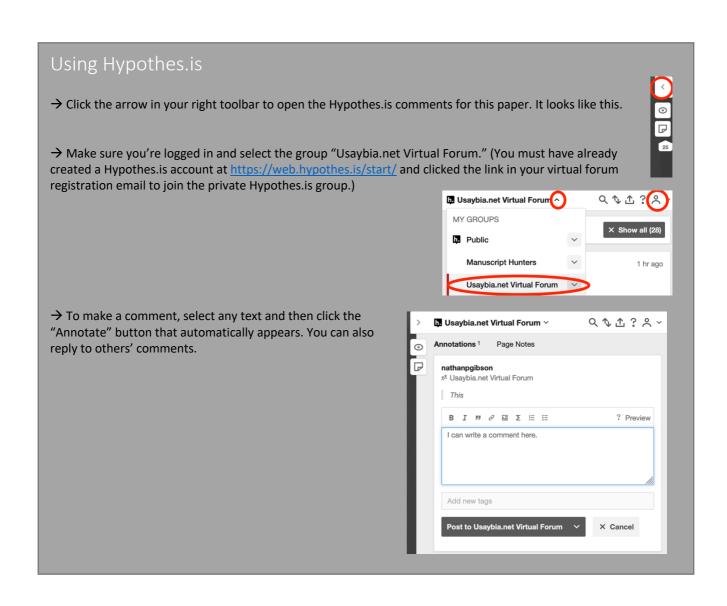
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More than a Trans-Denominational Friendship in Late 14th Century Aleppo

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MORE THAN A TRANS-DENOMINATIONAL FRIENDSHIP IN LATE 14TH CENTURY ALEPPO

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Abstract

An Arabic commentary on Maimonides' Mishneh Torah ["Reiteration of the Torah", "Second to the Torah"], Sefer ha-Madda' ["Book of Knowledge"], Hilkhot Yesodei ha-Torah ["Laws Concerning the Foundations of the Torah"] I–IV by a Ḥanafī muwaqqit ['time-keeper'] in late 14th century Aleppo, has attracted the attention of many distinguished scholars over the last century and a half. The research history of this significant document is almost as intriguing as the text itself and attests to the difficulty of 19th and 20th century scholarship to come to terms with the peculiar setting of a Muslim scholar commenting on a Jewish halakhic treatise.

The commentary by 'Ala' al-Dīn Abū l-Ḥasan 'Alī ibn Ṭaybughā was the byproduct of a longstanding friendship with Rabbi David b. Joshua Maimonides (ca. 1335-1410), the great-great-great-grandson of Moses Maimonides (or, if you prefer, the grandson of Maimonides's great-grandson). The impact of this friendship comes to the fore on several other occasions in David's own commentary on various parts of the Mishneh Torah. In David's view, this friendship represented far more than a mere social acquaintance with a Muslim soulmate [indeed, if it were confined to that, it would be rather trivial and not worth making a fuss about it!]. Similar to his illustrious ancestor, he conceived of *The Laws Concerning the Foundations of the Torah* as a straightforward, 'exoteric' digest of all theoretical sciences (al-'ulūm al-nazarīya), in such a way that a well-conceived commentary upon these chapters should build upon the most advanced scientific knowledge available at a given time. Since the foundations of (understanding) the Law as well as the understanding of the foundations of the Law are intertwined with the most accomplished scientific endeavour to understand the world, the perfect commentator should be a leading scientist of his time, irrespective of his religious affiliation.

Digest of research history

The early scholarly debates about this document provide an excellent sample of nineteenth century 'Wissenschaft des Judenthums'. Even before the Trustees of the British Museum bought the manuscript from Samuel Schönblum on 14 April 1866, Moritz Steinschneider had brought it up on several occasions. His first reference is found in his Catalogus Librorum Hebraeorum in Bibliotheca Bodleiana (1852-60) within the description of a manusript containing inter alia Yosef Ibn 'Aqnīn's Maqāla fi Ṭibb al-nufūs al-alīma wa-mu'ālajat al-qulūb al-salīma.¹ He again referred to our document in a short survey of manuscripts sold by Constantin (von) Tischendorf (d. 1874) to the Imperial Public Library in Saint Petersburg in 1858.² In this article he first expressed his doubts concerning the authorship of 'Alā' al-Dīn al-Muwaqqit and argued for the text being a forgery by the 15th century Yemenite scribe Saʿīd b. Dāʾūd al-'Adanī.³

Shortly after its acquisition by the British Museum, W. Wright mentioned the manuscript [henceforth MS BL] in an article entitled "The Almanzi Collection of Hebrew Manuscripts in the British Museum".⁴ Much to Steinschneider's discontent, Wright failed to consider his arguments against al-Muwaqqit's autorship.⁵

In his "Schriften der Araber in hebräischen Handschriften – Ein Beitrag zur arabischen Bibliographie"⁶, Steinschneider repeated his claims of 'forgery' and offered a partial survey of sources quoted in "this curious text".⁷ He tentatively dated it to the middle of the 14th century, the assumed lifetime of Maimonides' great-great-great-grandson David b. Joshu'a, "da im Orient Ehen früh eingegangen werden."

At the beginning of the twentieth century, G. Margoliouth dedicated a monographic study to the manuscript. Hoping "to gain Professor Steinschneider's favourable consideration", he argued for the Muslim identity of the author whom he thought to be a contemporary of Ibn Kammūna (d. 683/1284).8 Margoliouth also suggested that the commentary in its present form "is much longer than it originally was", considering "that the work in its present form has passed through the hands of at least one Jewish redactor". He assumed "that [Maimonides's grandson] David ha-Nagid [...], who had written out the codex found by Saʿīd b. Dāʾūd at Aleppo, was himself the redactor or one of the redactors".9 The bulk of Margoliouth's article was dedicated to the recording of quotations from Muslim and Jewish authors interspersed in the text.10

Only a few months later, Steinschneider refuted Margoliouth's arguments in an article surveying the literary legacy of Maimonides' descendants and once again asserted the soundness of his standpoint.¹¹

In defiance of Steinschneider's stubborn insistence, Margoliouth did see no reason to reconsider his conclusions and reiterated them in his description of the manuscript within the second volume of his *Catalogue of the Hebrew and Samaritan Manuscripts in the British Museum*, published in 1905.¹²

Another fourty years went by before some new light was shed on our document. In his *History of the Jews in Egypt and Syria under the Mamlūks*, E. Ashtor (Strauss) finally succeeded in solving the enigma regarding the identity of "'Alā' al-Dīn al-Muwaqqit" and proposed to identify him with 'Alā' al-Dīn Abū l-Ḥasan 'Alī ibn Ṭaybughā al-Ḥalabī al-Ḥanafī al-Muwaqqit, who died in Aleppo after 793/1391.¹³

Apart from that, Ibn Ṭaybughā's commentary was mentioned now and again in connection with a substantial number of extant manuscripts copied in the hand of Saʿīd b. Dāʾūd al-ʿAdanī who himself authored a Judaeo-Arabic commentary on Maimonides' *Mishneh Torah*. This Yemenite scholar – who is not to be confused with his elder contemporary Saʿīd b. Dāʾūd al-Dhamārī, the author of *Midrash ha-Beʾur* –, his scribal and scholarly activities and his extensive journey to Egypt and Greater Syria have been researched by various scholars. 15

In 1985 D. Blumenthal not only edited the Arabic translation of *Hilkhot Yesodei ha-Torah* I–IV on the basis of MS BL [see now my revised synoptic edition: https://www.academia.edu/37238475/], he also presumed to give a philosophically "more consistent and accurate"[!] version of some passages of the Arabic text. Moreover, he corrected Ashtor's erroneous interpretation of Ibn Ṭaybughā's postscript (fols. 271b–272a) in the sense that the latter not only based his commentary on the Arabic translation handed to him by David, but moreover relied on David's own *Sharḥ* on *The Laws Concerning the Foundations of the Torah* I–IV and finally presented his commentary to David as he could not think of other potential readers. To

In 1984, Paul Fenton – who had the privilege of being one of the first Western scholars after decades to gain access to the manuscripts of the Firkovitch collections in St. Petersburg (then Leningrad), came across David b. Joshuʻa's autograph commentary on the first four chapters of *The Laws Concerning the Foundations of the Torah* and later described some of its features at the sixth conference of the Society for Judaeo-Arabic Studies (Ramat Gan, 1993).¹8 The manuscript contains the Hebrew text of *Hilkhot Yesodei ha-Torah* I–IV separated by David's own *Sharḥ* (in Judaeo-Arabic) on each single *Halakhah*. As David explains in the preface, his commentary sought to clarify the purposes of Maimonides' text, to determine its underlying principles, to increase its benefits, and to untie its knots, "in order to show the people its beauty, for it ('she') is beautiful" (< Esther 1:11).¹9

In the written version of his paper (published in 2000), Fenton provided further evidence to prove the direct link between the commentaries of David ben Joshua and 'Alī Ibn Ṭaybughā.²⁰ He confirmed an earlier assumption by E. Ashtor that it must have been David who provided Ibn Ṭaybughā with an Arabic translation of *Hilkhot Yesodei ha-Torah* I–IV²¹, and restated Blumenthal's observation that Ibn Ṭaybughā was familiar with a version of David's commentary and explicitly refers to it.²²

In the same article, Fenton announced the re-discovery of yet another copy of Ibn Ṭaybughā's commentary at the National Library of Russia [henceforth MS RNL], likewise in the hand of Saʿīd b. Dāʾūd al-ʿAdanī.²³ The existence of this manuscript was in fact known since 1896, when A. E. Harkavy recorded it in one of his occasional notes entitled Ḥadashim gam Yeshanim.²⁴ A century later, in 1996, Y. Tzvi Langermann, at the time a research fellow at the Institute of Microfilmed Hebrew Manuscripts at the Jewish National and University Library (now: The National Library of Israel) in Jerusalem, spotted it amongst the newly procured microfilms of manuscripts from the Firkovich Collections.²⁵ The re-discovery of this second manuscript is important in many respects, not least because it demonstrates – contrary to previous assertions²⁶ – that the folios of MS BL in its present binding are not in due order (see the codicological table in Appendix II).²7

More recently, Rabbi Yehudah Seewald has corroborated a previous assumption that Ibn Ṭaybughā's astronomical expertise is discernible in various other parts of David's Commentary on the *Mishneh Torah*, most notably in the *Book of Seasons*.

MS RNL comprises a colophon at the end of the third part (fol. 122a) according to which the copy was completed in Aleppo during September 1479. The six dates given on fol. 2a of MS BL show that it was copied no later than 1466-7. These dates are in the hand of the original scribe who copied fols. 2b–109b of MS BL. Having access to a *Vorlage* (*umm*) in the hand of David ben Joshua, Saʻīd b. Dā'ūd al-ʻAdanī completed this unfinished or defect copy of Ibn Ṭaybughā's commentary during his stay in Aleppo. The assumption that MS RNL postdates al-ʻAdanī's completion of MS BL is borne out by its numerous ditto- and haplographies. On the other hand, the fact that MS RNL includes a longer passage which is missing in MS BL confirms that MS BL could *not* have served as *Vorlage* of MS RNL.

The existence of David b. Joshuʻa's holograph commentary on *Hilkhot Yesodei ha-Torah* I–IV combined with Saʻīd b. Dāʻūd al-ʻAdanī's assertion that he copied Ibn Ṭaybughā's commentary from a *Vorlage* in David's hand provide us with an important clue concerning the presumable physical shape of this *Vorlage*. On the evidence of his various holograph codices, it stands to reason that David added

marginal glosses and occasionally also inserted supplementary flyers into the original quires of his copy of Ibn Ṭaybughā's commentary.³³ In MS BL and MS RNL, all this extra material is incorporated into the main body of the text, though set apart by means of editorial tags, such as

חאשיה (حاشية) [... ->] תמת אלחאשיה (تّت الحاشية) פצל (فصل) [... ->] ונעוד אלי כלאם אלשארח (ونعود إلى كلام الشارح) / ונרגע לקול אלשארח (ونرجع لقول الشارح) 34 .

Abū l-Ḥasan ʿAlī b. Ṭaybughā

As mentioned above, it was E. Ashtor (Strauss) who first proposed to identify 'Alā' al-Dīn al-Muwaqqit with Abū l-Ḥasan 'Alī b. Ṭaybughā al-Ḥalabī al-Ḥanafī al-Hayʾāwī al-Muwaqqit (d. after 793/1391). Ashtor referred to two biographical dictionaries containing an entry on him, namely al-Durar al-kāmina fī a'yān al-mi'a al-thāmina by the famous Egyptian ḥadīth scholar and Mamlūk historiographer Shihāb al-Dīn Abū l-Faḍl Aḥmad Ibn Ḥajar al-'Asqalānī (d. 852/1449)³⁵, and al-Manhal al-ṣāfī wa-l-mustawfī ba'd al-Wāfī by Jamāl al-Dīn Abū l-Maḥāsin Yūsuf b. Taghrībirdī (= Tanrı-verdi) b. 'Alī al-Atābakī (d. 874/1470), a student of Taqī al-Dīn al-Maqrīzī (d. 845/1442).³⁶ Beyond that, entries on Ibn Ṭaybughā are found in Ibn Taghrībirdī's condensed version of the Manhal, entitled al-Dalīl al-shāfī 'alá l-Manhal al-ṣāfī³, in Ibn Ḥajar al-'Asqalānī's Inbā' al-ghumr bi-abnā' al-'umr, an annalistic history of noteworthy people and events spanning the period from 773/1372 to 850/1446³³, and last but not least in Ibn-Khaṭīb al-Nāṣirīya's (d. 843/1440) recently edited al-Durr al-muntakhab fī takmilat tārīkh Ḥalab.³9

In the $Inb\bar{a}$, Ibn Ḥajar al-ʿAsqalānī included the following sketch of ʿAlī b. Taybughā under the heading "deceases of the year 793[/1391]":

على بن طَيْبُغَا الحلبي علاء الدين الموقّ اشتغل في الهيئة والحساب والجبر والمقابلة والأصلين 40 ومهر في ذلك، واشتهر حتى صار موقّ البلد من غير منازع، وكان يسكن جامع الطنبغا. قرأ عليه جماعة من شيوخ حلب 41 كأبي البركات [موسى الأنصاري] 42 وشمس الدين النابلسي وشرف الدين الدادنجي 43 وعز الدين الحاضري. وذكر القاضي علاء الدين [بن خطيب الناصرية] 44 في تاريخه [المنتخب في تكلة تاريخ حلب] 45 أن جمال الدين ابن الحافظ قال له يومًا 46: يا كافر! فقال له ابن طيبغا: بما عرف الله؟ فسكت. فقال علاء الدين: فمن هو الكافر، الذي يعرف الله أو الذي لا يعرفه؟ قال: وكان يعرف بفساد العقيدة 47 وينسب إلى ترك الصلاة وشرب الخمر، ولم يكن عليه وضاءة الدين و (أهل) العلم 48 وكان أكثر الأمراء يعتمد عليه في أحكام النجوم.

"The Aleppine 'Alī b. Ṭaybughā, 'Alā' al-Dīn the time-keeper, devoted his studies to astronomy, arithmetic, algebra, geometry, and the two foundational

sciences [scil. uṣūl al-dīn and uṣūl al-fiqh] and was an expert in these fields. He became a man of renown and eventually the undisputed time-keeper of the town and took residence in the Ṭu(i)nbughā mosque⁴⁹. A bunch of scholars from Aleppo studied with him, including Abū Barakāt Mūsā al-Anṣārī, Shams al-Dīn al-Nābulusī, Sharaf al-Dīn al-Dādinjī, and 'Izz al-Dīn al-Ḥāḍirī. The Qāḍī 'Alā' al-Dīn [b. Khaṭīb al-Nāṣiriyya] mentioned in his History [scil. al-Durr al-muntaḥab fī takmilat Tārīkh Ḥalab]⁵⁰ that the Ḥanafite Jamāl al-Dīn Maḥmūd Ibn al-Ḥāfiz told him one day: "(You) unbeliever!" – Ibn Ṭaybughā retorted: What is your knowledge of God based on?" Ibn al-Ḥāfiz said: "On nothing". 'Alā' al-Dīn [Ibn Ṭaybughā] then pressed on and asked: Who is an unbeliever, someone who has knowledge of God or someone who has not?" [Ibn Khaṭīb al-Nāṣiriyya also noted that] he [= 'Alī b. Ṭaybughā] was known for his corrupting the creed and imputed with not performing the prayers and drinking wine. Religious purity did not bother him. Nevertheless, almost all political rulers relied on him in matters concerning the stars (astronomy, astrology)."⁵¹

'Alī b. Ṭaybughā was the son of Ṭaybughā al-Dawādār al-Ashrafī al-Bi(a)klamishī [Baklamīshī] al-Yunānī, a contemporary of the eminent Mamlūk astronomer Ibn al-Sarrāj⁵² and author of several works in the field of astronomy, including a treatise on the use of the single *shakkāziyya* quadrant (*Risāla fī l-ʿamal birubʿ al-shakkāziyya*), a treatise on the use of the almucantar quadrant (*Risāla fī l-ʿamal bi-rubʿ al-muqanṭarāt*), and a treatise on the use of the sine and astrolabic quadrants (*Ghāyat al-maṭlab fī l-ʿamal bi-ʾl-rubʿ al-āfāqī al-mujayyab*).⁵³

By profession Ibn Ṭaybughā was a Muwaqqit, a time keeper. In the fourteenth century the activities of a Muwaqqit or $M\bar{i}q\bar{a}t$ went far beyond calculating and fixing the times of the prayer. He was by now a professional astronomer $(hay'\bar{a}w\bar{i})$ associated with a religious institution, who besides his responsibility for the regulation of the times of prayer specialised in spherical astronomy and astronomical timekeeping (' $ilm\ al-m\bar{i}q\bar{a}t$).⁵⁴ In the 7th/13th and 8th/14th centuries we find several Muwaqqits producing works of scientific merit. Over the course of the 14th century, the cutting-edge astronomy had moved from Egypt to Syria.⁵⁵

Ibn Ṭaybughā's scientific achievements in the realm of astronomy have often been emphasised, and justly so. Ibn Taghrībirdī furnishes the interesting information that he studied the exact sciences with Persian (Khurāsānian?) scholars passing through Aleppo. With regard to his commentary on Maimonides's Laws Concerning the Foundation of the Torah I–IV it is, however, significant that he is likewise portrayed as an expert theologian who was well-versed in "the two foundational sciences" (al-aṣlān/al-uṣūlān, i.e. uṣūl al-dīn and uṣūl al-fiqh). The existence of philosopher-theologians or scientist-theologians who assumed a

general competence – having passed through the curriculum of the *madrasa* and being at the same time highly competent mathematicians, astronomers, or physicians – is characteristic of the generations of scholars following the Mongol invasion.⁵⁷

The date of Ibn Ṭaybughā's death given by al-ʿAsqalānī as 793/1391 should be taken with some caution: he is obviously unsure about the exact date of his death ("yuqāl annahu māta sanata 793"). ⁵⁸ Ibn Taghrībirdī, on the other hand, who was born in the early fifteenth century, mentions to have seen him⁵⁹, while Ibn Ṭaybughā's father is said to have died in Aleppo in 797/1394-5, according to some manuscripts due to poisoning ($masm\bar{u}m^{an}$), according to others in prison ($masj\bar{u}n^{an}$). ⁶⁰

The commentary on Hilkhot Yesodei ha-Torah as a philosophical 'encyclopaedia'

Before turning to Ibn Ṭaybughā's commentary, it is expedient to briefly recapitulate a few elementary facts about character, status, significance and structure of the *Mishneh Torah*.

Maimonides compiled and composed *The Mighty Hand* (ha-Yād ha-ḥazāqāh, < Deut. 6:21), as it is commonly known, during his first decade in Fusṭāṭ, roughly between 1167 and 1178. After a period of intense controversy about its status and specific issues of presentation and content, it established itself as one of the most seminal Codes of Jewish Law and gave rise to a wide range of subsidiary literature. Maimonides himself spared no pains to promote his magnum opus and corresponded in this matter with eminent scholars and community leaders in Egypt, Greater Syria, Iraq, Yemen, the Iberian Peninsula, and Southern France. Numerous documents (letters, responsa, glosses, students' notes, etc.) provide us with extensive information about teaching activities and an enhanced effort to disseminate the *Mishneh Torah* during Maimonides's lifetime and thereafter.

Unlike his other major works (the *Commentary on the Mishnah*, the *Book of Precepts*, the *Guide for the Perplexed*, the medical works) which were composed in (Judaeo-)Arabic, Maimonides wrote the *Mishneh Torah* in a Hebrew that aspired to be Mishnaic, even if it is in actual fact imbued with a wide range of syntactical, morphological, and lexical Arabisms.

Even though in Maimonides's own apprehension Hebrew and Arabic were so closely related as to be considered "one single language", as he famously stated in the 25th treatise of his *Medical Aphorisms*, many early students and recipients of the *Mishneh Torah* did not feel comfortable with its Mishnaic-style Hebrew and asked Maimonides to provide for an Arabic version of it. After all, the vast majority of Jewish legal literature produced over the three preceding centuries was in (Judaeo-)Arabic. Even though Maimonides was disinclined to comply with this request,

much of the instruction of the *Mighty Hand* as well as a considerable part of related correspondence and responsa were in Arabic. By the end of the 13^{th} century there existed a whole range of subsidiary literature in Arabic, most famously among them Tanḥūm ben Yosef ha-Yerushalmī's Lexicon (*al-Murshid al-kāfī*), as well as Arabic translations of at least individual chapters of the *Mishneh Torah*.

It has been and to some extent continues to be a matter of dispute until today whether Maimonides considered the *Mishneh Torah* merely as a broad, comprehensive representation of the *Halakhah* or whether he viewed it as the *Halakhah* itself⁶¹, meaning that he was not only striving to compile and summarise earlier halakhic literature, but to replace it and to render it superfluous "..., so that no other work should be needed for ascertaining any of the laws of Israel. ... A person who first reads the Written Law and then this compilation will know from it the whole of the Oral Law, without having occasion to consult any other book between them". In a famous letter to his student Joseph b. Shim'on, Maimonides viewed the initial, resentful criticism of the *Mishneh Torah* as a passing phenomenon that would soon fade away: "All you have told us about those who refuse to accept it as it ought to be accepted—that is only in my time. In future times, however, when jealousy and the drive to dominate wane, all Israel will be satisfied with it alone, and all else without doubt will be set aside." This view was fostered, among others, by Maimonides's descendants.

At the very least, the *Mishneh Torah* was meant to assemble and present the disparate rulings of Jewish Law "succintcly and clearly, so that the Oral Law will be easily accessible to all." In the introduction, Maimonides characterises the five sections of the *Book of Knowledge* as containing commandments "that are the fundamental principles of the religion of Moses and that a person must know at the very outset." The first *Halakhah* is an attempt to define, in binding terms, the Jewish concept of God. The following four chapters are devoted to the understanding of the divinity and of the universe, presenting, in summary form, the picture of existence that Maimonides termed "the Account of the Chariot" and "the Account of Creation."

Some years ago, W. Z. Harvey has argued that in the *Mishneh Torah*, and particularly in its *Book of Knowledge*, Maimonides presented the philosophical and scientific doctrines in a non-philosophical, highly simplified, "catechetical", but nondeceptive, unequivocal fashion, and that as such it "contains the skeleton of Maimonides' religious and philosophic arguments".⁶⁴ Therefore, "[i]t would, I think, be only a mild exaggeration to say that if you could reorganize the passages of the

Guide so as to take the form of a Gemara based on the *Mishneh Torah*, you would be able to uncover all of the secrets of the *Guide*."⁶⁵

[In the final version, this perception of the *Mishneh Torah* will be fleshed out in more detail].

This perception of the Mishneh Torah and its Book of Knowledge comes very close, indeed, to R. David b. Joshu'a's apprehension of the text. In his view, the first four chapters of the Laws Concerning the Foundation of the Torah represent a straightforward, 'exoteric' digest of all theoretical sciences, in such a way that a well-conceived commentary upon these chapters could serve as a 'Guide to the theoretical sciences for the knowledgeable' (dalālat al-ʿālim fī l-ʿulūm al-naẓariyya).66 According to David's and indeed Maimonides' own understanding, such a commentary should, of course, not be limited to reorganising the contents of the Guide⁶⁷, but rather build upon the most advanced scientific knowledge available at a given time. 68 A late 14th century commentary on Hilkhot Yesodei ha-Torah I-IV was therefore meant to take the form of a scientific-philosophical 'encyclopaedia', comprising all theoretical sciences according to the standards of its time.⁶⁹ In David's view, the perfect commentator of Hilkhot Yesodei ha-Torah would be a leading scientist of his time, no matter what his religious affiliation. David had himself a broad scientific knowledge, and evidently considered himself apt to carry out such a project⁷⁰, but he may well have thought that a savant of Ibn Taybughā's standing would even better match the profile of the perfect commentator.

Ibn Ṭaybughā's commentary should therefore above all be read in context of the extensive philosophical and scientific activity over the two centuries following the Mongol invasion.⁷¹ Viewed in this light, the commentary becomes an integral part of a vast corpus of philosophical and scientific literature produced during this period.⁷²

And from here I shall take up the thread next week.