

No. 195

**COMMENTARY ON ALFASI'S HALAKHIC CODE ON HULLIN, MANUSCRIPT ON VELLUM
[YEMEN, 13TH CENTURY]**

Estimate: 20,000—30,000 USD

90 leaves (9 5/8 x 6 11/16 in.; 243 x 170 mm) lacking leaves at beginning and after pp. 17, 19, 21, 39, 57, 97, 113 and at end, else apparently complete, collation i⁸ [of 10, lacking i and x], ii² [perhaps of 10], iii⁹ [of 10, lacking i; perhaps lacking a whole gathering between the third and fourth quire], iv⁹ [of 10, lacking x], v-vi¹⁰, vii⁸ [of 10, lacking i and x], viii-x¹⁰, xi⁴ [perhaps of 10, lacking all after iv], partly with signatures and catchwords, single column, 23 long lines, ruled in blind, written in a large semi-square Yemenite hand, some marginal notes and glosses (in red ink on 16 pages), some stains, small holes in first 2 leaves, some inner and a few outer corners defective and repaired, outer edges darkened and frayed from age and use, bound (after 1929) using sides of oriental dark brown morocco blind panelled with treble lines and stamped with repeated impressions of a small circular tool of a cross and dots, each cover inlaid with a large arabesque plaque in yellow and two smaller plaques in green, binding worn and restored, rebacked, new paper endleaves.

PROVENANCE

- 1) Sotheby's, London, "The Property of a Collector", 23 May 1929, lot 7
- 2) David Solomon Sassoon (1880 - 1942), his MS.1062

LITERATURE AND REFERENCES

David Solomon Sassoon, Letter to the *Jewish Chronicle*, 28 June 1929; David Solomon Sassoon, *Ohel Dawid, Descriptive Catalogue of the Hebrew and Samaritan Manuscripts in the Sassoon Library, London, 1932*, I, pp. xxvi - vii, and II, pp. 1081-4; *Encyclopedia Judaica*, XVI, 1972, col. 745, citing present MS; H.M. Rabinowicz, *Treasures of Judaica*, 1971, p. 122

CATALOGUE NOTE

an important medieval Hebrew manuscript from Yemen

There have been Jewish communities in Yemen since the time of the Second Temple, but the great flowering of Yemenite Jewish culture was from the eleventh century until the conquest of Yemen by the Ottomans in 1546. Like the Christians of Ethiopia, the Yemenite Jews were geographically isolated for centuries from their co-religionists in the west and their culture remained almost unchanged from ancient times. It is a tale of extraordinary survival, against all odds. Their manuscripts are relatively primitive and perhaps resemble the codices of late antiquity. Even to European Jews of the Middle Ages, Yemenite culture must have seemed strange. Rabbi Obadiah of Bertinoro (c. 1450 - c. 1516), who traveled to the Holy Land in 1488, reported from Jerusalem in 1489 the arrival there of a Jewish Yemenite delegation: "and they tell that there are many large Jewish communities [there] ... They possess no tractates of the Talmud, only the Rav Alfasi [Alfasi] and the commentaries, and [the books of] Maimonides. All of them are versed in Maimonides" (A. Yaari, *Iggerot Erez Yisrael*, 1943, p. 143). The present manuscript is very likely an example of one of the commentaries on Alfasi, which Rabbi Obadiah mentions but which are not otherwise known. This is an apparently unique text by the earliest known Yemenite author. Sassoon devotes one of the longest entries in his catalogue to this manuscript, and singles it out further in the *Introduction*, pp. xxvi - xvii, as both extremely important and unique. It is described by Rabinowicz, 1971, as one of the great treasures of the Sassoon library. It is a Yemenite commentary on the Halakhic Code on Hullin of Isaac ben Jacob Alfasi (1013 - 1103). The commentator himself is not named. Yemen itself is mentioned on pp. 119 and 145, the latter citing a Responsum of Rabbi Isaac al-Sefardi ben Samuel (one of the two judges of Old Cairo, 1095 - 1127), addressed to Yemen. Alfasi is mentioned by name on pp. 36, 147 and elsewhere. The commentator uses many Geonic writings, and cites, for example, Yehudai Gaon (pp. 3 and 4), the Halakhot Gedolot (pp. 5, 66, and 146), Natronai Gaon (p. 27), Kohan Tzedek Gaon (p. 155), Rabbi Amram bar Sheshna (p. 3), Joseph Gaon (p. 29), Sa'adya Gaon (pp. 42, 97, 131, 155, etc.), and so forth. On pp. 25 - 26 is an account of the discussion between Mar Jacob Gaon

and Abba Mari and Tzadok Geonim, referring to the custom of Andalusia and Fez, perhaps derived from the work of Rabbi Tzemah Gaon. The many sources cited provide a remarkable insight into Geonic philosophy and learning, and the manuscript is a principal source for the study of Jewish scholarship accessible in Yemen in the thirteenth century. An edition of the manuscript was published by Yosef Kapach, Jersuaem, 1960.