

## Judah he-Ḥasid and the Tosafists of Northern France

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**Abstract** Recent scholarship has suggested that teachings and practices of the German Pietists permeated Tosafist circles in the Rhineland and elsewhere in Germany. This study demonstrates that there were intellectual and methodological contacts between the Pietists and the Tosafists of northern France as well, in the areas of talmudic studies and Jewish law. Judah he-Ḥasid offered interpretations that were known in the study hall of Isaac (Ri) of Dampierre (d. 1189); passages found in northern French Tosafot parallel other interpretations and derivations associated with Judah; Judah's main Pietist student commented and critiqued Tosafot to tractate Bava Qamma that were produced in Ri's study hall; and halakhic rulings and traditions put forward by Judah are cited and followed by thirteenth-century Tosafists in northern France such as Isaac b. Joseph and Perez of Corbeil. All of this suggests that what separated the Pietists and Tosafists even in northern France has to be formulated in a more nuanced fashion.

**Keywords** Tosafists · Judah he-Ḥasid · Ḥasidei Ashkenaz · Isaac b. Samuel of Dampierre

Nearly four decades ago Israel Ta-Shma published a chronicle from a Moscow manuscript that lists a series of northern French Tosafists and the years of their passing. Ta-Shma maintained that the earliest entries—those about Isaac b. Samuel of Dampierre (Ri, d. 1189) and his son Elḥanan (d. 1184), as well as Ri's students, Riḥba of Dampierre (d. 1209), Barukh b. Isaac, author of *Sefer ha-Terumah* (d. 1211), and Riḥba's brother, Samson of Sens (d. 1214)—were grouped close to the year 1230, the year in which Ri's grandson, Samuel b. Elḥanan, died. The list then continues with the subsequent deaths of Yeḥi'el of Paris (d. ca. 1260) and his son Joseph, and several others. In the final line, the copyist (Menachem Ollendorf, who retrieved this list from an earlier source that he identifies) concludes: “RY”H—R. Yehudah [b. Samuel] he-Ḥasid—died in 1217 and was buried in Regensburg. On the ninth of Av in 1442 I was at his gravesite, and I signed my name on his tombstone.”<sup>1</sup>

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<sup>1</sup> See Israel M. Ta-Shma, “Kroniqah Ḥadashah li-Tequfat Ba'alei ha-Tosafot me-Ḥugo shel Ri ha-Zaqen,” *Shalem* 3 (1981): 319–24.

interests and training of Judah he-Ḥasid, as well as of Eleazar of Worms, have been underassessed, just as the extent of the intellectual and spiritual creativity of the Tosafists has not been fully recognized. What separates the Tosafists from the Pietists concerns more which disciplines and subject areas they favored (and expanded upon) than how the disciplines they had in common were to be studied or taught. Like others among the Tosafists and rabbinic figures in Ashkenaz at this time, Judah and Eleazar were capable of speaking and writing on rather different levels. Their discussion styles (and goals) as cited in connection with Tosafist texts are surely not the same as they are in *Sefer Ḥasidim*, or even in Eleazar's *Sefer Roqeah*, just as some of the Tosafists shared ideas about magic and esoteric teachings in ways that are not found (or even projected) within their talmudic interpretations.<sup>53</sup>

That Eleazar of Worms studied with two Tosafist students of Rabbi Jacob ben Meir "Tam" has already been noted. Is it possible to theorize that in addition to being aware of at least some of the Tosafot of Rabbi Isaac of Dampierre—as were other rabbinic scholars in his day in the Rhineland and beyond—Eleazar's mentor, Judah he-Ḥasid had contact or perhaps even studied with an associate of the earliest German Tosafist, Isaac b. Asher ha-Levi (Riba *ha-Zaqen*, d. 1133)—someone like Shemaryah b. Mordekhai of Speyer, who had documented contacts with Rabbi Jacob ben Meir "Tam" as well. Indeed, Rabbenu Tam consulted R. Shemaryah (and accepted his permissive ruling) on whether according to the letter of the law, the burial of an individual can be held up by a creditor until an outstanding debt of the deceased to that creditor was paid.<sup>54</sup> Eleazar of Worms cites a good deal of halakhic material from Shemaryah of Speyer, and Eleazar's father, Rivaq of Mainz, himself a student of R. Shemaryah, was deeply involved in preserving his rulings.<sup>55</sup>

Such a theory concerning Judah he-Ḥasid's training might further posit that following his exposure to the highest levels and methods of talmudic study, Judah developed and honed his skills as a preacher and religious thinker, establishing himself as an outstanding pietist and going on to break much new ground in that realm. At the same time, however, he did not forget or abandon the talmudic (Tosafist) training to which he had been exposed, and as has been shown, he was recognized as a halakhic authority—even in northern France—throughout the thirteenth century.

<sup>53</sup>See above, n. 3

<sup>54</sup>See ms. New York, JTS 1096 (Lutzki 997) [IMHM #43205], fol. 77r; and Farbshtain, *Sefer Or Zarua'*, pt. 3, *pisqei Bava Batra*, sec. 199, fols. 487–88. Isaac *Or Zarua'* adds that this is only the case if the creditor is not a relative of the deceased. On R. Shmaryah's contact with both Rabbenu Tam and Riba of Speyer, see Emanuel, *Shivrei Luhot*, 282–83.

<sup>55</sup>See Urbach, *Tosafists*, 189–92; Emanuel, *Shivrei Luhot*, 283–88; and cf. Ta-Shma, *Minhag Ashkenaz ha-Qadmon*, 301 n. 9.

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Dedicated to the memory of our beloved daughter-in-law, Dr. Hindi Krinsky Kanarfogel a”h, an extraordinary daughter, wife and mother, and a devoted educator of uncommon warmth, wisdom and wit.

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CONTENTS    Volume 34    Nos. 1–3    2021

Special Issue: *Sefer Ḥasidim*: Book, Context, and Afterlife.  
Studies in Honor of Ivan G. Marcus

Guest editors

ELISHEVA BAUMGARTEN, ELISABETH HOLLENDER, AND  
EPHRAIM SHOHAM-STEINER

Introduction: <i>Sefer Ḥasidim</i> —Book, Context, and Afterlife <i>Elisheva Baumgarten, Elisabeth Hollender and Ephraim Shoham-Steiner</i>	1–14
Assessing the Manuscripts of <i>Sefer Ḥasidim</i> <i>Saskia Dönitz</i>	15–30
Was Judah he-Hasid the “Author” of <i>Sefer Ḥasidim</i> ? <i>David I. Shyovitz</i>	31–52
West and East in Ashkenaz in the Time of Judah he-Ḥasid <i>Rainer Josef Barzen</i>	53–81
Imitator of the Old Law/Advocate of Revealed Grace: Visualizing Jews and Christians in Twelfth-Century Regensburg <i>Adam S. Cohen</i>	83–105
Home and Away: The Opposition to Travel in <i>Sefer Ḥasidim</i> <i>Ahuva Liberles</i>	107–123
Who Was a <i>Ḥasid</i> or <i>Ḥasidah</i> in Medieval Ashkenaz? Reassessing the Social Implications of a Term <i>Elisheva Baumgarten</i>	125–154
The Impact of Ḥasidei Ashkenaz in Northern France: The Evidence of <i>Sefer</i> <i>Ḥasidut</i> and <i>Ḥayyei ‘Olam</i> <i>Judah Galinsky</i>	155–175
Judah he-Hasid and the Tosafists of Northern France <i>Ephraim Kanarfogel</i>	177–198
Composing <i>Arugat ha-Bosem</i> : How Piyyut Commentary Became Associated with Ḥasidei Ashkenaz <i>Elisabeth Hollender</i>	199–215
Suspicion and Evidence: Manuscript Sources of the Hermeneutic Gates of German Pietism <i>Daniel Abrams</i>	217–232
Old Prophecies, Multiple Modernities: The Stormy Afterlife of a Medieval Pietist in Early Modern Ashkenaz <i>Maoz Kahana</i>	233–258