

# The Original Layout of the *Semak*: A Chapter in the Development of the Glossed Hebrew Book

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Before the end of the thirteenth century, Hebrew books with glosses were rare.<sup>1</sup> At a time when glossed works of rhetoric, Bibles, and lawbooks were widespread in the Latin West,<sup>2</sup> one is hard pressed to find manuscripts of Hebrew works with a multi-level page layout, which included a primary text and a complementary gloss.<sup>3</sup> Instead, we find stand-alone commentaries that

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- 1 The two notable exceptions in halakhic literature from the twelfth century are the gloss (*tosafot*) that Samuel b. Meir the Frenchman (Rashbam) penned to Alfasi's *Halakhot* and the glosses of Abraham b. David from Southern France (Rabad) on various legal texts, most famously on Maimonides' *Mishneh Torah*. See Shamma Y. Friedman, "Tosafot of R. Samuel ben Meir to Alfasi," *Kobez al Yad* 8 (1975), 189–226 (Hebrew) and Isadore Twersky, *Rabad of Posquières: A Twelfth-century Talmudist* (Philadelphia: Jewish Publication Society, 1980), 117–27 and 157–78. Regarding the glosses of Rabbeinu Ephraim on Alfasi's *Halakhot* that were *not* written as glosses, see Israel M. Ta-Shma, *Talmudic Commentary in Europe and North Africa: Literary History Part One, 1000-1200* (Jerusalem: Magnes Press, 2000), 155 (Hebrew). For an example of one French tosafist glossing the work of another from the turn of the thirteenth century see below n. 53.
  - 2 See Lesley Smith, *The "Glossa Ordinaria": The Making of a Medieval Bible Commentary* (Leiden: Brill, 2009), 1–12.
  - 3 For an introduction into the glossing of medieval Jewish texts, and the development of gloss literature, see the entry of Shlomo Z. Havlin, "Haggahot," *Encyclopedia Judaica*, 2d ed. (Detroit: Thompson Gale, 2007), 8:217–21 and Yaakov S. Spiegel, *Chapters in the History of the Jewish Book: Scholars and their Annotations*, 2d ed. (Ramat-Gan: Bar-Ilan, 2005), 157–213 (Hebrew).

were copied separately from the text it was interpreting.<sup>4</sup> In contrast to the well-known layout of the printed Talmud page, the writings of Rashi and Tosafot were written and usually copied as stand-alone commentaries and not as actual glosses to be copied on the same page.

## Two Thirteenth-Century Developments of the Hebrew Glossed Book

Sometime towards the end of the thirteenth century, there was a discernable growth in the production of glossed books in France and Germany. From this time onwards, scholars wrote supplementary glosses with the intent that they be copied on the same page as the primary text.<sup>5</sup> Some of these works circulated widely. The three most prominent texts were Perets of Corbeil's gloss (*hagahot*) on Isaac of Corbeil's *Sefer Mitsvot Katan* (*Semak*), Perets's gloss to *Tashbets*, a collection of the customs and decisions of Meir of Rothenburg,<sup>6</sup>

- 4 See Rita Copeland, "Gloss and Commentary," in *The Oxford Handbook of Medieval Latin Literature*, ed. Ralph Hexter and David Townsend (Oxford: Oxford University Press, 2014), 171–91. For this study I chose to differentiate between a gloss commentary and a stand-alone one based upon page layout. One could, however, differentiate between the two based on content as well: a running commentary (such as that of Rashi on the Talmud or the Bible) was meant to explicate the entire text or most of it, verse by verse, while in a gloss commentary the commentator picks and chooses specific verses or passages to comment upon, as in the works by Rabad and Rashbam mentioned below. According to this definition, one could argue that the Tosafot commentary on the Talmud qualifies as a gloss commentary to the Talmud despite the fact that in medieval times it was usually not copied on the same page as the Talmud. See Friedman, "Tosafot of R. Samuel," 192–93 n. 16. See also Spiegel, *Chapters in the History of the Jewish Book*, 159–62, 174–77.
- 5 In addition to the evidence cited in Spiegel's study (above n. 3) see my discussion below regarding the term 'pnim.' In this paper, I limit my discussion to works related to Talmud and halakhah.
- 6 See Ephraim E. Urbach, *The Tosaphists: Their History, Writings and Methods* (Jerusalem: Mosad Bialik, 1980), 2:576–81 and 561 (Hebrew), where he briefly discusses Perets's glosses on *Semak* and *Tashbets*. For an in-depth description of Perets's glosses see Shevach Shulman, "The Uniqueness of Rabbi Perets ben Elyahu as a Tosafist and as a Posek" (master's thesis, Bar-Ilan University, 2014), 75–82 and 86–107 (Hebrew). For Perets's gloss on *Semak* see also Shulamit Ben Shaya, "The Laws of Nidda in the Halakhic Works of France: From the School of Rashi until the *Semak*" (PhD diss., Bar-Ilan University, 2016), 220–28 (Hebrew).

and Meir ha-Kohen's *Hagahot Maimoniyot* on Maimonides's *Mishneh Torah*.<sup>7</sup> There are around two hundred extant handwritten copies of Isaac's *Semak* with Perets's glosses,<sup>8</sup> around one hundred of *Tashbets* with Perets's glosses,<sup>9</sup> and some thirty copies of *Hagahot Maimoniyot* copied alongside Maimonides's *Mishneh Torah*.<sup>10</sup> The considerable number of extant medieval works written mainly in Ashkenazi Hebrew script allows us to infer that many more circulated in medieval Ashkenaz.<sup>11</sup>

The motivation for glossing these thirteenth-century glosses seems to have been a practical one.<sup>12</sup> Both Perets and Meir were guided by the wish to enhance, correct, and supplement the primary text so that their readers would have a better understanding of the law and would not make legal decisions based on the primary text alone.<sup>13</sup> Their goal was to produce an improved work that would help readers study the law and decide how to apply it.<sup>14</sup> In other words, their motivation was similar to that of Moses Isserles when glossing Joseph Karo's *Shulḥan Arukh*. It is possible that both Perets

7 See Havlin, "Haggahot Maimoniyot," 221–22, and Spiegel, *Chapters in the History of the Jewish Book*, 178–79.

8 See Ingrid M. Kaufmann, *Visual Aspects of Scribal Culture in Ashkenaz: Shaping the Small Book of Commandments (SeMaK)* (Berlin and Boston: De Gruyter, 2019), 185–202. My conservative estimate of around 200 copies is less than her count because I did not include fragments or copies of *Semak Zurich*.

9 This estimate is based upon a manuscript search in the old catalog of the National library in Jerusalem. Although I have not checked whether all these copies contain Perets's gloss, my initial impression is that most do.

10 This estimate is based upon a manuscript search in the catalog of the National library in Jerusalem. I also thank Natan Hirsch for rechecking this for me. It is worth noting that many of these manuscripts are of impressive high quality.

11 The script demonstrates its circulation in the area of France and Germany. This literary development in Ashkenaz continued into the fourteenth century and beyond. Two of the more famous gloss commentaries were Moses of Zurich's glosses to the *Semak* and Israel of Krems glosses to the *Psakim* of Asher b. Jehiel (Rosh).

12 This is in contrast to the twelfth century glosses mentioned in n. 1 whose authors' primary motivation was seemingly scholastic – that is, to critique specific positions found in the works they glossed.

13 There was surely a scholastic dimension to their work as well, but it was not their primary motivation.

14 Regarding *Hagahot Maimoniyot* see Haym Soloveitchik, *Collected Essays*, vol. 1 (Oxford and Portland, OR: The Littman Library of Jewish Civilization, 2019), 37–38 and vol. 2 (2014), 385. For a somewhat different perspective see Simcha

and Meir, like Isserles, were aware that the books they glossed were already being widely used to decide the law and they were not pleased with this development. They felt that the best way to counter the growing influence of these works was to supplement and correct them through glossing. Both Perets and Meir were engaged to a certain extent in re-writing the text they were glossing, hoping to offer their readers better versions of the works.

Fortuitously, we have Perets's students' description of his gloss on Isaac's *Semak*, as transcribed by a visiting scholar,<sup>15</sup> Isaac of Strasbourg,<sup>16</sup> that substantiates this hypothesis. They tell us:<sup>17</sup>

In due time (*le-yamim*) R. Perets saw this book, reflected upon it, and it seemed to him that the author of this book [Isaac of Corbeil] was overly concise. He then took the book and read it in its entirety and wherever he saw fit to expand upon his words, he expanded, and wherever he saw fit to disagree, he disagreed, and he also wrote his own legal thinking (*sevarato*) and the legal traditions that he received from his teachers.

Emanuel, *Fragments of the Tablets, the Lost Books of the Tosaphists* (Jerusalem: Magnes Press, 2006), 10 (Hebrew).

- 15 There are three textual witnesses to this report, and only one of them is complete. The complete text was printed on the opening folio of the first printing of *Semak* (Constantinople, c. 1511–1513). A partial text which ends somewhat before the end of the treatment of Isaac's work and lacks the description of Perets's glosses was appended by a later hand, during the fifteenth century, to Budapest, NSZL fol. 5 on fol. 52v. This text was published and supplemented with the Constantinople witness by Samuel Kohn, "Die hebräischen Handschriften des ungarischen Nationalmuseums zu Budapest," *Magazin für die Wissenschaft des Judentums* 4 (1876): 102–4. Paris, BnF héb. 386 (fol. 1r), datable c. 1310–1340, contains only the section of the report that describes Perets's glosses. This manuscript was probably copied in North Africa. I thank Tamar Leiter for checking this for me.
- 16 In Budapest, NSZL fol. 5 this report is attributed to Isaac of Strasbourg, however in the Constantinople text and in the fragment Paris, BnF héb. 386, this Isaac is not explicitly mentioned as the person who visited Corbeil, but rather only as the grandfather (or great grandfather) of Mordechai b. Natan (b. Elyakim), the scribe who copied this text.
- 17 See Kohn, "Die hebräischen Handschriften," 103. As noted above, this section of the students' report can be found in the first printing of *Semak* (Constantinople, c. 1511) but not in Budapest, NSZL fol. 5. It was, however, preserved in Paris, BnF héb. 386. There are no major differences in this section between the manuscript and the printed version.

These students identified three distinct types of comments within the gloss. First, comments aimed at clarifying ambiguities that may have stemmed from Isaac's terse writing. Second, comments indicating that Perets disagreed with some of Isaac's legal decisions. And third, Perets's own legal positions, which were based either on his own reasoning or on traditions he had received from his teachers.

This detailed description of Perets's gloss nicely illustrates what I suggested above. Perets (and Meir) were engaged, to a certain extent, in re-writing the book they were glossing.<sup>18</sup> Although it is possible, and even probable, that Perets's gloss began as a scholar's personal gloss of his own copy, for his own use, with time he realized its importance and value both for his students and for other readers of Isaac's work.

A second late-thirteenth-century development relating to the Hebrew glossed book, one that to my knowledge has not been emphasized, was the adoption of the gloss format by authors for their own literary creations. These scholars created a new type of work: one that contained two distinct units, a primary text and a corresponding gloss commentary.

I have identified three such books from Ashkenaz. The first is the edition of *Tosafot* produced by R. Eliezer of Tukh (probably Taucha) in eastern Germany.<sup>19</sup> While this work is known, its unique layout has not been considered. In his edition R. Eliezer carefully distinguished between his primary text, an edited and abridged version of the classic French teachings on the Talmud, and his '*gilyonot*' - literally the margins, the gloss, where he incorporated his own teachings and those of his Ashkenazi teachers.<sup>20</sup> In this case, Eliezer adopted the format of the glossed works described earlier

18 One however could argue that both Perets and Meir did not intend to rewrite the book they were glossing but rather viewed the book as a useful vehicle to transmit their own thoughts and teachings; see above, n. 14. Such an approach is possible but in my opinion a close reading of both these glosses indicates otherwise. Moreover, the perception of Perets's students supports my approach.

19 See Simcha Emanuel (citing Yacov Guggenheim) in Meir b. Barukh, *Responsa of Rabbi Meir of Rothenburg and his Colleagues: Critical Edition, Introduction and Notes*, ed. Simcha Emanuel (Jerusalem: World Union of Jewish Studies, 2012), I 52 (Hebrew).

20 See Aryeh Leibowitz, "Tosafot Tukh on the Talmud: A Critical Analysis of R. Eliezer of Tukh's Redaction of Tosafot and his Marginalia" (Ph.D. dissertation, Yeshiva University, 2012); Shalem Yahalom, "Tuch: An Ashkenazic Rewriting of French Tosafot," *Shenaton ha-Mishpat ha-Ivri* 28 (2014–2015): 111–69 (Hebrew).

to distinguish between his edition of the French teaching from the twelfth and early thirteenth century and the later teachings that originated in the thirteenth century and mostly outside of France.

The second work, whose author is anonymous, is another French legal work known as *Sefer ha-Niyyar*, which is accompanied by a gloss called *Nofekh*. The editor of the work, Gershon Appel, suggested that the author of the gloss was a family member or close student of the book's author, as he quotes a number of decisions and practices from the "father [author] of this work" (*avi ha-sefer ha-zeh*).<sup>21</sup> However, it is possible that the author himself penned these glosses, with the scribe converting his first-person comments into third-person form,<sup>22</sup> a familiar Ashkenazi scribal practice.<sup>23</sup>

The third work, Isaac of Corbeil's *Semak*, is the subject of the present study. I argue that Isaac intended his legal work *Semak* (or '*Amudei Golah*, as he titled it), to be a gloss commentary on a list of commandments that he had compiled and circulated some time before he wrote his legal work.<sup>24</sup> In other words, he designed his handbook of religious law so that God's commandments constituted the base text and his commentary was its gloss. Although no extant medieval manuscript preserves this page layout, I aim to demonstrate that this was his plan.

## The *Semak* as a Gloss Commentary

The first indication Isaac intended his book to be a glossed one comes from the way he described his work. In his letter to the communities of France and Germany, copied by a student into his own copy of *Semak*,<sup>25</sup> Isaac, in referring

21 *Sefer ha-Niyyar*, ed. Gershon Appel (Jerusalem: Mosad Harav Kook, 2001), 22–24.

22 This issue requires further study.

23 See Simcha Emanuel, "From First to Third Person: A Study in the Culture of Writing in Medieval Ashkenaz," *Tarbiz* 81 (2013): 431–57 (Hebrew). My examination of *Semak* manuscripts reinforces this conclusion.

24 On the relationship between Isaac's list of commandments, which he wished all Jews to recite a portion daily and to complete weekly, and his work of law see Judah Galinsky, "Law, Liturgy, and Intent: Isaac of Corbeil's Liturgical Innovation in Thirteenth-Century France," forthcoming in *JQR*.

25 This letter subsequently found its way into a number of medieval copies of the work and appeared in all its printings. I discuss medieval evidence of this letter in my forthcoming study *The Making of a Medieval Bestseller: Rabbi Isaac of Corbeil's Pillars of Exile and its Readers*.

to his *Semak*, advocated the daily communal study of “the commentary of two or three commandments.”<sup>26</sup> He did not write that one should study ‘the book,’ as might have been expected, but rather ‘the commentary.’ In contrast, both of his predecessors, Eliezer of Metz and Moses of Coucy, referred to their books of commandments as ‘books’ (*sefer*).<sup>27</sup> However, if Isaac’s work was a glossed one then referring to it as a ‘commentary’ would be accurate.<sup>28</sup>

In its current form, both in the various printed editions or even in the numerous extant medieval manuscripts, the *Semak* contains no obvious difference from the other two books of commandments (*Yere'im*, *Semag*) which preceded it in France. All information found in the list of commandments located at the head of the book, whether it be the title of the commandment, its biblical proof-text, or any other additional materials, was also copied into the work itself at the beginning of each commandment. This seemingly shows that the *Semak* was written as a handbook that could stand on its own and did *not* resemble either a glossed work or a stand-alone commentary to another text. However, a closer examination of the manuscripts, and even the printed texts, reveals various phenomena that reflect a different textual reality. Although the majority of the manuscripts preserve some of these indicators, as shall be shown below, this different textual reality is best demonstrated by the version of the *Semak* that is part of the *North French Hebrew Miscellany*, discussed next.

- 26 See the introduction (*hathalat ha-Semak*) in the edition of *Sefer ha-Semak mi-Zurich*, ed. Isaac Jacob Har-Shoshanim-Rosenberg (Jerusalem, 1977). This is the best printed version of this text. The introduction is found in the opening unpaginated pages of the first volume.
- 27 For Moses, see his *Sefer Mitsvot Gadol ha-Shalem* (Jerusalem: Machon Yerushalayim, 1993), I:13. He uses the terms ‘*sefer*’ (book), ‘*sefer Torah*,’ and ‘*sefer mitsvot*’ (book of commandments). For Eliezer, see his authorial colophon *Sefer Yere'im*, ed. A. A. Schiff (Vilna, 1892), 537 (“*sefer zeh, sefer Yere'im*” (this book, the book *Yere'im*)).
- 28 Isaac’s choice of phrase (‘commentary’) also makes sense within the context of the overall aim of his letter. There he outlined his broad plan of religious education, which began with the daily recitation from his list of commandments as well as a study of selected sections from his legal work and from the weekly portion of the Torah. Within that context, it made sense to refer to his legal work as a commentary, especially as it was arranged according to the order of his list of commandments.

## The Earliest Manuscript of *Semak* and its Significance

London, British Library Add. 11639 (Margoliouth 1056), known as the *North French Hebrew Miscellany*, contains the earliest dateable copy of Isaac's *Semak*. Although close to two hundred medieval (13<sup>th</sup>–15<sup>th</sup> c.) manuscripts of Isaac's *Semak* have survived until today, this is undoubtedly one of the most important ones. This codex, copied by Benjamin the Scribe, has been dated by Malachi Beit-Arié to 1279–1280<sup>29</sup> (during Isaac's lifetime),<sup>30</sup> whereas all other extant manuscripts of *Semak* are from circa 1290 and later.<sup>31</sup> Moreover, since it is such an early copy, it is the only surviving text that does not contain any of the glosses penned by Perets of Corbeil. This feature makes it essential for reconstructing Isaac's *Semak*. In almost all other manuscripts<sup>32</sup> it is almost impossible to disentangle Isaac's text from Perets's glosses as the gloss

- 29 Malachi Beit-Arié, "The Making of the Miscellany," in *The North French Hebrew Miscellany (British Library Add. MS 11639): Companion Volume to an Illuminated Manuscript from the Thirteenth Century France in Facsimile*, ed. Jeremy Schonfield (London: Facsimile Editions, 2003), 47–73; see also the clarification in Emanuel, *Fragments*, 199 n. 55.
- 30 Isaac passed away on the 28<sup>th</sup> of Iyar, 6040 (spring of 1280), see Emanuel, *Fragments*, 199 n. 54. Several manuscripts mark the year of the *Semak*'s completion as 6036 (1276–1277). See Emanuel, *Fragments*, 198 and n. 51. Beit-Arié's dating is supported by the fact that the scribe refers to Isaac as being alive. This can also be seen in his practice of regularly substituting the author's first-person formulations such as "it seems to me" and "I find it difficult" to third-person formulations, most probably out of respect, as did other Jewish scribes from France and Germany (see above n. 23). In most instances, he substituted the first person with the Hebrew letters *mem reish shin* (מֵרֵשׁ שׁ), the abbreviated form of *mori she-yihyeh* ('my teacher, he should live [a long life]'). See for example fols. 548v, 564r, 570r, 574v, and 600v.
- 31 Benjamin may have been Isaac's student, or a part of a broader scholarly circle with ties to Isaac, as he consistently refers to Isaac as "my teacher." In a different part of the large codex (fol. 252r), Benjamin also cites a ruling that he seemed to have heard directly from the famous scholar Jehiel of Paris, Isaac's father-in-law, which would again place him as a contemporary of Isaac and a member of the learned class of Northern France; but I hesitate to derive too much from this one citation.
- 32 The only other manuscript I have located that seems to preserve the authenticity of Isaac's text, despite including some of Perets's glosses, is Milano, Ambrosiana X 111 Sup.



frequently became part of *Semak*, and, at times, the text of *Semak* migrated to Perets's gloss.<sup>33</sup>

The first half of the *Semak* in BL Add. 11639 is unremarkable, with all the relevant information consolidated in the body of the text like the other medieval copies.<sup>34</sup> However, at around the midpoint (commandment #155),<sup>35</sup> there is a change.<sup>36</sup> From that point onwards, the text no longer includes the biblical source-text for the commandments that appears in his list of commandments. In addition, a closer comparison between Isaac's presentation of the law in BL Add. 11639 and his list of commandments reveals that this version of the *Semak* is also missing legal content that at times is found in the list,<sup>37</sup> since all materials found in the list do not appear in this text of the *Semak*. I will demonstrate the significance of these omissions by describing

- 33 This is probably because in most copies of *Semak*, Perets's glosses were *not* graphically distinct but were part of the same running text. What distinguished between the two parts of the work were various textual indicators, for example *hg''h* (abbreviation for *hagahah*, meaning gloss) at the opening of the gloss and *'a''k* (abbreviation for *'ad kan*, meaning until here) at its close. Such weak boundaries between the sections became a stumbling block for the scribes. See below n. 58 and 90.
- 34 Although even the first half includes some cases where the material was not completely integrated, strengthening the argument that the entire work was originally presented in the same fashion as in the second half. For example, there are individual cases where the verse and the additional material from the list are missing, or where the material from the list was not inserted in its proper place but appears in a different place within the text, or other such textual oddities. These instances require further study.
- 35 The obligation to write a Torah scroll.
- 36 It is the midpoint with regard to the number of commandments. Out of around 320 commandments in total, the shift occurs at #155, folio 576 r, which is about a third of the way through the text of the book itself (after 19485 words out of 60762). The enumeration of the commandments in this study accords with the Harpanes edition unless otherwise mentioned. BL Add. 11639 only numbers the commandments up to #50.
- 37 Reconstructing the original list of commandments is far from simple, as many scribes edited out material they did not deem important. There are several manuscripts that preserve a more original version (albeit with differences between them) that served as the basis of my reconstruction. These are Nimes, BM 26; Milano, Ambrosiana X 111 Sup.; Vienna, NL Cod. Heb. 75; and Paris, BnF héb. 382. There seems to be a strong relationship between the Milano text and the Vienna one, though the Vienna scribe probably consulted other texts, such as the one found in the Nimes manuscript.

three different commandments where important legal content extant in Isaac's list of commandments was not copied into the version of the *Semak* preserved in BL Add. 11639. These are the obligation to write a Torah scroll, the prohibition against planting together seeds from different species, and the prohibition of eating sea creatures (*sherets ha-mayim*).

### Examples of Content from the List Not Copied in BL Add. 11639

The first example is the obligation to write a Torah scroll (commandment #155), which for most individuals meant the hiring of a professional scribe. In addition to its biblical source, the list of commandments includes three legal details related to inheriting a scroll, buying one secondhand (as opposed to ordering a new one), and having a scroll repaired. This is how the commandment is presented in the list:

To write a Torah scroll, as written: "*Now therefore, write down this song for yourselves*" (Deut 31:19). And even if he received one as an inheritance from his ancestors, he is obligated to write another for himself. And if he purchased an [already written] Torah scroll it is like 'robbing' a mitsvah from the marketplace,<sup>38</sup> however if he corrected one letter within it [thereby making it serviceable for ritual use], Scripture considers it as if he wrote it in its entirety.<sup>39</sup>

This text shows that one cannot fulfill the commandment by inheriting or buying a Torah scroll secondhand, though correcting one and making it fit for ritual use suffices.

In most of the manuscripts, this material appears at the beginning of Isaac's treatment of the commandment in the work itself. However, BL Add. 11639 only includes the name or title of the biblical obligation "To write a Torah scroll," omitting both the biblical source and the specific laws cited above. Instead, this manuscript launches directly into a description of various ritual laws relevant to the scribe copying the Torah scroll. This format repeats for the remainder of the commandments as well, where the biblical proof-text,

38 The presumed rationale is that since the purchased copy already existed, the individual was not adding to the overall number of extant scrolls.

39 The translation is based upon Milano, Amb. X 111 Sup., Vienna, NL Cod. Heb. 75, and Paris, BnF héb. 382. Nimes, BM 26 is missing the second part which begins "And if he purchased an [already written] Torah scroll....".

and at times other vital information found in the list of commandments, simply do not appear in the BL Add. 11639 version of *Semak*. It was as if the author expected his readers to be familiar with the materials found in the list of commandments and so was now only presenting supplementary observations. This format is more appropriate for a gloss or a commentary to another text than for a handbook of religious law, which typically included all the important information in one place.

The second example that demonstrates this way of presenting the text is the prohibition of planting together seeds from different species (#168). In the list of commandments Isaac discusses the application of this prohibition outside of the Land of Israel, which is, of course, essential for a work written in Northern France:

Do not sow your vineyard with different seeds, as it is written: “You shall not sow your vineyard with different kinds of seed...” (Deut 22:9). This applies only in the Land of Israel, but outside of the Land the prohibition is rabbinic. However, mixed species of seeds are permitted [outside of the Land of Israel], even rabbinically.<sup>40</sup>

Isaac cites the biblical proof-text and adds details relevant to his European readership, such as the severity of the prohibition (biblical or rabbinic) and the secondary law regarding mixed seeds. However, BL Add. 11639 (folio 578v) only includes the title of the prohibition “Do not sow your vineyard with different seeds.” It leaves out both the biblical source and the legal details found in the list and turns immediately to his detailed commentary on this prohibition.

The third and final example relates to the prohibition of eating sea creatures (#212), which the author emphasizes is a prohibition separate from that of eating impure fish:

To not consume creatures of the sea as it is written: “You shall not defile your soul with any of the swarming things [that

40 The translation is based upon all four textual witnesses: Nimes, BM 26, Milano, Amb. X 111 Sup., Vienna, NL Cod. Heb. 75, and Paris BnF héb. 382. The only substantial difference between the versions is that in Milano and Vienna the words “outside of the Land of Israel,” found at the end of the quotation, do not appear. I have therefore put them in brackets.

swarms]" (Lev 11:43). This indicates even those of the sea, and even if there was no specific warning about [eating] impure fish.<sup>41</sup>

In Isaac's list of commandments, this verse (Lev 11:43) prohibits the consumption of impure sea creatures beyond the ban against eating impure fish. BL Add. 11639 (fol. 596v), however, only mentions the prohibition "to not consume creatures of the sea." In addition, it includes an obscure abbreviation "*mpi' bpi'*" whose meaning and significance will be discussed below. Then follows the commentary that focuses upon the prohibition of worms found in fruit. None of the additional material found in the list is copied into the *Semak* as found in this manuscript.

A reader of the BL Add. 11639 version of *Semak* who wished to attain a complete picture of the law needed to consult two separate texts. All the commandments treated in the second half of this version lack the biblical proof-text, and in a few cases even some legal and exegetical content. As we shall see below, this trend can be discerned in almost all of the early extant manuscripts as well.

The above hypothesis, that Isaac structured his work as a glossed one, is backed by another category of commandments found throughout BL Add. 11639, though mainly in its second half: commandments that do not contain any commentary beyond what appears in the list. In such cases, this version includes the title of the commandment and, at times, also a reference that seems to direct the reader to materials found in the list of commandments (termed the "*pnim*," or 'interior'). At times, however, there is no such reference, although the text only mentions the title or opening of the commandment found in the list. I will demonstrate the use of the term with two examples that also contain some legal details in the list, which BL Add. 11639 does not record, only referring the reader to the "*pnim*." Most cases that include this reference, however, only include the biblical source.

### Commandments Without Any Commentary in BL Add. 11639

Commandment #172 states in the list of commandments the following prohibition:

41 The translation is based upon Milano, Amb. X 111 Sup., Vienna, NL Cod. Heb. 75, and Paris BnF héb. 382. Nimes, BM 26 contains a shorter, seemingly edited, version.

To not offer something prohibited such as [a cup of] wine to a Nazirite or a limb torn from a living animal to a son of Noah [a non-Jew], as it is written, "Before the blind do not place a stumbling block" (Lev 19:14).<sup>42</sup>

However, in the *Semak* as preserved in the BL Add. 11639 version, none of this appears. In its place, one finds (fol. 579r), "To not offer something prohibited, [as] explicated in the 'interior' (*mif*[*orash*] *bi-fnim*)," seemingly a reference to the list or to the material found there, as we shall see below.

Another example of this appears in commandment #218. The list states:

To not eat anything with the blood, as written: "You shall not eat anything with the blood" (Lev 19:26). The Sages derived from here a prohibition against [acting like] a wayward son. [They also derived] that one should not eat until one prays and [they also derived] that one should not eat [from] an animal until its life-spirit has departed.<sup>43</sup>

However, the BL Add. 11639 (fol. 599r) version of the *Semak* only states "To not eat anything with the blood [as] explicated in the 'interior' (*mif*[*orash*] *bi-fnim*)." As in the previous examples, here too the author seems to have intended that the reader consult another text to get all the necessary information relating to the commandment.

With this in mind, we will now return to the cryptic abbreviation noted earlier. In BL Add. 11639, commandment #212, the prohibition against consuming sea creatures is followed by the words "*mpi' bpi'*," שׂוֹחֲזֵמֵי יָם וְחַיִּים שֶׁבַח הַיָּם וְהַיָּבֵשׁ וְהַיָּם וְהַיָּבֵשׁ וְהַיָּם וְהַיָּבֵשׁ which is not easily decipherable. However, based upon the prevalence of the reference "*meforash bi-fnim*" in BL Add. 11639, this abbreviation may have originally been another such reference which the scribe had miscopied, adding a superfluous *yud* [י]. The original abbreviation read *mp'* [read as *meforash*] *bp'* [read as *bi-fnim*], as the letter *peh* [פ] can be read either as a hard P or a soft F.

42 The translation is based upon Nimes, BM 26, Milano, Amb. X 111 Sup., Vienna, NL Cod. Heb. 75, and Paris, BnF heb. 382. The only difference between these versions relates to the phrase "such as a cup of wine" as found in Nimes, Milano, and Paris, which Vienna records as "such as wine."

43 The translation is based upon Nimes, BM 26, Milano, Amb. X 111 Sup., Vienna, NL Cod. Heb. 75, and Paris, BnF heb. 382. In the Nimes manuscript, the words "they also derived" do not appear, and I have therefore placed them in brackets.

The discrepancy between the list of commandments and the commentary, or the body of the work, is most striking towards the end of *Semak*. It is from there that we can establish that the reference to ‘the interior’ (the “*pnim*”) refers to the material found in the list of commandments. The bulk of the last section of the work (the seventh pillar)<sup>44</sup> is devoted to two types of commandments – those pertaining to the laws of Sabbath and commandments related to man’s genitals, termed ‘the organ of the circumcision’ (*eiver ha-milah*), which deal almost exclusively with sexual obligations and prohibitions.<sup>45</sup>

Although this category contains many more commandments than the section relating to the Sabbath,<sup>46</sup> its legal commentary is much shorter, and limited to only a few of the commandments. Most of the commandments related to sexuality do not have any additional legal detail or commentary not already found in Isaac’s list. Moreover, a comparison between the BL Add. 11639 version of *Semak* and the list of commandments shows that most of the commandments in the list are not even mentioned in the *Semak*! Only eight out of thirty-two commandments are brought into the body of the work.<sup>47</sup> Of these, seven have additional commentary, while the prohibition against having sexual relations with a non-Jewish slave does not. This commandment includes the phrase discussed earlier, ‘explicated in the interior’ (*meforash bi-fnim*). Isaac writes: “To not have sexual relations with a

44 Isaac’s list of commandments and his legal work are divided into seven pillars, patterned after parts of the human body and the basic activities of man. I have elaborated upon his use of the ‘body’ as a structural scheme in my forthcoming study, *The Making of a Medieval Bestseller*.

45 The only non-sexual command in this section is (fittingly enough) the obligation “to circumcise oneself” in situations where one was not circumcised as a child (#289).

46 This section contains about thirty-two commandments, based upon the list found in Nimes, BM 26. Milano, Amb. X 111 Sup. has a slightly different number. It is worth noting that the length of commentary for Sabbath-related commandments (10888 words) in this section is greater than those related to sexuality (2505 words). The number of words is based on the text of Milano, Amb. X 111 Sup.

47 These are: the obligation to bring children into the world (#284); the obligation to bring joy (*le-same’ah*, meaning, to have sexual relations) with one’s spouse (#285); the obligation to perform levirate marriage (#286); the prohibition against having relations close to a woman’s period (#287); the prohibition against having sexual relations with a non-Jewish slave (#291); the prohibition against marrying a non-Jewish woman (#290); the prohibition against destroying sperm without purpose (#292); and the prohibition against having relations with a menstruating wife (#293).

female slave promised to another man (*shifhah harufah*)<sup>48</sup> is explicated in the interior (*mefo[rash] bi-fnim*), as are all prohibited sexual relations (*ve-khein kol ha-'arayot*).<sup>49</sup> It seems that Isaac mentioned one commandment (relating to sexual relations with a female slave) that did not contain any commentary, so that he could inform his readers that there were also numerous other sexual prohibitions that were mentioned elsewhere and not brought in the *Semak* itself. This general statement, that “all prohibited sexual relations” are to be found in the *pnim*, allowed him to not even mention any of them in his commentary. Apparently the term *pnim* (the ‘interior’) refers to the material found in the list of commandments, which includes the entire list of sexual prohibitions.

After completing his lengthy commentary on the prohibition against having sexual relations with a menstruating wife (the last commandment found in BL Add. 11639),<sup>49</sup> and just before his authorial colophon, Isaac adds another statement, one even broader than the last. He writes: “And all the other commandments are explicated in the interior (*ve-khol she'ar ha-mitsvot meforasho[t] bi-fnim*).” Isaac ends his work by directing the reader to additional material found in the list, including commandments not mentioned in the

48 “If a man sleeps with a female slave who is promised to another man but who has not been ransomed or given her freedom...” (Lev 19:20).

49 In both BL Add. 11639 and Milano, Amb. X 111 Sup. Isaac’s *Semak* ends with the laws of menstruation, and this seems to be the original ending of the work, before the authorial colophon. However, many other early manuscripts also contain the laws of *mikveh* (the ritual bath) following the laws pertaining to menstruation. This would seem to be a later authorial addition (since these laws do not appear in the BL and Milano versions). The early manuscripts with this addition appended to the end of the work are (organized by library): Paris, BnF héb. 384, Paris, BnF héb. 389, Paris, BnF héb. 643; Oxford, Bodl. Ms. Opp. 338, Oxford, Bodl. MS. Mich. 41, Oxford, Bodl. MS. Opp78, Oxford, Bodl. MS. Opp. 342; Parma, Palatina Parm. 2766; and Hamburg, SUB Cod. Heb. 106. There are, however, several early manuscripts where these laws were placed in the middle of the book, after *tevilat keilim* (the immersion of utensils in a ritual bath), commandment #199. Early manuscripts that have this placement are Parma, Palatina Parm. 1940 and Oxford, Bodl. Ms. Opp. 340. These manuscripts also included a reference at the end of the book informing the reader of their placement. Interestingly, Nimes, BM 26 has a reference, within the laws of *tevilat keilim*, directing the reader to the laws of *mikveh* found at the end of the book (“*be-sof ha-sefer*”). However, the laws do not appear in the text we have today. See the entry in Sfardata which suggests that the last two pages of Nimes, BM 26 have been removed from the quire at this spot.

work itself. In short, the “*pnim*” referred to in BL Add. 11639 was almost certainly a reference to Isaac’s list of commandments, or to the material found there.<sup>50</sup> In the next section I shall further explain the meaning of the “*pnim*” and its exact location within Isaac’s work.

Significantly, most references to the *pnim* in BL Add. 11639<sup>51</sup> start at prohibition #161 (fol. 578r),<sup>52</sup> which is about the same place where the text of the commentary no longer includes the material found in the list of commandments discussed in the first part of this study. The correlation between these textual phenomena strengthens the claim that the text preserved in BL Add. 11639, from around commandment #155 onwards, preserves an earlier and more original version of the work, one that was closer to the author’s vision.

To sum up this section, it appears that Isaac, at least initially, intended his work to be split into two distinct parts: the list of commandments (or the material found in the list) and their commentary. As demonstrated below, this conclusion is not based exclusively on the evidence of just the one unique manuscript, BL Add. 11639; evidence for this textual reality, that is strong though less dramatic, is found in most of the extant early manuscripts. In other words, Isaac’s choice of the phrase ‘commentary,’ in his letter to the communities in which he describes his legal work, appears to be accurate.

To better understand how Isaac envisioned the layout of his work, we still need to clarify exactly what he meant when he referred the reader to the *pnim*, the ‘interior,’ for materials found in the list of commandments. Did he intend his reader to consult the list of commandments that was placed at the head of the book, or did he have something else in mind?

## A Glosed Book? The Meaning of *Pnim* and its Significance

Isaac referred his readers to the *pnim*, the ‘interior,’ an uncommon term. Nevertheless, there is sufficient evidence that this term was used primarily

50 A thorny issue that I have yet to resolve is the reason why at times the book references to the interior, while at other times it does not.

51 Of the seventeen references to the “*pnim*” in BL Add. 11639 (utilizing the instances of this reference in the Milano manuscript as well), only two appear before this place in the book.

52 This reference seems to have been misunderstood by the scribe who wrote “*meforash ba-pasu[k]*” (explicit in the verse).



by glossators to refer to the book they were glossing. One does not find the phrase in stand-alone commentaries of the Bible or of the Talmud, but only in glosses that were meant to appear proximal to the text itself.

The most explicit and readily available source can be found in Perets' learned glosses on Isaac's *Semak*,<sup>53</sup> where this term appears at least twenty-six times,<sup>54</sup> always referring to the body of the work he was glossing. At times, he even writes explicitly "in the interior, in the book" ("*bi-fnim ba-sefer*" or "*bi-fnim be-tokh ha-sefer*"). He employed the term as shorthand for 'the book being glossed.'<sup>55</sup> In addition to Perets' glosses, this term was also used by Eliezer of Tuxh, whose gloss was discussed earlier. Eliezer called his own gloss the *gilyon* (meaning, the 'margin of the page').<sup>56</sup> In his gloss, the *gilyon*, he refers to the *Tosafot* he was commenting upon as the *pnim*.<sup>57</sup>

In considering the literal meaning of the word *bi-fnim*, the interior, we need to also consider the graphic element, as related to page layout. An individual who glossed a book for his own purposes would almost always pen the gloss on the margins of the page, exterior to the book itself. Although the layout of a glossed book which was drafted by a professional scribe could come in various forms, both simple and sophisticated, including the placement of the gloss within a specially designed window placed within

53 See Spiegel, *Chapters in the History of the Jewish Book*, 168–74, esp. 168–69. At 169 n. 161 he also mentions an example from Meir of Rothenburg. For another example of the use of the term '*pnim*' by a late twelfth century French glossator see Ariel Ephraim Aharonov, "Zihuy ha-Tosafot le-Masekhet Zevaḥim ke-Tosafot Shantz," *Mekhilta* 2 (2021): 43–45. There he argues, based on the glossator's use of the word *pnim*, that the tosafist Barukh b. Isaac glossed the *Tosafot* of his contemporary Samson of Sens.

54 Based on the number of times the word '*pnim*' or its abbreviation appears in Nimes BM 26. This text is probably the earliest manuscript of *Semak* with Perets's glosses.

55 See Spiegel, *Chapters in the History of the Jewish Book*, esp. 169–71. Other common phrases the glossator used to indicate the body of the work being glossed were '*amud*' (page) and '*sefer*' (book).

56 See above n. 20.

57 See Bezalel Ashkenazi, *Shitah Mekubetset*, when he quotes the *gilyon* or *gilyon Tosafot*, *b. B. Kam.* 26a (twice), 27b, 53b; and *b. B. Mets.* 8b (twice). The references are to the folio of the Talmud and can be found in all the editions of Ashkenazi's work. I thank Aryeh Leibowitz for discussing this topic with me.

the text,<sup>58</sup> the identity of the gloss with the exterior or the margin remained strong and is reflected in the various terms used to describe it such as *gilyon* (on the margin of the page) and *huts* (exterior).<sup>59</sup>

Two thirteenth-century sources demonstrate how the term *pnim* is used in the context of a gloss that appears on the same page as the primary text commented upon or corrected. The first is Isaac's legal ruling related to correcting a ritual Torah scroll. This was not found in his *Semak* but in a separate collection of his rulings compiled by his students<sup>60</sup> and cited in *Semak Zurich*. The second source is from a famous textual witness of Rashi's commentary to the Pentateuch.

Moses of Zurich's gloss relates to the law in *Semak* which states that a Torah scroll can be corrected between the lines; however, when correcting God's name, one must add the word that appears before and after God's name as well.<sup>61</sup> Moses quotes from Isaac's *psakim*: "When one writes the name [of God] in the gloss (*ba-hagahah*) one needs to write in the gloss the word [that appears] before it and the word after it even though they are written [correctly] in the interior (*bi-fnim*) in the book (*ba-sefer*)."<sup>62</sup> In this example, the *pnim* obviously refers to the corrected Torah scroll.

- 58 The scribe copying the glosses could devise various other strategies to integrate the gloss within the work besides specially designed 'windows' within the text. For example, he could copy them as part of the running text with words or abbreviations that are placed before or after the gloss. This would be the simplest method. Another possibility would be to distinguish between the gloss and the text either by spacing (such as skipping to the next line or leaving a large space between the book and the gloss) or by using a smaller font. There could also be various combinations of the above options, all of which, and others, are found in the numerous manuscripts of *Semak*. For an in-depth treatment of the various layouts found in Bible manuscripts containing the *Glossa Ordinaria* see Smith, *Glossa Ordinaria*, 91–139.
- 59 See Spiegel, *Chapters in the History of the Jewish Book*, 171–74, who writes that the standard terms for a gloss in medieval texts are '*gilyon*' (margin) and '*huts*' (exterior), which are the exact inverse of '*amud*' (page) [or '*sefer*,' (book)] and '*pnim*' (interior).
- 60 On this surprisingly well-copied work see Emanuel, *Fragments*, 198–211.
- 61 The law appears in the standard edition of *Semak* at commandment #155 and in *Semak Zurich* at #152.
- 62 See *Sefer ha-Semak mi-Zurich*, II, 25 (comment 55). On Moses of Zurich's use of Isaac's decisions, as compiled by his students in Corbeil, see Emanuel, *Fragments*, 200, 204.

The other source is from Leipzig, Universitätsbibliothek Cod. B.H. fol. 1, an important thirteenth-century manuscript of Rashi's commentary.<sup>63</sup> This codex was created by Makhir, who apparently copied from Rashi's premier student Shemaya's personal copy. He included Shemaya's glosses, as well as his own, to his copy of the text. One of the unique things about Makhir's copy is his careful description of the glosses he copied, including elements pertaining to their layout. In at least two places he refers to the "*pnim*."<sup>64</sup> In one, Makhir refers to a section of Rashi's commentary (on Gen 8:5) written in bold letters (*gassah*) "in the interior" that had been erased in Shemaya's personal copy.<sup>65</sup> He may have wanted to emphasize that it was Rashi's interpretation that Shemaya deleted in the body of the commentary, probably at Rashi's request. In the second place (Rashi's commentary on Gen 11:31) Makhir distinguishes between a comment in Shemaya's handwriting found within the interior (*bi-fn[im] katuv*) where Rashi's commentary appeared and a gloss of his found on the exterior (*ve-hu-mug[hah] mi-bahuts*).<sup>66</sup> Here, Makhir notes the exact placement of Shemaya's gloss, both within and outside the body of the work, Rashi's commentary. This shows that the term '*pnim*' was used to refer to the body of the text being glossed, with the gloss itself appearing on the exterior part of the page, the '*huts*.'

This exploration of the word *bi-fnim* suggests that Isaac intended his *Semak* to be a glossed work. The reader would be able to easily distinguish between the commandments themselves, "the word of God," which probably appeared in a bold square font, and his gloss rabbinic commentary, which was perhaps in a smaller semi-cursive font.<sup>67</sup> The gloss appeared in close

63 Much has been written on this unique manuscript, especially by Avraham Grossman and Jordan Penkower. See a summary of their position in Mordechai Z. Cohen, *Rashi, Biblical Interpretation, and Latin Learning in Medieval Europe: A New Perspective on an Exegetical Revolution* (Cambridge: Cambridge University Press, 2021), 35–36. The Leipzig text has been transcribed and annotated by Hillel Novetsky on his website ALHATORAH.ORG. See <https://rashi.alhatorah.org/>

64 I thank Hillel Novetsky for drawing my attention to these.

65 See <https://rashi.alhatorah.org/Full/Bereshit/8.5#e0nf>. In Shemaya's copy, the writing was neither in bold letters nor in the interior.

66 <https://rashi.alhatorah.org/Full/Bereshit/11.31#e0nf>.

67 This type of layout appears in the famous Munich, BSB Cod. Heb. 95 manuscript of the Talmud. See Judith Olszowy-Schlanger, "The 'Munich Talmud': An Exceptional Book of French Jews," in *Representing Jewish Thought: Proceedings of the 2015 Institute of Jewish Studies Conference Held in Honour of Professor Ada*

proximity to the commandment, which included all the material found in his list. Therefore, there was no need to copy into the commentary anything other than the title of the commandment, which linked the two parts of the text. Thus, the commandments appeared twice in his work: once in list form at the head of the book, and once again adjacent to its gloss, in the work's *pnim*.

If the above reconstruction is correct, and Isaac planned his work as a glossed one, the question is: Who decided to rework the book from a bifurcated one, commandments and gloss, to an integrated one, with the various materials fused together into one text? Was this Isaac's own decision, or that of scribes who worked in his shadow?

### The Integrated *Semak* and the Evidence of the other Early Manuscripts

The question of who created the unified *Semak* text by fusing the 'interior' commandments and the 'exterior' gloss may not be resolvable yet is still worth exploring. As noted earlier, this move is already apparent in the first half of BL Add. 11639. In other words, the process must have begun in Isaac's lifetime. It is therefore possible that this modification was Isaac's initiative, or, more likely, of scribes in his circle. What makes this exploration especially intriguing is the evidence from the other early copies of the work, the relatively numerous copies of the text from the late thirteenth and early fourteenth centuries.

All these early manuscripts, copied in France and Germany, generally depict the material in *Semak* according to the integrative model; however, almost all of them revert back to the bifurcated model in the middle of the sixth pillar!<sup>68</sup> From this point in the *Semak* until the end of its seventh pillar, the materials found in the list of commandments, other than its title, do *not* appear. These sections also include references to the *pnim*. There are only two early copies that sustain the integrated model from the beginning of the

*Rapport-Albert*, ed. Agata Paluch and Lukas Muehlethaler (Leiden and Boston: Brill, 2021), 126–55, esp. 135–36.

68 For the exact location within the work see below n. 77. Not all manuscripts are fully consistent in this matter and may alternate between the two formats.

work until its end, the most important of which is Nimes, BM 26, copied circa 1286–1293.<sup>69</sup>

The various types of presentations in these manuscripts are easily identifiable by the end of the text. Most do *not* include the list of the prohibited sexual relations found in the list of commandments. In its place, there is a simple reference directing the reader to the *pnim*, the interior, exactly as described earlier regarding BL Add. 11639.<sup>70</sup> In addition, these manuscripts also reference the *pnim* starting from the middle of the sixth pillar.<sup>71</sup> Finally, the biblical source and other materials found in the list of commandments are missing as well. In contrast, Nimes, BM 26 and one other early copy do not contain a reference to the ‘interior.’ Instead, everything is copied and integrated into the work itself, in its proper place, including the list of prohibited sexual relations.<sup>72</sup> In other words, the majority (9) of the early copies contain all of the ‘gloss’ elements identified in BL Add. 11639, albeit on a smaller scale.

An awareness of this textual reality also allows us to pinpoint the exact place within the text where the shift from the later integrative model to the earlier bifurcated one takes place. For example, in one of the manuscripts from the early fourteenth century, Milano, Ambrosiana X 111 Sup., the transition

69 This can be deduced from a brief prayer that the famous scholar Meir of Rothenburg should be freed from prison, which seems to be a scribal insertion into Perets’s glosses on *Semak* (see fol. 27v and 59r). Meir was imprisoned in the year 1286 and died there in 1293. I assume that these prayers were added by the scribe and were not written by Perets, the author of the glosses, given the absence of this prayer in any of the other early copies.

70 See below n. 77 where I list the various manuscripts.

71 References to the *pnim* are found primarily at the end of the book, in commandments relating to sexual prohibitions, and in the middle of pillar six, which is devoted to monetary issues.

72 Of the group of early manuscripts, only MS Parma, Palatina Parm. 2766 follows the Nimes template exactly. This is not surprising, as the Parma manuscript may have been copied from the Nimes one or one very much like it. There are, however, some hybrid cases that contain elements of both models, such as Hamburg, SUB Cod. Heb.106 and Oxford, Bodleian MS. Opp. 342. Both these texts list the sexual prohibitions within the body of *Semak*, at the end of the work, instead of referencing the reader to the list (although Oxford Opp. 342 oddly enough retained the two general directives, despite copying the entire list of sexual prohibitions). They also both lack biblical sources for the commandments from the beginning of pillar six until the end of the book. Moreover, the monetary pillar (#6) includes references to the *pnim*.

already occurs at the end of the fifth pillar (fol. 100r), from commandment #225 [222]<sup>73</sup> (“to judge righteously”), which is about forty folios after the point at which BL Add. 11639 makes the transition.<sup>74</sup> From that point onwards, the biblical prooftext for the commandment or the additional material that appeared in the list almost never appears.<sup>75</sup> Accordingly, from that point onwards, references to the interior (the *pnim*) also begin to show up. However, as noted earlier, most of the early manuscripts (around eight)<sup>76</sup> transition later in the text, at the sixth pillar (monetary issues).<sup>77</sup>

All this textual evidence leads me to suggest the following sequence of events. Isaac planned his work as a glossed book, and it began circulating as such. Over time, the work transitioned from this complex layout to the

- 73 The first number is based upon the enumeration in the standard Harpanes printed edition, and the number in brackets is the one found in the Milano manuscript.
- 74 The obligation to write a Torah scroll is at folio 60v in Milano.
- 75 Although some rare exceptions exist, such as the prohibition to destroy sperm without purpose (#292), which include the biblical source not found in BL Add. 11639.
- 76 See the next note, where I list the various manuscripts.
- 77 This transition usually occurs around commandments #246–47 (the obligation to separate *hallah* and the obligation to return a stolen item). Of the group of early manuscripts that I have examined (from circa 1286 until circa 1310), eight follow the early template from the beginning of monetary issues until the end of the work. These are Paris, BnF héb. 384, Paris, BnF héb. 389, Paris, BnF héb. 643; Oxford, Bodl. Ms. Opp. 338, Oxford, Bodl. MS. Mich. 41, Oxford, Bodl. MS. Opp. 78, Oxford, Bodl. Ms. Opp. 340; and Parma, Palatina Parm. 1940. None of these manuscripts lists the sexual prohibitions, instead referencing the reader to the *pnim* (or something similar), at least in the section that deals with sexuality. They also usually lack the biblical source for the commandment. However, two manuscripts within this group are unique. In Paris BnF héb. 389 the biblical verses sometimes appear alongside a reference to the *pnim*. And Oxford Bodl. Ms. Opp. 338 does not list any of the sexual prohibitions in the body of the work, and the scribe wrote *meforash ba-pasuk* [“it is explicit in the verse”] instead of *meforash bi-fnim* (“it is explicated in the interior”). In addition, the text includes the biblical verses in the earlier section dealing with monetary issues, with no reference to the *pnim*. Finally, in the last reference to *pnim* in Oxford Bodl. MS. Mich. 41, where Isaac wrote “And all the other commandments are explicated in the interior (*meforashot bi-fnim*),” the scribe added “*be-Sefer Mitsvot Gadol*,” (‘in the great book of commandments,’) a reference to Moses of Coucy’s *Sefer ha-Mitsvot*. Clearly, both these scribes did not really understand the exact nature of the *pnim*. One replaced it with “*pasuk*” (the verse), while the other added a gloss explaining that this meant Moses’ work.

far simpler unified work. The possibility that the book evolved in the other direction, from a unified text to a bifurcated glossed one, seems to me far-fetched. While it is a simple scribal task to combine two clearly related texts, it is far more complex to take an integrated one and to separate it. Conflation of related materials is far more likely than the dispersal of an integrated one.<sup>78</sup> It is therefore very hard to envision an author or a scribe splitting apart an already unified work and converting it into a glossed one. Moreover, the hypothesis that Isaac planned, and originally circulated, his legal work as a glossed commentary is supported by his referring to the *Semak* as ‘the commentary’ in his letter to communities. The use of this phrase would be less apt had the book been planned as a unified one.

At some point, already in Isaac’s lifetime, someone (likely a scribe, or a group of scribes working in his vicinity) realized that the simple format used by Isaac’s predecessors, Eliezer of Metz and Moses of Coucy, would be better for scribe and reader alike. This format led to a unified text where the commentary directly followed the material related to the commandment, with all the important information consolidated in one place. This text, combining the ‘commandment’ and the ‘commentary,’ freed the copyist and the reader from consulting two separate places within the text. Numerous questions still abound, but the overall picture seems to be clear.

### Conclusion: The Development of the Glossed Book and the Scribes

In the first part of this study, I surveyed the known glossed talmudic and legal works written in the last quarter of the thirteenth century, a period of development and growth of this genre, and suggested two distinct motivations for scholars to employ this specific type of book format. The first was the wish to offer the reader an improved version of a known work that was already circulating. It was much simpler and quicker to gloss a work—adding, correcting, and clarifying specific parts of a work—than to write something completely new. This motivation, I believe, is behind Perets’s gloss to *Semak* and Meir ha-Kohen’s gloss to *Mishneh Torah*.<sup>79</sup> The second motivation emerges from an author’s wish to clearly distinguish between two parts or units of

78 I thank Amram Tropper for suggesting this formulation and for discussing the topic with me.

79 Although see above n. 18 for another possible approach.

their own work. The gloss format added a graphic and visual dimension that made the distinction unmistakable. It also could help underscore the hierarchical relationship between the primary and secondary sections within the work.<sup>80</sup> I believe that the wish to distinguish between the authoritative Tosafot of the French masters and the writing of later legal scholars motivated Eliezer of Tuxh to structure his edition of Tosafot in this way. This was also the motivation behind Isaac's vision of his *Semak*, as he wished to distinguish between God's commandments, which he expected all Jews to internalize, and his rabbinic commentary, which he hoped would be studied by both the learned and also the less so.<sup>81</sup>

The main purpose of this study was to bring to light an unknown glossed work – Isaac of Corbeil's *Semak*. A close examination of the early manuscripts of the work, in particular one of them, revealed that he wrote the work as a multi-level composition. The primary text, the '*pnim*' or 'interior' of the page, was taken from Isaac's list of commandments, and the elaborate legal commentary was its learned gloss. The term '*pnim*' is one that is exclusively used by glossators in reference to the primary text being glossed.

Malachi Beit-Arié, in his study of the Hebrew book, observed that during the last quarter of the thirteenth century scribes in France and Germany changed the way they ruled the manuscripts. Ruling is the process that gave the page its form: it created the layout by setting the lines of the writing space on which the text was to be written and defined the margins which were to be left blank. It was at this time that scribes transitioned from the traditional method of 'relief ruling' using a hard point,<sup>82</sup> to ruling with the aid of a plummet,<sup>83</sup> a 'leadpoint.'<sup>84</sup> The earlier method was more time- and

80 See Martin Irvine, *The Making of Textual Culture: "Grammatica" and Literary Theory, 350–1100* (Cambridge: Cambridge University Press, 1994), 384–93, esp. 390–93.

81 See my forthcoming study, *The Making of a Medieval Bestseller*.

82 See Malachi Beit-Arié's online book, *Hebrew Codicology: Historical and Comparative Typology of Hebrew Medieval Codices based on the Documentation of the Extant Dated Manuscripts in Quantitative Approach*, (Version 1) <https://doi.org/10.25592/uhhfdm.9349> (accessed January 2022), 368: "Relief ruling was made by a sharp instrument – such as a knife or a stylus, and according to Arabic sources even fingernails – that left furrows and ridges on the quire's pages."

83 See Beit-Arié, *Hebrew Codicology*, 369: "Coloured rulings .... were made by a metallic plummet made mostly of lead.... Coloured rulings were made on each side of the folio or of the unfolded bifolium except for in a few regions..."

84 See Beit-Arié, *Hebrew Codicology*, 364–70 and 410–15.



cost-efficient, as one could rule more than a single page at a time.<sup>85</sup> However, the later method of ruling, although more time-consuming, allowed the scribe to rule each side of the folio individually, both efficiently and easily.<sup>86</sup> Jewish scribes adopted this technique only towards the end of the thirteenth century, lagging behind their Christian counterparts by over a hundred years. Beit-Arié suggested that the transition to the plummet was related to the growth of glossed works in talmudic and biblical study produced at this time.<sup>87</sup> In these multilevel works, each page ideally needed its own individual design (due to the changing number of glosses and their varying size),<sup>88</sup> and such a variety of designs could be more easily executed with the lead point technique. Beit-Arié demonstrates this kind of multi-level work with the *Semak* glossed by Perets.<sup>89</sup>

Beit-Arié's choice of Isaac's *Semak* is understandable, as this was the glossed work in the greatest demand. As noted at the beginning of this study, Isaac's *Semak* with Perets's gloss circulated widely in France and Germany, with over sixty extant manuscripts copied in Ashkenazi script until circa

85 See Beit-Arié, *Hebrew Codicology*, 368: "The shared feature of the rulings in this group is the lack of colour and the possibility of reduced presence of the scaffolding of the copying as well as the time-saving process by which more than a page or one side of an unfolded bifolium is ruled in one go..."

86 A work that probably drove this development amongst Christian scribes over a hundred years earlier is the *Glossa Ordinaria*. See Smith, *Glossa Ordinaria*, 91–139, especially her description of the development in layout that took place circa 1160 (105ff.). Regarding the ruling of the manuscript during the earlier stage, see p. 95.

87 Also see Johan P. Gumbert, "The Layout of the Bible Glosses in Manuscript and Early Print," in *The Bible as Book: The First Printed Editions*, ed. P. Saenger & K. van Kampen (London and New Castle, Del.: British Library and Oak Knoll Press, 1999), 7–13; idem, "Gilbert's Gloss and Lead Ruling," *Gazette du livre médiéval* 42 (2003): 51–52. I thank Joel Binder for alerting me to the importance of these studies.

88 Although see below n. 90.

89 In his words: "Perhaps the adaptation of plummet for the ruling of Hebrew manuscripts by Hebrew copyists ... resulted from ... an increase of the anthological genre – the annotated texts, and the legal halakhic corpora embedded with glosses (*hagahot*) – which peaked at the end of the century. The structures and layouts of the commentated biblical texts and the widespread halakhic, such as ... *Sefer Mitsvot Qatan* by Yitshaq of Corbeil in 1276/7 – were prone to being changed from page to page and necessitated a flexible and dynamic form of ruling ...." (Beit-Arié, *Hebrew Codicology*, 414–15).

1350 alone! Such a widely circulating work could have been the catalyst that motivated scribes to change their practice.<sup>90</sup> However, in addition to *Semak* with Perets's gloss, the other works surveyed in this study can also strengthen Beit-Arié's observation about the increase in glossed works at this time.

After reconstructing the original format of Isaac's *Semak* as a gloss commentary to the commandments, we can describe the latter half of the thirteenth century as a time during which the glossed Hebrew book developed. Isaac's own work may have been the earliest attempt at such a format, completed circa 1276–77, but it was soon followed by Eliezer of Tukh's edition of *Tosafot* and Perets's glosses to *Tashbets* and *Semak*. Closer to the end of the century, Meir ha-Kohen penned his own gloss to Maimonides' *Mishneh Torah*. One should also add the *Niyyar* and its gloss, although it is difficult to accurately date the work and the composition of its gloss. In other words, within a short span of time at least five different authors wrote glossed Hebrew books in France and Germany, whereas previously it is hard to find any who did so. Some of these works may have originated as a scholar's personal gloss. For Jewish scholars of the law, the last quarter of the thirteenth century seems to have been a time of experimentation with the gloss format.

90 While some of the patrons would have been content with the gloss integrated into the text, with only various types of markers indicating its beginning and end (see above n. 58), other patrons would have wanted the scribe to produce an aesthetically pleasing product with the glosses visually distinguished from the *Semak*. An initial examination of about a hundred manuscripts of *Semak* reveals that around forty distinguished graphically between Perets's gloss and Isaac's work and sixty did not. I thank Leor Jacoby for checking this for me.