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A THIRD WAY: *IYYUN TUNISAI* AS A TRADITIONAL CRITICAL METHOD OF TALMUD STUDY¹

In recent years, scholars have taken a renewed interest in elucidating the specific methods used to study Jewish texts in yeshivas, both past and present. For example, Daniel Boyarin elucidated the classical late medieval/early modern Sephardic approach to Talmud study, and Norman Solomon published his dissertation on the development of the Analytic/Conceptual/“Brisker” approach to Talmud study in Lithuania in book form.² These works are historical monographs, the purpose of which is to relate to the development of specific methods at specific times in history, not to connect those methods to the approaches utilized in present-day yeshivas. More recently, Mordechai Breuer wrote a magnificent work detailing the curricula and educational methods used in yeshivas

¹ Dedicated to my mother, Perl Masha bat Ya’akov ve-Rivka Yente, Zikhronah Li-Vrakha.

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² See Daniel Boyarin, *Ha-Iyyun ha-Sefaradi: le-Farshanut ha-Talmud shel Megureshei Sefarad* (Jerusalem: Ben Zvi Institute and the Hebrew University, 1989); Norman Solomon, *The Analytic Movement: Hayyim Soloveitchik and His Circle* (Atlanta: Scholars Press and The University of South Florida, 1993).

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throughout the ages until the present.³ Yet, despite Breuer's painstaking research, he misses some of the more recent incarnations of older methodologies that he himself mentions.⁴ In 2006, Yeshiva University published the proceedings of the 1999 Orthodox Forum, which dealt with issues surrounding contemporary *lomdut*, in a volume entitled *Lomdut: The Conceptual Approach to Jewish Learning*.⁵ As can be seen from the title, the volume conflates contemporary *lomdut* (a term that is hard to define with precision but which will be used to describe any form of in-depth study of a text) with the Conceptual/Analytic/Brisker Approach and does not deal extensively with other specific forms of *lomdut*.⁶ In some cases, alternatives to the Brisker approach are presented as either *halakha*-oriented methods uninterested in more theoretical discussions or as academic approaches that are hostile to Jewish tradition.⁷

This article will present the basics of one alternative method of *lomdut*, which is dubbed by its main contemporary champion, R. Meir Mazuz, as "Iyyun Tunisai," or "Tunisian Analysis." The first section of the article will present the basics of *Iyyun Tunisai* and its origins in Jewish tradition, thereby showing that not only is it a viable alternative to the Brisker approach but it is a fully traditional method with roots in classic rabbinic sources. The second section presents R. Mazuz's critiques of alternative methods of study, in which he claims that the critical approach utilized by the Tunisian method allows the analyst to reach the correct understanding of the text at hand and to appreciate why each element of the text is an integral part of that text. Thus, unlike academic methodologies, which often undermine the *sugya* (the Talmudic discussion), *Iyyun Tunisai* uses a critical approach in order to explain and link the different terms of the *sugya*, thereby strengthening the integrity of the *sugya*. The third section concludes with an analysis of the place of *Iyyun Tunisai* in the yeshiva world and its prospects for the future.

³ See Mordechai Breuer, *Oholei Torah: ha-Yeshivah, Tavnitah, ve-Toledoteha* (Jerusalem: The Zalman Shazar Center for Jewish History, 2003).

⁴ For an example of a passing reference to *Iyyun Tunisai*, the method of study that is the subject of this article, see *ibid.* 526 n. "Kuf-Yud-Dalet."

⁵ See Yosef Blau, ed. *Lomdut: The Conceptual Approach to Jewish Learning* (New York: Yeshiva University Press, 2006).

⁶ While R. Aharon Lichtenstein ("The Conceptual Approach to Torah Learning," *ibid.* 24-36) does seriously address some of the more well-documented critiques, neither he nor other authors grapple with the *specifics* of some of these alternative methodologies as living and sophisticated *darkhei limmud*.

⁷ See Shalom Carmy, "Polyphonic Diversity and Military Music," *ibid.* 71-3, 76-7. R. Carmy presents many of those who want to devote more attention to practical *halakha* as not having an appreciation for the theoretical elements of *talmud Torah*.

I. Jerba in Bnei Brak: Yeshivat Kisse Rahamim and the Renewal of Sephardic *Iyyun*

As noted above, one of the main competitors for intellectual dominance in the yeshiva world is *Iyyun Tunisai*, a Sephardic method of study whose roots go back hundreds of years. Rabbi Meir Mazuz of Yeshivat Kisse Rahamim in Bnei Brak is the one responsible for the revival of this method. In order to gain a full appreciation for the context in which this method is being revived, it is necessary to give a brief overview of Yeshivat Kisse Rahamim. The yeshiva was founded by R. Meir Mazuz's father, Rabbi and Tunisian Supreme Court Justice Matsliah Mazuz in Tunisia in 1962/63, and then re-established by his sons (Rabbis Meir and Tsemah Mazuz) in Israel in 1971, after having fled their native Jerba (an island off the Tunisian coast whose Jewish community was renowned for its scholarship) following the murder of their father by an Arab nationalist.⁸ Their school is an elite yeshiva with a rigorous examination process (only twenty-five percent of applicants are accepted), and its methodology is in keeping with its desire to produce not merely scholars but the leading *posekim* (jurists) of the next generation.⁹ The yeshiva also houses a bookstore that carries books published by *Mekhon ha-Rav Matsliah*, a press named for R. Matsliah Mazuz that (re-)publishes old Jerban and Tunisian commentaries on Talmud, grammatical works, new commentaries and textbooks written by students, graduates, and rabbis of the yeshiva, as well as *siddurim* and *tikkunim* based on the Jerban custom.

It is in this context of Sephardic-Jerban-Tunisian religious revival that the renewal of this method of *iyyun* is taking place. In two essays that he wrote on the subject of method of study (*derekh limmud*), R. Meir Mazuz (henceforth "R. Mazuz") insists that, though he terms the method he champions "Tunisian analysis," he assures his readers that the method was not limited to that geographical area but was at one point used throughout the Jewish world.¹⁰ Indeed, *Iyyun Tunisai* was originally codified

⁸ David Lehmann and Batia Siebzehner, *Remaking Israeli Judaism: The Challenge of Shas* (Oxford: Oxford University Press, 2006), 181-2; Meir Mazuz, "Mivta ha-Otiyyot ve-ha-Nekudot" in *Kovets Ma'amarim: Derekh ha-Limmud, Hasbkafah, Hokhmah u-Musar* (Ashkelon: Ohel Mosheh Tsalat al-Huri, 2002/2003), 83.

⁹ Lehmann and Siebzehner, *Remaking Israeli Judaism*, 181-82.

¹⁰ Meir Mazuz, "Ma'amar be-Darkhei ha-Iyyun," in *Kovets Ma'amarim*, 2-3. In the classical medieval sense, *iyyun* had the connotation of philosophical "speculation" or "reflection," as in the sense of "looking into something deeply" (Arabic *nazār*). As mentioned above, *Iyyun Tunisai* is in fact a continuation of an older Sephardic method that adopted philosophical modes of analysis, and whose original protagonists had this mode of thought in mind when using the term *iyyun*. See Boyarin, *Ha-Iyyun ha-Sefaradi*, 1. However, the use of the term *iyyun* today connotes a more generalized

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not by a Tunisian rabbi, but by the Castilian R. Yitshak Canpanton (or Campanton; 1360-1463) in his *Darkhei ha-Talmud* (“The Ways of the Talmud”).¹¹ Sephardic *Iyyun* as it was originally practiced was the subject of a seminal study by Daniel Boyarin, who claims that R. Canpanton interpreted various methods of analysis used in the Talmud in light of theories of semantics and language that were current in medieval Scholastic-Aristotelian works.¹² Boyarin remarks that the method spread following the expulsion of the Jews from Spain to the sixteenth and seventeenth-century academies of “Safed and Jerusalem... Constantinople and Salonika... Cairo and Fez,” and then exclaims, “and how surprising it is that this method of learning has been almost entirely forgotten and is barely mentioned in the research laboratory (*sadnat ha-mehkar*) and in the house of study (*beit ha-midrash*) up until our very generation.”¹³ This carefully worded statement shows that the method has nevertheless not been entirely forgotten, even as the author does not seem to be aware of its existence in any significant *beit midrash*. This section will show that Sephardic *iyyun* has in fact been preserved in the “houses of study” of

in-depth analysis of a subject at hand, as evidenced by the frequency of the use of the expression *tsarikh iyyun*, which translates as “[the matter] requires [further] analysis” rather than “[the matter] requires speculation.” For more on the development of the term *iyyun*, see Breuer, *Obolei Torah*, 183-6. R. Mazuz’s use of the term does not seem to have any special philosophical connotation. He often refers to the method as *ha-iyyun ha-yashar* (“the straight analysis”), a term that functions as a polemical tool against other methods that, according to R. Mazuz, create unnecessary difficulties rather than elucidate the text at hand. In sixteenth and seventeenth-century Poland, Sephardic *iyyun* was referred to as *pilpul* (a term that has the connotation of “sharpening” one’s analysis in order to solve difficulties), and various elements within it were sometimes called *hilluk* (“distinction”), though the latter term was most often used to refer to a mode of thought that strayed from the original methodology. For an overview, see H.Z. Dimitrovski, “Al Derekh ha-Pilpul,” in *Sefer ha-Yovel li-Khvod Shalom Baron* (Jerusalem: The American Academy for Jewish Research, 1974), 111-76.

¹¹ Other editions were entitled *Darkhei ha-Gemara* (“The Ways of the *Gemara*”). The exact location in which the method originated (as opposed to where it was codified) is unclear. Breuer (187-8) simply notes that similar methodologies developed in both Ashkenaz and Sepharad and probably influenced each other. Dimitrovski cites evidence that the general method, or at least important elements of it, originated in *Ashkenaz* and spread to Sepharad. If so, the contribution of the Sephardim to this methodology was in their codifications of the methods and, as will be explained, in their usage of Aristotelian terminology in explaining it. Boyarin, however, (*Ha-Iyyun ha-Sefaradi*, 52-58) explicitly disagrees with some of Dimitrovski’s claims and asserts that much of the methodology developed in the Iberian Peninsula under the influence of Aristotelian philosophy.

¹² See Boyarin, *Ha-Iyyun ha-Sefaradi*, 47-68.

¹³ *Ibid.*, 3. All translations of Boyarin and other Hebrew passages are this author’s (JR).

North Africa and is now undergoing a revival in Israel. Because Ashkenazi methods have dominated the yeshiva system for so long, a successful revival must encompass two elements: 1) a re-codification of the fine points of the methodology, with which most yeshiva-educated rabbis would not be familiar, and 2) a well-articulated attack on the regnant Ashkenazi methods that threaten the revival. R. Mazuz's writings do both. What follows is an analysis of R. Mazuz's positions as expressed in his first essay on methods of study, aptly entitled "*Ma'amar be-Darkhei ha-Iyyun*" ("Article on Methods of Analysis").¹⁴

The Basic Assumptions of the Method

R. Mazuz introduces his first article by terming his analytical approach *ha-iiyun ha-yashar*, "the straight analysis," a term that functions as a polemical tool against other methods that he feels muddle the text instead of elucidating it in a step-by-step process. In vouching for the approach of *ha-iiyun ha-yashar*, R. Mazuz quibbles with Ramban's theory of law, which asserts that, while scientific discussions result in exact conclusions, Jewish legal argumentation does not allow for definitive proofs. In contrast, R. Mazuz contends that over the centuries a methodology developed with the type of exactness necessary to properly determine the law.¹⁵ R. Mazuz's rejection of inexactness in law parallels the same rejection that stood at the heart of R. Canpanton's methodology and its Aristotelian assumptions, which viewed any idea or interpretation of a text as provable or disprovable based on rational analysis.¹⁶ R. Mazuz's confidence in the scientific acumen of his method becomes explicit when he states that the method's goal is to "dig into and penetrate the original intention of the statements [at hand] *with full confidence, without any hesitation or doubt.*"¹⁷

After a discussion of his method's roots in the rabbinic tradition,¹⁸ R. Mazuz goes on to describe the method in depth:

¹⁴ This article, as well as a second one entitled "Ma'amar Bet be-Darkhei ha-Iyyun" ("Article Two on Methods of Analysis" can be found in his *Kovets Ma'amarim: Derekh ha-Limmud, Hasbkafah, Hokmah u-Musar* (Ashkelon: Ohel Moshe Tsalat al-Huri, 2002/2003), 1-18 and 19-37, respectively.

¹⁵ "Ma'amar be-Darkhei ha-Iyyun," 1-2. Mazuz cites Nahmanides' Introduction to his *Sefer ha-Milhamot*.

¹⁶ See Boyarin (*Ha-Iyyun ha-Sefaradi*, p. 64) for an explicit contrast between the Sephardic "speculators" and Ramban: a position that Ramban (who, for the purposes of our discussion, represents the "old Spanish" school) would term "convincing" but nevertheless subject to debate became "necessary" and absolute for the "new Spanish school."

¹⁷ "Ma'amar be-Darkhei ha-Iyyun," 2. Italics have been added for emphasis.

¹⁸ This discussion will be analyzed later.

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The foundation of the foundations of *iyyun* is that there is nothing missing [from] or added onto the language of the Gemara, Rashi, and Tosafot. There is nothing missing – because the text has not come to shut out [information] but to explain [matters], and it is not proper [to think] that the main elements of the matters [under consideration] are missing from the Talmudic discussion [Aramaic *sugya*] and its commentaries, for they [the rabbis] have not come to test us with riddles... And there is nothing added – because our rabbis have always tried to write with brevity and exactness, [with] the small carrying the abundant [i.e. with a small number of words carrying great depth].¹⁹

What R. Mazuz considers to be the foundation of *Iyyun Tunisai* is in fact already elucidated by R. Canpanton. Elements of one passage of R. Canpanton are echoed in R. Mazuz's description above:

And always attempt to impute necessity for all of the words of a commentator or an author in all of his language: why did he say it and what did he intend with that language, whether to explain [an issue] or to derive [a concept] from another explanation or to resolve a difficulty or a problem. And take heed to limit [*le-tsamtsem*] his language and to derive [concepts from] it in a way that there will not be an extra word, for if it were possible express his intent, for example, in three words, why did he express [himself using] four [words]? And so you should do with the language of the Mishna and Gemara, that is, you should check their language so that there not be an extra word, and when it appears to you to be extra go back and analyze well, for they did not expand their words unnecessarily, for it is not a small matter, and the splendor of sages is to minimize words so that many concepts are included in small [numbers of] words, and to make their words few in quantity but great [lit. “many”] in quality, and there should not be within their words an extra word, even [if it consists] of one letter, as they [the Sages] have said ([B.T.] *Hullin* 63b), “A person should always teach his students in a concise way,” as you see in our Holy Torah, which was given from the Mouth of the Mighty One, which speaks with a concise language but includes many things...²⁰

¹⁹ “Ma’amar be-Darkhei ha-Iyyun,” 4.

²⁰ *Darkhei ha-Talmud*, edited and published by Yitshak Shimshon Lange (Jerusalem, 1980), 58 (Ch. 12), cited in Boyarin, *Ha-Iyyun ha-Sefaradi*, 6. For a theory as to why R. Mazuz does not cite R. Canpanton or any other of the early modern Sephardic rabbis who codified this method, see my Conclusion to this article.

The Importance of Syntax

R. Mazuz identifies the importance of syntax as the second major element of *Iyyun Tunisai*. He criticizes those who downplay the importance of understanding each word and its implications and the proper stopping points of statements, and complains that many students do not know the meanings of basic expressions, which can change depending on context. R. Mazuz then offers an example that highlights the importance of paying attention to syntax. In this example, an erroneous interpretation of a statement could have easily been averted if the commentator had thought about where to properly end the sentence.²¹

R. Mazuz's focus on the meaning of words is not paralleled in R. Canpanton's codification, possibly because it is so simple that no reiteration is needed. However, in the current educational climate, R. Mazuz feels that stating what should be obvious is necessary. It seems that the tendency in many yeshivas to emphasize advanced analysis contributes to the lack of focus on more simple syntax. R. Mazuz feels that this lack of focus on the basics leads to avoidable misinterpretations of the text.

Commentary for the Purpose of Preventing Alternative Mistaken Interpretations

R. Mazuz proceeds to describe the third major element of *Iyyun*: "The third general rule of the methods of *Iyyun* is to ask, in every place, what was Rashi, *Tosafot*, or Maharsha bothered by..."²² In other words, the analyst studying the text should ask himself why a classical commentary would add in a seemingly extra word, or would use a seemingly odd phrase. Most often, the answer is that the commentator in question wanted to prevent his readers from making a mistaken assumption about the subject at hand, which they would have made without the quixotic phraseology that the commentator used. It follows that the seemingly extra word or the seemingly awkward phrase is in fact neither extra nor awkward, but *necessary* for the correct understanding of the text under discussion.

This type of linguistic analysis assumes that the unusual language of a commentator is used to prevent the reader from coming to an incorrect conclusion. This conclusion is referred to by the classic Sephardic *me'ayyenim* as *sevara mi-baHuts*, lit. "the logical construction from the

²¹ "Ma'amar be-Darkhei ha-Iyyun," 5-6.

²² "Ma'amar be-Darkhei ha-Iyyun," 10.

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outside” – i.e., a thought process whose origin comes from outside the text. R. Canpanton writes as follows:

... And afterwards [i.e. after reading through the text a number of times and determining what is stated explicitly and what should be understood implicitly] return to analyze if there is a novelty in what is understood from the language or not... if there is no novelty, raise a difficulty with the one who makes such a statement... “What is it [i.e. the statement] teaching us? [It is] obvious!” And if there is a novelty in its inference [i.e. if there is a novelty in what you have inferred from the statement], but there is no novelty in the essence of the statement [i.e. in the plain meaning of the statement], it is possible to say that he [i.e. the speaker] chose it [i.e. chose to make the statement in the way that he did] because of the inference... And certainly look carefully at every statement [and ask] what you would have thought based on your logic or what you would have adjudicated based on your sense before the *tanna* or *amora* would have come [to make his statement], for a great benefit will result for you from this [method], for if you yourself would have thought as he [did], ask him, “What [does this statement] teach us? It is obvious!” And if your logic contradicts his, you should know and search out what the necessity was that caused him to say thus, and [find out] what the weakness or bad element was within what you yourself had thought, and this [i.e. the logic you would have originally assumed] is called “the logical construction from the outside.”²³

²³ *Darkhei ha-Talmud*, 26-27 (ch. 1); a slightly different version is cited in Boyarin, *Ha-Iyyun ha-Sefaradi*, 51-2. Boyarin (*Ha-Iyyun ha-Sefaradi*, 55-59) claims that the origin of this element of Sephardic *Iyyun* stems from the influence of medieval philosophy as seen in the interpretations of Rambam’s work by his medieval translators. Boyarin points out that the medieval scholastics, whose views influenced the translators, held that every element of language spoken or written by an intellectual must reflect his exact intent. No necessary terms should be missing from his comments, nor should his comments contain any unnecessary additions. By being exact in his terminology, the intellectual will be able to reveal his full understanding of the subject to others. Boyarin notes that this ideal necessitated the desire, on the part of an intellectual’s students or commentators, to explain every term used by the intellectual that could have more than one meaning – i.e. every homonym. In order to explain these terms properly and to discover the original intent of the master, one would have to take the context in which the term was used into account. On the other hand, because every term is exact, there are no such things as synonyms. If an alternative term is used, its usage points to a different connotation. Because the Sephardic *me’ayyenim* believed that the Talmudic rabbis and their commentators were perfect intellectuals, every statement of those rabbis and commentators reflects their exact intent and therefore could not have been phrased using different terminology, as then their statements’ meanings would have been different.

Due to the abstract nature of this section, it is highly recommended that readers look through the appendix, which offers a concrete example of *sevara mi-baHuts*.

The Logical Flow of the Text

R. Mazuz identifies a fourth element of *Iyyun Tunisai*, which relates to the logical flow of the text of *Tosafot*, who are known for posing many questions and answers in a row. R. Mazuz suggests stopping after each question-and-answer pair to analyze how each question was answered and how the next question relates to the previous question-and-answer. In this way, the student can identify in what way the main issue being discussed is resolved. This resolution is known as “the center of the resolution,” or *merkaz ha-teruts*.²⁴

The assumption that every element in a rabbinic text relates to the previous one or next one is spelled out explicitly by R. Canpanton at the beginning of Chapter Ten of his *Darkhei ha-Talmud*: “Always, for every statement and for every concept that is situated next to another, whether in Talmud or in Scripture (*ba-Katur*),²⁵ carefully observe the relationship and connection between those concepts situated next to each other, including what order the speaker is leading (*molikh*) with his words.”²⁶

R. Canpanton’s statement was made in reference to the literary structure of all rabbinic texts and specifically the Talmud. R. Mazuz’s focus on the literary structure of *Tosafot* is a natural outgrowth of Sephardic *Iyyun*’s general concern with the flow of the text. The emphasis on *Tosafot* began, at the very earliest, during the generation after the expulsion from Spain, with the spread of printed editions of the Talmud that included *Tosafot*’s commentaries. R. Canpanton himself never mentions *Tosafot* in his work, probably because manuscripts of *Tosafot*’s writings did not have widespread circulation in Spain.²⁷ Instead, other passages highlight the importance of carefully analyzing Rashi and Ramban, whose commentaries were available at the time.

²⁴ “Ma’amar be-Darkhei ha-Iyyun,” 10.

²⁵ In context, Scripture seems to be what R. Canpanton is referring to, though it is not clear to me why he suddenly interjects Tanakh into the discussion. There were schools of Sephardic *me’ayyenim* that used this methodology for analyzing the Bible as well. Compare the method described by Shim’on Shalem, “Ha-Metodah ha-Parshanit shel Rav Yosef Taitatsak ve-Hugo,” *Sefunot* 11(1967): 115-34.

²⁶ *Darkhei ha-Talmud*, 50.

²⁷ See Boyarin, *Ha-Iyyun ha-Sefaradi*, 6, n. 23.

The Role of Writing and Revision

The fifth and final major element of *Iyyun Tunisai* that R. Mazuz identifies is the importance of writing and revision following one's studies. The student should summarize his understanding of the commentary or *Tosafot* he is studying as a test to see whether he has understood it properly. If the student's own words seem to match the commentator's but are simply more expansive, the student has understood; if not, the student should review the commentary and revise his statement. Aside from the clarity of understanding the student gains, frequent writing and revision allows the student to express his ideas clearly. R. Mazuz notes that the rabbis of Jerba traditionally educated their students in such a manner, training their students to write their own novellae in a clear and organized fashion.²⁸

R. Mazuz's Polemic against Lithuanian-style Methodologies and Its Significance

After having stated earlier in his essay that there is nothing extraneous to, or missing from, the language of the classical Jewish texts, R. Mazuz launches into a justification of this assumption and a polemic against alternative methods of study:

It follows that, if a person overloads explanations and commentaries regarding the intent of the early commentaries that do not flow **necessarily** (*be-hekhlereah*) from the implication of the language and [of] the style or from the force of a contradiction... we should not accept his commentaries, but [instead] we should ask him, "What forced you [to say] thus? If you would like to dress [i.e., add on layers of meaning to the subject] and to expound [on it], expound and receive reward [for your efforts to come up with original ideas], but to say that Rashi or Rambam or one of the early commentaries intended abstract ideas and definitions that are 'the finest of fine to the point where they cannot be examined'²⁹ – from where did this [conclusion] come to you? According to your words [i.e. explanation], why didn't they [the early commentators] write [what you have expounded] explicitly? Do they speak in secret? Were they, God forbid, challenged [in their ability] to express [themselves] in writing, or did the matter in their eyes [have the status of] 'the Mystery of Creation and the 'Mystery of the Chariot,' until hundreds of years later others arose to explain [their ideas] to them?" – From here derives the expression which

²⁸ "Ma'amar be-Darkhei ha-Iyyun," 15-16.

²⁹ Hebrew pun: *dak al dak ad ein nivdak*.

is common among us [i.e. the Tunisian Jews], “rather, it is necessary” (*ella mukbrab*). And it is almost impossible to go through a single discussion in Iyyun Tunisai without [encountering the expression] “rather, it is necessary” tens of times... And in truth, through the necessity, the one who studies arrives at a straight and clear understanding, without dark cracks or crevices [an expression equivalent to “without any ambiguity”]. Everything is clear and lucid. If an objection is found from elsewhere [i.e. a different source not under discussion], let it remain an objection, as “a person does not die from an [unanswered] objection.”³⁰ And this is the strength of *iiyun*: one who learns according to the method of *pilpul*³¹ and of the innovation of ... and breaking of logical constructions (*sevarot*) [that derive] from the air [i.e. one who resolves difficulties by advocating ungrounded logical constructions] will many times come across a specific discussion or source that uproots his entire *pilpul*, and because of his concern for his work, he will [come up with]... different forced explanations and will bend what is upright... But [for] one who learns in depth (*ha-me’ayyen*), this is not so. If he finds a possibility to iron out difficulties and to resolve contradictions, he is praiseworthy, but if he does not find [a solution], he does not retreat from his *iiyun* because of this, but says, “this is the [proper] understanding of the matters [at hand], and one should not veer off from the simple explanation (*peshat*).” Our rabbis the Tosafists, who resolved contradictions between hundreds of Talmudic discussions and [thereby] “made the entire Talmud into the likeness of a sphere”... were not ashamed to admit that there are no fewer than thirteen contradictory Talmudic discussions that are impossible to resolve... but that, nevertheless, the simple explanation should not be stripped [of its plain meaning], and what is concrete [i.e. obvious] should not be denied.³²

As a whole, R. Mazuz’s description is much less technical than that of R. Canpanton, thereby showing that it is intended for a different type of audience. This wide audience is the system of yeshiva students and the general community that draws from it, most of whom are studying according to the methods of *pilpul* mentioned by R. Mazuz. For this reason, R. Mazuz’s description of the method is polemical – he attacks

³⁰ This is probably a rough translation of the similar Yiddish expression.

³¹ Here referring to methods that privilege creative sharpening of the mind in order to solve problems at the expense of a close, careful reading of the text. See ensuing discussion.

³² “Ma’amar be-Darkhei ha-Iyyun,” 4-5. The last sentence is a Hebrew rhyme: *Ha-Peshat lo yufshat ve-ha-mubash lo yukhash.*

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alternatives to *Iyyun Tunisai* because he feels they project their own ideas onto the statements of earlier commentaries. R. Canpanton's description is very technical and, in other passages, makes use of contemporaneous philosophical terminology.³³ His style is descriptive in nature and seems to be merely codifying the specifics of an approach to text that had been developing since the previously popular Tosafist method of dialectic had achieved its aims.³⁴ Unlike R. Canpanton, R. Mazuz is fighting an uphill battle against dominant alternative forms of learning that he dubs *pilpul*.

The term *pilpul* translates literally as “sharpness” and can be used in a non-technical sense to describe a general way of looking at a text or problem, or it can be a technical term for a very specific type of methodology. (In the past, the expression was even used to refer to methods that were similar to or identical with that of R. Canpanton.) Moreover, the term's connotation can be positive (if the speaker intends to point out the advantages it offers in solving complex problems), neutral, or negative (as in the present case). By juxtaposing the term to *pilpul* to the phrase “the innovation... and breaking of logical constructions” and by making specific arguments against it, it is clear that R. Mazuz is using *pilpul* in a technical sense to describe a specific methodology or specific methodologies. While, in theory, R. Mazuz can be referring to any number of alternative methods, it is likely that his polemic is directed against the “Brisker” approach to Talmud study, an approach that will be discussed in the coming paragraphs. There is evidence to support such a contention.

The first piece of evidence is R. Mazuz's comments on R. Yehiel Ya'akov Weinberg's critique of R. Chaim Soloveichik's “Brisker” approach; these comments were posted by Marc Shapiro in *The Seforim Blog* in the name of an anonymous *rosh yeshiva*, but they are in fact the comments of R. Mazuz.³⁵ R. Weinberg accuses R. Chaim of inventing elaborate explanations of the Rambam and the Gemara that do not fit the language of the texts he is interpreting. In contrast, R. Weinberg praises

³³ For examples, see Boyarin, *Ha-Iyyun ha-Sepharadi*, 37-38, 59-68. On the philosophical origins and philosophical usages of the term *heklbreah* (“necessity”) among the classical Sephardic *me'ayyanim*, see *ibid.* 59-62; note that R. Mazuz uses the term in a general sense, not in a technical-philosophical sense.

³⁴ For more on the development of alternatives to Tosafist dialectic in Ashkenaz, see Breuer (*Ha-Yeshiva*), 186-88. These new methods privileged the analysis of the local text rather than trying to resolve contradictory sources. The last great rabbi to use the method championed by the Tosafists in Spain was the Ran.

³⁵ In an oral conversation in Jerusalem on 12/31/2012, Marc Shapiro informed me that these comments were those of R. Mazuz. Shapiro chose to keep the comments anonymous when he posted them for reasons not germane to this article's discussion.

the Vilna Gaon's more simple analysis as reflecting the true meaning of the text.³⁶ Upon seeing R. Weinberg's critique, R. Mazuz responded that Yeshivat Kisse Rahamim uses the method of the Gaon of Vilna [rather than that of R. Chaim].³⁷ Thus, it is clear that R. Mazuz was including the *Brisker derekh* in his critique of methods that, in his mind, failed to arrive at the original intent of the sources. The second piece of evidence is an interview conducted by David Lehmann and Batia Siebzeher. In this interview, R. Tsemah Mazuz (R. Meir Mazuz's brother mentioned previously) claimed that, until about two hundred years ago, the methods of study used by Ashkenazim and Sephardim were the same. Apparently lacking knowledge of rabbinic texts and the history of rabbinic thought, these interviewers mistakenly suggest the possibility that he was referring to the onset of the Enlightenment.³⁸ Rather, it is more likely that R. Tsemah Mazuz was referring to the flourishing of Ashkenazi *rabbanim* such as Aryeh Leib ha-Kohen Heller (d. 1813, often known by the name of his major work, *Ketsot ha-Hoshen*), Ya'akov Lorberbaum of Lissa (d. 1832, often known by the names of his major works, *Netivot ha-Mishpat* and *Kebillat Ya'akov*), and Akiva Eiger (1761-1837), who were precursors to the Brisker school in terms of the type of analysis evident in their works.³⁹ Third, because the paragraph under discussion functions as a contemporary polemic, R. Mazuz is most likely referring to the popular methods used in yeshivas today; the perception among many analysts is that a large proportion of the yeshiva system has been dominated by the Lithuanian Brisker approach and related methods.⁴⁰ For a fuller understanding of R. Mazuz's polemic, it is necessary to describe the general contours of the Brisker approach as they relate to R. Mazuz's objections.

While a number of competing formulations exist for explaining the goals and methods of the "Brisker" approach, Norman Solomon's is the most extensive. According to Solomon, proponents of the "Brisker" or "Analytic" approach [often referred to as "Briskers" in yeshiva circles] seek to understand how various legal concepts that underlie a specific text

³⁶ See Marc Shapiro, *Between the Yeshiva World and Modern Orthodoxy: The Life and Works of Rabbi Jehiel Jacob Weinberg, 1884-1966* (London and Portland, OR: The Littman Library of Jewish Civilization, 1999), 195. The relevant parts of the letter also appear in *ibid.* "Some Assorted Comments and a Selection from my Memoir, part 1," *The Seforim Blog*, Oct. 25, 2009, <http://seforim.blogspot.co.il/2009/10/some-assorted-comments-and-selection.html>.

³⁷ Cited in *ibid.* "Some Assorted Comments and a Selection from my Memoir."

³⁸ See Lehmann and Siebzeher, *Remaking Israeli Judaism*, 181.

³⁹ For easy reference to examples of this analysis, see Solomon, *The Analytic Movement*, 158-63.

⁴⁰ See Blau, "The Impact of Lomdut," in *Lomdut*, 45-7.

operate. Consequently, Briskers develop every possible meaning they can think of for each concept within the text under discussion. They then re-read the text based on each of those meanings in order to figure out which understanding best sheds light on the subject. In doing so, they often encounter the contradictory ways in which the local text and alternatives sources seem to use the concept. In order to resolve the contradictions, Briskers create a *hakirah*, (in this case, the term would best be translated as a “distinction” or “dichotomy”) in which they would argue that one concept can have different facets that express themselves in different situations.⁴¹ Note that, because these distinctions are often based on the contradictory implications of a concept rather than on a textual ambiguity, they do not flow “necessarily” from the text and are often speculative, an issue that is the crux of R. Mazuz’s critique.⁴²

Conclusion: The Re-Codification of *Iyyun*

R. Mazuz’s (re)-codification of *Iyyun Tunisai* functions as a way to make the method meaningful in the contemporary world. His descriptions of the method therefore lack the widespread use of philosophical terms so common among the original codifiers of Sephardic *Iyyun*. Instead, they focus on justifying the method through logical argumentation, which this article has already explored, and by reference to the perceived usage of this method by the great rabbis of the past, which lends legitimacy to his project. Even before embarking on his description of the method, R. Mazuz notes that his use of the phrase *Iyyun Tunisai* does not connote the geographical origin of the method, merely the fact that Tunisian rabbis took pride in perfecting it. He claims that the method was used in all of the classic schools of thought within the Jewish world, starting with the *Geonim*, moving on to the *Tosafot* and *Rishonim*, and lastly, by

⁴¹ Solomon, *The Analytic Movement*, 110. Solomon notes that this method differs from other traditional approaches in that practitioners of the latter approaches tried to find every possible way to harmonize the local text with contradictory texts, rather than trying to find every possible way to explain a concept within the local text. Solomon’s work is the most in-depth and comprehensive academic study to date on the Analytic school. For more on the development of the term *hakira*, see *ibid.*, 117-150. The term *hakira* literally means “investigation.” Solomon discusses the transference of the meaning of the term *hilluk* (which literally translates as “distinction”) to the term *hakira* on pp. 119-20. For alternative views regarding the goals of the Brisker *derekh*, see the end of n. 53.

⁴² For an overview of some of the critiques of Brisk as not yielding explanations that are in consonance with the original intent of the authors, see *ibid.* 201-14, 218-21; and see Marc B. Shapiro, “Review Essay: The Brisker Method Reconsidered,” *Tradition* 31:3 (1997), 86-88.

Maharsha, Rashash, and others, “who excel in the straightness and depth of the[ir] analysis.”⁴³ Taken literally, this statement is misleading, as it lumps together rabbis with very different approaches to text. While Maharsha, along with many other Polish rabbis of the sixteenth and seventeenth centuries, did use this method, other commentators such as *Tosafot* were interested in harmonizing other contradictory texts with the local text through dialectical reasoning rather than focusing on literary issues within the local text – a process not conducive to simple readings of the local text.⁴⁴ It is doubtful that R. Mazuz, who is fully familiar with these differences, intends that this statement be taken literally.⁴⁵ Rather, the last clause of the sentence, which emphasizes the “straightness” (Heb. *yosher*) of the commentators’ analysis, is emphasized.⁴⁶ The statement is a rhetorical device that situates *Iyyun Tunisai* within the mainstream of Jewish

⁴³ “Ma’amar be-Darkhei ha-Iyyun,” 2-3.

⁴⁴ For the debate over hermeneutics in early modern Poland, see H.Z. Dimitrovski, “Al Derekh ha-Pilpul,” 111-76, cited in n. 10 above.

⁴⁵ The fact that R. Mazuz is aware of his own exaggeration is reflected in a statement that he makes later in his essay (p. 13), in which he claims that even *Tosafot*, who do re-interpret texts in a “pilpul”-like fashion, and who do so only when faced with contradictions from other sources, and who do so because they privilege the resolution of the contradictory ideas presented in different texts even at the expense of the texts themselves, would never stray “**completely**” [emphasis in original] from the simple meaning of the texts. Here, R. Mazuz mentions the logic of his critics, who would rather endure a textual difficulty than a conceptual one, even though he himself holds the opposite view, namely, that the integrity of the texts comes first and that conceptual difficulties are not as pressing.

⁴⁶ In context, the sentence seems to have the following rhetorical meaning: a large part of the goal of *Iyyun Tunisai* is to enter the mind of the author of the text in order to discern why he chose to solve a problem in one way rather than in a seemingly more plausible way. In answering this question, the practitioner of *Iyyun Tunisai* must show why these more plausible explanations are in fact not plausible at all. Therefore, any time a classical commentator, even a Tosafist, solves a textual issue, he is assumed to have arrived at that conclusion using the same process of elimination that the practitioner of *iyun Tunisai* is using today. R. Mazuz’s next statement (p. 2) lends support to this explanation. He claims that “from the analysis (*ha-iyun*) it is possible to reach the [proper] halakhic ruling in a straight and clear manner. It is only thanks to *iyun* that the Rambam could have expressed [some of his positions] in a style such as: ‘this is the matter [i.e. the conclusion], there is no doubt about it...’” R. Mazuz assumes that this type of certitude is possible only through the method of *iyun* that he is advocating (which he terms “the *iyun*” par excellence). Therefore, any rabbi who makes such a claim must have arrived at his conclusion via the strategies espoused by his (R. Mazuz’s) method of *iyun*. The force of this largely subjective and speculative argument, which is based upon circular reasoning, depends upon R. Mazuz’s ability to convince the reader of the method’s unique capacity to arrive at the correct conclusion and to compellingly disprove erroneous alternatives. R. Mazuz devotes his article to achieving this goal.

tradition. By mentioning that great Ashkenazi rabbis, such as Maharsha, used this method, Mazuz legitimizes its usage for Ashkenazi Jews as well, since, by rejecting the Analytic approach in favor of *Iyyun Tunisai*, Ashkenazi Jews would not be rejecting their own traditions but reclaiming the “Tunisian” tradition as their own, “going back,” as it were, to the “original” Ashkenazi tradition. In fact, other than the name *Iyyun Tunisai* and occasional mention of the Tunisian/Jerban community and its rabbis, there is no indication within the article that the method uniquely represents the global Sephardic tradition, as none of the early modern and late medieval Sephardic *rabbanim*, such as Canpanton or Shemu’el ibn-Sid (or Sidilyo or Sirilyo),⁴⁷ are ever cited. Despite the fact that previous sections of this article have proven the method’s Sephardic roots and its historical uniqueness, most of the rabbis cited in R. Mazuz’s essay are well-known, “classical” Ashkenazi and Sephardic/Jerban rabbis.

R. Tsemah Mazuz’s claim that, until about two hundred years ago, the methods of Talmud study used by Ashkenazim and Sephardim were identical should be analyzed more fully. One controversial hallmark of the “Analytic/Brisker” approach was the rejection of most of the later Ashkenazi rabbis such as Maharsha, whose commentary, which often elucidates difficult passages in *Tosafot*, had been an essential part of the yeshiva curriculum in Ashkenazi lands.⁴⁸ Instead, the “Analytic” school favored independent analysis of the classical *Rishonim*, especially Rambam’s *Mishneh Torah*, and rejected previous traditional methods of interpretation, and it was this rejection that was the subject of severe censure by critics within the Ashkenazi world. By showcasing the role of tradition in his argument for the revival of *Iyyun Tunisai*, R. Mazuz taps into this already ongoing debate and reveals that he is not fighting for the supremacy of the Tunisian Method merely within the Sephardic world, but within the yeshiva world in general.⁴⁹ The revival of his method is therefore not a separatist attempt to preserve his own tradition (though it certainly encompasses that element) but a hegemonic approach that seeks to influence the entire

⁴⁷ He was the author of *Kelalei Shemu’el*, a guide to Talmud study similar to that of R. Canpanton. He lived in Spain and Egypt and flourished in the early 16th century.

⁴⁸ On the rejection of Maharsha by the Analytic school, see Solomon, *The Analytic Movement*, 214-15.

⁴⁹ A previous edition of R. Mazuz’s writings on Talmud study (including “Ma’amar be-Darkhei ha-Iyyun”) prefaced his articles with a large number of letters written by prominent Ashkenazi and Sephardic (including Tunisian) rabbis advocating a “straight” approach to analysis and criticizing *pilpul*. For these letters, see Meir Mazuz, *Kovets Darkhei Ha-Iyyun*, 2nd Edition, ed. R. Chaim Amsellem (Bnei Brak: Yeshivat Kisse Rahamim, 1986), 2-24. The publication of these letters serves as a way to legitimize R. Mazuz’s method within the yeshiva world.

religious world. R. Mazuz's fight should therefore not only be analyzed "vertically," as an expression of a line of Sephardic tradition, but also "horizontally," as one battle in an ongoing war against Brisk that dates back to the early years of the movement's spread. This war has intensified in recent years, which have seen the supremacy of the "Analytic" method challenged by a number of alternative approaches.⁵⁰ Therefore, the revival of the Tunisian method is a reflection of current socio-ideological developments within the broader Orthodox world.

The question, then, is what the prospects for *Iyyun Tunisai* and other similar methodologies may be.⁵¹ On the one hand, one might argue that, in order to successfully compete with Brisk, *Iyyun Tunisai* would need to allow for a certain amount of legal conceptualization inherent within the Analytic methodology, since such conceptualization captures the imagination of specific types of students who are attracted to Brisk.⁵² While questions focused on syntax and sentence structure would be too "basic" for such conceptualization, questions focused on turns of phrase and flow of text can more easily lend themselves to further conceptualization.

On the other hand, *Iyyun Tunisai* can serve as an alternative to the "Analytic" school precisely because it takes literary and historical elements into account, elements that are often ignored within the "Brisker" method.⁵³ *Iyyun Tunisai* is ideal for those who want to develop textual

⁵⁰ For the sociological factors contributing to these challenges, see Blau, "The Impact of *Lomdut*," 45-54.

⁵¹ It is worth noting that there are methods similar to Tunisian Analysis that are being revived but which are referred to by different names. David Lehmann and Batia Siebzehner interviewed a Rabbi Pinto, who runs a yeshiva in Petah Tikvah. The way they describe the method used there seems to be very similar to, if not identical with, *Iyyun Tunisai*: "he [R. Pinto] speaks of the Marrakesh method, which he also describes as the 'theoretical Talmud': a conception of the 'basis', [sic.] namely the text of the Gemara, of the original Rabbinic commentaries, which a student analyses and then, having made an interpretation, compares this with those of sages, such as Rashi, the medieval French authority. The student asks himself why his interpretation is different than that of Rashi, and then returns to the basis'. [sic.]" (*Remaking Israeli Judaism*, 183).

⁵² Indeed, some proponents of the Brisker approach have emphasized what they regard as Brisk's unique abilities to engage students. See R. Yosef Adler's "Conceptual Approach to Learning and Hinnukh," in *Lomdut*, 139-40. For critiques of such an approach, see R. Jeremy Wieder's "The Role of *Lomdut* in Jewish Education," *ibid.* 153-61; see also R. Yosef Blau's "The Impact of *Lomdut* and its Partial Reversal," *ibid.* 53.

⁵³ R. Shalom Carmy ("Polyphonic Diversity," 6-12) questions the oft-heard criticism that Brisk is inherently insensitive to literary concerns and cites examples in which such concerns enhance one's understanding of Analysts' writings, whether or not the Analysts had such literary issues in mind. While R. Carmy is correct in this

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skills, and its focus on basic grammatical and syntactic analysis will attract students who feel, as R. Mazuz does, that these elements should be studied *before* embarking on further analysis. Advanced students who are sensitive to literary structure and grammatical ambiguity will find meaning in the types of questions that *Iyyun Tunisai* encourages, questions that deal with unusual turns of phrase and that try to connect the different elements of the text. Critics of the Analytic School's often ahistorical approach to text would be pleased with R. Mazuz's focus on close textual readings and critical analysis. Speaking of the original *Iyyun ha-Sefaradi*, Daniel Boyarin comments, "It is possible to say that, until the Historical-Philological School of later generations, there did not arise in Israel another house of study that applied with such scope the contemporary general scientific method to analysis of the Talmud."⁵⁴ While this claim may have held true then, strict modern-day historians hoping for a full academic approach would not agree with other assumptions upon which the method is based, most notably the assumption that the Talmudic sages and early commentators foresaw all possible alternate interpretations and rejected them. Yet this non-critical element is precisely the method's strength. Most students in yeshivas would not be comfortable assuming that an Amora or Rishon should not be given the benefit of the doubt, and would likely view academic interpretations of a *sugya* as just as speculative as the very explanations that the academic approach purports to "correct."⁵⁵ *Iyyun Tunisai* strikes a balance between an overly-critical

assertion, the fact remains that in actual practice, for many Analysts, the aim is to elucidate the concept under discussion rather than to elucidate the text. Similarly, even if one assumes that R. Elyakim Krumbein ("The Evolution of a Tradition of Learning," in *Lomdut*, 229-98) is correct in his assertion that early Briskers such as R. Chaim Soloveichik himself (as opposed to R. Joseph Baer Soloveitchik and R. Aharon Lichtenstein) were more interested in resolving textual difficulties than they were in conceptualizing all of Jewish law, the point is that the solutions R. Chaim offers are not necessarily suggested by the language of the texts themselves, as pointed out above, and are therefore not necessarily "literary" reads that explore the flow of the text. More specifically, resolving contradictions between two different texts is different than looking at how each element of a specific text relates to the other, or how the text "flows" as a whole.

⁵⁴ *Ha-Iyyun ha-Sefaradi*, 1.

⁵⁵ Shalom Carmy, "Camino Real and Modern Talmud Study," in *Modern Scholarship in the Study of Torah: Contributions and Limitations*, edited by Shalom Carmy (New York: Jason Aronson, 1991), 195. While academics accuse traditionalists of giving too much credence to the claims of the texts, traditionalists claim that academics underestimate the intelligence of the rabbis who interpret the text and therefore fall short in their analysis. On the other hand, models do exist for integrating traditional and academic methodologies in ways that are helpful to tradition. Proponents of such models are aware of the pitfalls and seek to minimize them. See, for instance, R. Yakov

approach, which would undermine the legitimacy of the text under discussion, and an approach that is not self-critical enough to be able to discern between likely and forced interpretations. It is this balance that allows *ha-Iyyun ha-Yashar* to serve as an alternative to other methods of study current in the yeshiva world.

Nagen's "Scholarship Needs Spirituality – Spirituality Needs Scholarship: Challenges for Emerging Talmudic Methodologies," in *The Next Generation of Modern Orthodoxy*, ed. Shmuel Hain (New York: Yeshiva University Press, 2012), 153-59. See also David C. Flatto, "Tradition and Modernity in the House of Study: Reconsidering the Relationship between the Conceptual and Critical Methods of Studying Talmud," *ibid.*, 113-36.

Appendix

The following is an example of how *sevara mi-baHuts* operates. The example involves R. Mazuz's analysis of Rashi's commentary to *Berakhot* 62a.⁵⁶ The *sugya* delves into the proper manner of cleaning oneself after using the bathroom: "Why do we not wipe with the right hand [after restroom use]? Because one ties the *tefillin* with it (Heb. *bah*)."⁵⁷ Rashi comments, "...One ties *tefillin* on his left arm with it," i.e. with the right hand.⁵⁷ R. Mazuz notes the statement that *tefillin* are worn on the left arm is common knowledge. Why is it necessary for Rashi to mention this information? R. Mazuz suggests that Rashi was bothered by the fact that the Talmud prohibits cleansing oneself with the right hand, which is merely used to tie *tefillin*. The Talmud should have prohibited cleansing oneself with the left hand, since *tefillin* are tied onto the left hand (and arm). Therefore, Rashi wanted his readers to understand that the Talmud views the box that contains the "Four Sections" that the Torah mandates be bound upon the arm/hand as the primary aspect of the *tefillin* commandment, and that they are tied onto the left *arm*, which is the word Rashi uses, rather than the left *hand*. The Talmud therefore prohibits using the right hand to cleanse oneself, since one uses the right hand to tie the *tefillin* [i.e. the Four Sections] onto the left arm. [The implication is that because the left hand is not connected to the Four Sections – the Four Sections are neither tied to it nor tied by it – there is no issue with using it to cleanse oneself.]

R. Mazuz also emphasizes the grammatical ambiguity in the Talmudic statement that Rashi's comment resolves. The Talmudic text states, "Why do we not wipe with the right hand? Because one ties with it (*bah*) the *tefillin*." For the sake of convenience, this author translated *bah* as Rashi understood it: "with it," i.e. with the right hand. However, the letter *bet* functions as a preposition with a number of meanings, including "in" and "through," i.e., "through the medium of." When a *bet* introduces

⁵⁶ "*Ma'amar be-Darkhei ha-Iyyun*," 7. R. Mazuz cites a different example in the context of what the Sephardic *meayyenim* called *sevara mi-baHuts* (R. Mazuz himself does not use the term; he merely describes the process). Concerns of space do not permit me to write the large amount of background information that would be required for a complete understanding of his example. Interested readers can analyze his own example on p. 10 of "*Ma'amar be-Darkhei ha-Iyyun*." The original context of the upcoming discussion relates to how Rashi integrates his commentary into the Talmudic text itself by anticipating ambiguities within the text that sensitive readers would notice, and by filling in the "gaps" in the text. See the upcoming example for further clarification.

⁵⁷ S.v. "*She-Kosher Bah Tefillin*."

the locative dative case (in which case it would often be translated as “in” or “on,” as in the clause “I live in the house”), it is called *bet ha-tavekh*. When a *bet* introduces the instrumental dative case (in which case it would often be translated as “through the use of” or “with,” as in the clause “I picked up the shovel with my left hand”), it is referred to as *bet ha-keli*. Thus, the meaning of the statement “Because one ties with it (*bah*) the *tefillin*” is ambiguous. Is the proper translation, “one ties his *tefillin* with it” (i.e. with the right hand), or is the proper translation “one ties his *tefillin* on it” (i.e. on the right hand)? R. Mazuz shows that in Rashi’s comment, “that one ties phylacteries with it (*bah*) onto his left arm,” the term *bah* is properly translated as “with it” – i.e. one ties the phylacteries on the left arm “by means of it,” i.e., by means of the right hand, implying that the *bet* in the Talmudic text is a *bet ha-keli*.⁵⁸

R. Mazuz points out that his interpretation of Rashi casts doubt on a stringency that many later authorities cite in the name of R. Yeshayah Horowitz (the “Shelah”).⁵⁹ These authorities claim that, because part of the strap on the *tefillin* is wrapped around the middle finger of the left hand, one should not wipe oneself using that finger. R. Mazuz claims that this stringency is unnecessary, since he just demonstrated that Rashi’s intent was to show how the Talmud was concerned not with the strap, but with the box into which the four sections are placed. In order to reinforce his point that Rashi must have felt that the Talmud was not concerned with the left hand per se but with the left arm, he claims that, had Rashi not been focused on the left arm, he would have stated, “That one ties *tefillin* on his left *hand* with it [i.e. the right hand],” (italics mine) and in that way he would simply be echoing the language of the verse that commands the placement of *tefillin*.⁶⁰ According to R. Mazuz, by using the

⁵⁸ R. Mazuz emphasizes the grammatical issue involved because it shows how Rashi’s commentary integrates itself into the text of the Talmud. Note that Rashi merely adds two words to the Talmudic text: *bi-zroa semolo* (“onto his left arm”), thus inducing the reader to read the text as follows: “Because one ties *tefillin* with it [i.e. with his right hand] onto his left arm.” The reader is therefore not bothered at all by the word *bah* in the original Talmudic text, which would have appeared ambiguous without the explanatory phrase “onto his left arm.” Rashi’s ability to anticipate such ambiguity is a major factor in the spread of his fame as a Talmudic commentator.

⁵⁹ *Shenei Lubot ha-Berit*, “Massekhet Hullin – Perek Derekh ha-Hayyim,” 28.

⁶⁰ There are actually a number of verses, all of which use the word *yad* (often translated into English as “hand”) to describe the location onto which God’s “words” (*devarim*) as presented in the local verses are to be placed. R. Mazuz cites Deut. 6:8. Tradition mandates that the Four Sections be placed on the arm, with the understanding that the Biblical use of the term *yad* in this context refers not only to the fingers and palm but to the entire arm. Anyone familiar with Tanakh will easily find verses that clearly use *yad* to refer to the hand plus the arm, in part or in full. For easy

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word “arm,” Rashi is stressing that the main concern is the placement of the Four Sections on the left arm, which is done through the medium of the right hand.

In sum, R. Mazuz’s comments discuss two different questions: the question as to why Rashi made a seemingly obvious comment, and the question as to why Rashi chose to use the term “arm” over the term “hand.” What is unique about R. Mazuz’s analysis is not the fact that he asks what the purpose of Rashi’s comment was. That question would be obvious to anyone from any school of thought. Rather, the uniqueness stems from the focus on the use of each and every element of a text, even on seemingly similar terms such as “arm” vs. “hand,” and the far-ranging implications that even one seemingly insignificant word is perceived to have. By not using the more expected term “hand,” according to R. Mazuz, Rashi prevented the reader from erring in assuming that the issue for the Talmud was the hand on which the straps of the *tefillin* are tied.

reference, see David Cline’s *Dictionary of Classical Hebrew*, Vol. IV, 82 (definition of *yad*, I). For instance, in Jer. 38:12, “your armpits” are termed *atsilot yadekha*, an expression that would make no sense unless the term *yad* was referring to the entire arm. See also William H. C. Propp, *The Anchor Bible: Exodus 1-18*, 207 (note on 3:19) for archeological evidence in this vein.