al etsbe'ayim... tirba u-misparekha yehi ken";

pp. 390-409, commentary on Tractate *Rosh ha-shanah*, incipit, "arba'ah rashei shanim hen... u-maskana ve-hilkheta omerin zeman be-rosh ha-shanah ve-yom ha-kippurim";

pp. 409-424, commentary on Tractate *Yoma*, incipit, "yom ha-kippurim asur ba-akhilah u-bi-shetiyyah... ki ata rav dimi ama[r] mappeish hayyei masgei";

pp. 424-455, commentary on Tractate *Sukkah*, incipit, "sukkah she-hi gevohah le-ma'lah me-esrim ammah... manei meikhla bar mi-metalalta manei mishteya bi-metalalta";

pp. 455-496, commentary on Tractate *Yom tov*, incipit, "beitsah she-noledah be-yom tov... de-ha einan ba'ot be-tokh ha-tehum";

pp. 496-545, commentary on Tractate *Mo'ed katan*, incipit, "teno rabbanan et hag ha-matsot tishmor... yelekhu me-hayil el hayil yera'eh el e-lohim be-tsiyyon";

pp. 545-582, commentary on Tractate *Megillah*, incipit, "megillah nikret ba-ahad asar... ella im ken hu aviv o rabbo";

pp. 582-587, commentary on *Hilkhot tum'ah*, incipit, "va-yomer ha-shem el mosheh emor el ha-kohanim benei aharon... ama[r] r. yohanan halakhah ke-r. yosei";

pp. 587-591, commentary on *Hilkhot sefer torah*, incipit, "ama[r] r. yehoshua bar abba... min ha-muttar be-pikha";

pp. 591-597, commentary on *Hilkhot mezuzah*, incipit, "shte parashiyyot ba-mezuzah me'akkevot zo et zo... mi-shum yishuv erets yisra'el";

pp. 597-606, commentary on *Hilkhot tefillin*, incipit, "arba parashiyyot she-la-tefillin me'akkevot zo et zo... va-ha-shem aleihem yihyu";

pp. 606-617, commentary on *Hilkhot tsitsit*, incipit, "teno rabbanan ha-kol hayyavin be-tsitsit... honeh mal'akh ha-shem saviv li-yere'av va-yehalletsem"; [p. 618, mostly blank].

Rabbi Isaac ben Jacob Alfasi (Rif; 1013-1103) was a transitional figure who lived on the seam between the period of the *ge'onim* (heads of the Babylonian academies) and that of the *rishonim* (high medieval Talmudic interpreters). A native of northern Algeria who received his education in Kairouan (present-day Tunisia), Rif resided for much of his life in Fez (hence the surname Alfasi) until about the age of 75, when he was forced to flee to Iberia, where he headed a yeshiva in Lucena and subsequently passed away. During his long career, he taught many eminent students and wrote numerous responsa. Perhaps his greatest literary legacy, however, is his *Sefer ha-halakhot*, also known as *Hilkhot rav alfas*, a comprehensive summary-cum-commentary of/on the halakhic (Jewish legal) and aggadic (homiletical) portions of the Talmud that remain practically relevant for Diaspora Jews nowadays, in the absence of the Temple in Jerusalem. It was studied by scholars and laymen alike, in many cases substituting for the Talmud itself due to its concision and practical orientation. Numerous rabbinic authorities in the centuries that followed its compilation praised, criticized, and expanded Rif's work, making it one of the seminal halakhic codes of the Middle Ages (Shefer, 1967 and Ta-Shma, 1999).

The first edition of *Sefer ha-halakhot* to have survived in its entirety was printed in Constantinople in 1509 in two volumes and included the commentaries of Rabbis Nissim Gerondi, Joseph Habiba, Jonathan ha-Kohen of Lunel, and others, together with Rabbi Mordechai ben Hillel's voluminous halakhic compendium, *Sefer mordekhai*. A new edition appeared at Daniel Bomberg's press in Venice in 1521-1522, this time in three volumes and including an edited version of

Rashi's commentary on the Talmud, as well as the text of the Tosefta (a collection of early rabbinic teachings). These two imprints served as the basis for many of those published in the centuries that followed (down to the present day), significantly influencing the course of halakhic history in the era of the *aharonim* (modern Talmudic interpreters). For example, Rabbi Joseph Caro, author of the *Shulhan arukh*, the most important halakhic code in the print era, apparently used the Constantinople edition in his studies and writings (Ashkenazi, 2018).

Recent scholarly research has revealed the extent to which the text of Rif's magnum opus underwent modification in the late Middle Ages and early modern period, especially with the advent of movable type. Ezra Chwat has demonstrated that the manuscript tradition of Alfasi's work on Tractate *Shabbat* alone differs in 2,411 instances from the commonly available printed editions (Chwat, 2006). These changes include clarifications, additions, subtractions, simple errors, and even intentional content alterations, some of them made to accommodate the work's transition to the European continent or to bring it in line with the halakhic rulings of the Ashkenazic Rabbi Asher ben Jehiel (1250-1327). The result is what Chwat calls "a different book" from the one composed by Alfasi (Chwat, 2012). He and a team of researchers have therefore consulted numerous early textual witnesses, including Cairo Genizah fragments, to produce a critical edition of Rif's original code (see Online Resources).

The present codex is a faithful representative of the old (pre-Europeanization) manuscript tradition, completed on behalf of an apparently Yemenite patron in 1510, shortly after the *editio princeps* of *Sefer ha-halakhhot* appeared. (On Alfasi's influence in Yemen, see Gavra, 1999, and Gaimani, 2007.) This beautiful copy comprises Rif's commentaries on Tractate *Berakhot*, treating various aspects of Jewish prayer; *Seder mo'ed*, made up of tractates dealing with the laws of the Jewish festivals; and *Halakhhot ketannot*, a collection of short treatises devoted to circumscribed areas of Jewish law, like the rules governing ritual fringes, phylacteries, Torah scrolls, etc. On its rear flyleaf, a later user (perhaps Abraham ben Baruch Cohen?) added a prayer for protection from the Evil Eye, evil spirits, demons, and so on.

While Chwat and his team have identified at least 850 manuscripts of *Sefer ha-halakhhot* represented by 2,281 fragments from the Cairo Genizah (Chwat, 2006), relatively few codices of the work survive from before the year 1600. Even fewer of these can be positively identified as Yemenite or Eastern in origin; indeed, there are likely no more than a handful extant, all held by public institutions in Jerusalem, New York, Oxford, and San Francisco. Over the last forty-plus years, only two medieval codices and two medieval fragments (of more than one leaf) are known to have been sold at public auction.

LITERATURE

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ONLINE RESOURCES

TM 1433 digitized black-and-white microfilm viewable on site at the National Library of Israel) https://www.nli.org.il/en/manuscripts/NNL_ALEPH990001351100205171/NLI

Constantinople, 1509 edition

https://www.nli.org.il/en/books/NNL_ALEPH990012682610205171/NLI

Venice, 1521-1522 edition

https://www.nli.org.il/en/books/NNL_ALEPH990012457170205171/NLI

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